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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
November 4, 2015.

I hereby appoint the Honorable GLENN THOMPSON 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 6, 2015, 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.

THIRTY-EIGHT PERCENT OF THE COUNTRY

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

Mr. GUTIÉRREZ. Mr. Speaker, I would like to congratulate the House of Representatives, the Republican Conference, and my friend PAUL RYAN for his election to be Speaker of the House. Those on the other side of the aisle are lucky to have him.

It is sad that he had to promise Members of his Conference in writing to not address a national issue on behalf of the American people. He had to swear that he would not allow a vote on immigration reform as long as President Obama, well, is President Obama. The new Speaker had to promise to put party unity ahead of national public policy in order to be elected Speaker.

One of my colleagues from Alabama, who was so vehement in his opposition to immigration, came to the floor last week to read Speaker RYAN's pledge into the CONGRESSIONAL RECORD.

So the Congress that did nothing on immigration reform for the last 2 years will do nothing for the remainder of the President's term. It is really stunning. You must promise to do nothing in order to be Speaker of the House of Representatives.

Maybe those on the other side of the aisle will come up with a new oath of office for leadership positions: Raise your right hand and repeat after me, they will say. I swear I will not let anything happen on my watch. I will faithfully uphold and defend the principles of the do-nothing Congress and pledge allegiance to the do-nothingness for which it stands; that I will ignore all cries for help, no matter how loud from the American people; that I will not let public policy get in the way of party politics; and that party unity is more important than the United States of America, so help me Tea Party.

Why would one faction within the Republican Party demand a promise from the new Speaker that he not bring up any immigration legislation to the floor? Because the opponents of immigration and immigration reform would lose. They must demand from the Speaker that the majority not rule in the House of Representatives because the opponents of immigration know they are actually the minority.

This is a telling moment for the Republican Party, and it is not confined to immigration. The majority of the country supports Planned Parenthood continuing to provide basic health services and contraception to women. But playing to a smaller segment of their base, Republicans threaten to close down the government in order to block its funding. They want the minority to rule, and they want the tail to wag the dog.

On the environment, in the wake of decades of scientific evidence that human beings have helped to cause climate change, what is the Republican response? Do nothing. It is a liberal hoax, they say. We can buy another beach house farther inland when the beach house is, well, farther inland.

Members on the other side of the aisle celebrate the antics of a county clerk who refuses to follow the law and do her job, which includes issuing marriage licenses to two men or two women who want to spend their lives together.

Maybe House Republicans think they are standing on principle, but the majority of the country has been fighting against exclusion, second-class treatment, and bigotry for decades. The rest of us have embraced equality. We support voting rights, the same pay for the same work, and police in communities that protect and serve, not just stop and frisk.

Here in Congress, as we saw last week with the discharge petition to preserve the Export-Import Bank, sometimes the majority can break the gridlock of this minority and actually take action.

As we saw last week on the bipartisan budget and debt ceiling vote, sometimes Republican leaders take action for the good of the country, despite the calls from the do-nothing caucus, well, to do nothing.

On all these matters, do nothingness comes with a cost. It is the cost of deported immigrants, and businesses that cannot hire people legally, of women who are denied lifesaving health screenings, honoring families as first-class citizens no matter who heads them, a cleaner planet, and safer neighborhoods.

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There is a political cost as well. A colleague from South Carolina summed it up in the documentary ''Immigration Battle'' on PBS Frontline, which I also appeared in. Addressing a group of Republican voters in his district, Congressman MICK MULVANEY said, ''At some point, we are going to have to figure out that if you take the entire African American community and write them off, take the entire Hispanic community and write them off, take the entire Libertarian community and write them off, take the entire gay community and write them off, what is left? About 38 percent of the country.'' The Congressman concludes by saying, ''You cannot win with 38 percent of the country.'' You want to know something? He is right.

We know from the environment, from the fight for marriage equality, the fight for civil rights, the fight to modernize our immigration system, that taking no action is precisely the problem.

I think the new Speaker understands this, and someday I hope my colleagues on the other side of the aisle agree with him and let the majority rule in the people's House.

THE AMERICAN CHESTNUT

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise to recognize the efforts in Pennsylvania and Pennsylvania's Fifth Congressional District to reintroduce the American chestnut tree.

Before the 1900s, the American chestnut was the dominant tree in the eastern United States. In fact, in my home State of Pennsylvania, it comprised roughly 25 percent of all hardwoods. Blight struck these trees beginning in 1904, and by 1950, the American chestnut was nearly wiped out of our forests.

Mr. Speaker, efforts over the past several years have focused on reintroducing this hardwood, the American chestnut, by making it more resilient to blight. I am proud to say that reintroduction efforts are taking place at several sites in Pennsylvania's Fifth Congressional District in Centre County, Clinton County, and Elk County.

This past week, the Pennsylvania State University's chapter of the American Chestnut Foundation held its annual meeting, highlighting the work of researchers, along with the contributions of volunteers, to the reintroduction of the American chestnut.

As chairman of the House Agriculture Subcommittee on Conservation and Forestry, I commend those advocates for their dedication, their research, their efforts to the reintroduction of this species; and I look forward to lending my support for bringing the American chestnut back.

CLIMATE CHANGE AND BIODIVERSITY

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

Mr. QUIGLEY. Mr. Speaker, John Muir, a naturalist, author, and environmental philosopher, once said, ''When we try to pick out anything by itself, we find it hitched to everything else in the universe.'' This couldn't be truer when it comes to the effect climate change is having on the biodiversity of our planet.

We can't solve the climate change crisis without realizing how interconnected its impacts truly are. The Intergovernmental Panel on Climate Change has predicted, assuming that current trends in burning fossil fuel continue, by the year 2100, the surface of the Earth will warm on an average of 6 degrees Celsius. That kind of potential for rapid and lasting climate warming poses a significant challenge for biodiversity conservation.

It may seem obvious, but the places that plants and animals can exist are limited by factors such as sunlight, precipitation, and temperature. A polar bear can't exist in Brazil, just as a lion can't exist in Antarctica. You won't find palm trees in Greenland, just like you won't find pine trees in Argentina.

So, as climate changes, the abundance and distribution of plants and animals will also change. Climate change alone is expected to threaten approximately one-quarter, possibly more, of all species on land with extinction by the year 2050. That means climate change will surpass habitat loss as the biggest threat to life on land.

Because of climate change, birds lay eggs earlier in the year, plants bloom earlier, and mammals come out of hibernation sooner. These changes may sound insignificant, but they drastically impact the life cycle of each population and, therefore, any species that rely on it. We are literally altering the timeline of nature.

The need to protect plant and animals species might not be a top priority for some of my colleagues, but I urge them to consider the other impacts. Twelve plant species provide approximately 75 percent of our total food supply. What is not generally appreciated is that these relatively few species depend on hundreds and thousands of other species for their productivity.

Our food supply is not only based on the food we eat, but insects and birds that pollinate crop flowers and feed on crop pests. For example, more than 80 percent of the 264 crops grown in the European Union depend on insect pollinators.

A lack of biodiversity can lead to a decreased ability to produce medicine, as key plants are lost to extinction. And without specific plants, such as grasses and trees that have evolved to resist the spread of wildfires or mitigate the impacts of flooding, we are losing a key shield in protecting against natural disasters. These are nature's defenders, and we are losing them.

In my own backyard, these climate changes are expected to impact regional biodiversity in a variety of direct and indirect ways. The Chicago wilderness, which expands across Illinois, Indiana, Wisconsin, and Michigan, will likely experience changes in the timing of natural events, such as blooming, migration, and the onset of hibernation. It could also cause a loss of suitable habitat and a disruption of ecological communities due to different responses to climate change.

These impacts are not limited to our land, plants, and animals. Changes in biodiversity will have significant impacts on our waterways as well. In the Great Lakes, native plant and animal species will differ wildly in their responses to changing stream temperature and hydrology. Wetland plant communities are continually adapting to changing water levels. However, the extreme changes we see as a result of climate changes, such as droughts and flooding, create more unstable environments for species.

Protecting our biodiversity does more than save plants and animals. It protects agriculture, medicine, and the overall safety of our communities.

From the beginning of time, nature has fed us, cured us and protected us. Now it is our turn. If we let one piece fail, we are putting the entire system at risk. We need to protect plant and animal species from an ever-changing climate if we want to secure a healthy and prosperous future for our children.

I urge my colleagues to stop ignoring the science and support Federal legislation that acts on climate change and addresses these grave biological threats.

PERSONAL FAITH

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

Mr. FORBES. Mr. Speaker, today as I stand on this great floor, a place that we call the people's House, I look across and there is a plaque of Moses, the great law-giver. While he may not be staring me in the eye, he stares at every Speaker, who stands where you stand today, directly in the eye. Right above you, there is our national motto that is even above the flag of the United States that says, ''In God we trust.''

I come here this morning because in the State of Washington in Bremerton School District, they take a different interpretation of that motto. You see, they believe there that you can trust in God as long as you don't trust too much; that you can be grateful to that God as long as you are not too grateful.

Last week, they put on administrative leave a young football coach, Coach Joe Kennedy, not because he molested a child, not because he wasn't

a winning football coach, not even because he didn't have good service—because everyone agreed he had exemplary service for the last 8 years—but the reason was simply because he dared to offer a personal, private prayer at the conclusion of a football game thanking God for protecting his players and the players on the other football team.

Now, the Bremerton School District is very noble because they say Coach Kennedy can exercise his faith even while on duty as long as no one else can see it.

Mr. Speaker, as the Bremerton School District cites cases, they do like so many anti-faith groups do. They cite the cases, but it is just that those cases don't apply to the facts in this particular situation at all.

This coach is not asking to pray with students at a mandatory pregame meeting. He is asking for his freedom to quietly and personally offer prayer and thanks for his team and the safety of his players after the game is over and the players are heading to greet their families and friends in the stands.

As a Member of Congress, my faith is not some kind of coat that I take off when I walk into the Capitol Building to perform my legislative duties. And as a coach, Coach Kennedy's faith is not something he sheds when he walks onto the field.

The Constitution doesn't require you to be sequestered to a private room out of sight and earshot to offer a prayer. It protects the right of an individual to visibly express his or her faith, just like it protects the right of a Muslim teacher to wear her head scarf or a Jewish teacher to wear his yarmulke.

□ 1015

Mr. Speaker, that is why I rise today, because I hope all across this country Americans will stand with Coach Kennedy, as we do today, and, in so doing, send a message to the Bremerton School District in the State of Washington that when they trample on even one young football coach's religious liberties and religious freedom, they trample on the religious freedom and the religious liberty of all of us.

HONORING JOHN CUSHING ESTY, JR.

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Connecticut (Ms. ESTY) for 5 minutes.

Ms. ESTY. Mr. Speaker, I rise today to celebrate and reflect on the life of a great man, John Cushing Esty, Jr., an education leader, a reformer, a man of intellect, wit, and joy, a devoted family man, and my beloved father-in-law of 31 years.

John Cushing Esty was the oldest of four boys. He was a ham radio operator and built radios. He learned languages, was a gifted student, a lover of education and words, and he lived a life devoted to excellence in education. He was committed to educational opportunity, although he attended some of the most elite private schools in the country. But as a leader of those schools, he pushed them into the modern era.

In the Air Force, during the Korean War era, he taught flight nurses—hundreds at a time—not, as he said, exactly tough duty.

As a young dean at Amherst College, I learned about his commitment to equal opportunity for all students from none other than my physician in the 1990s, a man named Marshall Holley, an African American scholarship student in the 1950s, one of three students in his class at Amherst College. He got in trouble for having told off a professor, a professor who he believed to be racist. He risked losing his scholarship when he received a failing grade.

He was sent to see my father-in-law. My father-in-law, as a young dean, said: You know, Marshall, you weren't wrong to tell him off. He was wrong to treat you that way, but you were unwise to tell him off before you got your final grade. I will fix your grade, but you have to be wiser in the future.

As headmaster of the Taft School in my district, Watertown, Connecticut, in the 1960s—a tumultuous time—John Esty led as an education leader, but he also led in the cause of what at the time was quaintly called coeducation. Much over the objection of many alumni, some of the present students and faculty, he pushed for coeducation, and successfully so. He did it because he knew that educational opportunity and excellence could only happen when opportunities were provided for young women as well as young men.

As a trustee of Amherst College, his alma mater, he successfully fought for that institution to become coeducational over the objection of, among others, his own father.

As a reformer, as the head of the National Association of Independent Schools, he helped create a program called A Better Chance. That took his commitment to equal opportunity for young men and women of disadvantaged backgrounds to lead to a national effort in scholarship programs around this country.

One of those examples of A Better Chance scholar is Governor Deval Patrick of Massachusetts, who credits his time as A Better Chance scholar at Milton Academy having transformed his life from the south side of Chicago to become one of this country's leaders. Similar scholarships also were adopted in other schools around the country, including one Punahou School in Hawaii, whose scholarship student Barack Obama graduated in 1979.

My father-in-law devoted his life to excellence in education, but he lived the life as well. Not only did he care about excellent education in private schools, but he fought for it in public schools. He served on the elected board of education in his town of Concord, Massachusetts, and all four of his sons went to public schools.

He was a man of merriment and wit and joy. He loved learning. We first met in 1978 and bonded over an argument over the correct pronunciation of a word. In classic John Esty style, he went to the dictionary that was in the dining room, and we looked up the word. I happened to be right. I don't remember the word. He doesn't, either. But I pronounced it correctly, and he knew that we had bonded for life.

He loved children, especially his grandchildren. He told them amazing stories often, getting them so worked up they wouldn't go to bed, but they loved his story, especially Jimmy Bond, the young James Bond stories, which would have them in delights.

John, you will be loved and missed by Katherine Esty, your wife of 60 years, and all four of your sons: my husband, Dan; my brother-in-law, Paul, and his wife, Vanda; my brother-in-law, Ben, and his wife, Raquel; my brother-in-law, Jed, and his wife, Andrea; the many grandchildren: Sarah, Thomas, Jonathan, Marc, Julie, Victor, Jonah, Maya, Aliya, and Asher.

You shared your love of life, of music, of stories, of education, and of making a difference with all of us. You lived a full 87 years, a committed servant of this great country, a believer in educational opportunity, and a gift for joy. You will be greatly missed. Thank you, and Godspeed, John Esty.

PEACE OFFICERS ARE A CUT ABOVE THE REST

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

Mr. POE of Texas. Mr. Speaker, recently a Hollywood filmmaker joined protesters and marched in an antipolice rally in New York City.

He referred to peace officers as murderers. His hateful rhetoric called for violence against law enforcement, saying: ''I have to call a murderer a murderer, and I have to call a murder a murder,'' adding that he is on the side of the ones who confront and are confronted by police. His comments encourage mischief and crimes against peace officers.

For the haters to justify lawlessness in response to perceived lawless acts by the police is idiotic. Bad cops, like bad citizens, should face a judge in a court of law. However, communities cannot be burned, looted, or destroyed by cop haters because some police officer allegedly committed a crime. Nor can crimes against police be encouraged, tolerated, or justified because some other officer is accused of doing something improper. Otherwise, there is mob rule.

The filmmaker, whose occupation is dedicated to the fake, the false, and to fiction, made comments 1 week after New York City lost one of its finest. Officer Randolph Holder was gunned down—really, he was assassinated by a ruthless outlaw—and he was recently buried. The filmmaker's self-righteous

indignation toward law enforcement only fuels the fire and the war on police. It promotes anarchy, chaos, and lawlessness.

The war on police has resulted in the death of 31 police officers killed in the line of duty this year, 31 officers who gave their life and their blood to protect and serve the rest of us. Cop haters ought to be ashamed.

The New York police union has called for a boycott of the Hollywood filmmaker's films which, interestingly enough, are riddled with extreme violence, racist remarks, and more hate toward police.

It is ironic, Mr. Speaker, that society expects police officers to protect them, but they will be the first to criticize officers for doing their job.

Officers defend the thin blue line between law and the lawless. Their job is dangerous. Every day peace officers run toward chaos that everyone else is running away from.

Mr. Speaker, in my past life I was a criminal court judge and a prosecutor in Houston, Texas. For 30 years I met peace officers from all over the country. Some of those officers I met were later killed. I know peace officers from New York City, and after we get through the communication barrier—as Churchill said, we are separated by a common language—I have found them generally to be remarkable people who do society's dirty work.

Those peace officers in New York are constantly on the job, rooting out the evil in New York City, while protecting and serving New Yorkers. They go into the dark dens where crime dwells and arrest those who would do harm to others. They have a thankless job that most people in America would never do.

Mr. Speaker, this isn't Hollywood. This is real life, where situations can turn violent in an instant. There is no fake blood, makeup, or actors. These lives are real.

Antipolice comments, like these from Hollywood, should be looked at for really what they are. It is a commercial by the Hollywood film crowd to make money off of films that preach hate and violence by pandering to police haters.

Mr. Speaker, peace officers wear the badge or shield or star over their heart. It is symbolic by where it is placed. As a protector from the evils that are committed in our society by protecting the rest of us, they stand between us and those who would do us harm.

When I was a kid back in Texas, my dad and I went to a parade in a small town called Temple. As the parade was going by, my dad noticed that I was looking at a person who was standing on the corner. He wasn't in the parade. He was just watching what was taking place. It was a local Temple police officer. Back in those days they didn't really have uniforms. They wore a white shirt, a star, and a cowboy hat, and jeans.

My dad commented at that time, he said: ''If you are ever in trouble, if you ever need help, go to the man or woman who wears the badge because they are a cut above the rest of us.''

That statement was true then, and it is still true today. Mr. Speaker, peace officers are a cut above the rest of us.

And that is just the way it is.

WE MUST SERVE OUR VETERANS AS THEY HAVE SERVED US

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LORETTA SANCHEZ) for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to honor all the men and women who have courageously served this country and who continue to sacrifice in order to preserve the values and the freedoms of our great Nation.

In 1919, President Wilson spoke the following words as he commemorated Armistice Day, better known to us all as Veterans Day, for the very first time:

''To us in America, the reflections of Armistice Day will be filled with solemn pride in the heroism of those who died in the country's service and with gratitude for the victory.''

Now, of course, that was 1919, and it was a day when Americans reflected on the lives which were lost during World War I, ''the war to end all wars.'' However, then came World War II and America's engagement in Korea. Congress voted to redesignate November 11 as Veterans Day in honor of all our veterans from all our wars.

Today, of course, there are over 1.4 million men and women in Active Duty, many of whom have completed multiple deployments in areas of the world where there is mass chaos, which is foreign to many of our young servicemembers. Unfortunately, these servicemembers bring this chaos home, both physically and mentally.

Here are some staggering numbers from a recent report by the University of Southern California:

Over two-thirds of today's veterans report difficulties adjusting to civilian life.

Nearly 8 in 10 servicemembers leave the military without a job lined up.

In the area I represent, in Orange County, nearly a quarter of the veterans with jobs are earning at or below the poverty level.

These numbers, quite frankly, are very unacceptable.

In 2014, an estimate of almost 50,000 veterans were living in shelters, on the streets, or in other places not meant for human population. This is 11 percent of the adult homeless population. According to a number of studies, both male and female veterans are more likely to be homeless than their nonveteran counterparts.

How does that make sense? These men and women are brave. They are skilled. They are critical thinkers. They are dedicated. They are loyal. They love their country.

So what has gone wrong? We must not only commit to figuring out how we are failing these young men and women, but once we do, we have to be held responsible for providing the necessary resources to help them succeed outside of the military.

I understand this is a significant commitment at a time of tight budgets and the changing nature of war, and that there is no one-size-fits-all solution. In California, for example, there are 1.8 million veterans. We make up 8 percent of the total U.S. veteran population.

According to the State of California, California anticipates receiving an additional 30,000 discharged members of the armed services each year for the next several years. We have to be ready. We have to be ready for those 30,000 veterans coming along and also with the 1.8 million who already exist in California.

As these members have served their country, so must we serve them. According to the Veterans Administration, there are 22 suicides a day of our veterans.

□ 1030

We must once again look at the causes of that staggering number. We have identified post-traumatic stress disorder and traumatic brain injury as main triggers for suicide, et cetera, but we have got to do better.

Twenty percent of new recruits will also be women. Fifteen percent of the 14 million Active Duty forces are currently women. And over 280,000 women have served in Iraq and Afghanistan. We have to do different things for women veterans because it is not the same as the needs of male veterans.

As we all know, the VA must be looked at and we must make appropriate changes to deal with the backlog, expedite disability claims, and to ensure that all veterans receive medical assistance in a timely manner.

Lastly, we must protect what we fought hard to achieved for them: education when they return back. We must ensure that military educational benefits do not go to waste.

Next Wednesday, once again, we celebrate Veterans Day, and I urge my colleagues to work with me to ensure that we can be proud in the services and the help that we give our veterans, just as they have been proud to serve all of us.

God bless.

IRAN SINCE THE DEAL—CONGRESS MUST STAY ENGAGED

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

Mr. POMPEO. Mr. Speaker, just a little over 100 days ago, the Obama administration completed an agreement with Iran on their nuclear program. I strongly opposed the joint plan of action throughout its consideration in Congress. And indeed, Congress never approved the deal.

Nothing since those 100 days have now passed lead me to have any different view of the impact of that deal on the United States of America. And yet the President appears prepared to continue to implement the deal on its terms, at least as he understands it.

And while media attention may have shifted away to other things, it is incumbent upon this body, the United States Congress, to remain vigilant and to ensure that America's vital national security interests are not damaged beyond repair in the execution of the Iran deal.

Indeed, in those 100 days, it has become clear that this deal is so badly conceived and America's position so muddled and the text so poorly drafted that the parties cannot even agree what they executed 100 days ago.

For example, Secretary Kerry, the principal negotiator on behalf of the United States and the P5+1, said on July 23 in front of the House Foreign Affairs Committee, ''We will not violate the JCPOA if we use our authorities to impose sanctions on Iran for terrorism, human rights, missiles, or any other nonnuclear reason.''

But, on October 21, Iran's Supreme Leader, Ayatollah Khamenei, in a letter to President Rouhani ostensibly approving the JCPOA, said, ''Throughout the 8-year period, any imposition of sanctions at any level and under any pretext, including repetitive and fabricated pretexts of terrorism and human rights, on the part of any of the countries involved in the negotiation will constitute a violation of the JCPOA.''

Members of Congress and the American people were promised repeatedly that this deal was only about Iran's nuclear program, and that America's ability to implement sanctions based on Iran's continued terrorist activities, ballistic missile ambitions, and other nonnuclear issues would not be impeded. But it now appears that the only man in Iran whose interpretation matters—the Ayatollah Khamenei—believes 100 percent the reverse of that.

This isn't a small disagreement. This isn't about where you put a semicolon or a comma. This isn't a small technical detail. This goes to the very heart of the deal between the P5+1 and the Iranian Republic.

Iran's refusal to abide by the written terms of the agreement as it relates to sanctions seems, on its face, to be an irresolvable conflict on a key issue—and Congress must lead. Congress must stand ready, willing, and unified in combating aggression by a regime who continues to view America as the ''Great Satan,'' and has been emboldened by this deal.

Rather than moderate, the regime has continued to flout U.N. resolutions, kidnapped more Americans, and stepped up its efforts to dominate the region. Here are several examples.

On July 24, 10 days after the JCPOA was announced, Iran's chief exporter of terrorism, Quds Force Commander Qassem Soleimani, traveled to Moscow, in direct violation of a U.N. Security Council resolution.

In September, it was reported that, in anticipation of sanctions relief, the Iranian regime has significantly increased funding for terrorist groups Lebanese Hezbollah and Hamas, two organizations that have American blood on their hands. There is no doubt that these groups have turned their eyes to the West and to Israel as they seek to grow their deadly and destabilizing force in the Middle East, with no moderation, after they signed to this deal.

On October 10, Iran successfully test-fired a next-generation ballistic missile, capable of striking Israel, in another clear violation of U.N. Security Council resolutions.

And in just the last weeks, the regime kidnapped yet another American citizen without justification, Siamak Namazi, who joins Pastor Saeed Abedini, former Marine Amir Hekmati, and Washington Post reporter Jason Rezaian, in unjust captivity in Iran. There is every reason to believe there will be more.

Iran has firmly set itself against American interests in Syria as well. A ground force of over 2,000 Iranian forces continues to fight against American interests in Syria, supporting dictator Bashar al-Assad, who our President has said repeatedly must go.

I came to the floor today because it is the 36th anniversary of the Iranian hostage crisis back in 1979. Anyone who had hoped that the Iran deal with the United States would portend a new era of openness between Iran and the United States has been disappointed and jolted beyond all imagination in the past 100 days.

The Iranian regime clearly intends to test our willingness in Congress to defend America's interest by pushing the limits of the JCPOA, and beyond. Iran also intends to intensify their conflict with the West, imbued with a new legitimacy. It now has $150 billion.

We, the Congress, have a duty to not let the passage of time, the loss of media interest, and the difficulty of the task to prevent us from protecting America's interest Iran's aggression—even if we must battle our own President.

CARE FOR ALL VETERANS ACT

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). The Chair recognizes the gentleman from Pennsylvania (Mr. COSTELLO) for 5 minutes.

Mr. COSTELLO of Pennsylvania. Madam Speaker, as we look forward to celebrating Veterans Day on November 11, let me just thank every man and woman serving in our military and every veteran for your service to our country. You represent and reflect the very best in our country's values and ideals.

This month, we also celebrate National Family Caregiver Month. Caregivers play a vital role, providing care and a sense of comfort and peace at trying times for Americans all over our country.

While we recognize all caregivers, I rise today to specifically speak about individuals who dedicate their livelihood, love, and support to improving our veterans' quality of life.

Caregivers of veterans assist with personal care needs and support their daily activities, including mental and physical therapies, managing of finances, transportation, and other essential duties.

In 2010, Congress passed the Caregivers and Veterans Health Services Act, marking the needed investment in supporting the family caregivers of our veterans by creating the VA Caregiver Support program. This law, while beneficial, limits eligibility of the program to post-9/11 veterans only.

I believe we should not limit the care of a veteran based on their period of service, but instead make the program accessible to veterans of all service areas, particularly our elderly veterans and their caregivers who presently do not have the benefit. In an effort to open the program to all veterans, I joined Congresswoman ELIZABETH ESTY to introduce the CARE for All Veterans Act, H.R. 2894.

Earlier this year, I attended a town hall at the Southeastern Veterans' Center in Spring City, Chester County, where a Vietnam war veteran asked me why his caregiver could not have access to the support provided by the VA Caregiver Support program.

I want to thank that veteran for raising this issue. On behalf of the estimated 214,000 pre-9/11 veterans in Pennsylvania, including 11,000 in my district alone, and veterans all across this country, I introduced the CARE for All Veterans Act with Congresswoman ESTY. This legislation is a meaningful step to ensure our veterans receive the quality of care they need in the comfort of their own home from their loved one.

H.R. 2894 responsibly grows the program to create an equitable system for our Nation's veterans and provide additional assistance to primary family caregivers of eligible pre-9/11 veterans.

A coalition of veterans groups support the CARE for All Veterans Act, including the American Legion, Military Officers Association of America, Disabled American Veterans, AMVETS, Paralyzed Veterans of America, Veterans of Foreign Wars, and VetsFirst.

I encourage my colleagues to cosponsor this legislation and, when the time comes, support this legislation on the House floor. Our focus must obviously be on making sure our veterans receive the care and services need. That means ensuring their loved ones and caregivers have the proper training, support services, travel expenses, health care, and respite care to provide the best in-home care for veterans. All caregivers, no matter the age of the veteran they serve, should have access to the VA Caregiver Support program.

During a month when we recognize Veterans Day, we must also take a moment to recognize those who play an instrumental role in the life of a veteran: their caregivers. By passing this bill, we could make a big difference for the veteran and their caregiver.

I am grateful to my constituents for bringing this need to my attention, and I call upon my colleagues to join me in this effort in supporting H.R. 2894.

DEFEATING ISIS AND PRESIDENT'S SYRIA STRATEGY

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

Mr. YOUNG of Indiana. Madam Speaker, I rise today on behalf of countless Hoosiers who are concerned for our troops. Like many Americans, we are increasingly dismayed by the Obama administration's incoherent strategy to defeat ISIS and protect American interests around the world.

As someone who served this country in the United States Marine Corps, and now as an elected Representative, I take seriously our responsibility here in Congress to demand war strategies that put American military personnel in a position to successfully complete their missions. This responsibility to our troops—to set them up for victory—has contributed to a new level of frustration felt by many of us over President Obama's disjointed foreign policy decisions in the Middle East.

Just last Friday, without any input from Congress, and absent any form of public debate, a White House spokesperson announced to the world that President Obama was authorizing the deployment of U.S. special operators directly into the fray in Syria.

Rather than hear it straight from our Commander in Chief, it took President Obama 3 full days to appear publicly and discuss his decision to escalate U.S. involvement and put more American boots on the ground.

On the one hand, I applaud the administration for any attempts to degrade the capabilities of ISIS and stabilize a war-torn Syria. However, it remains unclear what these brave special operators have been asked to accomplish. And, what strategy will enable a few dozen U.S. special operators to decisively drive ISIS from their stronghold in Raqqa?

To be clear, I know many of these valorous special operators personally. I am familiar with their remarkable ability to accomplish seemingly impossible missions, even with the odds stacked against them. But these warriors are not magicians. They are not a magic elixir capable of turning the tide of a 4-year, multifaceted civil war. They must be empowered to win.

President Obama tells us the U.S. mission is to degrade and defeat ISIS. But for that to succeed, he must articulate a broader strategy for the remaining 15 months of his tenure as Commander in Chief.

As it currently stands, limited airstrikes and a handful of special forces operators will not sufficiently empower the United States and our partners to initiate change in the region.

Unfortunately, I fear that this marks yet another instance of the President dictating U.S. defense policy by popular opinion. This is unfair to our men and women in uniform, their families, and it is unfair to all Americans.

My fervent hope is that during the close of this administration, a coherent, longer-term strategy is developed that empowers the greatest military in the world to protect American interests and to bring stability to a region desperately in need of peace.

□ 1045

HONORING OUR VETERANS

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

Mr. YOUNG of Iowa. Mr. Speaker, I rise today, as we approach Veterans Day, to honor the brave men and women who have served our country in uniform.

Now, earlier this year, I met with a group of young Iowans in Greenfield, Iowa, belonging to the Junior Optimists Club. They found a truly unique way to pay tribute to our Iowa veterans.

The Sidey family owned and published the Free Press in Greenfield, Iowa, for over 125 years. The Free Press would publish in their newspaper letters Iowa servicemembers sent home to their families over the years.

The Junior Optimists I met with went through the Sideys' collection of letters from World War II from soldiers. They picked out the ones they found most interesting or compelling and read them aloud at a Flag Day celebration that I was fortunate to attend.

I want to share one here, and I will put some others in the RECORD here with my colleagues in the House of Representatives, and enshrine them in the CONGRESSIONAL RECORD so that we, and future generations, may always remember the very real and human struggles our men and women face as they leave their loved ones and family behind to bravely secure and serve our country with dignity, honor and distinction.

I would like to read one of these letters, written by Lieutenant Kenneth Eatinger of Adair County, Iowa.

July 23, 1943.

Dear Little Brother:

I hope and trust you will be able to read this all by yourself, but if you can't, mother will read it to you and you will be able to save it and read it yourself at a later date after you have learned to read better.

Sonny, I know you miss me. I miss you too. It is too bad this war could not have been delayed a few more years so that I could have been with you a while longer and do all the things I had planned to do with you. But I suppose we must be brave and put those things off for now.

If I could just get home once more to see you and all the folks again and have them meet my little wife and baby, I wouldn't ask for anything more.

When you are a little older, you will know why your brother had to leave home for so long. You know we have a big country and we have big ideals as to how people should live and enjoy the riches of it and how each is born with equal rights to life, freedom, and the pursuit of happiness.

Unfortunately, there are some countries in the world where they do not have these ideals, where a boy cannot grow up to be what he wants to be, with no limits on his opportunity to be a great man such as a great statesman or a businessman, a farmer, a soldier.

Because there are many people in other countries who want to change our Nation, its ideals, its form of government and way of life, we must leave our homes and families to fight.

When it is all over, your brother is going to bring his little family home to see you and Mom and Dad and Inez and all the rest. In the meantime, take good care of Mom and Dad and grow up to be a good boy and a good young man.

Study hard when you are in school. Be a good leader in everything good in life. Be a good American, strive to win, but if you must lose, lose like a gentleman, and be a good sport. Don't be a quitter, either in sports or in your business or profession when you grow up.

Get all the education you can. Stay close to Mom and follow her advice. Obey her in everything, no matter how you may at times disagree. She knows what is best and will never let you down or lead you away from the right and honorable things of life.

Little Brother, if I don't come back, you will have to be Mom and Dad's protectors when they get older because you will be the only one they have. You must grow up to take my place as well as your own in their life and heart.

Last of all, don't forget your brother. Pray for him to come back from this war, and if it is God's will that he does not, be the kind of boy and man your brother wants you to be.

Kiss Mother, Dad, and Inez for me every night. Goodbye for now, Little Brother. With love to you and all the family, Your Brother.

Mr. Speaker, these are the words of a brave man, and they ring as true today as they did over 70 years ago when they were written. They embody the ideals of this great Nation and the ethos of our Armed Forces that have fought, sacrificed, and died for our country so that we can remain free.

My friends and colleagues, next week, when we recognize these men and women on Veterans Day, look them in the eye and say, ''Thank you.'' For their bravery and sacrifices, they deserve our unwavering gratitude and respect.

May God bless them, and may God bless these United States of America.

HONORING THE SERVICE OF WILLIAM ''BRIT'' KIRWAN

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, first, I would say I was moved by the remarks of the gentleman who just spoke, and I know we all join him in his sentiments.

Mr. Speaker, I rise today to pay tribute to an individual who has made a remarkable impact on higher education in this country and in my State. He has done that for more than a half a century.

William English ''Brit'' Kirwan retired at the end of the June as chancellor of the University System of Maryland. He served as chancellor for the past 12 years, and, during that time, he oversaw the period of growth, transformation, and achievement, which included the integration of online technology with course instruction and a 24 percent increase in enrollment.

Dr. Kirwan's lifetime of service to higher education, Mr. Speaker, began in his youth, which was spent on or around college campuses in Louisville and Lexington, Kentucky, and Durham, North Carolina.

His father, Dr. A.D. Kirwan, was an accomplished educator and college administrator as well, having written and lectured in history at the University of Kentucky and later served as dean and its president.

Brit Kirwan followed in his father's footsteps, luckily for all of us, attending the University of Kentucky, and later pursuing his master's and doctorate in mathematics from Rutgers University in New Jersey.

Dr. Kirwan came to the University of Maryland College Park in 1964, a year after I graduated. He came as an assistant professor of math. After 24 years teaching in the department, and having been elevated to the department chair, and then provost, Dr. Kirwan was selected as the president of the university in 1988.

He led the university system of Maryland's flagship campus for a decade, before leaving to become president of The Ohio State University.

I think I speak for all Marylanders when I say we were very happy when he came back to Maryland. I was a member of the Board of Regents at the time, and I remember participating in a meeting when we were searching for a new chancellor.

I asked my colleagues, ''If we could get Brit to come back, what would you think?'' All of them were extraordinarily enthusiastic.

So I called his house in Ohio, and his wife, Patty, answered, and I asked her if she and Brit would be interested in returning. Patty immediately replied they would both like to be closer to their grandchildren. Luckily, they were living in Maryland.

I took that as a good sign and, a short time later, Brit was back as chancellor of the university system. He managed a network that serves over 165,000 undergraduate and graduate students at 12 universities, two regional higher education centers, and one research center. It is the 12th largest university system in America. Under Dr. Kirwan's leadership, it has become a national model for excellence in higher education, research, and applied innovation.

Dr. Kirwan has been called upon by both Democratic and Republican Presidents over the years to advise on issues relating to higher education access and performance. And certainly, he has been asked by United States Senators and Members of this House for his advice and counsel as well.

He has been committed, throughout his years as an administrator, Mr. Speaker, to the principle that education ought to be accessible to all, and it ought to be seen as a tool to help people enrich their lives for learning, while advancing their careers. Among his major priorities have been making the university campuses more diverse and making attending college more affordable.

Under his leadership, the university system built partnerships with the private sector and the State and Federal Government in order to further the cause of advanced research and innovation that has practical application for economic growth and national defense.

Last year, Mr. Speaker, I was proud to be on hand to inaugurate a new test site in southern Maryland for unmanned aircraft systems, which will help in the development of new aerospace technologies and bring business development and skilled jobs to that region.

Dr. Kirwan has always understood that we need to do more to ensure that everyone who wants to pursue higher education can do so and that our colleges and universities are helping to produce skilled innovators and workers. He knew that the university system was a partner in economic growth in our State and that university and academic institutions were partners in growing the U.S. economy.

Mr. Speaker, I have had the pleasure of working closely with Dr. Kirwan for many years, and I have seen, firsthand, his passion for higher education, his respect for faculty and staff, and his love of students.

Last week, I had the opportunity to participate in a ceremony to rededicate the University of Maryland mathematics building in honor of Dr. Brit Kirwan. That building, in which he taught mathematics, is now named in his honor for him.

All of us, Mr. Speaker, have witnessed his determination to make the university system of Maryland a source of pride for our State and for our country, and he has done so.

He has been a man who is deeply devoted to his wife, Patty, a wonderful woman, and their wonderful family and their community. Patty Kirwan is, herself, an extraordinary partner in the success that she and Brit have both achieved.

Mr. Speaker, Chancellor Brit Kirwan is a man of extraordinary intellect, vision, understanding, compassion, character, and principle. He has brought all of these traits to bear in all of the important roles he performed throughout every endeavor in his life.

On behalf of all of us who live in our State but, indeed, on behalf of all the citizens of the United States whom he has advantaged in one way or another, I thank Dr. Kirwan for his leadership on behalf of the higher education for our State and for our country.

Dr. Kirwan has stepped down as chancellor, but, Mr. Speaker, I know he will continue to lend all of his great talents to making higher education ever more effective and his country ever more successful.

Well done, Doctor.

TUBEROUS SCLEROSIS COMPLEX

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

Mr. FITZPATRICK. Mr. Speaker, tuberous sclerosis complex, or TSC, is a genetic disease which causes tumors to form in organs throughout the body, impacting the health and abilities of those born with it.

Nearly 50,000 Americans are affected by this condition, and many more cases remain undiagnosed because of lack of awareness or observable symptoms. For these individuals and their families, the fight against TSC is constant.

But in the face of this adversity, those with TSC show us strength and determination, not only to survive, but to thrive; individuals like Evan Moss from Virginia.

Evan was just 2 years old when he was diagnosed with TSC and, by age 4, was suffering up to 400 seizures a month because of his condition. But like so many with TSC, Evan's story is not defined by this impact. Now 11 years old, Evan is an accomplished author and a passionate advocate for those living with TSC.

As a member of the Congressional Rare Disease Caucus and honorary chair of the Tuberous Sclerosis Alliance, I am focused on shedding light on conditions like TSC and highlighting exceptional individuals like Evan.

The fight against TSC extends far beyond this Chamber, but each of us can play an important role in understanding and, ultimately, defeating tuberous sclerosis.

PASSAGE OF THE TRANSPORTATION BILL

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

Mr. NOLAN. Mr. Speaker, Members of the House, I would like to begin by thanking Chairman SHUSTER, chairman of the Transportation and Infrastructure Committee, and Ranking Member DEFAZIO, for bringing forth here to floor of the House a long-term transportation bill.

It is the product of numerous hearings that have been held over the last couple of years, and those hearings were interesting in that, universally, whether we were hearing from the head of the national Chamber of Commerce, or hearing from the head of the AFL–

CIO and/or the trade unions that build our infrastructure, the message was always the same.

First of all, it was a recognition of the obvious: bridges are falling down, trains are coming off the track. It is tragic and costly in terms of dollars and loss of life.

□ 1100

Secondly, it was pointed out by everybody that this failure is handicapping our economy—our ability to expand business, to create jobs, and to grow our economy.

Thirdly, everyone testified that we need a long-term surface transportation legislation so that States, communities, and our Federal transportation officials can do the kind of planning that is necessary to build the kind of transportation system that is needed for a strong economy.

Lastly, I want to point out that this legislation before us here today is the product of what has come to be known as regular order; namely, the process where important legislation for the country is brought before the appropriate committees and the committees and all the members of that committee have an opportunity to offer any ideas, any amendments that they want that they think will improve, in this case, our surface transportation system.

The fact of the matter is we have hundreds of amendments, and that committee, on which I am proud to serve, examined and considered every single one of those amendments.

Mr. Speaker, it is important to remind ourselves here that democracy is a long, arduous, and difficult process, but when you allow the members of a committee who have spent enormous amounts of time getting smart and knowledgeable about the responsibilities of that committee to come together, to offer their ideas, to have them thoroughly examined, and to have them thoroughly debated is how you find common ground. That is how you come together. That is how you build and develop respect for one another, and that is what has happened in the development of this surface transportation bill that we have before us here today.

Mr. Speaker, I congratulate the committee, and I congratulate the Congress for recognizing how important and how valuable regular order can be to the process of restoring people's confidence in the ability of the Congress of the United States to fix things, get things done, and end the gridlock. Thank you, my fellow colleagues.

REFORMING OUR CRIMINAL JUSTICE SYSTEM

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

Mr. DOLD. Mr. Speaker, I rise today to talk about an issue that we don't talk about nearly enough. Our country's imperfect criminal justice system is affecting not only the people in my district but also communities all across our Nation.

Every year the Federal Government spends more than a half trillion dollars on anti-poverty programs. The numbers show that these initiatives have not solved the problem. Today there are nearly 50 million Americans living in poverty. Over the last decade, the number of Americans living in our Nation's most impoverished communities—where at least 40 percent of the families live below the poverty line—has nearly doubled to a historic high of 14 million.

Meanwhile, the United States prison and jail population has reached an all-time high, and the number of people on probation and parole has literally doubled. This is not a coincidence, but the numbers don't even begin to tell the real story.

Solving this problem requires meaningful action and change—two things I would argue that Washington does not do so well. But rather than sitting idly by and waiting for Washington to get its act together, I have already begun taking action back home in Illinois' 10th Congressional District.

I have worked with community-level programs that have helped give people the tools that they need to be able to lift themselves out of poverty, brought in national leaders to tour our social service organizations across our district, and learned about the unique ways that these organizations are fighting poverty and working for criminal justice reform on the local level.

Recently I had the privilege to introduce Bob Woodson to a few of the inspiring local leaders who are working on these issues. The more time that I spend talking with various community leaders, the more painfully obviously the need to implement reforms to this system becomes.

One of the inspiring local groups working to fix some of the problems in our district is FIST. It stands for Former Inmates Striving Together in Waukegan. FIST works with the community to help individuals that are reentering society get what they need to reenter the workforce. It is no secret, Mr. Speaker, that most ex-convicts, sadly, end up back in prison after serving jail time. This organization, as well as others, is trying to change that trend by sharing positive stories and offering a judgment-free zone for individuals to get back up on their feet.

Far too often, Mr. Speaker, the success stories that these organizations have do not get told, and, in fact, are kept a secret. Bob Woodson said, ''People are motivated to change and improve when they are shown victories that are possible, not injuries to be avoided.''

One inspiring young man we had the privilege to meet was Darrell McBride from Waukegan. He took the time to tell us about the journey that he took to get to where he is today, and that story bears repeating. Darrell spent 8 years in prison, which left him with limited resources and educational opportunities. He knew that he needed a job and direction after he was released, or the statistics would suggest that he would find himself back in prison. He turned to YouthBuild Lake County, and since graduating from the program, he has earned a construction certificate and, most importantly, has landed a job.

Mr. Speaker, it is this kind of help that we should be encouraging all to begin to promote within our communities. Thousands like Darrell would benefit greatly from criminal justice reform. While I know that this situation cannot simply be fixed in Washington, I certainly hope that we can help. One way in which I am trying to help is by cosponsoring and working for the passage of the Fair Chance Act introduced by my friend from Maryland, Representative ELIJAH CUMMINGS. This legislation would ''ban the box'' for Federal agencies, prohibiting them from asking prospective government employees about their criminal justice histories on job applications.

Potential employees should not use criminal history to screen out applicants before they have a chance to look at their qualifications. This policy would enable almost 20 million people to have a second chance and the opportunity to sell themselves to potential employers and make a positive contribution to our country.

Mr. Speaker, we need to deal with what leads people to end up in prison to begin with. We can do this by implementing positive strategies and innovations such as the use of body cameras for police officers to fight crime and to improve transparency and accountability.

Put simply, we need to end the era of mass incarceration, and this means reforming the mandatory minimum sentencing, among other policies.

Mr. Speaker, I hope that going forward we can work with groups to promote the success stories to help to empower individuals trying to turn their lives around and to work with local communities to reduce the rate of incarceration. Unfortunately, there is still a long way to go until this problem is solved, but I would like to thank organizations like FIST and YouthBuild for the great work that they are doing in Illinois' 10th Congressional District.

RELIGIOUS LIBERTY IN AMERICA

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

Mr. PALAZZO. Mr. Speaker, I rise to express my concern over recent events taking place in my home State and around our Nation that tear at the fabric of our country's First Amendment right to freedom of religion.

Time and again we have seen instances in which an individual's right

to practice his or her faith has been subordinated to the sensibilities of individuals who do not share their faith in God.

In Mississippi, we saw it in August when a high school band from Brandon, Mississippi, was forbidden from playing the hymn ''How Great Thou Art'' at a football game. We saw it in September in Lamar County as a teacher was ridiculed and disciplined for posting a voluntary prayer list in her classroom.

Just last week, I, along with 45 other Members, joined Congressman FORBES and Senator LANKFORD in support of Coach Kennedy of Bremerton High School in Washington State. Coach Kennedy's 8-year tradition of walking to the 50 yard line after the conclusion of football games to say a quiet prayer was banned last month due to the school district's concern that his actions could be construed as an endorsement of religion.

Recently we have even seen a Marine Corps base in Hawaii come under fire for having a road sign read, ''God bless the military, their families, and the citizens who work with them.'' Wow, even our United States Marines are attacked for exercising their faith.

Mr. Speaker, opponents of religious freedom have been energized by recent decisions made by the United States Supreme Court as well as lower courts, both of which have placed the cultural views of a small group ahead of the thoughts, feelings, and rights of the vast majority of Americans.

Judicial activism at all levels of the Federal judiciary has resulted in the systematic rewriting of centuries-old societal norms, and this must end. Time and again our courts have waded into waters which the Constitution specifically vests in the legislative branch. What is at stake here is nothing less than the future of our country's religious liberties, the religious liberties upon which our very Nation was founded.

Those who have would have God completely removed from public discourse—be it marriage, health care, or the right of schoolchildren to pray or play religious music during football game halftimes are pleased with the first part of the amendment: ''Congress shall make no law respecting the establishment of religion.'' However, they conveniently ignore the second part: ''or prohibiting the free exercise thereof.'' This amendment was enacted by our framers to protect religion from government, not the reverse.

Mr. Speaker, families are struggling to keep it together. Single-parent households are at an all-time high. Poverty, incarceration, teenage pregnancy, and drug usage are all around us. When and where prayer is needed the most, it is no longer allowed or is forbidden. How can we try to remove from the public sphere the one thing that holds us together, and that is our religion?

We can no longer simply leave our religion at the church doors. It is our responsibility to live out our values and beliefs in our everyday lives. Edmund Burke said it best: ''The only thing necessary for the triumph of evil is that good men do nothing.''

I support the free expression of religion in all quarters of our society, and I stand with Coach Kennedy, the band from Brandon, the teacher in Lamar County, and every other American who has been stripped of their religious freedoms. I am committed to protecting our right to express our faith without fear of governmental intrusion or retaliation, and I encourage my colleagues to do the same.

With that, Mr. Speaker, God bless America.

KRISTALLNACHT 77TH ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, Monday, November 9, marks the 77th anniversary of Kristallnacht, the event that would foreshadow the crimes against humanity that the Nazis would commit against 6 million Jews and other religious and ethnic minorities.

Inspired by incitement from the Nazi Minister of Propaganda, Joseph Goebbels, regime members, and party loyalists issued orders to local officials to target and attack the Jewish community. Often disguised in plain clothes to perpetuate the false narrative that these were spontaneous attacks and the expression of the public sentiment toward the Jews, the pogroms of Kristallnacht had an immediate and chilling impact.

Mr. Speaker, mobs roamed the streets freely attacking Jews in their houses, destroying their businesses, and forcing them to perform public acts of humiliation. Nearly 300 synagogues were destroyed while Jewish artifacts and archives were confiscated.

Approximately 7,500 Jewish-owned businesses and shops were vandalized and looted; and to add to the disgrace and punishment of having their livelihoods taken from them and destroyed, the Jews were blamed for the events of Kristallnacht, and they were fined for damages—the then equivalent of $400 million. Over 30,000 Jews were arrested and then transferred to some of the Nazi's most gruesome and notorious concentration camp sites during the events of Kristallnacht.

Nearly 100 Jews were killed on the night of November 9, 1938, and into the morning the next day.

Yet, Mr. Speaker, this was only the beginning. Facing little public backlash, the Nazi regime took the events of Kristallnacht as a signal of support for their cruel treatment of the Jewish community and quickly imposed restrictions against the Jews that would lead up to the Holocaust.

□ 1115

Mr. Speaker, Kristallnacht is a solemn reminder of what can happen when people allow anti-Semitism, incitement, and hatred to carry on unabated. Kristallnacht was the manifestation of fear and scapegoating and was not only allowed to take place, but was the direct result of a people's indifference to the hatred of a religious minority. And indifference is, indeed, all that is needed for evil to take root, for evil to expand.

That is precisely why we must commemorate these tragic events that mar our collective past and that mark one of humanity's darkest periods, and why we must rededicate ourselves to the vow of: ''Never again.''

This is particularly important in today's environment, as Israel finds itself plagued by a new round of terror and violence that has been spurred upon by incitement and anti-Israel indoctrination from the Palestinian authority and its so-called leaders.

In the past month and a half, there have been nearly 60 random knife attacks against Israeli citizens, five shootings, and six car rammings. Yet, where is the condemnation from the international community? Instead of speaking out against these attacks, the United Nations Human Rights Council invited Abu Mazen, and he used his platforms to spew out his harmful and inciting rhetoric. Responsible nations must condemn, not ignore, Abu Mazen's words and his actions.

Last month, Secretary Kerry said that leaders need to lead; and, this week, this body stood up and said enough is enough.

The House passed a resolution I offered, alongside my south Florida colleague, Congressman TED DEUTCH, that condemned the anti-Israel and anti-Semitic attacks from within the Palestinian authority.

The House also passed a resolution that encouraged our government to do more in the fight against anti-Semitism and to work more closely with the governments of Europe to step up their efforts to battle the alarming rise of anti-Semitism across the continent.

And we need to do more at home, especially on our college campuses. Too often, Mr. Speaker, anti-Semitism is being disguised as an anti-Israel political attack, manifested primarily through the Boycott, Divestment and Sanctions movement, the BDS movement.

We have a moral obligation to stand up against these acts.

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 11 o'clock and 18 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

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

God, our Creator, we give You thanks for giving us another day. You brought light from darkness and order from chaos. During ongoing contentious debates, lead our lawmakers, using their daily experiences of joy and sorrow, pleasure and pain, victory and defeat, to strive together for Your glory. May the fruits of their labor redound to the benefit of our Nation.

As a community of colleagues, possessed of multiple layers of friendships unknown to the public eye, this assembly takes special notice today of the passing of Howard Coble, the much-loved and respected Member of 30 years from North Carolina. A gentleman to the core, may we all strive to embody his grace, class, and respect for this institution and for those among whom we engage in the work to be done here. May he rest in peace.

And may everything done this day in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Ms. CHU) come forward and lead the House in the Pledge of Allegiance.

Ms. JUDY CHU of California led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

MOURNING THE LOSS OF HOWARD COBLE

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today we mourn the loss of Howard Coble, a dedicated public servant and a champion for his constituents in North Carolina's Sixth District for 30 years. He never backed down from a challenge to do what was right for North Carolina and always pushed Washington to work better for those he represented.

Howard was the essence of what it means to be a Southern gentleman, someone who simply exuded kindness, charm, and compassion. He was a man of integrity and principle, a Representative who stood for what is right and who fought on behalf of what makes America great.

He will be missed, but his legacy of service and devotion to North Carolina will continue to be the standard that current and future leaders follow.

Howard, we miss you.

INTRODUCTION OF THE POWER ACT

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

Ms. JUDY CHU of California. Mr. Speaker, we depend on immigrant workers to take some of the toughest jobs. They pick our food, clean our houses, and wash our cars. As U.S. workers, they deserve to freely exercise their labor rights; yet when immigrants want to organize for fair pay or decent working conditions, they are often silenced by unscrupulous employers who retaliate through harassment, abuse, and threats of immigration enforcement.

This is unacceptable. When I hear about it, I think of Asuncion Valdivia, who died after 10 hours of grape picking in 105 degree heat. Asuncion did not have the opportunity to report a violation. We cannot allow any voice to be stifled, especially when that voice is speaking out against dangerous or unfair practices.

That is why I am introducing the POWER Act this week. This bill expands U visa eligibility for victims of retaliation, strengthens labor agencies' investigative powers, and allows a stay of removal for workers who filed a workplace claim.

We must protect our workers, no matter who they are.

CONGRATULATIONS TO MARIAN HIGH SCHOOL'S BOYS' SOCCER TEAM

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute.)

Mrs. WALORSKI. Mr. Speaker, I rise today to congratulate the Marian High School boys' soccer team. For the first time in the school's 51-year history, the Knights won a State title. Last weekend, the Knights claimed the Class 1A State boys' soccer championship with a 3–0 victory.

The win also earned Head Coach Ben Householter his first State championship in 18 years as head coach. He was also named the Northern Indiana Conference Coach of the Year. All season long, Marian competed against the best of the best, finishing with 20 wins and only 2 losses.

Mr. Speaker, I stand before you today a very proud Hoosier. Marian High School is a great school, and the team, the coach, the teachers, and the entire student body should be proud today. I want to recognize the parents, who sacrifice so much for their kids to play in sports programs.

The achievement that this is today is something these students will have for a lifetime. On behalf of the people of the Second Congressional District of the State of Indiana, I applaud Coach Householter and the entire team for their determination and hard work. I congratulate them all on an amazing season.

NEW STARTS AND SMALL STARTS PROGRAM

(Ms. KUSTER asked and was given permission to address the House for 1 minute.)

Ms. KUSTER. Mr. Speaker, today I rise in support of the Federal Transit Administration's New Starts and Small Starts program, which provides critical grant funding for the creation or extension of existing fixed guideway transit systems.

Funding for these projects has facilitated the creation of dozens of new or extended public transportation systems in rural, suburban, and urban communities all across this country.

By creating good-paying construction jobs and connecting job-seeking commuters with employers, New Starts offers significant benefits to communities that are in need of rail expansion.

In New Hampshire and across New England, we have been working collaboratively with our neighboring States to create a unified vision for our region's rail networks.

I was pleased to host a rail summit just a few weeks ago that brought together regional stakeholders and officials from the Federal Railroad Administration, the FTA, and New England States.

As we continue to work on the highway bill this week, I urge my colleagues to support Congressmen LIPINSKI, NADLER, and DOLD's amendment, which will restore much-needed local flexibility for New Start projects.

NORTH CAROLINA HAS LOST A FAVORITE SON

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

Mr. WALKER. Mr. Speaker, last night on election day in North Carolina, we lost one of our favorite sons, Howard Coble, a man who served in these Halls for three full decades, yet his heart always belonged to the constituents of The Old North State. I am honored to stand with my colleagues today and others in acknowledging our Congressman.

Howard demonstrated humility and grace, and it was evident that he genuinely loved the people he represented. Howard taught us many things, but most of all, he demonstrated why statesmanship still matters. In a rhetoric-driven political arena, Howard understood why tone and approach continue to make a difference.

He is often remembered by his attire, specifically the madras jacket. No, it didn't match many times, but he was confident enough in who he was, and evidently the ladies seemed to have no problem with it.

Howard did more than just simply make noise in this place; he made a difference. It is an honor to follow him. May our Lord comfort his brother Ray and the entire Coble family.

RECOGNIZING DENNIS HORRIGAN

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

Mr. HIGGINS. Mr. Speaker, Catholic Medical Partners is one of western New York's largest physician networks. In recent years, it has evolved from a negotiating entity to a national model for clinical integration.

In the first year of the Shared Savings Program, Catholic was one of the best performing accountable care organizations in the country, saving Medicare more than $27 million, while delivering quality care.

At the helm has been president and CEO, Dennis Horrigan. In a career spanning four decades as a mental health professional, a physician network executive, and a managed care administrator, Dennis has been focused on improving patient experience and outcomes.

It is my honor to recognize Dennis Horrigan for his commitment to using information technology, evidence-based medicine, and physician coordination to improve quality care in western New York and throughout the Nation.

NATIONAL APPRENTICESHIP WEEK

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

Mr. WILSON of South Carolina. Mr. Speaker, our Nation is recognizing National Apprenticeship Week, which is dedicated to highlighting the critical role of employers in training and educating workers for fulfilling jobs.

At their plant in Graniteville, South Carolina, MTU America, led by Director of Operations Jens Baumeister, has built a world-class apprenticeship program, recognized by the Department of Labor, by hiring and training high school students to work at MTU or share their skills with any similar manufacturing company.

The Savannah River Site has a dynamic apprenticeship program, led by Carol Johnson, president of Savannah River Nuclear Solutions, and Stuart MacVean, president of Savannah River Remediation, training students at Aiken Technical College, with President Susan Winsor, for the radiation protection technology program.

I am grateful for Apprenticeship Carolina, led by Director Brad Neese, a program that pairs students in our technical college systems with employers to train the students for well-paying jobs.

In conclusion, God bless our troops, and the President by his actions must never forget September the 11th in the global war on terrorism.

South Carolina extends its sympathy to the family and many friends of our beloved former colleague and neighbor, Howard Coble, who passed away last night. We appreciate Uncle Howard.

THE HOUSE NEEDS LESS PARTISANSHIP AND MORE SOLUTIONS

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

Mr. KILDEE. Mr. Speaker, during his first speech, our new Speaker made a commitment to return the U.S. House of Representatives to regular order. What does that mean? Think ''Schoolhouse Rock,'' an orderly process where bills are introduced, debated in a bipartisan committee process, amendments are allowed, and legislation is actually brought up for a vote.

I could not agree with the Speaker more. This Congress, this country would benefit from a more open debate, where voices from both parties are heard, where every Member is empowered to fully be a part of the legislative process, to do the work that they were sent here to do on behalf of the people they work for.

I know I have introduced many bills that have not been brought up in committee, have never seen the light of day on the floor, and I know other Members share that frustration. That needs to end. We need to have a more open process.

Just last week, 313 Members of this body voted to reauthorize the Export-Import Bank. Almost every Democrat and a majority of Republicans came together, and the legislative process worked.

Mr. Speaker, I do call on you to continue to keep that promise. Keep this an open process. This is what the Framers imagined, and it is what the American people expect.

HONORING GARETT LONG AND JESSICA CHIARTAS

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

Mr. LAMALFA. Mr. Speaker, last week I had the honor of meeting with Garett Long and Jessica Chiartas, two very bright graduate students from UC Davis in northern California who were invited to D.C. to present their work on soil science.

Their research in the area of soils and biogeochemistry focuses on understanding the physical, chemical, and biological aspects of our soils, as well as the processes of mass and energy flows that control our agricultural and natural ecosystem functions.

Now, the average layman might not find that too exciting, but it is exciting for agriculture to advance these technologies and get more and better production and quality of crops out of our lands.

In particular, one area of research highlighted was their work in the wine growing region and the data and research collected on how soil impacts our vineyards and the wine that is enjoyed by people all across the world. That is something people can relate to with California wine.

I have no doubt that their work will improve our agricultural industry for the better. I thank them for stopping by and sharing more about the work they are doing as well as their colleagues at UC Davis, and also congratulate the pair on their recent recognition.

□ 1215

VETERAN PAYDAY PREDATORY LOANS IN TEXAS

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, as we prepare to honor the service of our men and women in uniform this Veterans Day, we must come together to stop one of the most egregious practices that is preying upon them: predator payday loan companies are targeting our veterans at an alarming rate.

In North Texas alone, a fast cash payday advance of $500 that is rolled over five or more times could wind up costing $1,200 or more. As a result, many borrowers are trapped in a cycle of debt when these short-term loans are not repaid on time, usually within a required 2 to 4 weeks.

Mr. Speaker, these companies have targeted our vulnerable veterans with limited financial options, digging them deeper and deeper into debt. We in Congress must work to cap these interest rates and require all lenders to follow the same standards as our local banks, mortgage companies, and other for-profit lenders.

As a Nation, we have a long way to go to make sure that those who have protected and defended our homeland are, themselves, protected and defended when they return home to rebuild their lives.

RECOGNIZING MRS. NELL MAHONEY

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

Mr. FLEISCHMANN. Mr. Speaker, I rise today to thank Mrs. Nell Mahoney for her years of columns in the Chattanooga Times Free Press, my hometown paper.

Nell has written for the paper for 38 years. Her column has covered a wide array of topics but was largely focused on faith and spirituality. Her words touched many in the community, including my wife, Brenda, who eagerly awaited her column every Sunday.

Nell moved to Chattanooga with her late husband, Reverend Ralph Mahoney, in 1965 and immediately ingrained herself not only in First Centenary United Methodist Church, but the entire town.

While her column may be finished, her community involvement is certainly not. Mrs. Mahoney plans to continue teaching at the church, speaking around the community, and is considering writing a book. She has already written and published 13.

Nell, thank you for giving so much of your time and for touching so many people throughout our community.

I will close with a line from her favorite song, a classic from ''The Sound of Music'': So long, farewell.

And thank you, Nell.

AREAWIDE INTEGRATED PEST MANAGEMENT ACT OF 2015

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, in my home State of Hawaii, invasive species like the coffee berry borer, fruit flies, macadamia nut felted coccid, and others, have cost our local farmers and agriculture industry millions in lost revenue. Across the country, these pests, along with other invasive insects, diseases, and weeds, cause serious and harmful damage to our farmlands, agriculture production, food supply, environment, and public health.

I have introduced the Areawide Integrated Pest Management Act of 2015 to continue supporting long-term and sustainable solutions to fighting these noxious and invasive species.

In Hawaii, AIPMs have helped increase the number of commercial farms and have helped local farmers increase their crop diversity, decrease the use of harmful pesticides, and manage the pests in a sustainable and cost-effective way.

This legislation will help farmers, ranchers, and land managers all across the country reduce the impact of these harmful invasive species.

STANDING WITH COACH JOE KENNEDY

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

Mr. WALBERG. Mr. Speaker, I rise today in solidarity with Washington State High School football coach Joe Kennedy.

For 7 years, Coach Kennedy has prayed midfield at the conclusion of his team's games. He didn't require anybody else to be there or listen. He simply knelt and quietly prayed to thank God for the safety of the kids on his team.

Last month, the school district ordered him to stop. When he didn't, Coach Kennedy was placed on administrative leave. Can you believe the school district is trying to argue that you can pray, just as long as nobody sees it? But that is not what the Constitution says. It protects the free exercise of religion. It doesn't say the public square should be a faith-free zone.

Faith must impact life. Mr. Speaker, I hope people of every faith background and no faith at all will stand together in defense of every American's constitutional right to religious freedom.

We stand with you, Coach Kennedy.

INFRASTRUCTURE

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, for the sake of my constituents and the many communities with crumbling roads and bridges around this Nation, I am happy that we finally have a bipartisan transportation bill to work with.

For the record, I still believe that we need a full, 6-year plan.

Today, I have an amendment that will modify section 3021 of the Surface Transportation Reauthorization and Reform Act. My amendment will examine the ability of seniors and people with disabilities to access public transportation and require the council to report to Congress on their findings with recommendations.

One-half of Americans 65 and older do not have access to public transportation. Those in rural areas and small towns are particularly affected because transportation options are limited. Seniors continue to drive as long as possible because they are unaware or do not believe they have alternative means of transportation. Seniors limit their driving or stop driving altogether because of functional disabilities.

I urge my colleagues to support the Lawrence amendment when it comes to the floor. Seniors and people with disabilities need to maintain their independence.

NATIONAL ADOPTION AWARENESS MONTH

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

Mr. MULLIN. Mr. Speaker, November is a special time to remember that love makes a family.

During National Adoption Awareness Month, people and organizations from across the Nation come together to bring awareness to a cause that has become very important to my family.

Two years ago, our family grew from five to seven when we adopted our twin girls, Ivy and Lynette. These girls have been such a blessing to our family and have inspired my wife, Christie, and me to get involved with organizations that spread awareness about the importance of adoption. There are no unwanted kids, just unfound families.

Although this month is dedicated to adoption awareness, we need to talk every day about the kids of all ages who need a permanent, loving home. Let's commit to creating a brighter future for our Nation by ensuring every child has a safe home and a loving family. I believe this is an effort we can all support.

PROTECTING VETERANS AND SERVICEMEMBERS

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

Mr. TAKANO. Mr. Speaker, with Veterans Day 1 week from today, I rise to call attention to an issue affecting military families across the country.

In 2006, Congress enacted the Military Lending Act to protect servicemembers from predatory lenders, but those same protections are not in place for veterans and their families. As a result, veterans often fall victim to payday lenders who offer unaffordable loans, forcing them even deeper into debt.

In 2013, California payday lenders generated three-quarters of their revenue from borrowers who took out seven or more loans. The Consumer Financial Protection Bureau should use its authority to crack down on the worst abuses in the payday loan market.

Veterans and their families have made tremendous sacrifices to keep us safe. The least we can do is protect them from unethical lenders who deliberately trap them in a cycle of debt.

JAMES ZADROGA 9/11 HEALTH AND COMPENSATION REAUTHORIZATION ACT

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

Mr. DONOVAN. Mr. Speaker, I rise today in support of the James Zadroga 9/11 Health and Compensation Reauthorization Act, which permanently reauthorizes the World Trade Center Health Program and the Victim Compensation Fund.

After the attacks against America on September 11, 2001, selfless heroes rushed toward the death and destruction. Many will pay for their heroism for the rest of their lives. Many have already paid with their lives. More than 33,000 Americans have documented illnesses directly related to their work at Ground Zero.

Since 9/11, more than 200 firefighters and police officers have already passed

away. In my district, more than 6,700 heroes will rely on the Zadroga Act for medical care not for the next 5 years, as is being proposed, but for the rest of their lives.

Time doesn't erase our moral imperative to cover their medical expenses. It is an extension of the costs of the attack. America's heroes deserve a permanent reauthorization of the Zadroga Act, and nothing less.

Mr. Speaker, I ask that this House permanently reauthorize this program, which is essential to our deserving heroes.

GUN VIOLENCE

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

Mr. CICILLINE. Mr. Speaker, it has been 34 days since the murder of nine men and women at Umpqua Community College in Oregon. It has been 140 days since the murder of nine parishioners at Mother Emanuel Church in Charleston, South Carolina. It has been 1,055 days since the murder of 20 children and 6 adults at Sandy Hook Elementary School in Newtown, Connecticut.

In the time since then, Congress has done nothing to close loopholes in our background check system and make it easier to identify a dangerous individual before they are able to buy a gun.

There are more mass shootings in the United States each year than in any other country, and six of the deadliest shootings in American history have taken place in just the past 8 years.

It shouldn't be this way. It doesn't have to be this way. Congress has the responsibility to stand up to the powerful special interests and say, ''No more.'' There is no reason lawmakers in this body should continue to cower before the National Rifle Association. We are the people's Representatives, and it is time to get to work on commonsense reforms that will save the lives of thousands of Americans and put an end to the epidemic of gun violence in our country.

HONORING SENATOR FRED THOMPSON

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

Mrs. BLACK. Mr. Speaker, I rise today to honor the life of a Tennessee giant: Senator Fred Thompson.

Whether Fred Thompson was speaking on the Senate floor, canvassing the State in his red pickup truck, or entertaining us on the big screen, he always did the Volunteer State proud.

In his lifetime, Fred saw many accomplishments, but he remained the same: a proud product of Lawrenceburg, Tennessee, the son of a car salesman, and the first person in his family to earn a college degree.

Fred was a statesman who led with conviction. He was a visionary who helped bring Tennessee from a Democratic stronghold to the conservative success story that it is today. He was a loving husband and father. He was a man of faith, who I know has found ultimate healing today from the cancer that gripped his earthly body.

Tennessee shines brighter because of Fred Thompson's service. We will miss him deeply, but we know that his legacy lives on.

MANATEE AWARENESS MONTH

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, did you know it is Manatee Awareness Month?

Every November, we celebrate these beautiful, gentle creatures. How lucky we are that Florida is one of the few places in the world where you can see them.

To raise awareness, I would like to recognize the Save the Manatee Club, an international nonprofit which has been working to save endangered manatees since 1981, when it was cosponsored by Jimmy Buffett and my father, Governor Bob Graham. Their commitment to these unique animals has made great strides in protecting them around the world.

Human activity presents the greatest threat to manatees, but we are also their greatest hope. Only our compassion and action can protect them.

FAR-REACHING ENVIRONMENTAL REGULATORY MANDATE

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

Mr. STEWART. Mr. Speaker, yesterday, President Obama issued an executive memorandum that could turn into one of the most far-reaching and devastating environmental regulations in history. This document, which holds the same weight as an executive order, aims to expand a 26-year-old policy that requires agencies to set a no net loss of wetlands to all natural resources. The economic impact of this regulation would be devastating to the West.

Why do I live in Utah? I live there because I love it. I love to rock climb. I love to ski. I love the beauty of the place I live.

All of us want to protect our natural resources, but we can't put human interests at the bottom of the priority pile. This is more than a huge power grab. It is going to devastate the trust that is essential between the President and the American people.

If the President wants more regulations and further protections on natural resources, such a thing must be done in the people's Congress by those who are closest to the people. For that reason, I will use every tool at my disposal in order to ensure that this outrageous Presidential decree is not implemented.

□ 1230

HONORING THE LIFE AND SERVICE OF FORMER CONGRESSMAN HOWARD COBLE

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, I rise today to honor former Congressman Howard Coble, who passed away last night.

Howard Coble was the epitome of a public servant. He served in the U.S. Coast Guard, the North Carolina State House, and as the Congressman for North Carolina's Sixth Congressional District for more than 30 years.

Howard Coble dedicated his life to serving, and it was exemplified in the way he ran his office. As a freshman Member of Congress, I looked to him in serving my constituents. He was steadfast, attentive, and always put his constituents first. Some say he offered the best constituent services of any Member.

I will never forget the night Howard Coble welcomed me to Congress the day I was sworn in. He later wished me well on my new journey as a Member.

My thoughts and prayers are with his family, his friends, and his former colleagues during this difficult time.

He will be missed but never forgotten. Howard Coble's legacy will remain in the Greensboro community and throughout North Carolina as a man who served selflessly.

HAPPY BIRTHDAY AND SEMPER FI

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

Mr. PALAZZO. Mr. Speaker, today, in honor of the 240th birthday of the United States Marine Corps, I would like to offer the official Marine Corps Hymn in tribute to the brave men and women who serve as Marines at home and abroad.

''From the halls of Montezuma
To the Shores of Tripoli;
We fight our country's battles
In the air, on land and sea;
First to fight for right and freedom
And to keep our honor clean;
We are proud to claim the title
Of United States Marine.

''Our flag's unfurled to every breeze
From dawn to setting sun;
We have fought in ev'ry clime and place
Where we could take a gun;
In the snow of far-off Northern lands
And in sunny tropic scenes;
You will find us always on the job—
The United States Marines.

''Here's health to you and to our Corps
Which we are proud to serve;
In many a strife we've fought for life
And never lost our nerve;

If the Army and the Navy
Ever look on Heaven's scenes;
They will find the streets are guarded
By United States Marines.''

From one Marine to another, happy birthday and Semper Fi.

HONORING THE LIFE AND SERVICE OF FORMER CONGRESSMAN HOWARD COBLE

(Mr. PRICE of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. PRICE of North Carolina. Mr. Speaker, it was a little less than a year ago that a number of us gathered on the House floor to bid farewell to our colleague, Howard Coble, as he retired from 3 decades of service to the people of North Carolina.

The series of heartfelt tributes that day, from Members on both sides of the aisle, were a striking reflection of the respect and admiration that so many of us felt for Howard. And he returned that affection. He always made the extra effort to get to know those with whom he worked, regardless of their stature or their party affiliation.

Howard was also an effective legislator, a tireless advocate for the Sixth District. He took on complicated and difficult issues in his leadership roles on the Judiciary and Transportation Committees.

I was fortunate to partner with him on a number of bipartisan initiatives, from textile research, to disaster relief, to funding for his beloved Coast Guard.

In an era where our politics are too often fractious and divisive, Howard's camaraderie, good humor, and generosity of spirit reflected the best of what this institution can be.

Lisa and I are saddened by his passing. We join his many friends and former colleagues in extending condolences to his family and expressing gratitude for his life.

VETERANS HEALTH AND ACCOUNTABILITY ACT

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

Mr. GUINTA. Mr. Speaker, I rise today to announce the introduction of the Veterans Health and Accountability Act. Yesterday's Veterans Affairs Committee hearing showed why this bill is so critical.

An investigation revealed that Veterans Affairs administrators likely gamed the system to enrich themselves at taxpayer expense, creating high-paying vacancies at desirable locations, where they would have less responsibility.

At the hearing, they pled the Fifth to avoid the truth, and they remain on the job. Meanwhile, Granite State vets are waiting for care.

My Veterans Health and Accountability Act strengthens the Veterans Choice program, allowing veterans to seek private care due to inadequate VA facilities. My home State of New Hampshire does not even have a full-service VA.

The act also protects whistleblowers who expose negligence and mismanagement. If it were not because of these individuals, we may never have discovered secret waiting lists where thousands of vets probably died waiting for care.

The bill I introduced clarifies hiring and firing rules, so bad actors who abuse their positions can be exited promptly.

We must enforce and expand VA reforms to ensure our military vets receive the care we promised them. We must restore Americans' trust in government.

DISAPPROVAL OF THE RADEWAGEN AMENDMENT TO THE SURFACE TRANSPORTATION BILL

(Ms. PLASKETT asked and was given permission to address the House for 1 minute.)

Ms. PLASKETT. Mr. Speaker, I rise to express my disapproval to the Radewagen amendment to the surface transportation bill, which was ultimately defeated last night, 113–310.

This amendment would have required the Secretary to change the allocation program funds made available to the territories. This amendment would have potentially harmed my district, the U.S. Virgin Islands, and Guam, by possibly taking already minimal funds away from these two territories.

The funding provided in the transportation bill is yet another example of this Congress' inability to address the real needs of the U.S. territories, whose economies have not recovered and require additional support.

And, while I certainly recognize and empathize with the frustrations of some of my colleagues from the territories, it is the limited funding within this bill which has created an environment where we are literally fighting over scraps.

The proposed funding in the bill barely provides any increase of the historically low allocation for the territorial highway program.

I would like to thank both the chair and ranking member of the Transportation and Infrastructure Committee, Mr. SHUSTER and Mr. DEFAZIO, for not supporting the amendment and for recognizing that this is not an amendment that enjoyed the full support of all the four smaller territories.

I would also like to thank the dean, Congresswoman BORDALLO, of the territory of Guam, for her efforts and engagement on this very important issue.

I look forward to working with Transportation and Infrastructure leadership and staff and my fellow Delegates from the insular areas and working together on resolving our problems.

HONORING THE SERVICE OF DANIEL STANDAGE

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

Ms. MCSALLY. Mr. Speaker, next week we celebrate Veterans Day, a time to honor the men and women who served our country in the military.

Today, I want to recognize a standout veteran from my district, Daniel Standage.

Daniel served 10 years in the U.S. Marine Corps, until a neurological condition he suffered from eventually rendered him completely blind. He received a 100 percent service-connected disability, but that hasn't held him back.

Daniel completed a blind rehabilitation program at the Southern Arizona VA. He enrolled at the University of Arizona and was instrumental in establishing its student veterans center, a place that offers assistance to transitioning student veterans. The center now is a national model for Student Veterans of America.

Today, Daniel is a staunch advocate for veterans across the country. He credits his education as being the most important factor in helping him overcome his disability, and he now helps countless other veterans earn their degrees.

In advance of Veterans Day, I thank all the men and women like Daniel who serve and served our Nation and continue to make a difference today.

HONORING THE LIFE AND LEGACY OF STEPHEN TALLEY

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

Mr. RUIZ. Mr. Speaker, I rise today to honor the life and great legacy of San Jacinto Valley's artist, Stephen Talley, known as Steve, who passed away last week after his battle with cancer at the age of 62.

Steve was 11 years old when he began his career, creating and selling his artwork. That passion is what led him to pursue and share his artistic vision with the community and the world.

For more than 30 years, Steve taught art at San Jacinto High School, touching the life of every student who sat in his class. He was known internationally for his work, winning more than 100 awards in numerous competitions, many of them in first place.

He never let his success get in the way of his commitment to his students and, as a result, he has inspired a new generation of artists to never give up on their dreams.

Steve was a mentor, a teacher, a friend, and, above all, he was a great man. His memory will never be forgotten.

As we mourn the passing of Stephen Talley and celebrate his life, my

thoughts and prayers are with his family, friends, students, and the San Jacinto Valley community.

SUPPORTING THE 2015 SUPER HERO STEP FORWARD TO CURE TSC 5K WALK

(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, today I rise to support the Step Forward to Cure TSC 5K Walk taking place at Florida International University's main campus, my alma mater, on Saturday, November 14.

Tuberous sclerosis complex, or TSC, is a rare genetic disease with no known cure that causes uncontrolled tumor growth.

I know of one young man from our community, Max Lucca, who was diagnosed with TSC when he was only 2 weeks old. Because of the love and care provided by his parents, doctors, and nurses, he has thrived, in spite of constant health challenges.

The walk's theme this year is ''Super Heroes,'' and Max Lucca is, indeed, a super hero.

I encourage all south Floridians to walk to help find a care for TSC, to benefit young super heroes across the country just like Max Lucca.

TRIBUTE TO DR. DAN ARVIZU

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

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Dr. Dan Arvizu for his exceptional work as director of the National Renewable Energy Laboratory in Golden, Colorado.

Dr. Arvizu is retiring this year, but his legacy of leadership and innovation will endure for many, many years to come. I want to take this moment to say thank you for outstanding stewardship of our Nation's premier energy efficiency and renewable energy laboratory.

In addition to his role at NREL, Dr. Arvizu is chairman of the National Science Board, which is the governing board of the National Science Foundation. He will continue his role as chairman of the National Science Board, and he will also become a visiting professor at Stanford University.

On behalf of everyone at NREL, the people of the State of Colorado and the United States of America, let me say thank you for a job well done. We wish you all the best on the next steps of your journey.

PROVIDING FOR FURTHER CONSIDERATION OF SENATE AMENDMENTS TO H.R. 22, HIRE MORE HEROES ACT OF 2015

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 512 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 512

Resolved, That at any time after adoption of this resolution the Speaker may, 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 further consideration of the Senate amendment to the text of the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

SEC. 2. (a) No further amendment to the amendment referred to in section 2(a) of House Resolution 507 shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution and amendments en bloc described in subsection (c).

(b) Each further amendment printed in part A of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

(c) It shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of amendments printed in part A of the report of the Committee on Rules not earlier disposed of. Amendments en bloc offered pursuant to this subsection shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

(d) All points of order against the further amendments printed in part A of the report of the Committee on Rules or amendments en bloc described in subsection (c) are waived.

SEC. 3. No further amendment to the Senate amendment, as amended, shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such further amendment shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived.

SEC. 4. (a) At the conclusion of consideration of the Senate amendment for amendment the Committee of the Whole shall rise and report the Senate amendment, as amended, to the House with such further amendments as may have been adopted.

(b) If the Committee reports the Senate amendment, as amended, back to the House with a further amendment or amendments, the previous question shall be considered as ordered on the question of adoption of such further amendment or amendments without intervening motion. In the case of sundry further amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question.

(c) If the Committee reports the Senate amendment, as amended, back to the House without further amendment or the question of adoption referred to in subsection (b) fails, no further consideration of the Senate amendments shall be in order except pursuant to a subsequent order of the House.

SEC. 5. The Chair may postpone further consideration of the Senate amendments in the House to such time as may be designated by the Speaker.

SEC. 6. Upon adoption of the further amendment or amendments in the House pursuant to section 4(b) of this resolution —

(a) a motion that the House concur in the Senate amendment to the text, as amended, with such further amendment or amendments shall be considered as adopted;

(b) the Clerk shall engross the action of the House under subsection (a) as a single amendment in the nature of a substitute;

(c) a motion that the House concur in the Senate amendment to the title shall be considered as adopted; and

(d) it shall be in order for the chair of the Committee on Transportation and Infrastructure or his designee to move that the House insist on its amendment to the Senate amendment to H.R. 22 and request a conference with the Senate thereon.

SEC. 7. The chair of the Committee on Armed Services may insert in the Congressional Record not later than November 16, 2015, such material as he may deem explanatory of defense authorization measures for the fiscal year 2016.

□ 1245

The SPEAKER pro tempore (Mr. POE of Texas). The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from Colorado (Mr. POLIS), 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. WOODALL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. WOODALL. Mr. Speaker, I find myself with a big smile on my face. I usually do when the Reading Clerk sits down. Even if I could dispense with the reading of the rule, I wouldn't do it. I wouldn't do it. Even if there were some days where I would be tempted to do it, Mr. Speaker, this wouldn't be that day because we are down here with rule number two on the transportation bill.

You will remember we came down here yesterday—it was my friend from Massachusetts and I at that time—to bring a rule to consider the first 6-year transportation bill this country has had in over a decade. It is a bill that the Transportation and Infrastructure

Committee has worked on for not days, not weeks, not months, but years to get it ready. It is a bill that was not pushed by Republicans or pushed by Democrats. It is a bill that was pushed by all of us together to do those kinds of important things that are necessary for infrastructure planning for each and every one of our constituents back home.

It is a bill that has been moving in the Senate, which is a rarity in and of itself. It is a bill that we are moving here in the House. It is a bill that can go to the President's desk for his signature and make a difference for Americans, make a difference in our economy, and make a difference for our families.

Now, I sit on the Transportation and Infrastructure Committee, Mr. Speaker, and you would think that my pride of authorship and all the good work we did on that committee would have said: Do you know what? We got it right the first time. Let's just bring that bill to the floor, and let's get it done because it is important to America. Let's finish it today.

I see some of my colleagues from the Transportation and Infrastructure Committee sitting down here. There might be a little temptation to take our work product and rush it straight to the desk because we did do a pretty good job together. But in their wisdom, Mr. Speaker, the chairman of the Transportation and Infrastructure Committee, the ranking member of the Transportation and Infrastructure Committee, the chairman of the Rules Committee, the ranking member of the Rules Committee, and our leadership team here in the House said: Do you know what? There are a lot of Members who don't sit on the Transportation and Infrastructure Committee. There are a lot of Members who represent some really smart and really talented folks back home in America, but their Representative doesn't sit on the Transportation and Infrastructure Committee. We need their ideas in this debate, too.

So we came to the floor yesterday, Mr. Speaker, and we brought a rule that made more than 20 amendments in order. We were debating that rule for an hour. We hadn't even finished debating the rule when we brought back more amendments and made another 16 in order, Mr. Speaker. We are back here today because that more than 40 was not enough. We want to make another 81 amendments in order. Mr. Speaker, this is a festival of democracy that is happening in this House today. Everyone's voice is included.

Now, I want to be clear. We had over 300 amendments submitted to the Rules Committee. Here on this floor, sometimes we have a very open process with appropriations bills, Mr. Speaker, where absolutely everyone can offer absolutely any idea at absolutely any time they want to. This process is a little more structured, and I want to stipulate that that is true. We had a lot of duplicative amendments offered, Mr. Speaker. This is important work. We didn't want to waste the body's time. We culled those duplicative amendments.

We had a couple amendments offered, Mr. Speaker, that were not minor changes to the underlying legislation. They were major revisions to public policy that had not had committee hearings and that had not had any public discussions. We culled those as well.

But over 120 amendments, Mr. Speaker, will now be made in order on a bill, again, that was not the product of days of effort, not a product of weeks of effort, not months, but years of effort of our House Transportation and Infrastructure Committee to bring together a product that this body can be proud of—a product, I might add, that Republicans in the past and Democrats in the past have failed to come together and succeed on.

This is a day of celebration, Mr. Speaker, as we offer this rule to consider even more of our colleagues' ideas. I hope that we will get unanimous support for this rule, Mr. Speaker. With the passage of this rule, we can get into debate, and we can move this bill one step closer to the President's desk, and we can move one step closer to making a difference for those families back home.

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

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, we will get to what is in the bill in a minute. With regards to process, as an example of a Member of this body, I had a number of issues in the transportation area I wanted to address in my district. Most notably, I wanted to address the sound levels of train horns in our busy downtown areas, like Fort Collins and Longmont. It is one of the biggest issues I hear about from our local downtown businesses; and, of course, to anybody who, including myself, has been downtown with the train blaring by in close proximity, it really is a major detriment to the quality of life, and there is no significant evidence that I have seen or that has been presented to me that this in any way improves safety. So I did offer an amendment that would have changed that. Unfortunately, it was blocked in Rules Committee.

Now, on that particular issue, we had a discussion with the chair and the ranking member of the Transportation and Infrastructure Committee. I hope to work with him in other ways. But to say that somehow this is an open process, that I can bring forth and other Members can bring forth amendments to improve the bill—of course, there were a few allowed. Out of 302, there were 126 allowed. That means there are more disappointed Members that had ideas than there are satisfied Members that are at least going to have the opportunity to bring their idea forward.

Again, it is 126. It is better than 50, and it is better than 30, there is no question. But it also means there are an awful lot of Republicans and Democrats, including my colleague from Wisconsin (Mr. DUFFY) with whom I sponsored—he as the Republican; I as the lead Democrat—a bipartisan amendment that would have dealt with train stoppages. We are dealing with this also in Fort Collins, where we have trains that do switching and delay traffic sometimes for 15, 30, and 45 minutes. We are simply saying that you can't do that in an urban zone; that delays traffic. It can impede ambulances and fire engines from reaching their destinations. It is dangerous. We simply proposed an amendment to impose a civil penalty of $10,000 around that to deter that kind of action. Unfortunately, Mr. Speaker, that amendment was blocked under this very rule that we are talking about here.

I have, for instance, an amendment that is very important in my district for highway 70 designation that is allowed under this rule, and I am happy that it is. Keep in mind, in perspective, there are many more ideas—good, bad, and other—that Republicans and Democrats had on both sides of the aisle that they weren't even allowed to talk about and aren't even allowed to talk about under this rule, this restrictive rule, that we have before us today.

Mr. Speaker, I wish that I could do something and that the Rules Committee allowed me to do something about excess train noise in our downtown areas. I wish that the Rules Committee had allowed Mr. DUFFY, me, and the many others that this affects to do something about train stoppages closing traffic and endangering the public in our downtown areas. But it was not allowed under this rule, not allowed at all.

Mr. Speaker, calling this bill a 6-year reauthorization is also a bit of a misnomer. The bill only makes funding available for 2 to 3 years. So this is not, in fact, a 6-year bill. It is a 2- to 3-year bill. It is being touted for something that it doesn't have the power to do. Simply calling it a 6-year bill when you are only funding it for 2 to 3 years doesn't make it so.

Mr. Speaker, our economy is still fragile. Americans are concerned about maintaining and growing their quality of life. Affordable housing, quality education, and retirement are sometimes out of the grasp of too many Americans. Critical infrastructure on public roads and bridges is absolutely important for driving our economy forward.

My colleagues and I are charged with recognizing and offering innovative solutions to these problems. We are each selected by constituencies that have particular items that impact them. I was sent here to work on train noise, as an example, and train stoppages that delay traffic, the designation of highway 70, which we hope to be able to include in the final bill, and many other transportation issues, some of which are reflected in the bill.

I certainly commend my colleagues on the House Transportation and Infrastructure Committee for working diligently in trying to bring up a long-term, robustly funded, and thoughtful bill.

This bill, unfortunately, is another exclusionary bill. Again, you can certainly say there could be improvement to have more amendments than prior bills have allowed, but there are many more good ideas that Republicans and Democrats have offered that are not allowed to be debated under this rule.

I commend the process and its inclusion of critical provisions regarding the Export-Import Bank. This is important to many companies in my district to ensure that U.S. businesses are competing on a level playing field. As an example, Fiberlok, located in my district in Fort Collins, is a specialty printing company. It provides heat transfer graphics. It is family owned, and about 40 percent of its business is export business.

I also visited Boulder-based Droplet Measurement Technologies, which was named Export-Import Bank's Small Business Exporter of the Year for its work in cloud and aerosol measurements.

We simply want a level playing field for American businesses.

Of course, this package has some commendable transportation-related provisions. For instance, it provides $325 billion in Federal contract authority and allows for the direct deposit of any additional revenues Congress is able to come up with. It invests in all modes of surface transportation, highway, transit, and maintaining funding for alternatives like biking and walking that should be commended. It creates a $4.5-billion competitive grant program allowing States to compete for geographically expansive projects that impact and can now be financed by multiple States and regions.

Unfortunately, however, this is not a 6-year authorization. From the Infrastructure 2.0 Act I recently introduced, along with my colleague Mr. DELANEY, to the President's GROW AMERICA Act, to Mr. DEFAZIO's and Representative BLUMENAUER's initiatives to reindex the gas tax, many of us have been in the forefront of offering avenues for full funding of this bill. Yet, unfortunately, time and time again, whether it is the repatriation concept or whether it is a re-indexation of the gas tax concept, all of the very reasonable offers and ideas that we have put forward have been repeatedly and inexplicably rejected, and we have seen a failure from our colleagues on the other side of the aisle to bring forward ways to actually pay for what they claim is a 6-year bill.

Look, a long-term, sustainable, funded bill is what we want. If that is the bill we get, Mr. Speaker, I will personally whip that bill. But this is not that bill. This bill fails to make the commitment needed to our Nation's crumbling transportation and infrastructure, and it sets the precedent of authorizing investments without paying for them, which has been the whole difficult part of putting a bill together, which this bill just kicks the can down the road on.

□ 1300

I oppose this overly restrictive rule and the path that we are taking to pretend that a bill is 6 years when we only pay for it for 2 to 3 years.

I reserve the balance of my time.

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

I remember when I ran for Congress 4½ years ago, I had this idea that because I had really good ideas and had the backing of 700,000 folks back home in the district who also had really good ideas that we were going to be able to come up here and share our good ideas; 435 of my colleagues were going to recognize the wisdom that I brought from the great State of Georgia, and we were just going to be able to make those things happen.

It has been harder than I had anticipated, Mr. Speaker; I will confess that to you. It has been harder than I had anticipated. It turns out there are some folks in other parts of the country who have some different ideas.

My friend from Colorado is absolutely right. He offered two amendments yesterday, and he only got one of them made in order. That has happened to me, too. That has happened to me, too.

We have got to talk about what we are going to define as success in this place. Are we going to define getting half of everything you want as failure, or are we going to define getting half of everything you want as a huge step in the right direction that we can celebrate together?

There are not that many bills in this institution, Mr. Speaker, that are worked through in the bipartisan, collaborative way that this one has happened. It is not easy. It is tremendously difficult—tremendously difficult. Why? Because we have legitimate disagreements about public policy—legitimate disagreements about public policy.

Now, I don't want to tamp down my friend's pessimism about 3-year funding instead of 6-year funding. I want 6-year funding, too. I have wanted it from day one, and I am prepared to vote for it today. I haven't found quite as much enthusiasm for that around not just this floor, but the floor right down the hall in the United States Senate. We are going to have to sort that out.

I tell you, with no small bit of optimism, that I think we are going to find that 6-year funding before we see a conference report back on this floor. I believe it. We need it. We have serious people working at it, and we have the ability to make it so.

But, Mr. Speaker, by any measure—by any measure—certainty of funding, certainty of authorization, bipartisanship, nonpartisanship, amendments made in order, length of time of the authorization, length of time of the funding, by any measure—this is the best transportation bill and the best transportation rule that have come to this floor in more than a decade—more than a decade.

Mr. Speaker, I don't want us to take our toys and go home claiming victory over all that ails America. That is not where we are today. I want us to take credit for making a small step in the right direction together, a step that so many of our colleagues before us have failed to succeed at together, and engage in what is sure to be not another hour or 2 or 3 or 4, but dozens of hours to continue to improve this work product of the House Transportation and Infrastructure Committee.

This is a moment of opportunity for us, Mr. Speaker. We can spend our time grousing about what we didn't get, or we can spend our time celebrating what we did get, put this bill on the President's desk, create certainty for America, and then come right back together the day after and begin to make improvements once again. That is the way this institution has always worked when it has worked at its finest, Mr. Speaker, and that is the way I expect this institution to work today.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO), the distinguished ranking member of the Committee on Transportation and Infrastructure.

Mr. DEFAZIO. Mr. Speaker, in terms of what the gentleman from Georgia just said, I do appreciate the fact that we are debating many policy amendments. That is the way the process should work, both sides of the aisle contribute. That is great. Some were excluded that I think should have been included. I don't know why they weren't allowed. I was willing to stay here later last night and stay later tonight so everybody who wanted an amendment could have a chance.

But the biggest and most glaring omission by the Rules Committee is of not allowing any attempt by this House to fund the bill. That is pretty extraordinary. Actually, we probably don't even have 3 years of pretend funding in the bill because some of those offsets were spent last week in the big budget deal, so I don't know what we have left. But it sure as heck isn't anywhere near 6 years of funding; and it is not 6 years of funding at a more robust level, which is necessary.

Even if we funded this bill for 6 years, at the end of 6 years, our infrastructure will be more deteriorated than it is today. It is deteriorating more quickly than we are investing. That is a problem.

We need to increase the investment. We haven't raised the Federal gas tax since 1993. That is a user fee, a user fee created by President Dwight David Eisenhower, raised again by Ronald Reagan, and then finally by Bill Clinton the last time it was increased. A bipartisan idea: user fee. Fund infrastructure for transportation with a user fee.

The U.S. Chamber of Commerce supports an increase in the user fee. The American Trucking Association supports an increase in the user fee. We

are virtually being begged by interest groups out there representing consumers and commercial users of the system to do something, vote on something.

I offered a really simple little amendment. Let's just index the existing gas tax so we don't lose more ground. If we did that, gas would go up 1.7 cents a gallon next year. I think consumers would be outraged. No, they wouldn't be outraged. They would be pleased we started filling in the potholes and doing away with the detours around the bridges that are closed.

If you indexed and you project that, you could borrow money against the future income following the budget rules of PAYGO. We could borrow $100 billion and fill in the huge hole in this bill and then use some of those so-called pay-fors to increase spending under this bill.

Why can't we have a simple vote on revenues, a vote by the House of Representatives?

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to say that I can identify with the gentleman from Oregon's frustration.

The frustration you see is not from a gentleman who does not have any power over the process. He is the ranking member of the Transportation and Infrastructure Committee. But the rules of the House prevent the Transportation and Infrastructure Committee from funding transportation. It is an incredibly powerless space to be in.

Your job on the Transportation and Infrastructure Committee is to come up with good transportation policy. You just can't pull any of the levers that fund it. That is the frustration you hear from my friend from Oregon, and I don't discount that in the least.

What I do discount, however, is any suggestion that what is happening today is in any way unprecedented. My friend from Oregon first began serving in this House when Ronald Reagan was President of the United States, and not one Ways and Means major funding bill has come to this House floor under an open rule in any day of the gentleman's service—not one. Not one Ways and Means bill funding this government has come to the House floor under an open rule. Not under Republicans, not under Democrats, not ever—not ever.

There are lots of reasons for that. I don't need to get into arcane budget policy. But what I do need to say is we have an opportunity in conference to solve this problem. We are grappling with openness in this institution. I am excited about it, Mr. Speaker. A lot of folks say, oh, we can't have openness on the floor because we will have to take tough votes. I say, if you don't want to take tough votes, don't run for Congress.

We have a serious challenge, however, in whether or not we allow a committee, like the Ways and Means Committee, whose sole purpose, whose sole jurisdiction, covers tax matters—no one else covers tax matters other than the Ways and Means Committee. Do we allow them to grapple with funding issues, or do we bring an amendment to the floor, debate it for 9½ minutes, and change Federal tax policy together? We can do that.

I am glad we are not doing Federal transportation policy in a 9-minute stint. I am glad we worked on it, again, not for days, not for weeks, not for months, but for years, together, to get policy that worked.

It is very puzzling to me, again, by any measure—by any measure. This is the best transportation process and the best transportation rule that this body has seen in a decade. We can choose to recognize that and improve upon it, or we can choose to continue the self-flagellation that seems to constitute government today. I don't understand it. I am very proud to be in this body. I am very proud to work with each one of you, and I am very proud of the work that we have done together.

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

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

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

I need 10 minutes at least to respond to that assertion. There is no party with whom I have served over the last 35 years that has been any more into self-flagellation of the United States Government, the American Government, than his party. I will say with all due respect.

Mr. WOODALL. Will the gentleman yield?

Mr. HOYER. No.

Mr. WOODALL. The gentleman is not talking about me. The gentleman is talking about my party.

Mr. HOYER. I talked about your party.

Mr. WOODALL. I thank the gentleman.

Mr. HOYER. But I will tell you that I disagree with the gentleman's basic premise. He talks about the rule. The rule is not the issue. I am against this rule. Its substance, that is what the gentleman from Oregon was talking about. He was talking about investing and making America grow, creating jobs. That is what we ought to be debating, not some rule for you to have a lot of amendments. You can have a zillion amendments. If they are all awful, it won't be a good rule.

I rise in opposition to this rule. I rise in opposition because it would make in order several amendments that undermine the will of a majority of both parties in this House, that the Export-Import Bank should be reopened immediately.

I said for a year and a half the majority of this House was for it; and for a year and a half, it was bottled up by a committee chairman in a closed process.

Since some Republicans blocked an extension of the Export-Import Bank's charter authority and let it shut down in July, hundreds of American jobs have been shipped overseas, and exporters and their workers have been unable to compete on a level playing field in foreign markets.

Last month, in a historic effort, virtually all Democrats and a majority of Republicans came together to end the gridlock and take steps to allow the House to work its will and hold a vote on reopening the Export-Import Bank. This rule seeks to reverse that process.

When that vote was finally held, Mr. Speaker, 127 Republicans finally got the opportunity to work their will—a majority of their Conference—and joined with every Democrat, save one, to reopen the Bank and create jobs in our country.

The will of this House is clear, unequivocal. The best way to reopen the Bank is by keeping, unchanged, in this highway bill the Heitkamp-Kirk language, a bipartisan amendment from the Senate that 313 Members, otherwise known as 75 percent of this body, voted for last week on this floor. The amendments that this rule would make in order are, in effect, a last-ditch attempt by the Bank's opponents to undo the will of the majority of this House.

I urge my colleagues to oppose this rule; and should it be adopted, as is likely the case, I urge every one of my colleagues who voted to reopen the Export-Import Bank last week to stand together in defeating every single amendment offered on the Export-Import Bank so we can stand together to defeat all of the amendments that are offered on the Export-Import Bank.

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

Mr. POLIS. I yield the gentleman an additional 25 seconds.

Mr. HOYER. It is a Senate bill and a House bill that are exactly the same. If they had been passed alone, they would be on the President's desk right now.

Once again, we need to help American exporters; but more importantly than that, we need to help American workers get and keep jobs. We talk a lot about it. This is an opportunity to do it. Defeat any and every amendment, no matter how sugary it may sound, to defeat the Export-Import Bank.

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

I don't fault my friend from Maryland for not yielding. He had very limited time. I remember the days of the magic minute. Those were better yielding days.

Mr. HOYER. But I will yield to him on his time.

Mr. WOODALL. I appreciate that. The gentleman is always generous.

Mr. Speaker, while the minority whip was the majority leader of this institution, this House did a lot of big things—a lot of big things. But what they couldn't do—what they couldn't do—was a bill like the one that Ranking Member DEFAZIO and Chairman BILL SHUSTER have brought to the floor today.

□ 1315

We can cast this dye and call it anything we want to; but the fact of the matter is it is a success, and it is one that we have done together. I don't know where partisanship comes into this process, and it will be a shame if it comes in today because it sure hasn't been in in the previous days, weeks, months, and years that we have been working on this process.

I had some great ideas for this bill, Mr. Speaker, and I serve on the Transportation and Infrastructure Committee. Where better for a fellow with great ideas on transportation to work than on the Transportation and Infrastructure Committee.

So I knocked on my chairman's door. I said, Mr. Chairman, I bring the wisdom of the Seventh District of Georgia. I have crafted it all here in legislative language for you. Let me just go ahead and give it to you so you can include it in the base text.

Do you know what the chairman said to me?

He said, ROB, we are doing this in a collaborative manner. If your ideas are that good, you are going to find some folks on the other side of the aisle who believe in your ideas, too. You bring me back those ideas. Together, we will get it done.

He was right. That is exactly what I did. My ideas were that good. Thank you very much. I did go out and find some collegiality on the other side of the aisle, and we did include those ideas in the base text. That is what this product is.

You can't do that on every piece of legislation, Mr. Speaker, as the divisions are too great; but the minority whip was right—this is about jobs. There is not a local mayor in the country who doesn't know that, as one's transportation infrastructure and education infrastructure goes, so goes one's community.

We need to solve that education piece. Today, we are going to solve the transportation piece. Not once in more than a decade has a bill come to the floor of this House with the kind of commitment to transportation and infrastructure that this bill has today. My hope is, somewhere in these 81 amendments this rule makes in order, we will be able to improve upon that bill. If nothing else, if we can't improve upon it, at least we can find out where the will of the House is by defeating those amendments.

Mr. Speaker, this is the process I ran to be a part of. This is the way I imagined the House to work. I am very proud to be here today, and I hope my colleagues will take some of that pride as well.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. PASCRELL), a member of the Committee on Ways and Means.

Mr. PASCRELL. Mr. Speaker, I was proud to join my Ways and Means Committee colleague, my counterpart—Mr. RENACCI of Ohio—along with several other Members, in submitting to the Rules Committee a modified version of our bipartisan bill to provide long-term, sustainable funding for our highways and bridges, which this bill does not do.

Our proposal would have used the next 3 paid-for years to set up a task force to devise a plan to fund the remaining years of the bill. Continuity can ensure that construction projects and the jobs they provide don't come to a grinding halt when Congress fails to act.

The fact that our bipartisan amendment to save the highway trust fund was shut out from floor consideration but that the devolution crowd gets a vote on their plan to dismantle the fund speaks volumes about how this leadership views the concept of an open process and regular order, to say nothing of the place for compromise and bipartisan solutions.

Look, we have a diverse coalition of colleagues who is cosponsoring our plan. We have support from a broad coalition of business, labor, construction, engineering, and transit advocates.

Let's be frank. Be it under Democratic or Republican control, this body has been loath to make the tough decisions needed on the issue of transportation funding. It is a disgrace that our bipartisan team was not given the chance to put the trust back into the trust fund.

I urge my colleagues to send a message by opposing this bill.

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

''Disgrace'' is a strong word from my friend; but I would say that, if there is disappointment in this institution, it is that the Ways and Means Committee, with the sole jurisdiction over funding transportation, has failed under both Republican and Democratic leadership to provide long-term transportation funding. The gentleman serves on that committee. I don't. I welcome his support on the steering committee if I try to make that move.

It is not easy, Mr. Speaker, to find that transportation funding, and the gentleman made a passionate pitch in the Rules Committee last night about the importance of keeping the user fee dynamic at play here.

Mr. Speaker, there was a time when the transportation bill was pushed by folks back home, not because they needed transportation certainty, as they so desperately need today, but because the local jurisdiction was only getting back about 80 cents out of every gas tax dollar they were sending in. They wanted to push that number up to 81 or to 82. It brought us all together around pushing a bill.

When we decided we didn't have the courage in the United States Congress—I was not in this institution at that time—to actually fund what it was that we had paid for, we began taking money out of general revenues and just stuffing it in the transportation trust fund. Now, if you are a road builder, if you are in the business of getting people to work, if you are in the business of getting families out of traffic, if you are in the business of making America's economy grow, you thought that was a trade worth making. You had no idea that, now that every State is getting back more than a dollar for every dollar of taxes they send in, it is really hard to get people back to the table to fix the problem that the gentleman is speaking of.

We are at a nexus here, Mr. Speaker, between trying to solve a problem and trying to preserve our user fee system. I don't know where the division in the road is going to go. If we fail to maintain the user fee system when we find the additional year 4, year 5, and year 6 of transportation funding, we may never get it back.

Mr. Speaker, I represent a very conservative area in the great State of Georgia. We don't much care for taxes of any kind. We don't mind taking care of one another, but we feel like we do it better ourselves than do folks from far, far away. My local jurisdiction rejected Federal gas taxes. It rejected State gas taxes. It passed for themselves a $200 million bonding initiative to build roads locally because they believed they would get it done. Users are paying for those roads.

There is not a conservative in this country, I would posit, who is unwilling to pay for what it is that he uses. It is our job to go sell that to folks—that, if you use it, you need to pay for it—and there is no shame in that. It is a constitutional responsibility that we have in this body, and it is one we ought to be proud to stand up and support.

Though, I would say to my friends on the other side of the aisle that we are going to have some EPA discussions in this legislation. My folks back home don't believe that, if they send a dollar to Washington, they are going to get a dollar's worth of roads back in return. They don't. They believe 10 percent is going to come off here and 10 percent is going to come off there. It is going to be wasted on regulatory compliance here, and it is going to be wasted on silly Federal mandates there; and they are going to get 50 cents of road for a dollar's worth of taxes. I don't think they are all wrong about that, Mr. Speaker. I think there is a lot of wisdom in that suspicion.

Now, this bill does a lot to correct that.

Two days ago, we had the ranking member of the Transportation and Infrastructure Committee in the Rules Committee, who was making that very point, which is that this bill is working to restore that trust.

I say to my friends on the other side of the aisle, who worry about funding as I worry about funding, if we restore that trust, we will have access to the funding.

It is a very challenging issue, Mr. Speaker. It is our responsibility, in

having lost that trust, to restore it. This bill takes a major step in that direction.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a member of the Committee on Ways and Means.

Mr. BLUMENAUER. I thank the gentleman.

Mr. Speaker, my friend from Georgia suggests that this is very complex and difficult and that we have wrapped ourselves around the axle, and we can't do this in the Rules Committee or in the Transportation and Infrastructure Committee.

That is hogwash.

I wish that the Ways and Means Committee would have accepted the legislation that I have had for the last 5 years that is supported by the Chamber and the truckers and AAA and bicyclists and engineers—but, no, they have not done it. We could have an opportunity with this bill. There are a number of my colleagues who have proposals for finance, but they wouldn't even make in order a study, for heaven's sakes.

This year, seven Republican States, including Georgia, have raised the gas tax. They have followed the admonition of President Ronald Reagan in 1982, who called on Congress to come back after Thanksgiving recess and raise the gas tax.

The gentleman was not there when I testified, but I submitted a list of 18 organizations that support raising the gas tax, and we are not even allowed an opportunity to debate it on the floor. That is why we can't do as good a job as we want with this transportation bill.

And what are we given?—a 6-year shell with 3 years of, sort of, pay-fors—I like this—requiring the Federal Reserve dividend, which is opposed by most of my Republican friends. There are 150 people who signed a letter, saying that it is really stupid to sell the strategic oil reserve at twice what the current price is and—one of my favorites—having bill collectors hound poor people for their taxes. The last two times we tried it, it lost money.

This is a fraud. I urge rejection.

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

As a Rules Committee member—and it is called the powerful House Rules Committee for a reason—I am thrilled to see the parade of my Ways and Means colleagues on the House floor, who are saying that what Ways and Means doesn't get done we should be doing in the Rules Committee instead. I am excited about that as, I am sure, my friend from Colorado is as well. Together, we can do a lot of good tax policy.

I have a bill called the ''FairTax.'' I haven't been able to bring it to the floor yet. With the endorsement now of two of my Ways and Means' friends that we ought to be able to make these amendments in order on major funding legislation and bring them to the floor, I am looking forward to trying to get that delegation letter going. I don't have any Democrats on the bill right now, but I would welcome anybody. It is H.R. 25, the fundamental tax reform bill. I would love to bring that to the floor.

Mr. Speaker, we are talking as if it is over right now, as if there is no more debate left to have. That is what is nonsense. We are going to continue improving this bill throughout the afternoon and into the night and into tomorrow. We are going to take this bill to conference and improve it still.

I have said it once, but I will say it again: the opportunity for 6 years of funding is still there.

This isn't the time to turn the firing squad inward. This is the time to stand shoulder to shoulder and get out there and do this together. We believe in that, Mr. Speaker. We couldn't reach agreement with the Senate last year because they wanted 3 years of funding, and we wanted 6. We were dreaming the big dreams, not as Republicans and Democrats, but as the U.S. House of Representatives—as the people's House. Those days are still upon us. We have an environment in which to win. I hope we will seize it.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentlewoman from Nevada (Ms. TITUS), a member of the Committee on Transportation and Infrastructure.

Ms. TITUS. I thank the gentleman.

Mr. Speaker, when the new Speaker took the gavel last week, he promised us that the House would run differently in that Members on both sides of the aisle would get a chance to bring forth amendments and that the House would debate the merits of those.

Today, I am reminded of the saying, ''Plus ca change, plus c'est la meme chose.''

Like the gentleman admonished and as the chairman said, I worked across the aisle and brought a bipartisan amendment with my friend, Mr. DAVIS from Illinois. It made a small change about the local use of transportation dollars. Despite overwhelming support, we were denied the opportunity to bring that amendment to the floor.

In the middle of the night, in the backroom here in the Capitol, the majority decided that the will of the people simply didn't have to be heard on this important transportation issue; yet they have allowed 10 amendments to be heard on the Export-Import Bank, which have nothing to do with transportation, and the issue of which was resolved a week ago.

Indeed, I say, the more things change, the more they stay the same. So, despite all the fancy rhetoric you are hearing, I would urge you to remember that and to vote ''no'' on this rule.

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

With this new order that we have here, we are going to have to work through it together, and it is not going to be easy. For the folks who think it is going to be easy, I would go ahead and turn your voting card in now and let somebody else come up here and do the work. It is not going to be easy. It is going to be hard.

□ 1330

Because what constitutes regular order for us? How do we work together?

My friend from Nevada just talked about her amendment that the Rules Committee didn't consider. She is absolutely right. That said, she offered the amendment in committee and withdrew it before we had a chance to vote on it.

We had this topic before us in the Transportation Committee and didn't do it there. Folks chose to do it on the House floor and in the Rules Committee instead. Is that the way we want this institution to work? Do we want to ignore the issues at the committees of jurisdiction and bring them to the House floor straightaway, or do we want to work through the committee process?

I don't have all the answers, Mr. Speaker. I have one vote in a body of 435. I generally side on the side of openness as opposed to being closed. I generally side on the side of voting instead of not voting.

Of all the rules I have had a chance to handle, Mr. Speaker, in the 4½ years the good people of the Seventh District have entrusted me with their voting card, this bill that we have before us, this rule that we have before us makes in order more voices than any other rule I have ever handled.

If folks don't think we have gone far enough today, fair enough. Let's talk about it again tomorrow. But I challenge you to tell me that we did it better yesterday, not ''we'' the Republicans yesterday, not ''we'' the Democrats yesterday, but ''we'' this House yesterday.

I have been watching this institution a long time. Not in more than 10 years have we even considered a bill of this magnitude on the floor of the House, and I am pleased that we finally came together to do it today.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. DELANEY).

Mr. DELANEY. Mr. Speaker, my good friend from Georgia talks about the certainty that will be obtained by this bill. There will be certainty. There will be an absolute certainty that we will continue to underinvest in our infrastructure in the United States of America for the next 6 years.

Mr. Speaker, because of recent funding levels, we have caused the infrastructure in this country to be underinvested by a huge number. People estimate we have a $6 trillion shortfall in our infrastructure. Well, that is a huge challenge. It is also a huge opportunity. If we could actually increase our investment in infrastructure, we

would create jobs, we would improve the lives of our constituents, and we would make our country more competitive.

Instead, we are looking at a bill that locks in infrastructure spending at current levels for another 6 years. How anyone could possibly look at the facts, look at the data, and look at the situation of the infrastructure in this country and conclude that that is the right answer is beyond my comprehension.

The only way to stop this chronic underinvestment in our infrastructure that will cause the infrastructure crisis in this country to continue to build is to reject this rule and reject the underlying bill so that this Congress can go back to the drawing board and figure out smart ways to increase our funding in infrastructure.

There are bipartisan solutions. We have heard about some of them today. One of the ones that I have worked on for years is to tie increasing our investment in infrastructure to international tax reform, where we have trillions of dollars sitting overseas trapped. If we can create pathways for that money to come back, we can allocate additional revenue towards infrastructure and increase our investment in infrastructure so we will not continue to have the problem of chronic underinvestment in our infrastructure and we can rebuild America.

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I want to say to my friend from Maryland he is absolutely right. We could do better in terms of certainty.

I would remind the gentleman that when Democrats ran this institution the cycle before I got here, they passed six different transportation extension bills in 2 years. That means we are averaging 4 months of certainty.

This bill, even under the most pessimistic assertions, gives us 3 years of certainty, which is more certainty than America has seen in a decade. I am not trying to stop trying, Mr. Speaker. I want us to keep fighting forward together. I just want us to recognize that this is the best we have done in a long, long time. Let's take advantage of having done the best we have done in a long, long time, and let's keep trying to do better.

Mr. Speaker, I yield 4 minutes to the gentleman from Tennessee (Mr. DUNCAN), a senior member of the Transportation Committee.

Mr. DUNCAN of Tennessee. Mr. Speaker, first, I thank the gentleman from Georgia for yielding me this time. In my 27 years in this Congress, I can think of very few Members who are better orators, greater speakers than the gentleman from Georgia; and I appreciate his giving me this time.

I rise in support of this rule.

Later today, Congressman PAULSEN of Minnesota and I will be offering an amendment that, I think, is very technical in nature; but it is designed to help the smallest businesses in the trucking industry.

I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for including some provisions from a bill that I introduced in the base text that establishes hiring practices that a freight broker must follow.

My and Mr. PAULSEN's amendment clarifies the requirements that a freight broker must meet before hiring a motor carrier for the delivery of goods. This bill will require a broker to check to ensure that a motor carrier is first registered with, and authorized by, the Federal Motor Carrier Safety Administration to operate as a licensed motor carrier; and, secondly, that it has the minimum insurance required by Federal law; and, third, it has the satisfactory safety fitness determination by the FMCSA. My amendment inserts ''or be unrated'' in the third requirement.

Currently, there are thousands of small trucking companies which have yet to be audited by the FMCSA. By adding the words ''or be unrated,'' we ensure that these very small companies will not be precluded from being in the pool of eligible motor carriers that can be used for shipping goods.

Without this modest change, thousands of very small, very safe trucking companies will be eliminated from the pool of eligible motor carriers just because the FMCSA has not had time or staff levels enough to rate them. Without this amendment, thousands of small companies that have never had a wreck or a violation will be hurt.

So, without this change, we will hurt small businesses and drive up the cost of shipping goods for everyone. This is an amendment for the little guy, the mom-and-pop operators.

There is a second part to this amendment that address a fourth requirement that must be checked by the brokers. This fourth condition requires a broker to check to make sure that a motor carrier has not been issued an out-of-service order to prohibit a carrier from conducting operations.

To conclude, I will just say my and Mr. PAULSEN's amendment ensures that we have only safe trucks on the road and that thousands of small businesses are not hurt in the process. This amendment is supported by the Owner Operators Independent Drivers Association, the Transportation Intermediaries Association, various other associations, the International Warehouse Logistics Association, and on and on.

I would urge my colleagues to look into this amendment and hopefully support it later today when we bring it to the floor.

Mr. POLIS. Mr. Speaker, many American workers don't have access to paid sick days, which means they can't miss work without losing a day's pay or risking their job security, sometimes even endangering the public health by spreading their flu or cold to others.

Mr. Speaker, everyone should be able to take care of themselves or their loved ones when they are sick and not have to worry about losing their job or falling behind on their bills.

Mr. Speaker, I ask unanimous consent to insert the text of the 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 Colorado?

There was no objection.

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

Ms. DELAURO. Mr. Speaker, I rise in opposition to the previous question. Defeating the previous question will allow us to amend the rule to provide for consideration of the Healthy Families Act. It is an act that would allow workers to earn up to 7 days of job-protected sick leave every year.

Being a working parent should not mean choosing between your job and taking care of yourself and your family. But at least 43 million private sector workers, 39 percent of the workforce, must make this decision every time illness strikes. Millions more cannot earn paid sick time to care for a sick child or for a family member.

Employers ultimately suffer when workers have to make this choice. Increased turnover rates amount to greater costs. And employers can jeopardize the health of other employees when their policies force employees to come to work sick.

Paid sick days policies have been enacted successfully at the State and local levels. Nearly 20 jurisdictions across the country have adopted paid sick day laws, and there is strong public support for universal access to paid sick days. Eighty-eight percent of Americans support paid sick days legislation.

The Healthy Families Act allows working families to meet their health and financial needs while boosting businesses' productivity and retention rates.

It ultimately strengthens this Nation's economy. It is common sense, business savvy, and it is the right thing to do. Let's protect the public health, boost the economy, help hardworking families have access to paid sick days. Let's pass the Healthy Families Act.

I urge my colleagues to oppose the previous question.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL), the ranking member on the Ways and Means Subcommittee on Select Revenue Measures.

Mr. NEAL. Mr. Speaker, we shouldn't be bragging about this legislation today, boasting about this legislation. Let me give you the perspective of 27 years here.

This used to be the easiest legislation to pass in this institution. It created

greater cost efficiencies. It created greater investment and, just as importantly, it put people to work immediately.

There was no hearing held on the tax title portion of this bill. There was no operation or opportunity for Members to offer amendments in the Ways and Means Committee. Now, let me point out, for that 4-year period when we were in the majority, I held those hearings; and then after the loss of elections, during those 4 years, nothing ever came of it again.

We have repeatedly urged the opportunity to talk about a genuine mechanism for financing the Federal highway system, our airports, our railroads; and the opportunity has not availed itself.

To point something out here that I think is noteworthy as well, this financing is held together by bubble gum. How many times are we going to sell the oil in the Strategic Petroleum Reserve? Every time I turn around, it becomes the pay-for these days. Is there any oil left in there? That is how we are going to finance the Federal highway system?

A reminder, what I heard earlier that in some States people only want to pay for services that they use, that was the revenue mechanism, the user fee, the gas tax that allowed people to pay for the services that they used; namely, driving along on the Federal highway system. Now, how is that for a complication?

We are here today because we have not adequately addressed the Federal highway system's responsibility and that begins in this House of the Congress where all financing, according to our Constitution, is supposed to originate. If the Ways and Means Committee isn't taking it up, there is no opportunity for the House to take it up.

Don't brag about this rule today. It is a bad rule, and we should vote it down and get on with financing the Federal highway system the way it is supposed to be financed.

Mr. WOODALL. Mr. Speaker, I yield myself 15 seconds.

I just remind my friend, during the Congress before I arrived when he was chairman, four different extensions of the highway trust fund, not one of them was funded with a change in the gas tax.

Mr. NEAL. Will the gentleman yield?

Mr. WOODALL. I yield to the gentleman from Massachusetts.

Mr. NEAL. Mr. Speaker, we held the hearings. We went through it. We had the Chamber of Commerce in, the American Trucking Association, and we had organized labor in. We were set to go, and then we lost the institution and that was the end of the discussion about the Federal highway system.

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

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from Vermont (Mr. WELCH), a member of the Committee on Energy and Commerce.

Mr. WELCH. Mr. Speaker, as Mr. NEAL said, this transportation highway bill used to be a solid, bipartisan bill that invested in the future of this country. This Congress has set different expectations. I think if we are candid with ourselves and with the American people, we have become a low-expectations Congress. I guess it could be said that this bill meets, but certainly doesn't exceed, the low expectations that prevail in this body.

It is true that it will have a 6-year bill authorization with 3 years of bubble-gum-styled funding. That is going to give some certainty to the agency of transportation in Vermont, so it is true that this is better than when we were doing 3-month extensions and 5-month extensions on ''pension smoothing.''

You know what? America deserves better. America needs more, and we can provide it. We have jobs to create, work to be done, workers ready to put shovels in the ground and to get America moving again. It is within our power, both sides, to make that happen. But it can't happen if we are so fearful to even discuss revenue measures that we don't have hearings on them.

□ 1345

We have had good proposals from Mr. BLUMENAUER, a bipartisan proposal with Mr. RENACCI and Mr. PASCRELL, the Delaney proposal. There are solutions out there that are going to invest in this country, generate jobs for this economy, increase the gross domestic product, and make our economy more competitive and our highway system safer.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland (Ms. EDWARDS), a member of the Committee on Transportation and Infrastructure.

Ms. EDWARDS. Mr. Speaker, I rise today in opposition to the rule precisely because it makes in order various Export-Import Bank amendments that are actually designed to kill what we just did to make sure that we could reauthorize the Export-Import Bank.

Nonetheless, I am grateful to Chairmen SHUSTER and GRAVES and Ranking Members DEFAZIO and NORTON and their committees and their personal staffs for their leadership in trying to move forward a 6-year reauthorization.

All of us have acknowledged that this is far from perfect, but the fact is, America is literally falling apart: by asphalt, by rebar, by cement, by steel, by rail, pothole by pothole, just falling apart. The United States now ranks 16th in infrastructure according to the World Economic Forum. According to the American Society of Civil Engineers, the overall assessment of our infrastructure ranks is, I am sad to say, a whopping D plus.

As some of you remember from The Washington Post back in February, a constituent of mine was driving on the Suitland Parkway, just outside of D.C. She was minding her own business, running her errands. What happens? A chunk of cement falls down and hits her car. That is right, a chunk of cement falling from the beltway to hit her car on the Suitland Parkway. Fortunately, no one was injured, but this is just one example of a project that was on the Federal list and simply wasn't worked on because there was no money to do it.

I support what we are doing today in terms of a bipartisan authorization for a long-term authorization, but this is nowhere near what we need to do to repair the couple of trillion dollars in infrastructure deficit that we face in this country that is causing us not to be as competitive as we need to be and really is taking up a bunch of time for people who are stuck on roads that are going nowhere.

Let me be clear, this is not the bill that I would have written. It is not perfect, but maybe it is the best that we can do under the circumstances. Clearly, though, we shouldn't have a 6-year authorization with only a couple years of funding. There have been numerous proposals to fund our long-term infrastructure.

I am grateful that I was able to at least work on a couple of amendments regarding oversight of the Washington Metropolitan Area Transit Authority, WMATA, and I look forward to continuing to work on these efforts.

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

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

Mr. Speaker, a few of my colleagues have talked about selling down the Strategic Petroleum Reserve. I think that is a great bipartisan idea to pay for something. We actually no longer need to have crude oil in the Strategic Petroleum Reserve.

Our Nation is a net producer of crude oil, so they are actually stockpiling the same stuff that we are talking about exporting; namely, unprocessed crude oil. There is a component of the crude oil reserve that is heating oil that is processed. That is still necessary. That is not being sold down. Nobody has talked about selling that down. I think we can use the Strategic Petroleum Reserve as an additional pay-for for other items until it is successfully phased out over the next few years. I think this bill is the first step. I applaud my colleagues for including it.

Keep in mind, though, it is an accounting trick in terms of the dollar value of that. They are assuming that it will be sold at roughly twice the current price of oil. That may happen; it may not. We don't know. But at least it is being sold, and that is a good thing.

A third of our Nation's roads are rated poor or mediocre. We need to do better. We have a responsibility to address the transportation and infrastructure crisis.

If you have ever been to Fort Collins, the biggest city in my congressional district, home to Colorado State University, you have found a lot of traffic along Interstate 25.

If you have ever traveled Interstate 70 to our world-class ski resorts, like Vail or Breckenridge, you might very well have been locked in traffic as you went out there to enjoy the ski season or the summer high season.

Fort Collins, Loveland, Boulder, Vail, Frisco, Breckenridge, these are our communities that are tourism-and recreation-driven, and we need a 21st century transportation solution that provides consistency in funding levels, not a shell game to fund 2 years of a 6-year bill.

We need to open up a future for major highway improvements, like we need on Interstates 25 and 70. We need to put politics aside and not shroud a 2-year bill behind a facade of a 6-year bill. Our parents and grandparents sacrificed to build a world-class national infrastructure system, but we need the courage to maintain it and improve it for the 21st century.

I urge my colleagues to consider the responsibility of this maneuver. I urge defeat of the previous question, and I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, may I inquire how much time remains on my side?

The SPEAKER pro tempore. The gentleman from Georgia has 5¾ minutes remaining.

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

I appreciate my friend from Colorado working with me on this rule today. I appreciate all the folks on the Committee on Transportation and Infrastructure who made this possible, and the whole body that came in front of the Committee on Rules, bringing amendments to try to make the bill better.

I don't want to suggest that the differences that we have between one another here are in any way going away because of this bill. They are not. I have heard passionate speech after passionate speech about funding of this bill.

I share some of those concerns, but I represent a county of 200,000 people who just raised $200 million in a bonding initiative to build their roads. Until my colleagues have raised the taxes on their constituents by $1,000 on every man, woman, and child—$4,000 on a family of four—to build roads back home in your district, please don't come and ask my constituents to pay even more.

Georgia is one of the States that has raised its gas tax, from a 7 cent sales tax to a 26 cent excise tax. When your State has taken on that same burden of responsibility, come back to me and tell me how much more Georgia needs to put in to help you.

The devolution of the transportation trust fund has long been a conversation in this body, but by holding the Federal gas tax constant over these years, that devolution has been happening naturally with the effect of inflation, and localities are picking up the tab.

You know what we are celebrating this week back home, Mr. Speaker? This is election week, of course. A year ago this week is when Forsyth County passed its $200 million bonding initiative. You know when they broke ground on the project, Mr. Speaker? This week. This week. You tell me that time is money. It is true in transportation.

I challenge you to find that Federal project that you are working on back home in your district that you are going from conception to groundbreaking in 12 months. I want to help you find the funding to make it happen, I do, because, clearly, you are running at a heightened level of efficiency, and it deserves our support.

Mr. Speaker, the reason we need this bill is because we are not getting a dollar's worth of value out of a dollar's worth of Federal taxes. The reason we need this bill is to help make some of those bipartisan reforms to the infrastructure program that just don't make sense. They just don't make sense in the 21st century, and it is no wonder. Democratic Congresses failed to succeed in this effort. Republican Congresses failed to succeed in this effort. This Congress is succeeding in this effort.

There are 81 new amendments with this rule today, 81 new ideas with this amendment today. Mr. Speaker, the underlying bill has more certainty and more funding than any other proposal this body has considered in more than a decade. This rule has more openness, more voices, and more amendments than any other rule of this nature that I have been able to handle in 4½ years here.

We don't get it right every day. We don't get it right every day. Votes don't go the way I want them to go every day, but we have got a chance, Mr. Speaker. We have got a chance with this bill, with this process, with this new House leadership team to restore the trust that has been lost for far too long.

Mr. Speaker, I urge support for the rule and the underlying resolution.

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

AN AMENDMENT TO H. RES. 512 OFFERED BY MR. POLIS OF COLORADO

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

SEC. 8. 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. 932) to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families. 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 respective chairs and ranking minority members of the Committees on Education and the Workforce, House Administration, and Oversight and Government Reform. 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. 9. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 932.

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. WOODALL. 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. POLIS. 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.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1019

Mr. CULBERSON. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor on H.R. 1019.

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

There was no objection.

HIRE MORE HEROES ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 507 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the Senate amendments to the bill, H.R. 22.

Will the gentleman from Idaho (Mr. SIMPSON) kindly resume the chair.

□ 1356

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose on Tuesday, November 3, 2015, amendment No. 45 printed in part B of House Report 114–325 offered by the gentlewoman from California (Mrs. NAPOLITANO) had been disposed of.

VACATING DEMAND FOR RECORDED VOTE ON AMENDMENT OFFERED BY MR. ROTHFUS

Mr. ROTHFUS. Mr. Chair, I ask unanimous consent to withdraw my request for a recorded vote on my amendment to the end that the amendment stands disposed of by the voice vote thereon.

The CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The CHAIR. Without objection, the request for a recorded vote is withdrawn. Accordingly, the ayes have it and the amendment is agreed to.

There was no objection.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114–325 on which further proceedings were postponed, in the following order:

Amendment No. 37, as modified, by Mrs. HARTZLER of Missouri.

Amendment No. 39 by Mr. ROONEY of Florida.

Amendment No. 41 by Mr. DESAULNIER of California.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 37, AS MODIFIED, OFFERED BY MRS. HARTZLER

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Missouri (Mrs. HARTZLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 172, noes 255, not voting 6, as follows:

[Roll No. 594]

AYES—172

Abraham
Aderholt
Allen
Amash
Babin
Barr
Barton
Benishek
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cramer
Crenshaw
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Guthrie
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kinzinger (IL)
Kline
Labrador
LaHood
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Massie
McCarthy
McClintock
McMorris Rodgers
McSally
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Roby
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Wagner
Walberg
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—255

Adams
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crawford
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Goodlatte
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (WA)
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Knight
Kuster
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCaul
McCollum
McDermott
McGovern
McHenry
McKinley
McNerney
Meadows
Meehan
Meng
Miller (MI)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan

Norcross
Nunes
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Womack
Yarmuth
Young (AK)

NOT VOTING—6

Ellmers (NC)
Gohmert
Johnson (GA)
Meeks
Rush
Takai

□ 1426

Messrs. LAMALFA, CRAWFORD, SWALWELL of California, LARSON of Connecticut, MARINO, and GUTIÉRREZ changed their vote from ''aye'' to ''no.''

Messrs. REED, CARTER of Georgia, BARTON, MULLIN, Mrs. NOEM, and Mr. STIVERS changed their vote from ''no'' to ''aye.''

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 39 OFFERED BY MR. ROONEY OF FLORIDA

The Acting CHAIR (Mr. CONAWAY). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. ROONEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 240, not voting 8, as follows:

[Roll No. 595]

AYES—185

Abraham
Aderholt
Allen
Amodei
Ashford
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buchanan
Buck
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cleaver
Coffman
Collins (GA)
Collins (NY)
Conaway
Costa
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Garamendi
Garrett
Gibbs
Gosar
Gowdy
Granger
Graves (GA)
Green, Gene
Griffith
Grothman
Guinta
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Jolly
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McMorris Rodgers
McSally
Messer
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rouzer
Royce
Scalise
Schrader
Scott, Austin
Scott, David
Sessions
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Valadao
Vela
Wagner
Walden
Walker
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Wilson (SC)
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—240

Adams
Aguilar
Amash
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Boustany
Boyle, Brendan F.
Brady (PA)
Brownley (CA)
Bucshon
Burgess
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Cook
Cooper
Costello (PA)
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fleming
Forbes
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Gibson
Goodlatte
Graham
Graves (LA)
Graves (MO)
Grayson
Green, Al
Grijalva
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hastings
Heck (WA)
Higgins
Hill
Himes
Honda
Hoyer
Huffman
Hultgren
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McHenry
McKinley
McNerney
Meadows
Meehan
Meng
Mica
Miller (MI)
Moore
Moulton
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Palazzo
Pallone
Pascrell
Payne
Perlmutter
Peters
Pingree
Pitts
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Rice (NY)
Richmond
Rigell
Rogers (KY)
Rohrabacher
Roskam
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walberg
Walorski
Walters, Mimi
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Williams
Wilson (FL)
Wittman
Yarmuth
Zeldin

NOT VOTING—8

Ellmers (NC)
Gohmert
McDermott
Meeks
Pelosi
Rush
Takai
Whitfield

□ 1431

Mr. THOMPSON of Mississippi changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. McDERMOTT. Mr. Chair, on rollcall No. 594, I would have voted "no." On rollcall 595, I would have voted "yes."

AMENDMENT NO. 41 OFFERED BY MR. DESAULNIER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. DESAULNIER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 169, noes 257, not voting 7, as follows:

[Roll No. 596]

AYES—169

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cooper
Courtney
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell

Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Gene
Griffith
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Issa
Jackson Lee
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Knight
Kuster
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Matsui
McCollum
McGovern
McNerney
Moore
Moulton
Mulvaney
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peters
Pingree
Pocan
Polis
Posey
Price (NC)
Ribble
Richmond
Ruiz
Ruppersberger
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Sherman
Sinema
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Vela
Visclosky
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—257

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buchanan
Buck
Bucshon
Burgess
Butterfield
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Crowley
Culberson
Curbelo (FL)
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Doggett
Dold
Donovan
Duffy
Duncan (SC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaHood
Lamborn
Latta
LoBiondo
Lofgren
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Nadler
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Pallone
Palmer
Paulsen
Pearce
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Russell
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Veasey
Velázquez
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—7

Ellmers (NC)
Gohmert
Johnson (GA)
McDermott
Meeks
Rush
Takai

□ 1436

Mrs. NOEM and Mr. GRAVES of Georgia changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. HULTGREN). There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CONAWAY) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, had come to no resolution thereon.

PROVIDING FOR FURTHER CONSIDERATION OF SENATE AMENDMENTS TO H.R. 22, HIRE MORE HEROES ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 512) providing for further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, 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 is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 183, not voting 9, as follows:

[Roll No. 597]

YEAS—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
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
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Issa
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
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
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
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
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
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—183

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
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
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)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
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
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Ellmers (NC)
Gohmert
Grothman
Hurt (VA)
Meeks
Rush
Schrader
Sinema
Takai

□ 1444

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. SINEMA. Mr. Speaker, on rollcall No. 597 I was unavoidably detained. Had I been present, I would have voted "no."

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. POLIS. 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 243, noes 183, not voting 7, as follows:

[Roll No. 598]

AYES—243

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
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
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
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
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
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
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
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—183

Adams
Aguilar
Amash
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
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
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
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)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
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
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Ellmers (NC)
Gohmert
Grothman
Meeks
Rush
Takai
Yoder

□ 1451

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.

PERMISSION TO CONSIDER AMENDMENT NO. 23 AS THOUGH PRINTED IMMEDIATELY FOLLOWING AMENDMENT NO. 9 IN PART B OF HOUSE REPORT 114–326

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that, during further consideration of the Senate amendments to H.R. 22 pursuant to House Resolution 512, amendment No. 23 printed in part B of House Report 114–326 may be considered as though printed immediately following amendment No. 9 in part B of such report.

The SPEAKER pro tempore (Mrs. LUMMIS). Is there objection to the request of the gentleman from Georgia?

There was no objection.

HIRE MORE HEROES ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 512 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the Senate amendments to the bill, H.R. 22.

Will the gentleman from Texas (Mr. CONAWAY) kindly take the chair.

□ 1453

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, with Mr. CONAWAY (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment consisting of the text of Rules Committee Print 114–32 was pending.

Pursuant to House Resolution 512, no further amendment to that amendment shall be in order except those printed in part A of House Report 114–326 and amendments en bloc described in subsection (c) of that resolution.

Each further amendment printed in part A of House Report 114–326 shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of amendments printed in part A of House Report 114–326 not earlier disposed of. Such amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking member of the Committee on Transportation and Infrastructure or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

No further amendment to the Senate amendment, as amended, shall be in order except those printed in part B of House Report 114–326. Each such further amendment shall be considered only in the order printed in the report, except that amendment No. 23 printed in part B of the report may be considered as though immediately following amendment No. 9 in part B of the report. Each such further amendment may be offered only by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Mr. SHUSTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HARRIS) having assumed the chair, Mr. CONAWAY, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, had come to no resolution thereon.

□ 1500

PERMISSION TO CONSIDER AMENDMENT NO. 1 PRINTED IN PART A OF HOUSE REPORT 114–326 OUT OF SEQUENCE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that, during further consideration of the Senate amendments to H.R. 22, pursuant to House Resolution 512, amendment No. 1, printed in part A of House Report 114–326, may be considered out of sequence.

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

There was no objection.

HIRE MORE HEROES ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 512 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the Senate amendments to the bill, H.R. 22.

Will the gentleman from Mississippi (Mr. PALAZZO) kindly take the chair.

□ 1504

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, with Mr. PALAZZO (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment consisting of the text of Rules Committee Print 114–32 was pending.

Pursuant to the order of the House of today, amendment No. 1, printed in part A of House Report 114–326, may be considered out of sequence.

AMENDMENT NO. 2 OFFERED BY MR. RYAN OF OHIO

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 114–326.

Mr. RYAN of Ohio. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 56, line 8, after ''diesel retrofits'' insert ''or alternative fuel vehicles''.

Page 56, line 9, insert ''or indirect'' after ''direct''.

Page 56, line 14, insert ''or indirectly'' after ''directly''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Ohio (Mr. RYAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. RYAN of Ohio. Mr. Chairman, my amendment is cosponsored by Congresswoman NAPOLITANO and is endorsed by the Natural Gas Vehicles for America, the Electric Drive Transportation Association, and the National Propane Gas Association.

The amendment addresses one specific provision in the bill, section 1109, which modifies how Congestion Mitigation and Air Quality, CMAQ, funds can be used in PM2.5 nonattainment and maintenance areas. ''PM'' stands for ''particulate matter.''

The purpose of the CMAQ Program is to fund transportation projects or programs that will contribute to the attainment or maintenance of the National Ambient Air Quality Standards. All projects and programs that are eligible for CMAQ funds must come from a conforming Federal or State transportation plan. The program is designed to allow States to identify the right solution for their air quality challenges and utilize CMAQ funds to implement them.

Without the Ryan-Napolitano amendment, the language in section 1109 may restrict States' discretion in identifying the most cost-effective emissions reduction technologies and effectively limit their options to only diesel retrofits. Specifically, the priority consideration and use of funding provisions for the section seemingly restrict local authorities' ability to consider other alternative vehicle technologies that can be adopted to meet the goals of this section.

Other technologies, such as natural gas, propane, or electric vehicles, also reduce PM2.5 and provide other air quality benefits. In my State of Ohio and the chairman's State of Pennsylvania, being two of those States, they

allow for the use of CMAQ funds for a variety of alternative fuel vehicles. However, section 1109, as written, may limit their and other States' solutions in using CMAQ funds to address the nonattainment issue.

We should not be directing States on how to use these funds, and it is important that we keep the utilization of CMAQ funding technology neutral. Giving States the flexibility in utilizing these funds allows them to select the best vehicle technology to address PM2.5 concerns. Modifying the priority consideration and the use of funding language in this section allows us to meet the environmental goals while avoiding picking winners and losers.

I would like to thank Chairman SHUSTER for his help and Ranking Member DEFAZIO and their staffs for working with us on this amendment.

Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. NAPOLITANO), the amendment's cosponsor.

Mrs. NAPOLITANO. Mr. Chairman, I rise in strong support as a cosponsor of this amendment. I thank my colleague from Ohio (Mr. RYAN) for offering it. I thank the gentleman for allowing me to cosponsor it because this is an important issue for my area.

In section 1109(c), this amendment would clarify language in the bill in order for local transportation agencies to continue to fund not only highway, but transit, bicycle, and pedestrian, projects with Congestion Mitigation and Air Quality Program funds, called CMAQ. This amendment would also allow for alternative fuel vehicles to be eligible for recipient funds along with diesel retrofit projects.

A concern was brought to my attention by the metropolitan planning organizations in California, including the Los Angeles County Metropolitan Transportation Authority and the cities they represent, which includes my district in the San Gabriel Valley, that important transportation projects would no longer be prioritized for CMAQ funding.

In 2014, southern California transportation agencies—mind you, they represent over 20 million people—used CMAQ funding to provide $51 million in traffic flow improvements, $50 million in transit, and $22 million in bicycle and pedestrian projects. This amendment would clarify that these projects are still prioritized for CMAQ funding.

I thank Chairman SHUSTER and Ranking Member DEFAZIO for working with us on this amendment. I look forward to working with my colleagues in conference to further clarify that traffic flow, transit, and bicycle and pedestrian projects continue to be eligible for CMAQ set-aside programs as they are now.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I don't oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, currently under the CMAQ Program, funds may be used to purchase publicly owned alternative fuel vehicles, including passenger vehicles, service trucks, street cleaners, and others.

This is a good amendment that ensures alternative fuel vehicles are still eligible under this bill. I support the amendment.

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

Mr. RYAN of Ohio. Mr. Chairman, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. HUNTER

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 73, line 24, strike the closed quotation mark and the final period.

Page 73, after line 24, insert the following:

''(n) FACILITATING COMMERCIAL WATERBORNE TRANSPORTATION.—Notwithstanding any other provision of law, or rights granted thereunder, and provided that the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) are met, a property owner may develop, construct, operate, and maintain pier, wharf, or other such load-out structures on that property and on or above adjacent beds of the navigable waters of the United States to facilitate the commercial waterborne transportation of domestic aggregate that may supply an eligible project under this section, including salt, sand, and gravel, from reserves located within ten miles of the property.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, the roads, bridges, and other infrastructure projects we seek to advance in the legislation before us today require a steady supply of aggregate and gravel. Without it, we might as well not even be here debating this legislation.

In fact, a report from the U.S. Geological Survey—2011 USGS Report: Aggregate Resource Availability in the United States—found ''a 70 percent increase in annual aggregate production may be required to upgrade our transportation infrastructure.''

The report went on to say, ''There is an indisputable need for an uninterrupted, large supply of aggregate for the restoration and rehabilitation of the infrastructure.''

It is also important to note that a substantial portion of the cost of aggregate is its transportation costs, and lowering those costs will reduce the cost of construction projects.

My State of California is just one example of where the need is great. According to a recent report, California goes through 200 million tons of high-grade aggregate every year, which is the equivalent of more than 7 million trips by large diesel trucks.

So here is what my amendment does:

It streamlines access to marine-accessible sand and gravel aggregate supply points throughout the United States, allowing our country to meet the future needs of the national infrastructure projects which are covered in this legislation.

With this amendment, we have the opportunity to strengthen our supply of raw building materials for infrastructure projects, to reduce road congestion and transportation costs, and to strengthen our maritime community.

I urge all Members to support this amendment.

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

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

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

Generally, the gentleman from California and I have worked together on a number of things, and this is one time when I reluctantly rise in opposition to his proposal.

I have spent a good deal of time on aggregate issues in my own district that relate to those which are located in the marine environment, and I understand some of the frustrations and concerns that go on there. The language in this, though, is so broad that we are preempting both the Rivers and Harbors Act of 1899 and the Truman-Hobbs Act, which relate to impediments to navigation.

At this point, that sort of amendment would, for instance, overturn an easement that has been entered into between the joint Naval Base Kitsap and the owners of this aggregate. There is a concern that, if a dock were built in that area, it would interfere with the navigation that is a prime route for our strategic submarine forces in the Pacific Northwest and the Pacific region.

□ 1515

So we think it has unintended consequences that go far beyond any idea of streamlining access to maritime aggregate resources.

So I would have to recommend Members oppose the amendment.

I reserve the balance of my time.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. HARRIS).

Mr. HARRIS. Mr. Chair, I rise in support of the gentleman from California's amendments.

With this amendment, we need to start the rebirth of our Nation's shipping capabilities and begin to build

U.S.-flagged seagoing vessels to move a domestic supply of sand and gravel across our Nation.

This amendment allows access to aggregate that will be available to restore damaged beaches, enhance fisheries habitats in the estuaries and littoral regions of the Atlantic Ocean, the Gulf of Mexico, and the Pacific Ocean by providing clean sand and gravel for broad-scale beach replenishment projects that are so vital across the Nation.

This amendment will also lead to establishment of a reliable U.S. source to meet domestic demand for major construction and public projects. Half of all uses for sand and gravel are used for public projects, building and replacing vital U.S. highways, bridges, and seawall infrastructures.

Utilizing our marine transportation will save taxpayer dollars by reducing costs on public works projects because, simply put, moving containerized cargo on the water is cost-competitive, economical, and efficient.

Passage of this amendment puts our country on the path to having the potential to create at least 20,000 more shipbuilding manufacturing jobs just by building at least 30 to 40 new seagoing bulk freighters and container carrier ships worth at least $3 billion that will result if we pass this amendment.

This amendment is good for the country. It is good for our infrastructure, and it is good for creating American jobs across this country.

Mr. HUNTER. Mr. Chairman, how much time do I have?

The Acting CHAIR. The gentleman from California has 1 minute remaining.

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

Here is what this amendment does. If you have a quarry that does gravel or aggregate by any waterway, whether it is an inland waterway, an inlet, a sound, or the ocean, you can then develop your gravel pits and put that aggregate on ships—not on trucks, not on rail, but on ships—that have a much lower emission cost than anything else does. You can put them on ships, which means it is going to help the maritime community.

We import sand and gravel right now from China. We get our aggregate right now from Communist China. Instead of doing that, let's strengthen our domestic supply and allow the aggregate producers around the country the ability to export their aggregate to domestic suppliers, to the national defense community, to our road makers, and to our building makers.

This strengthens America. It strengthens our national security. I urge all my colleagues to support this amendment.

I yield back the balance of my time.

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

Again, this amendment waives all laws for construction of these transportation-related facilities, i.e., piers, wharfs, and load-out structures.

Now, the problem is that, if you waive all the laws, someone may want to build a pier that interferes with everybody else who navigates that narrow channel, including the United States Navy with their boomer subs. That is not really, I think, a very good way to go forward; and that was recognized by Congress as a problem in 1899, impediments to commercial navigation, in this case, strategic national defense navigation.

So I think there may be another way to get at more easily utilizing these resources. But preempting the Rivers and Harbors Act and the Truman-Hobbs Act, which means structures could be built which would impede others' navigation, is really incredibly problematic. I really think that this should be considered in a more deliberate way as part of future legislation, perhaps the Water Resources Development Act or something along those lines.

Again, I would strongly oppose the amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment No. 4 will not be offered.

AMENDMENT NO. 5 OFFERED BY MR. DESAULNIER

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 114–326.

Mr. DESAULNIER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 110, after line 23, insert the following:

(C)(i) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9); and

(ii) by inserting after paragraph (6) the following:

''(7) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (h), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.''.

Page 111, after line 3, insert the following:

(7) in subsection (j)(3)(A), by inserting at the end the following: ''Projects included in the priority list shall come from the highest performing projects identified in the transportation plan under subsection (i)(7). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.'' after the period.

Page 114, after line 22, add the following:

(C) by redesignating paragraph (9) as paragraph (10);

(D) by inserting after paragraph (8) the following:

''(9) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted long-range statewide transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (d), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.''; and

(4) in subsection (g), in paragraph (5)(A), by inserting at the end the following: ''Projects included in the transportation improvement program shall come from the highest performing projects identified in the transportation plan under subsection (f)(9). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.''

Page 244, after line 9, insert the following:

(C)(i) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9);

(ii) by inserting after paragraph (6) the following:

''(7) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (h), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.''.

(7) in subsection (j)(3)(A), by inserting at the end the following: ''Projects included in the priority list shall come from the highest performing projects identified in the transportation plan under subsection (i)(7). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.'' after the period

Page 247, after line 17, insert the following:

(4) in subsection (f)—

(A) by redesignating paragraph (9) as paragraph (10);

(B) by inserting after paragraph (8) the following:

''(9) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted long-range statewide transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (d), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.''.

(5) in subsection (g)(5)(A), by inserting at the end the following: ''Projects included in the statewide transportation improvement program shall come from the highest performing projects identified in the transportation plan under subsection (f)(9). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.'' after the period.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. DESAULNIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Mr. Chairman, this amendment is based on the bipartisan Metropolitan Planning Enhancement Act that rebuilds public trust by promoting evidence-based decision-making in the transportation investment process. This commonsense amendment helps States and metropolitan planning organizations offer the highest return for taxpayers and commuters through increased transparency and improved accountability.

Americans of all types are suspicious of government right now. In the context of transportation funding, many Americans believe that highway and bridge project decisions are based on politics and insider connections rather than statewide and regional transportation goals.

In many areas of the country, local commuters have little idea how State Departments of Transportation and MPOs make their project decisions or why they choose one project over another; yet, every year, lawmakers ask taxpayers to spend more and more of their hard-earned dollars on infrastructure projects with minimal transparency and accountability.

This amendment requires State and regional transportation plans to include project descriptions and to score projects based on criteria developed by the State or the region, not the Federal Government.

Requiring that projects be assessed with objective criteria ensures that limited transportation resources are invested in projects that provide the highest return on investment to commuters. Furthermore, requiring transportation decisionmakers to communicate how projects are chosen enhances the public's understanding of and confidence in the project selection process.

Many States and MPOs are incorporating project priority criteria today: Virginia, North Carolina, Tennessee, Louisiana, Texas, Washington State, Minnesota, Massachusetts, amongst others. There is plenty of early evidence that this has increased confidence within the commuting public.

Effective and efficient transportation systems are critical to our growing and prosperous U.S. economy. We cannot allow diminishing resources to be directed toward bad investments. This amendment ensures that the public has more complete information to judge the merits of projects for themselves.

Mr. Chairman, much of the debate about America's crumbling infrastructure is about how we are going to find the necessary money to match the need. As responsible legislators, we should ask ourselves how we can most efficiently invest the resources we already have.

I urge my colleagues to support this commonsense, good governance amendment.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, the proposed amendment would impose burdensome new requirements on States and metropolitan planning organizations, significantly delaying project selection and construction.

States and MPOs already, under current law, are subject to extensive planning requirements and take multiple factors into accountant in developing their short- and long-range plans. It is critical that they have the flexibility to weigh tradeoffs in different priorities without being hamstrung by a strict ranking process.

Transparency and the opportunity for participation by stakeholders and the public is a hallmark of the planning process. States and MPOs are required to have a participation plan to ensure that any interested party can be heard.

The National Governors Association, the National Conference of State Legislatures, the Association of Metropolitan Planning Organizations, and the American Association of State Highway and Transportation Officials all oppose this amendment, and they are the very people that deal with this.

I oppose the amendment, and I would urge all my colleagues to oppose it, also.

I yield back the balance of my time.

Mr. DESAULNIER. Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentleman from California has 2½ minutes remaining.

Mr. DESAULNIER. Mr. Chair, with all due respect to the chairman, I want to thank him for his consideration.

I do believe, having seen this in the San Francisco Bay Area, that the incentive and the requirement to do more will actually help with the transparency, as I have stated earlier.

I would urge my colleagues to support the amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 6 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 114–326.

Mr. CARTWRIGHT. Mr. Chairman, I rise as designee of Representative GRIJALVA, and I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 1301 through 1313.
Page 168, line 12, strike ''this Act,''.
Strike sections 1315 through 1317.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Pennsylvania (Mr. CARTWRIGHT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. Mr. Chairman, this bill uses ''streamlining'' the regulatory process, which is a euphemism for ''steamrolling'' over bedrock environmental laws. In fact, it dedicates 50 pages of this bill to paving over the National Environmental Policy Act, also known as NEPA, as well as the National Historic Preservation Act, NHPA.

I know it is popular in Republican circles to blame environmental regulations for all of our Nation's ills, but that doesn't make it true. In fact, the evidence tells us an entirely different story.

The Federal Highway Administration reported several years ago, before all of this steamrolling started, that more than 90 percent of NEPA reviews for highway projects were accomplished through a categorical exclusion process that takes only a few days. For the few—and we are talking about only 4 percent—highway projects which do require an environmental impact statement, the end result is often savings for the taxpayers and better projects that cause less harm to the environment and to our communities.

Earlier this year, a plan to improve U.S. Route 23 in Michigan was modified to avoid the largest loss of wetlands in the State's history and to preserve that habitat for migratory waterfowl prized by hunters.

In New Jersey, in 2012, construction on the Route 53 causeway to Ocean City was completed after NEPA review helped them minimize private property takings as well as damage to tidal marshes.

In my own home State of Pennsylvania, construction of the Pennsylvania Turnpike/I–95 Interchange Project is underway after a thorough and public NEPA review, which was conducted with the input and support of local residents and local government officials. This process led to the selection of a design with the fewest impacts to homes, businesses, and the local environment.

NEPA does not lead to unnecessary delays; it leads to better outcomes. The real culprit in delaying highway projects is a lack of funding. To address that problem, the House majority will need to first look in the mirror. It is their draconian budget slashing that has left our transportation infrastructure in the disrepair that is in existence today.

My amendment is simple, Mr. Chair. It would require us to evaluate the impacts of the last two rounds of regulatory steamrolling passed in the

SAFETEA–LU bill and the MAP–21 bill before we take any further steps to gut environmental protection and historic preservation.

This approach is perfectly reasonable because, while there is ample evidence that regulatory reform was not needed in the first place, there is exactly zero evidence that it has had any positive impact at all because no information has been collected on the matter.

So the very least we can do, in the interest of responsible government, is evaluate the effects of the laws we pass before we declare the need for more of the same. Shirking our responsibility to appropriate highway dollars and instead just scapegoating laws that protect the American people from harm is simply dishonest.

□ 1530

I do believe the sections of this bill that this amendment strikes are seriously flawed, and I do look forward to working with my colleagues on the Committee on Transportation and Infrastructure, the administration, and our friends in the Senate on achieving a more reasonable outcome.

Mr. Chair, as the designee of the gentleman from Arizona (Mr. GRIJALVA), I withdraw this amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 7 OFFERED BY MR. HUNTER

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 225, strike lines 4 through 20 and insert the following:

(a) IN GENERAL.—The Secretary shall establish a program to permit the acknowledgment of roadside maintenance with the use of live plant materials.

(b) TERM.—The Secretary shall carry out the program for a 10-year period. Upon the request of a State, the Secretary may continue to carry out the program for that State for an additional 10-year period.

(c) PARTICIPATING STATES.—The Secretary shall select 10 States to participate in the program.

(d) GUIDELINES FOR SELECTION OF STATES.—

(1) IN GENERAL.—The Secretary shall establish guidelines for selecting States to participate in the program.

(2) DISCRETION OF STATES.—The guidelines shall not limit the discretion under subsection (e) of any State participating in the program. Any other guidelines relating to the participation of a State in the program shall be established by that State, subject to subsection (e).

(3) PRIORITY.—In selecting States to participate in the program, the Secretary shall give priority to any State that can provide documentation demonstrating that the State, or its agents, prior to November 2015, actively reviewed, or stated an interest in, innovative approaches using live plant materials for acknowledging a substantial contribution to roadside maintenance.

(e) INCONSISTENT LAWS, REGULATIONS, OR MANUALS.—Notwithstanding any other provision of law, States participating in the program may permit acknowledgment of roadside maintenance through the use of live plant materials without being limited by any Federal, State, or other law, regulation, or manual that limits or regulates procurement actions, acknowledgment signs, advertising, landscaping, or other uses of, or actions relating to, highway rights-of-way or areas adjacent to highway rights-of-way.

(f) FUNDS EXCLUSIVELY FOR ROADSIDE MAINTENANCE.—Any funds paid to a State under the program shall be considered to be State funds (as defined in section 101(a) of title 23, United States Code), and shall be made available for expenditure under the direct control of the State transportation department (as defined in that section) exclusively for roadside maintenance.

(g) REPORT.—Before the expiration of the first 10-year period referred to in subsection (b), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the program.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, this bipartisan amendment is only a technical change to a pilot program that is already included in the underlying bill. I would like to thank the chairman and the ranking member for including the base language in the bill.

This legislative language in our proposed amendment is a means for State Departments of Transportation to increase their revenues without additional burden on the taxpayer. Everybody knows that every State is hurting for transportation dollars. This helps them.

By acknowledging contributions of third parties to a State DOT's roadside maintenance through a corporate logo made of live plant materials rather than conventional metallic material, State Departments of Transportation will have innovative new means for funding highway maintenance needs. This will free up funds for other highway projects.

I support this program because Caltrans, my State DOT, and six other State DOTs asked for the authority to operate this kind of innovative program. The pilot program does not cost the State or Federal Government a penny to operate. Estimates are that my State of California could conservatively save millions of dollars annually in roadside maintenance costs from this program. Other States would enjoy other similar tangible benefits.

The legislative language for the pilot program, as it appears in the underlying bill, does not specifically permit acknowledgment through live plant materials and places no limitations on what guidelines the U.S. Department of Transportation would develop for innovative approaches under the pilot program.

The legislative language in our proposed amendment paves the way for State DOTs to implement an acknowledgement program with live plant materials by specifying this particular approach in the legislative language and by providing some specificity on the guidelines that the U.S. Department of Transportation should develop and what matters are best left to the States to assure the success of this innovative new approach.

I urge all Members to support this amendment.

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

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. I yield myself such time as I may consume.

Mr. Chairman, this amendment would allow commercialization within the Federal right-of-way, and that causes concern as to the potential for proliferation.

We have had many debates over the years that I have been on the committee over advertising proximate to interstates. We have come to a pretty good stasis on that issue. This amendment is not new. It is not widely supported.

We did not hear from California that they were in support. We were in touch with them numerous times. Perhaps they are, but we didn't hear that. The Outdoor Advertising Association of America does not support the amendment.

I would urge my colleagues to join me in opposing the amendment.

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

Mr. HUNTER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 3¼ minutes remaining.

Mr. HUNTER. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. CURBELO).

Mr. CURBELO of Florida. Mr. Chairman, I thank the gentleman from California for taking the initiative on offering this amendment, which simply modifies the pilot program already created in the manager's amendment.

My endorsement of this amendment stems from the fact that Florida's DOT currently has a cosponsorship program, and a multitude of other State DOTs have also offered their support. This program permits States to partner with private sector organizations, which will fund further roadside maintenance. The private sector, not the government, will be responsible for the fabrication, installation, and maintenance of the signs, resulting in zero expense to taxpayers.

This amendment enables State DOTs to implement an acknowledgment program with live plant materials. Furthermore, it provides specifics on the guidelines USDOT should develop and lets States decide which matters are of significance to them.

I respectfully urge my colleagues to support this amendment.

Mr. HUNTER. Mr. Chairman, this is one of those things that I kind of thought everybody would enjoy. It is environmentally friendly, it uses plants and flowers, and it doesn't cost anybody anything. I mean, this is one of those deals that I am surprised is opposed by any Member.

At this time, I yield 1 minute to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chairman, my State of Florida could receive $35 million in revenue and $8.7 million in maintenance savings annually for the program.

At this time, revenue is flat-funded. This is a ''may.'' The States don't have to participate in it. It is a pilot program. It is flowers, and it is friendly. I support it, and I would urge my colleagues to vote for it.

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

Mr. DEFAZIO. I yield myself such time as I may consume.

Mr. Chairman, the bill itself establishes this. The gentleman has proposed an up-to-20-year pilot program. That seems pretty permanent in terms of most people's life spans.

Mr. HUNTER. Will the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from California.

Mr. HUNTER. It takes a long time for these flowers to grow.

Mr. DEFAZIO. Reclaiming my time, I guess we are putting in perennials, not annuals. Okay.

In any case, the bill itself does establish a pilot program that would establish that five States would be allowed not just to do logo flowers, but to do other innovative projects that could generate revenues for use in the maintenance of the rights-of-way, and this would be five States. There would be guidelines published by the Secretary. They would terminate after 6 years, and then we would see if there was wisdom in expanding it.

One problem that is raised is we have gone through, as I said, many controversies over billboards, particularly when they went to billboards that would change as you were driving.

There was heavy regulation of that because of the period of the change so as not to distract drivers and cause potential traffic accidents. I can imagine you are driving along and you are really wanting to read that logo as you are going by, and this could contribute to distracted driving. So we must oppose the amendment.

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

Mr. HUNTER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 1¼ minutes remaining.

Mr. HUNTER. Mr. Chairman, I am looking at some of the designs that have been already done. One is a Nike swoosh. You don't have to read a swoosh. You just know it is a swoosh because we all know what Nike swooshes look like.

You have the Pepsi logo. You don't have to read that. By going with the gentleman's argument, you couldn't have any billboards up anywhere. There are tons of billboards that you have to read.

These are just logos, and the corporations want to pay the State DOT to put these logos on the side of the road. This is free money for the States, free money for States' transportation.

I would urge all of my colleagues to support this amendment.

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

Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 8 OFFERED BY MR. DENHAM

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of Division A, insert the following:

SEC. ___. FEDERAL AUTHORITY.

(a) IN GENERAL.—Section 14501(c) of title 49, United States Code, is amended —

(1) in paragraph (1), by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (3) and (4)'';

(2) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6) respectively;

(3) by inserting after paragraph (1) the following:

''(2) ADDITIONAL LIMITATIONS.—

''(A) A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law prohibiting employees whose hours of service are subject to regulation by the Secretary under section 31502 from working to the full extent permitted or at such times as permitted under such section, or imposing any additional obligations on motor carriers if such employees work to the full extent or at such times as permitted under such section, including any related activities regulated under part 395 of title 49, Code of Federal Regulations.

''(B) A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law that requires a motor carrier that compensates employees on a piece-rate basis to pay those employees separate or additional compensation, provided that the motor carrier pays the employee a total sum that when divided by the total number of hours worked during the corresponding work period is equal to or greater than the applicable hourly minimum wage of the State, political subdivision of the State, or political authority of 2 or more States.

''(C) Nothing in this paragraph shall be construed to limit the provisions of paragraph (1).''.

(4) in paragraph (3) (as redesignated) by striking ''Paragraph (1)—'' and inserting ''Paragraphs (1) and (2)—''; and

(5) in paragraph (4)(A) (as redesignated) by striking ''Paragraph (1)'' and inserting ''Paragraphs (1) and (2)''.

(b) EFFECTIVE DATE.—The amendments made by this section shall have the force and effect as if enacted on the date of enactment of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103–305).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. DENHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. Mr. Chairman, in 1994, Congress enacted the Federal Aviation Administration Authorization Act, or F4A, to prevent States from undermining Federal deregulation of interstate commerce through a patchwork of State regulations. Since 1994, motor carriers have been operating under the Federal meal and rest break standards until a ruling by the California Ninth Circuit Court. This amendment would remedy that issue.

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

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

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

Unfortunately, the language of this amendment is so broad that it would basically preempt meal, rest break, and other laws that relate to truck drivers in 21 States. So I think this is an issue of states' rights.

It is an issue of an overly broad attempt to address what is a real contradiction that was created by the ninth circuit, that if you have a truck driver who is operating long haul through a number of States having to comply with new rest or meal break requirements on the Federal clock, which I can barely understand with the new requirements on rest, every time the driver crosses a State line, it is confusing and I think is a potential impediment to interstate commerce.

We offered an amendment that would have specifically addressed that concern. Unfortunately, we weren't able to reach agreement on that. Mr. LARSEN of Washington State submitted that amendment to the Committee on Rules. It was not allowed. Unfortunately, we only have this overly broad amendment.

This would not just affect interstate trucking; it would preempt California's wage, hour, and rest break rules for intrastate trucking in the State of

California and 20 other States. In fact, the case that was before the ninth circuit was intrastate truck drivers who were delivering appliances.

It also would go further. We spent a lot of time when I chaired the subcommittee on the issue of these, basically, pressed labor, who were theoretically purchasing their drayage trucks to haul cargo out of Long Beach and out of Los Angeles, who were really basically being enslaved. They were never going to pay them off. They were never going to own them. In fact, they were hot-seated. Other people were also buying the same truck at different hours of the day. Nobody ever got the trucks.

This would basically preempt any laws in California so that drivers could be paid on a piece rate no matter what the congestion conditions: Sorry. Gee, we paid you for that load. So it took you 8 hours. That is the way it is. So you only earned 49 cents an hour. Sorry. Because wage and hour laws don't apply to you.

□ 1545

It is just an overly broad attempt to address what has, at its core, a contradiction under the FAAA Act, the ruling about interstate commerce. So I would have to oppose the amendment.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chair, I thank the gentleman from Oregon. He was here in 1994 when Speaker Foley pushed this issue through. He understands the issue. While his language did not fully address the issue, we are going to continue to work together to resolve this as this amendment moves forward.

I yield 1 minute to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chair, let me just say first to Mr. SHUSTER and Mr. DEFAZIO that I want to thank them for their leadership in getting this bill to the floor. I am just going with the new Speaker, who said, ''the will of the House.'' And I am sure the will of the House will pass this amendment. Why? Because one thing is that transportation is intermodal.

I was here in 1994, when we said we were not going to have a patchwork and we were not going to have each State with their own rules and regulations. I say let's move forward. In my opinion, we need to reinstate the intentions of the Congress in 1994.

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

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

I would note that 90 percent of the trucking industry is represented—not necessarily in terms of volume, but in terms of value—by OOIDA, and they are opposed to this.

I yield 1 minute to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. I thank Mr. DEFAZIO for yielding.

Mr. Chair, I rise in opposition to this amendment, which would overturn a Federal court decision that determined California meal and rest break laws apply to truckers.

On July 9, 2014, the Ninth U.S. Circuit Court of Appeals, as was mentioned before, ruled that trucking operators in California must allow for 30-minute breaks after 5 hours of work and a 10-minute rest break after each 4 hours. This meal and rest break standard is very reasonable when you consider the truck drivers can be subject to 14 hours of on-duty time.

The amendment would not only preempt California's law with regard to trucking operations, but would preempt laws in 21 other States and territories that guarantee a meal break. I won't go into the States' names. The States must be allowed to set meal and rest break standards as they see fit for the health and safety of their workers. One size does not fit all.

Mr. Chairman, I ask my colleagues to oppose the amendment.

Mr. DENHAM. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Chairman, this amendment is needed to keep interstate commerce moving and to correct a misguided rule issued by the Ninth Circuit Court of Appeals. Here, we are faced with an overactive judiciary legislating from the bench with very real and very adverse economic consequences as a result of this misinformed decision.

Mr. Chairman, Congress has taken deliberate action in the past to preempt States from getting in the way of a nationally uniform set of rules for motor carriers. This amendment makes clear the intent of Congress that States can't impose their own requirements on drivers whose working hours and breaks are governed under nationally uniform Federal regulations.

Mr. Chairman, under current Federal safety regulations, drivers who need a break are always entitled to take one. This amendment does not change that. Likewise, current Federal whistleblower laws protect drivers from carriers who stand in the way of that, and this amendment does not change that.

But as a result of the Ninth Circuit Court decision, motor carriers will now be forced to plan their routes and services around the obligations of individual State break requirements. This will deprive businesses and drivers of the flexibility currently afforded under Federal law for interstate commerce. It will reduce shipping capacity. It will increase shipping costs, and it causes confusion and cost.

If not corrected, who will pay the price for the decision of the unelected judges of the ninth circuit? In my district, it will be the small businesses and consumers who face higher prices, and it will prove more costly to transportation professionals whose livelihoods are directly dependent on an efficient and streamlined shipping and trucking industry.

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

Mr. DEFAZIO. May I inquire how much time is remaining?

The Acting CHAIR. The gentleman from Oregon has 45 seconds remaining.

Mr. DEFAZIO. Mr. Chairman, I yield 45 seconds to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Chairman, I stand in strong opposition to this amendment.

My friends across the aisle regularly reject legislation because it encroaches on states' rights, yet their commitment to State sovereignty disappears when it comes to protecting workers.

This amendment does more than just clarify the Federal Aviation Administration Authorization Act of 1994. It changes and expands its application to preempt the will of States such as mine.

California's meal and rest break laws ensure a safe working environment for truck drivers traveling within the State, and the U.S. Court of Appeals specifically ruled these laws are not preempted by the Federal Aviation Administration Authorization Act.

This amendment overrules the court and State legislatures to weaken labor protections at the industry's request.

As a member of the Education and the Workforce Committee, and as a Californian, I stand in strong opposition to this amendment and urge my colleagues to vote against it.

Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 2½ minutes remaining.

Mr. DENHAM. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. ASHFORD).

Mr. ASHFORD. Mr. Chairman, I am proud today to stand with Representative DENHAM as a cosponsor of this amendment.

This amendment reinforces—make no mistake—a current law that has been on the books for over two decades. It promotes interstate commerce, ensures economic growth, and fortifies safety requirements.

This amendment will allow a vital industry in my district and a vital industry to our Nation, the trucking industry, to operate without a patchwork of State regulations.

In my home State of Nebraska, we have several of the Nation's largest motor carriers. These employers haul freight throughout the country and provide good-paying jobs. Unfortunately, these employers may now face litigation that could cost tens of millions of dollars and create regulatory uncertainty across this country.

Far-flung litigation shouldn't threaten the livelihood of hardworking Nebraskans. It is likely that companies like those in my district will simply refuse to do business in certain States. This result will destroy jobs, hinder competition, and hurt taxpayers.

I urge my colleagues to support this amendment.

Mr. DENHAM. Mr. Chairman, I yield 45 seconds to the gentleman from North Carolina (Mr. WALKER).

Mr. WALKER. Mr. Chairman, Congress has been clear that the patchwork of laws and rules dictating when drivers eat, sleep, and pull over is impractical. Fifty standards create an unreasonable burden on truck drivers and companies.

Furthermore, dismantling the Federal standards jeopardizes safety, increases costs, causes significant inefficiencies, reduces competition, inhibits innovation and technology, and curtails the expansion of markets.

I support the Denham amendment, and I encourage my colleagues to do the same.

Mr. DENHAM. Mr. Chairman, I yield the balance of my time to the gentleman from Utah (Mr. STEWART).

Mr. STEWART. Mr. Chairman, I rise in support of this amendment.

In my district, I have some of the largest trucking companies in the country. I recognize these are hardworking, dedicated people who play a vital role in the success of our economy. The growth of regulations under this administration has made their jobs much, much more difficult.

This amendment seeks to relieve truck drivers of a patchwork of regulations that make their jobs very difficult, with little positive effect.

Let me correct a common misunderstanding. This amendment does not prevent drivers from taking breaks when they think it is appropriate. In fact, it does the exact opposite. It allows the drivers to be flexible to take breaks when they think it is most appropriate and most safe and not to worry if they are violating the law.

Arbitrarily predetermined break times set by 50 different States simply will not work, and that is why I am such a strong supporter of this amendment.

Mr. DENHAM. Mr. Chairman, I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 9 OFFERED BY MR. AGUILAR

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following:

SEC. ___. PROGRAM TO ASSIST VETERANS TO ACQUIRE COMMERCIAL DRIVER'S LICENSES.

Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with the Secretary of Defense, shall fully implement the recommendations contained in the report submitted under section 32308 of MAP–21 (49 U.S.C. 31301 note).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. AGUILAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. AGUILAR. Mr. Chairman, I think we can all agree that our veterans deserve the very best we can offer when they return home. While we can never repay them for their heroism and bravery, we can reaffirm our appreciation by doing everything in our power to help them transition back to civilian life. My amendment would help us do just that.

This amendment requires the Department of Transportation and the Department of Defense to work together to help veterans transition into civilian jobs driving commercial trucks. It would help them obtain commercial driver's licenses, as outlined in a report commissioned by the Federal Motor Carrier Safety Administration 2 years ago. This report was done at the direction of the last surface transportation bill, MAP–21, and my amendment requires DOT and DOD to work together to implement the report's recommendations.

Along with improving access to quality health care, one of the most important ways we need to help veterans is connecting them with job opportunities. Encouraging local businesses to hire more veterans is one step, but helping our veterans translate those skills they used in the military is a crucial part of putting our veterans back to work.

Many veterans who drove specialized vehicles in the military struggle to put these skills to work when they return home because of unnecessary and burdensome regulations. My amendment makes it easier for veterans to put their skills to work by requiring the Federal Motor Carrier Safety Administration's report recommendations be put into effect.

Please allow me to explain.

My amendment writes into law the recommendations that States can waive driving skills tests if a veteran certifies that he or she was employed in the military in a position operating a commercial motor vehicle, or CMV, during the last year. This was included in the underlying bill, for which I applaud the majority and minority for their efforts; however, my amendment goes a bit further.

Among other things, my amendment helps create an abbreviated commercial driver's license skills test for States to give military drivers who do not have the experience operating vehicles with air brakes or manual transmissions.

This amendment also, based on the recommendations of the report, directs the military services to work with the Federal Motor Carrier Safety Administration and the American Association of Motor Vehicle Administrators to clarify options available to servicemembers and veterans to obtain existing information on military licenses, military CMV driver history, and military CMV experience.

Mr. Chairman, we need to do better by our men and women in uniform who have risked and sacrificed so much to keep us safe and free. As we focus on growing our economy, we need to keep our veterans in mind as we seek to expand job opportunities. This amendment will help us do just that.

The study commissioned by the Federal Motor Carrier Safety Administration was 2 years ago. It is time to put that into action and to get our veterans back to work. This is about getting our veterans what they have earned and deserve, and I look forward to working with my colleagues on both sides of the aisle to see this through.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. I appreciate the gentleman from California bringing this amendment forward.

The STRR Act requires the Secretary to issue regulations by the end of this year to implement recommendations of a report to Congress on assisting veterans in acquiring a commercial driver's license. However, the bill does not address the nonregulatory recommendations. This amendment does that. It requires the Secretary to implement those recommendations within a year.

This is a good amendment that will assist our veterans in making the transition to civilian life. I urge all Members to support the amendment.

I yield back the balance of my time.

Mr. AGUILAR. I yield back the balance of my time.

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

The amendment was agreed to.

□ 1600

AMENDMENT NO. 10 OFFERED BY MS. HAHN

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 114–326.

Ms. HAHN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following:

SEC. ___. STUDY ON BURYING POWER LINES.

Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct a study and report the findings of such study to the appropriate committees of Congress regarding the feasibility, costs, and

economic impact of burying power lines underground. Such study shall include the potential costs and benefits of burying power lines underground when building new roads.

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from California (Ms. HAHN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. HAHN. Mr. Chairman, I rise to offer the Hahn-Cicilline amendment to the Surface Transportation Reauthorization and Reform Act of 2015. Our committee has been putting in many months, some would say even years, in writing this bill. So it is actually a great day to see this bill finally come on the floor.

In addition, I would like to thank Chairman SHUSTER, Ranking Member DEFAZIO, and the entire Transportation and Infrastructure Committee for our hard work in crafting this legislation.

If I might just take a moment at this point to give a farewell and a rest in peace to Howard Coble, who was a good member of our Transportation Committee, who served in the Coast Guard. In fact, we named our Coast Guard and Maritime Transportation Act the Howard Coble Coast Guard and Maritime Transportation Act of 2014. We will miss him. He was a good member of our committee.

Our amendment today looks to make our Nation's roadways safer and, also, more scenic by directing the Secretary of Transportation to study the benefits and costs of undergrounding power lines.

Forty percent of all power outages are due to fallen trees or weather events, and an additional 8 percent are caused by traffic accidents.

By placing power lines underground, roadways are safer from downed lines during storms, service to customers is more reliable, and our roadways will simply be more beautiful to drive on.

Every year over 1,000 fatalities occur as a result of collisions with utility poles. In fact, according to the Insurance Institute for Highway Safety, about 20 percent of all highway deaths are due to power line poles and traffic barriers.

This is a preventable tragedy, and this amendment asks the Secretary to evaluate if this is feasible and to share with Congress its findings.

We should take this highway authorization as an opportunity to make our highways safer and more scenic.

My home State of California has been a leader in undergrounding power lines. In 1967, California began encouraging and directing utility providers to allocate a portion of their budgets to replace overhead cables with underground cables. This has been a good start, but I think we could do more in this country.

It was President Johnson, urged on by Lady Bird, who signed the Highway Beautification Act in 1965 to limit unsightly roadside mess.

Upon the bill's passage, President Johnson said, ''Beauty belongs to all the people. And so long as I am President, what has been divinely given to nature will not be taken recklessly away by man.''

By conducting a nationwide study through the DOT, we can begin to see where these conversions make sense across this country.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. I, as always, appreciate the gentlewoman from California and her hard work. She is a valued member of the committee.

I don't believe this amendment has to do with transportation policy. I think it is a good thing when you bury power lines for a lot of reasons—appearance, weather, all those things—but I really don't believe this is a Federal issue, nor do I believe the U.S. Department of Transportation is the appropriate agency to determine the costs and benefits of burying power lines.

I really believe that should be up to the companies and their cost-benefit analysis to determine that and not to underwrite or subsidize their operation by doing this.

So, again, with great respect to the gentlewoman from California, I oppose this amendment.

I reserve the balance of my time.

Ms. HAHN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE) to speak in support of this important amendment.

Mr. CICILLINE. Mr. Chairman, I thank the gentlewoman for yielding and for her extraordinary leadership on this effort.

I rise in strong support of this amendment. This amendment would require the Secretary to conduct a study of the feasibility, costs, and economic impact of burying power lines underground.

According to Federal data, the U.S. electric grid loses power 285 percent more often than it did in 1984, when data collection efforts on blackouts began.

According to the Department of Energy, that costs American businesses as much as $150 billion per year, with weather-related disruptions costing the most per event.

Underground power lines make up just 18 percent of U.S. transmission lines, yet nearly all new residential and commercial developments opt for underground electric service.

During Hurricane Irene in 2011, more than 6.5 million people in the United States lost power, including more than 30 percent of the residents living in my home State of Rhode Island, as well as Connecticut and Maryland.

I urge my colleagues to support this simple, straightforward amendment so that we can begin to create a more reliable and resilient electric grid.

I want to acknowledge the work being advanced by Scenic America to help restore and modernize the Highway Beautification Act that Congresswoman HAHN just made reference to.

A group of us, including this extraordinary gentlewoman from California, have been in a working group trying to work on legislation to really restore and modernize the Highway Beautification Act, and Scenic America has really taken the lead in this work.

I think the words of Lady Bird Johnson that the gentlewoman just recited are incredibly important. This is an important first step to just get information to understand the economic impact of burying power lines, what a difference it will make not only in terms of the scenic beauty of our highways, but also to businesses, and to prevent the economic loss that happens both to individuals and businesses.

It is an excellent amendment. I thank the gentlewoman for her great leadership. I urge my colleagues to support the amendment.

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

Ms. HAHN. I thank the gentleman from Rhode Island (Mr. CICILLINE). This was our joint amendment.

Mr. Chair, as you said, Scenic America is working on different ways in this country to beautify our landscape. I believe that this transportation bill was the appropriate place to do this, as this is about highways and our roads in this country.

But, having the disapproval and opposition of my chairman—it wasn't that strong, but it was a disapproval—I will agree to withdraw this amendment, and we will work with Scenic America to find another way to bring the undergrounding of our utilities forward.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. CICILLINE. Will the gentleman yield?

Mr. SHUSTER. I yield to the gentleman from Rhode Island, although I oppose his amendment.

Mr. CICILLINE. I would just ask the gentleman if he would commit to working with Congresswoman HAHN and I and a group of others that are really interested in restoring and modernizing the Highway Beautification Act so that we might work collaboratively on restoring some of those important provisions.

Mr. SHUSTER. I appreciate the gentleman pushing this issue. Again, as I said, burying power lines I think is a positive thing. It does add to the beauty of the landscape. But I just don't believe that it is the Federal Government's role to underwrite, the taxpayers to underwrite, these utility companies.

So, again, I appreciate the withdrawal. I appreciate your pushing this issue. I continue to oppose the amendment.

I yield back the balance of my time.

Ms. HAHN. Mr. Chair, I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 11 OFFERED BY MR. HECK OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part A of House Report 114–326.

Mr. HECK of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following new section:

SEC. 1431. STORMWATER REDUCTION ASSISTANCE PROGRAM.

Chapter 3 of title 23, United States Code, is amended by adding at the end the following:

"§ 330. Stormwater reduction assistance program

''(a) DEFINITIONS.—In this section, the term 'green stormwater infrastructure' refers to stormwater management techniques that address the quality or quantity of stormwater related to highway construction or due to highway runoff.

''(b) FEDERAL HIGHWAY RUNOFF MANAGEMENT PROGRAM.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Secretary, in consultation with the heads of other relevant Federal agencies, shall develop and publish best practices and guidance for the installation, use and maintenance of green stormwater infrastructure, including the adoption of permeable, pervious, or porous paving materials or other practices and systems that are designed to minimize environmental impacts of stormwater runoff and flooding.

''(2) CONTENTS.—The guidance shall include best practices, guidelines, and technical assistance for the installation and use of green stormwater technologies, including—

''(A) identification of existing and emerging green stormwater infrastructure technologies;

''(B) cost-benefit information relating to green stormwater infrastructure approaches;

''(C) performance analyses of green stormwater infrastructure technologies in typical use scenarios; and

''(D) guidance and best practices on the design, implementation, use, and maintenance of green stormwater infrastructure features.

''(3) UPDATES.—Not later than 5 years after the date of publication of the guidance under this paragraph, and not less frequently than once every 5 years thereafter, the Secretary, in consultation with the heads of other relevant Federal agencies, shall update the guidance, as applicable.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Washington (Mr. HECK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HECK of Washington. Mr. Chairman, small towns and cities alike have reasons to manage their storm water runoff. Our streams, rivers, lakes, and estuaries are all at risk of dangerous pollution following a downpour.

Trust me, those of us from western Washington know this full well, and places like Puyallup, Washington, are actually finding ways to adjust their neighborhoods to protect surrounding waterways from pollution.

Since 2009, Puyallup has helped residents install rain gardens to absorb the rainfall. These rain gardens are linked by pipes that collect the excess water from the roofs and direct it to the gardens rather than to the streets and then into the sewer.

This is just one innovation of several great ideas that are innovated throughout this country in places like Puyallup.

My amendment today builds on the success on the ground by simply asking the Department of Transportation to develop best practices for storm water management, to collect the information, and a guide on how to implement, install, and maintain green storm water infrastructure, and help any State that requests help with the development of such a plan—a voluntary program, not a requirement, no new money.

Many of these innovative infrastructure practices—permeable pavement, natural drainage swales, green roofs—are economical and increase property values and invest in the people that make their careers designing and building these inventions.

These new tools are both flexible and yield a strong return on investment. The people of Puyallup, Washington, get that.

They know and I know and you know that we can't let water carry oil from our cars, pesticide from our lawns, and other pollutants into Clarks Creek or the Puyallup River or the Puget Sound.

We can't do that and keep a strong economy or a desirable location for business and living. We can't let runoff kill, as an example, our cherished Coho salmon.

So I ask you to support the promise of these innovative economical ideas to manage our storm water and to get DOT involved.

This is the best of federalism. No new money, no mandatory program, just a way to get the information out, which the Federal U.S. DOT is in the perfect position to collect and make available.

Mr. Chair, I yield to the gentleman from the Sixth Congressional District of Washington (Mr. KILMER).

Mr. KILMER. I thank the gentleman from Washington's Tenth District.

In my neck of the woods, we take pride in the Puget Sound and we understand that it is in danger. That is why I join my colleague today to talk about the treasures the Sound holds: the water, the salmon, the oysters, the orcas, an entire ecosystem that is currently under attack. This is a threat that happens every time a thunderstorm or a rain strikes cities like Tacoma.

When heavy rains hit, that water will wash toxic mixtures of oil and heavy metals off of our city streets and highways and into waterways like Puget Sound.

The Seattle Times recently wrote about a new study that found some runoff was so toxic that it killed Coho salmon in 2½ hours.

It is something we don't often think about, but this storm water mix creates a pollution that lingers. Folks in the region I represent are doing groundbreaking work putting in green storm water infrastructure to capture this runoff before it hits our waters.

These are projects like rain gardens, green roofs, and natural drainage swales. Instead of letting storm water slide along and collect more dirt and grime and end up in our bodies of water, it captures it.

Our amendment would encourage the growth of these projects. It would give our local governments and places like Tacoma and Puyallup and elsewhere a clear playbook on the most effective ways to implement green storm water infrastructure.

It demonstrates that the Federal Government and local stakeholders can be partners in cleaning up our waters. This matters. It matters to Tacoma and other cities. It matters to bodies of water like the Puget Sound.

Storm water runoff may be hard to spot, but it is taking a toll on Puget Sound and other bodies of water. That is why this amendment is important. That is why I encourage my colleagues to vote for this amendment.

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

The Acting CHAIR (Mr. FORTENBERRY). The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, I certainly understand what the gentleman from Washington is trying to accomplish here.

The reason I oppose it is not because of what he is attempting to do, but the Federal Highway Administration currently has strongly supported and encouraged the use and implementation of green infrastructure in the Federal aid transportation projects to mitigate highway runoff impacts.

FHWA recently published a new storm water runoff model, and it is engaged in various storm water research, including storm water performance measures.

The Department of Transportation also is part of a Federal agency green infrastructure collaborative. This initiative includes working with States to implement integrated ecosystems, including landscape-scale mitigation. So I don't believe we need to legislate further on this.

I also would make note that just last night, we agreed to the amendment of Ms. EDWARDS of Maryland on storm water mitigation to put the States in the metropolitan planning process.

□ 1615

Again, I understand what the gentleman is trying to accomplish. I think it is already in the legislation. I think it is already in current law, so I would oppose the amendment

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

Mr. HECK of Washington. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Washington has 1 minute remaining.

Mr. HECK of Washington. With all due respect to the chair of the committee, that isn't included in the current legislation and is clearly not the intent of the amendment. The intent of the amendment is to ask them to accumulate best practices. Yes, they have programs where they promote and they advocate. This is to ask them to go out and find these programs like we talked about in Puyallup which are unusual and innovative and which aren't yet in the manual so that they can share. This is information sharing on a scale that they don't currently do.

In fact, Mr. Chairman, it would help with a serious problem; but given the Chair's opposition to this, I will only ask that he consider taking a deeper dive into what we are trying to accomplish here because it solves a problem.

Mr. SHUSTER. Mr. Chairman, I will continue to work with the gentleman. The gentleman is correct. It is not in current law, but the Federal Highway Administration is working on these things collaboratively with the States, and I think that we ought to let them continue at that pace.

Mr. HECK of Washington. Mr. Chair, I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 12 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part A of House Report 114–326.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following:

SEC. ___. PREVAILING RATE OF WAGE REQUIREMENTS.

None of the funds made available by this Act, including the amendments made by this Act, may be used to implement, administer, or enforce the prevailing rate of wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, this is an amendment that I have offered in the past, and it will be known as the amendment that eliminates the effect of the Davis-Bacon Act. The substance of it is this:

None of the funds made available by this act may be used to implement, administer, or enforce the prevailing rate of wage, which is the effect of this amendment, and it is effectively the Davis-Bacon Act. It seems to get the attention of some of my colleagues.

I would say, Mr. Chairman, that I have worked with this issue as long as anyone in the United States Congress. I have worked back for years, as I began about 5 years in the construction site as an employee. Multiple times I received Davis-Bacon wage scales; sometimes I did not.

As I became a contractor in 1975, we began hiring employees. Sometimes we paid Davis-Bacon wage scales, and sometimes we did not; but I was always aggravated by the Federal Government's deciding that they knew what we had to pay our help and what they were worth.

I recall many debates on the floor of the House of Representatives when people from the other side of the aisle would say that anytime there is a relationship between two or more people that are consenting adults, the Federal Government has no business sticking themselves in the middle of that relationship. Yet the Davis-Bacon Act tells me what my son, who is now sitting in the gallery, has to pay me if I am going to climb in the seat of one of his machines, say an excavator, a scraper, a bulldozer, or a motor grader.

So we are 40 years in the construction business. I have watched the inefficiencies that are created by the Davis-Bacon Act. You might need somebody on a shovel, and he decides it pays more to get on a motor grade; or you might need somebody on a scraper, and he decides it pays more to get on a bulldozer. This wrecks the efficiency as well as puts an extra high price on the cost of the products that are being produced under the contracting business in the United States.

So I would say this, Mr. Chairman, that over our years in the construction business, the extra costs for Davis-Bacon ranges somewhere between 8 and 38 percent additional, depending on the type of project and the location where you are. The average is someplace between 20 and 22 percent.

So to boil this all down, if we want to be responsible to the taxpayer, then we want to get the best dollar out of that.

Somebody is going to say that it is second-rate work. That would be a direct insult to me. It would be a direct insult to my son, who owns King Construction today and who is listening to this debate. Our quality work stands with anyone's, and it is superior to many; and sometimes it is Davis-Bacon wage scale, and sometimes it is not. But we know what they are worth. The government doesn't know what they are worth. We want to hire the best help, keep the best help, and keep the best help on. That is just here in this microcosm of King Construction, but it is extrapolated across the Nation.

So do we want to build 4 miles of road under government-mandated wages or do we want to build 5? I want to build the 5 miles. I want to build five bridges, not four. I want the best dollar for the taxpayers, and I want the highest efficiency that we can get. That is the substance of this amendment, and I urge its adoption.

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

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, there was a time in America in 1931 when people were desperate, and unscrupulous contractors would move people from place to place, put them in work camps, and undercut the wages in communities. The wisdom of the Congress back then was this is not proper. Communities have different wage rates.

This is not a diktat from Washington, D.C., about the wages. It says you will pay the wages that prevail in your community. For instance, in the gentleman's community, the median wage is $49,427. But under Davis-Bacon, an electrician—a pretty darned skilled person in my opinion—would only get $36,500 if they get the minimum Davis-Bacon wage. So I don't see that that is outrageous.

What we are trying to prevent here is the abuse of construction workers and people, moving them from place to place, bringing them from a very low-cost State and saying: Hey, when you go home, you are going to be doing good. We will put you in a little work camp and a tent. You come here to this State; you undercut all the local workers; you do the job; and you go home. We don't want to go back to those days. Those were not halcyon days in America.

So this is really a way to provide people with a living wage, certainly not an extravagant wage. I don't think $36,500 for an electrician in Iowa is an extravagant wage, and I don't see why we should pull that floor out from underneath them and say: Oh, hey, well, that is a little too high. We want to be able to pay our electricians less than that.

This is about trying to create a race to the bottom like we have in too many other things in this country, our trade agreements and a whole host of other things that are going on that are creating income inequality. This will exacerbate income inequality. This amendment should be defeated.

Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), the ranking member of the Education and Workforce Committee.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

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

This amendment would prohibit the application and payment of prevailing wages provided under the Davis-Bacon Act for funds expended on construction projects in this bill.

Davis-Bacon sets wage and benefit standards for federally assisted construction projects to ensure that contractors compete on the quality of their work, not by undercutting wage levels in local communities. Negating the application of wage laws, as the King amendment proposes to do, often leads to shoddy construction and substantial cost overruns.

This is not said to insult the sponsor of the amendment. The fact is that the census construction data shows that the value added per worker in States with prevailing wage laws is 13 to 15 percent higher than in States without prevailing wage laws.

Additionally, studies conducted by the University of Utah have found that repealing the prevailing wage has led to the reduction or elimination of apprenticeship programs. Mr. Chairman, this is National Apprenticeship Week. We should be promoting the participation in apprenticeship programs, not taking up measures that would negatively impact this critical job training tool.

Under prevailing wage laws, contractors are forced to compete on the basis of who can best train, equip, and manage construction crews, not on the basis of who can assemble the cheapest, most exploitable workforce either locally or by importing labor from somewhere else.

Historically, Mr. Chairman, there has been bipartisan opposition to repealing or suspending the Davis-Bacon Act in infrastructure programs. Let's continue that bipartisan tradition on prevailing wages by voting ''no'' on this amendment.

Mr. KING of Iowa. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Iowa has 2 minutes remaining.

Mr. KING of Iowa. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I thought I had actually made the statement, I thought my good friend from Virginia would pick this up, that it isn't about shoddy construction work that can be laid at the feet of merit shop operations. I am standing here on my feet in my boots having done all kinds of work for lots of years, and so has my family, going back about five generations. Our work has been competing with and superior to that of many, and there is nothing in the record of our company that anyone could point to other than quality and efficiency.

In fact, the reason that he needs an apprentice program is because you can't afford to hire somebody and train them unless the government is willing to let you pay them less than the prevailing wage. That is what the apprentice program is. I have been one, and I have been bounced out of there because of the Davis-Bacon Act.

Furthermore, Mr. Chairman, when I listen to the gentleman about how we are going to prevent people from moving people in from a low-wage area to a high-wage area to take a higher wage or perhaps undercut the existing wage that is there, that is what started the Davis-Bacon Act. It wasn't to keep the low wages out. It was to keep African Americans out of New York City during the Depression when there was a large Federal building contract, and a contractor successfully bid that job. He was from out of town and he brought his crews in from Alabama, African Americans from Alabama, to do the work cheaper than the union scale would do in New York. That is what brought about this Davis-Bacon Act.

When the Federal Government decides they are going to tell people what they have to pay their employees, they are the last people that actually know what that is worth. When you have to compete in this real world where equipment is expensive and time is priceless and we have strict specifications, strong engineers, bonds—bid bonds and performance bonds—and insurance contracts, we have to be efficient, and we have to be professional. We have to be able to not only do this as well as anyone, but more efficiently than anyone. That is what the merit shop does.

Mr. Chairman, nobody is dragging their feet in our operation. They want the company to be successful. When I send people out on a Davis-Bacon job, they are out there sometimes rolling clods because they know that it pays them to roll clods rather than get the job done. That is our expression, Mr. Chairman.

Mr. Chairman, I urge the adoption of this amendment.

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

Mr. DEFAZIO. Mr. Chairman, may I inquire if I have 1 minute remaining?

The Acting CHAIR. The gentleman from Oregon has 1½ minutes remaining.

Mr. DEFAZIO. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. I thank the ranking member.

Mr. Chairman, this is actually a pretty simple question, and I know my friend from Iowa tends to see this question through the lens of his own personal experience and his own company, but, frankly, this is a bigger question than that.

I think it is right that the Federal Government has a stake in how it spends its money and that the Federal Government ought to be able to say that when we fund construction projects, we don't want contractors to simply pick the cheapest labor they can. Sure, we may want to build more roads, but we want to make sure those roads last. It is not just a matter of how many miles you build, but whether or not they are going to be done in a way that makes sure that the quality of the work matches the investment that this country is making.

So, Mr. Chairman, I understand the gentleman's point. I can just tell you about my own experience having done development and construction in one of the toughest markets in America, big construction and small jobs. I always knew when we paid a prevailing wage that the work was going to be done on time and it was going to be done with quality.

When it comes to the Federal dollar, doesn't it seem to me and all of us here that cheap is not always better, and that we owe it to the American people to deliver to them a product that is consistent with the quality that they would like to see in their own home? When you go to buy material or when you go to hire a contractor yourself for your own home, you don't say to yourself, ''Who is the lowest cost provider I can get?'' You want to make sure the job is done right.

Secondly, the American people need a raise. We don't need the Federal Government to participate in this race to the bottom in undercutting local economies by paying people less than they are worth. We have lost enough in this country. It is time to end this.

Mr. DEFAZIO. I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I rise in opposition to the amendment.

For over 75 years, the Davis-Bacon Act has been protecting middle class families and taxpayers.

As a son of a union worker in Snohomish County, Washington, I know how important prevailing wages can be for middle class families.

A prevailing wage is not necessarily a union wage—it's set by the Department of Labor after surveying local labor.

But it's a living wage, one that has helped build middle class economies in my district in places like Everett and Lynnwood.

Davis-Bacon standards also ensure that taxpayers are getting their money's worth when it comes to construction projects.

By paying a decent wage, Davis-Bacon projects are built by more experienced and more productive construction workers.

The result is better built, longer lasting projects that save money over their lifetime which is especially important because poor and crumbling infrastructure hurts everyone.

We shouldn't cut corners when it comes to our transportation infrastructure, and we shouldn't cut corners when it comes to hiring construction workers.

The amendment before us would do just that.

Workers deserve to be paid fair wages.

I ask my colleagues to support middle class families by voting against this amendment.

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

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

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

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

□ 1630

AMENDMENT NO. 13 OFFERED BY MR. LARSEN OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part A of House Report 114–326.

Mr. LARSEN of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title II the following:

SEC. ___. STREAMLINED APPLICATION PROCESS.

Section 603 of title 23, United States Code, is amended by adding at the end the following:

''(f) STREAMLINED APPLICATION PROCESS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, the Secretary shall make available an expedited application process or processes available at the request of entities seeking secured loans under this chapter that use a set or sets of conventional terms established pursuant to this section.

''(2) TERMS.—In establishing the streamlined application process required by this subsection, the Secretary shall include terms commonly included in prior credit agreements that are desirable to borrowers and allow for an expedited application period, including—

''(A) the secured loan is in an amount of not greater than $100,000,000;

''(B) the secured loan is secured and payable from pledged revenues not affected by project performance, such as a tax-backed revenue pledge, tax increment financing, or a system-backed pledge of project revenues; and

''(C) repayment of the loan commence not later than 2 years after disbursement.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Washington (Mr. LARSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

MODIFICATION TO AMENDMENT NO. 13 OFFERED BY MR. LARSEN OF WASHINGTON

Mr. LARSEN of Washington. Mr. Chairman, I ask unanimous consent that amendment No. 13 printed in part A of House Report 114–326 be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 13 offered by Mr. LARSEN of Washington:

In lieu of amendment #13 printed in Part A of House Report 114–326.

Add at the end of title II the following:

SEC. ___. STREAMLINED APPLICATION PROCESS.

Section 603 of title 23, United States Code, is amended by adding at the end the following:

''(f) STREAMLINED APPLICATION PROCESS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, the Secretary shall make available an expedited application process or processes available at the request of entities seeking secured loans under this chapter that use a set or sets of conventional terms established pursuant to this section.

''(2) TERMS.—In establishing the streamlined application process required by this subsection, the Secretary may include terms commonly included in prior credit agreements and allow for an expedited application period, including—

''(A) the secured loan is in an amount of not greater than $100,000,000;

''(B) the secured loan is secured and payable from pledged revenues not affected by project performance, such as a tax-backed revenue pledge, tax increment financing, or a system-backed pledge of project revenues; and

''(C) repayment of the loan commence not later than 5 years after disbursement.''.

Mr. LARSEN of Washington (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading of the modification.

The Acting CHAIR. Is there objection to the request of the gentleman from Washington?

There was no objection.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. The Chair recognizes the gentleman from Washington.

Mr. LARSEN of Washington. Mr. Chairman, I have heard from many midsize cities in my district that they often struggle to compete with larger cities for Federal transportation funding.

While the needs of midsize cities are just as significant as those of larger cities, the administrative burden of accessing TIGER grants or TIFIA loans is often too great. My amendment addresses that difficulty by improving access to TIFIA loans.

While TIFIA is a great funding source for bigger projects, sponsors of smaller projects can be discouraged from using it because the application process is complicated and requires more resources than these cities can muster.

My amendment would require the Secretary to provide an expedited process for TIFIA applications that are less than $100 million and backed by real revenue. These are smaller, lower risk projects that aren't happening because States and localities might be scared off by the long and involved TIFIA loan application process.

By creating an expedited process for these smaller, lower risk projects, we can open access to Federal resources for smaller cities and counties that we represent.

This is a streamlined amendment that puts more power in the hands of State and local governments, something I know that my colleagues can support.

I appreciate that Chairman SHUSTER and Ranking Member DEFAZIO have made other improvements to the TIFIA process in the underlying bill, and my amendment complements these improvements in a straightforward way. I would appreciate the support of the leadership on the committee for this amendment.

I ask support of my amendment.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, even though I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I support the gentleman's commonsense amendment. As usual, he brings common sense to the table.

This amendment does and will accelerate the approval of TIFIA credit assistance for certain projects.

I encourage all Members to support the amendment.

I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I ask support for this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. LARSEN), as modified.

The amendment, as modified, was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. CULBERSON

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 249, after line 14, insert the following:

(2) in subsection (c)(1)—

(A) in subparagraph (B)(ii) by striking ''and'' at the end;

(B) in subparagraph (B)(iii) by striking the period and inserting ''; and'' ; and

(D) by adding at the end of subparagraph (B) the following:

''(iv) the applicant shall have a current operating ratio, as such ratio is set forth by the Federal Transit Administration using the ratio of current assets to current liabilities, of 1:1.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. CULBERSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, one of our principal responsibilities here is to be good stewards of our constituents' hard-earned tax dollars. It is a responsibility that I know each one of us takes very seriously.

My amendment today will ensure that we apply the same commonsense standards to the investment of our constituents' hard-earned tax dollars that we do in the investment of our own dollars.

You in your own life would not loan money or invest money in a business that was so poorly managed that it took on more debt than they could manage. You wouldn't put your money in a company that had taken on so much debt that their debt exceeded their liabilities. And, certainly, if you were applying for a bank loan, a bank would not loan your business money if your business had more debt than it had assets.

That is all this amendment says is that the Federal Government will not

invest our constituents' hard-earned tax dollars in a transit agency that has more debt than they do liabilities.

My amendment ensures that the minimum asset-to-debt ratio that a transit entity can have is 1:1. It is common sense. This is sort of a working guideline that I know the Transportation Appropriations Subcommittee, on which I work, and the Federal Transit Administration has for years wanted to be sure that the agencies out there—transit entities across America—have no more debt than they do assets.

So the amendment says the Federal Government will not issue a Federal transit grant to an agency that has a ratio of current assets to debt that exceeds 1:1, very straightforward, very simple.

Let's protect our constituents' hard-earned tax dollars in the same way we would protect our own. In fact, it is actually a much higher obligation that we have to be good stewards of the Treasury, as responsible representatives.

I urge adoption of this amendment.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

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

This is an unusual amendment, to say the least. There is no measure of assets done regularly for our transit systems in America. In fact, the only measurement that is done is that we have an $84 billion—B, billion—backlog to bring our existing transit systems up to a state of good repair. That means, basically, I am sure everybody would fail this test.

So if you want to do away with transit in America and get them out of the trust fund—something that Ronald Reagan made a high priority, and he put transit into the trust fund. He was the first Republican to support that, and they have been in ever since.

He said: We cannot ignore our urban centers. They are the engines of economic growth in this country, and we can't ignore them. We need to be able to move people efficiently in those urban areas.

So, since then, we have had a modest proportion of the trust fund—about 20 percent, generally—going into transit.

That is not adequate, as it is not adequate for bridges; 140,000 need replacement or repair. It is not adequate for highways; 40 percent of the system is failing and it needs total rebuilding.

But an $84 billion backlog in transit—they are killing people right here in the Nation's Capital because of the state of disrepair. It is an embarrassment.

There is no transit district in the United States of America who makes money. So what is this about? I don't get it. We are not lending money for them to make a profit and pay off loans. They all receive Federal support, and they need more Federal support.

In fact, in my travels, I have only been one place where they claim the transit district made money, which is Hong Kong. I urge you to go ride there at rush hour and see if you enjoy that experience. It is not very good here either.

But, in any case, no one else claims to make money. And I don't know if they really do. That is a Communist-dominated state. So it is probably not true.

I don't understand the amendment, to tell the truth. I would urge my colleagues to oppose it.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, my colleague from Oregon is confusing the issue here. The amendment is very straightforward.

Let me read from the amendment itself. The applicant transit agency has to have a current operating ratio of current assets to current liabilities of 1:1. They have to have the same current level of debt as they do assets in order to be eligible to apply for a Federal transit grant.

This isn't about making money. This is about making sure the taxpayers are not going to give another brick to a transit agency that has already got too much debt and is overloaded and is in a position where they may not be able to take full advantage of the grant. Taxpayers, our constituents, should not have to put their hard-earned tax dollars into a transit agency that is carrying more debt than they have assets. This is very straightforward.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield to the gentleman from Texas for him to name a transit agency that has gone bankrupt recently.

Mr. CULBERSON. In fact, I just spoke to the chairman of the Houston Metropolitan Transit Authority yesterday, and he tells me that their asset-to-debt ratio—they have got assets.

Mr. DEFAZIO. Reclaiming my time, I don't know what and who is running that thing.

Mr. CULBERSON: They are going to go bankrupt.

Mr. DEFAZIO. Sir, it is my time. They have not gone bankrupt. They are still operating.

The Federal Government has not had, that I am aware of, any major TIFIA loans or anything go into default.

This is a bizarre amendment in search of a problem that doesn't exist. We have no transit agencies that are making money. I don't anticipate we ever will have a transit agency that makes money. No one in the world operates transit agencies that make money.

It is a public service to mitigate congestion and provide for our major urban areas to move people more efficiently with a partnership between the Federal Government and local authorities.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, this is not about making money. The Houston Metropolitan Transit Authority chairman yesterday told me that their asset-to-debt ratio is about 2:3:1. So they have got 2 to 3 times more assets than they do debt.

That is what this amendment says, that we will, as good stewards of our taxpayers' hard-earned dollars, only send Federal transportation grants to transit agencies like Houston Metro that have done a good job managing their responsibilities and their assets are at least on par with their debt. That is all it says.

I reserve the balance of my time.

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

Mr. CULBERSON. Mr. Chairman, my colleague from Oregon is confusing the issue. This isn't about making money. This isn't about repaying the money.

This is about making sure that our constituents' hard-earned tax dollars are going to be wisely and carefully and prudently sent only to those transit agencies that have proven they can do a good job, that they don't have more debt currently than they have current assets.

My amendment, quoting from the amendment, is very simple:

> Applicant shall have a current operating ratio of current assets to current liabilities of 1:1.

That is at a minimum. Houston Metro would qualify for this. There are transit agencies all over America that would qualify for this.

Let's make sure that the transit entity, before they ask for our constituents' hard-earned tax dollars, have demonstrated that they are competent and capable of managing the money that they already have on hand and they don't have more debt than they can carry.

I urge passage of the amendment.

I yield back the balance of my time.

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

Actually, the amendment is to take money from New York City, Washington, D.C., probably Baltimore, Boston—I don't know—anyone who has a legacy transportation system that actually, until Ronald Reagan was President, pretty much was built without Federal dollars and run without Federal support and they have huge backlogs in terms of bringing them up to a state of good repair, 120-, 130-year-old tunnels.

This would just basically say: Let's put the money in the places which have the most modern transportation systems, built most recently, and probably built since Federal support was put in place by Ronald Reagan and stick it to the ones who did it on their own 130, 140 years ago and have been struggling to keep up and only had a partnership with the Federal Government since Ronald Reagan was President of the United States.

This does not go to the efficiency of an operation anytime anybody applies for a TIFIA loan or anything else. They

are evaluated in terms of how they are going to be able to repay those loans at the fare box, out of the fare box, out of operating costs, not what their assets to liabilities are.

I urge my colleagues to oppose the amendment.

I yield back the balance of my time.

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

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

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

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

□ 1645

The Acting CHAIR. The Chair understands that amendment No. 15 will not be offered.

AMENDMENT NO. 16 OFFERED BY MS. MENG

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part A of House Report 114–326.

Ms. MENG. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I (page 233, after line 8), insert the following:

SEC. 1431. IMPROVEMENT OF DATA COLLECTION ON CHILD OCCUPANTS IN VEHICLE CRASHES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the crash investigation data collection system of the National Highway Traffic Safety Administration to include the collection of the following data in connection with vehicle crashes whenever a child restraint system was in use in a vehicle involved in a crash:

(1) The type or types of child restraint systems in use during the crash in any vehicle involved in the crash, including whether a five-point harness or belt-positioning booster.

(2) If a five-point harness child restraint system was in use during the crash, whether the child restraint system was forward-facing or rear-facing in the vehicle concerned.

(b) CONSULTATION.—In implementing subsection (a), the Secretary shall work with law enforcement officials, safety advocates, the medical community, and research organizations to improve the recordation of data described in subsection (a) in police and other applicable incident reports.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on child occupant crash data collection in the crash investigation data collection system of the National Highway Traffic Safety Administration pursuant to the revision required by subsection (a).

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from New York (Ms. MENG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. MENG. Mr. Chair, this bipartisan amendment is simple. It is identical to language that appeared in the Senate version of the transportation bill that required improved data collection on the types of child restraint systems in use whenever a child is present during a car crash.

I am honored to have Representative LOVE as a cosponsor of this amendment, and I thank her for her support.

Mr. Chair, I know that we have 81 amendments to work through today and a long evening ahead of us; so, in the interest of time, I will keep my remarks brief.

The amendment I am offering merely requires revisions to the crash investigation data collection system of the National Highway Traffic Safety Administration in an effort to save children's lives. The more we know about the type of child restraint system used, how it was used, and the outcome of that use, the more we will be able to avert future tragedies.

After 3 years of collection of the data required by this amendment, the Secretary will be required to submit a report to Congress on the performance of various child restraint systems. It is my hope that we will join together at that time to craft new legislation that addresses what we learn.

Again, this is a bipartisan amendment, Mr. Chair. I believe it is a good amendment, and I think we have an opportunity to save children's lives.

I urge support for this amendment.

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

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, this amendment is not in our jurisdiction. It is in the Energy and Commerce Committee's jurisdiction. I understand the Energy and Commerce Committee supports the amendment, so we support the amendment also.

I yield back the balance of my time.

Ms. MENG. Mr. Chair, I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentlewoman for yielding.

Mr. Chairman, I appreciate the fact that the chairman does not oppose and that the committee of jurisdiction does not oppose.

It is very timely. We just had a study about child safety seats which raises questions about rear-facing seats, and I think this comprehensive data would be very, very important as we move forward, potentially changing the guidelines on how we restrain children in vehicles to better protect them.

I congratulate the gentlewoman on bringing this amendment forward, and I hope that it is accepted.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. MENG).

The amendment was agreed to.

AMENDMENT NO. 17 OFFERED BY MR. RUSSELL

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III of division A, insert the following:

SEC. ____. STREETCAR FUNDING PROHIBITION.

Notwithstanding any other provision of law, Federal financial assistance may not be provided for any project or activity to establish, maintain, operate, or otherwise support a streetcar service. This section does not apply to a contract entered into before the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Oklahoma (Mr. RUSSELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. RUSSELL. Mr. Chairman, streetcars, also known as trollies, are mass transit vehicles that operate on rail lines embedded in normal roadways, often drawing electrical power from overhead structures.

From 2009 to 2014, the Department of Transportation awarded $432 million for streetcar projects in 14 cities throughout the country.

Streetcars are highly impractical from a public transit standpoint. Like a bus, but unlike a train, a streetcar's speed is constrained by the speed of traffic around them. Unlike a bus, however, they are bound by their tracks. If anything blocks the tracks, such as an accident or a construction project, the entire line shuts down, making it an inefficient form of transportation.

Streetcars are costly to build and operate. They require extensive infrastructure, including tracks and overhead power, that is not required for buses. Per passenger, per mile, they are also significantly and consistently more costly to operate than buses. According to a 2013 Journal of Public Transportation study, they fail or are at the bottom of all efficient forms of transportation.

The Congressional Research Service can find no clear evidence that streetcars increase transit ridership. Streetcar corridors that saw economic growth often benefited from other substantial subsidies. It is unclear if streetcars contributed to this growth.

The main argument for this amendment, which would prohibit future funding, is that it would establish Federal prohibitions on any financial assistance to establish, maintain, operate, or otherwise support a streetcar service unless there is a current contract in place that would be entered

into before the date of the enactment of the act.

The main argument for streetcars is often their psychological appeal. While this is appreciated, it is also very subjective, and it depends on the sentiments of tourists or local communities. They are more comparable to water taxis or Ferris wheels than to buses and light rail. The Department of Transportation is not in a good position to judge how tourists and locals will feel about a streetcar project. The agency, therefore, lacks the insight to predict the success of a project.

Most streetcar funding has come from the Transportation Investment Generating Economic Recovery grant program, or TIGER program. TIGER is an extremely competitive program with 20 times more applicants than there is money available. Recent rule changes are expected to make it easier for streetcars to receive funding from the Capital Investment Grant Program, also known as the New Starts and Small Starts program.

The President's administration has requested $3.2 billion for this program for FY 2016, including $75 million for streetcar projects, and at least six more are under development.

Any further grant awards for streetcar projects will divert scarce Federal funding from other high-priority transportation projects. While we appreciate all forms of transportation, our infrastructure, our national defense, and the vitality of our commerce on our roads beg for more efficient means of transportation for our dollars, which are limited.

Bus Rapid Transit projects, or BRT projects, for example, attract riders with higher quality stations and buses, traffic lanes that are fully or partially dedicated to buses, and more reliable, frequent service. Unlike for streetcars, there is objective evidence that the BRT tends to increase transit ridership and decrease trip time, according to the Government Accountability Office.

Streetcar projects are expensive, uncertain gambles that depend on subjective local and tourist sentiments more than on objective facts. It is for that reason—as we face a $19 trillion deficit and as we face foreign policy challenges abroad that require contingency dollars and as we look at husbanding the strength for our transportation—that my amendment would make sure that these resources are used in their proper place.

Local communities should, therefore, risk their own funds, like in my home State of Oklahoma. Oklahoma City recently passed a $129 million downtown streetcar project, which its own citizens approved, without using Federal funds. While municipalities may desire streetcars, they should not do it with other Americans' money.

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

Mr. DEFAZIO. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

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

This amendment would dictate to communities across America what form of transit they could put into their urban areas to solve problems of congestion and the efficient movement of people from place to place.

The gentleman mentioned tourist destinations. Yes, some may relate to tourist destinations; others may relate to medical facilities, as in Portland, Oregon, where the streetcar terminates at the Oregon Health & Science University. It also then utilizes a tram, which is at both the bottom and the top of the hill. It is used by many patients and others who have to get there. So these are not just toy things or things that are used for tourists. They are used to solve congestion problems in major urban areas. They are also incredible tools for economic development.

As for the fixed streetcar line in Portland, they revitalized a whole section of the city, which generated $3.5 billion in private economic development because the line was there. They didn't get any Federal money, but they built their projects adjacent to that line, which also provided a built-in ridership. Many people who reside in those pretty high-end apartments actually don't own cars, and they utilize the streetcar.

Salt Lake has already attracted $400 million in investment. Atlanta, Georgia, has a very successful program. Tucson, Arizona, has seen an incredible initial ridership, far exceeding projections. Cities across America are finding great success with streetcars; so to deny them this tool on some sort of arbitrary basis, I think, is unwarranted.

I reserve the balance of my time.

Mr. RUSSELL. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Oklahoma has 30 seconds remaining.

Mr. RUSSELL. Mr. Chairman, no research supports clear economic growth, according to the Congressional Research Service. While there may be other factors—usually with heavy government subsidies—that also contribute to this growth, it does not have any delineation toward streetcars.

This amendment does not dictate but protects scarce resources. In a nation that has an incredible deficit problem, we have to get to the point at which we can have priorities. This focuses on priorities.

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

Mr. DEFAZIO. Mr. Chairman, I yield the balance of my time to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I could not disagree more with my friend from Oklahoma City.

First of all, the streetcar is a highly developed mechanism that 30 communities across the country are involved with right now, and they all invest their own money, including Oklahoma City. I find it ironic that somehow there is this notion that people are picking this out of the air as a toy or arts and crafts. That is not the case.

Look, I have been working on this for over 30 years, since I initiated a project for Portland's streetcar. I would be happy to introduce the gentleman to businesspeople, to local government. Actually, my friend from Oregon understated it. It is $4.5 billion. It is happening in Seattle, in Tacoma. I was in New York—in Brooklyn—this Friday, where they are looking at a streetcar. It is an extraordinarily efficient way to concentrate development. It encourages private investment. It extends the pedestrian experience. It is part of the toolkit.

I notice the gentleman has left the Chamber. I was going to ask him if he knew that, in his Oklahoma City, there is a TIGER grant that is going to build three blocks of rail line starting in 2016. It was a choice of Oklahoma City. They thought the TIGER grant was so important that they are using Federal money in a project that is supplementing local money.

My friend from Oregon is correct, the ranking member, in that we shouldn't take this tool away from communities, large and small, across the country. From Kenosha, Wisconsin, to Los Angeles, people are understanding that the streetcar has a vital role in revitalizing communities, in giving people more choices, in focusing economic development; and it is why the tram—the streetcar—is ubiquitous across the world. It is why we now have 30 cities that are doing it.

I would argue, if you look at the billions of dollars we have invested in transportation projects, less than a half a billion dollars that people competed for very aggressively, for these TIGER grants, is money well spent. It is well spent in my community. Some people might warrant Bus Rapid Transit, like my colleague from Oregon has in Eugene.

□ 1700

This is a tool that has proven its worth. Communities around the country, from Cincinnati to Dallas, Texas, are doing it because it works. It would be a tragic mistake to approve an amendment that would take this tool away from communities that decide to do it and would like to supplement their local resources with Federal money, like is happening in Oklahoma City next year.

Mr. DEFAZIO. I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT NO. 18 OFFERED BY MS. EDWARDS

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in part A of House Report 114–326.

Ms. EDWARDS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III of division A, add the following:

SEC. ___. APPOINTMENT OF DIRECTORS OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.

(a) DEFINITIONS.—In this section—

(1) the term ''Compact'' means the Washington Metropolitan Area Transit Authority Compact (Public Law 89–774; 80 Stat. 1324);

(2) the term ''Federal Director'' means—

(A) a voting member of the Board of Directors of the Transit Authority who represents the Federal Government; and

(B) a nonvoting member of the Board of Directors of the Transit Authority who serves as an alternate for a member described in subparagraph (A); and

(3) the term ''Transit Authority'' means the Washington Metropolitan Area Transit Authority established under Article III of the Compact.

(b) APPOINTMENT BY SECRETARY OF TRANSPORTATION.—

(1) IN GENERAL.—For any appointment made on or after the date of enactment of this Act, the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Transit Authority.

(2) AMENDMENT TO COMPACT.—The signatory parties to the Compact shall amend the Compact as necessary in accordance with paragraph (1).

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from Maryland (Ms. EDWARDS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Maryland.

Ms. EDWARDS. Mr. Chairman, I thank the chairman and the ranking member.

Representative COMSTOCK of Virginia and I have an amendment that is at the desk, and I don't have to tell my colleagues who ride Metro every day to and from work of the issues that WMATA Metro has had with safety, performance, and management.

Our bipartisan amendment gives the Secretary of the United States Department of Transportation the authority to appoint the four Federal members to the Washington Metropolitan Area Transit Authority Board. Currently, the General Services Administration has this sole authority and shares oversight responsibilities of the Federal board members with the U.S. Department of Transportation. The WMATA board determines the agency's policy and provides oversight for the funding, operation, and expansion of transit facilities.

We have worked closely with Senator MIKULSKI of Maryland on this issue, and she has introduced a bill in the Senate that is cosponsored by all three other local Senators: Senators CARDIN, WARNER, and KAINE of Virginia.

From various conversations we have had, the Secretary of Transportation is also aware of this issue and is supportive of the Department of Transportation taking over. The General Services Administration has stated that ''this was never in our wheelhouse.'' And WMATA does not oppose this change.

I want to thank Chairs CHAFFETZ and MEADOWS and Ranking Members CUMMINGS and CONNOLLY for working with us since the amendment also falls under the jurisdiction of the House Oversight and Government Reform Committee. They have cleared this amendment.

Before I close, I want to remember our late colleague—and former colleague on the Transportation Committee—Howard Coble, who died last night. He represented the Sixth Congressional District of North Carolina, including the town I was born in, Yanceyville, North Carolina. He will be sorely missed by all of us and his long-time constituents and his service with us. May he rest in peace.

I reserve the balance of my time.

I don't have to tell my colleagues, some of who ride Metro each day to and from work, of the issues the Washington Metropolitan Area Transit Authority (WMATA) has had with safety, performance, and management.

The Passenger Rail Investment and Improvement Act of 2008 (PRIIA, Public Law 110–432), included the National Capital Transportation Amendments Act, a bill authorizing $1.5 billion in federal funding for WMATA capital improvements. It was because of this federal investment and WMATA's large federal employee ridership that the National Capital Region Congressional Delegation created the federal board members.

The Delegation expanded the WMATA Board from twelve members from Maryland, the District of Columbia, and Virginia to include sixteen members, establishing the four new federal member positions. The Delegation also believed that these federal board members would not be wrapped up in jurisdictional politics. Often board members from the jurisdictions do not recommend what is needed because their jurisdiction does not have the money.

The National Capital Region Congressional Delegation gave the appointment authority to the General Services Administration (GSA) because at the time, it seemed the best federal agency to represent the overall federal workforce. Approximately forty percent of WMATA's ridership is federal employees.

Our amendment gives the Secretary of the U.S. Department of Transportation (USDOT) the authority to appoint the four federal members to the WMATA Board. Currently, the GSA has this sole authority and shares oversight responsibilities of the federal board members with USDOT. The WMATA Board determines the agency's policy and provides oversight for the funding, operation, and expansion of transit facilities.

I have worked with Senator MIKULSKI on this issue and she has introduced a bill in the Senate that this amendment is based on. S. 2093 is cosponsored by all 3 other local Senators, Senators CARDIN, WARNER, and KAINE.

From various conversations we have had, Secretary Foxx is aware of this issue and is supportive of USDOT taking over. GSA has stated that "this never was in our wheelhouse." And WMATA does not oppose.

I want to thank Chairs CHAFFETZ & MEADOWS and Ranking Members CUMMINGS & CONNOLLY for working with us since the amendment falls under the House Oversight and Government Reform Committee's jurisdiction. It is my understanding they have cleared this amendment.

Since the creation of the federal board positions in 2008, GSA has not played an active role in oversight of the federal board members. GSA does not have any expertise about what it takes to operate a transit system, nor does it have any experience.

Only USDOT has been committed to the oversight of the federal board members and trying to correct WMATA's myriad problems. WMATA's serious safety, operational, and financial issues have all been documented by USDOT. The Secretary of USDOT and the Federal Transit Administration have been working directly with the federal board members and the transit agency to get things fixed. The federal board members and USDOT are in regular communication.

In addition, the local delegation led by Senator MIKULSKI has been providing the federal finding authorized in PRIIA in the annual Transportation & HUD (THUD) Appropriations Bill. For the last seven years, bill and report language has been included requiring strict oversight by the USDOT Secretary on how these taxpayer dollars are spent.

Before I close, I would like to remember our late colleague, Howard Coble, who died last night. He represented the 6th Congressional District of North Carolina, including the town that I was born in, Yanceyville. Howard will be sorely missed by all of us and his long-time constituents. May he rest in peace.

Mr. GRAVES of Missouri. Mr. Chairman, although I don't oppose the amendment, I ask unanimous consent to claim the time in opposition.

The Acting CHAIR. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, this particular amendment really is in the jurisdiction of the Oversight and Government Reform Committee. They are in favor of the amendment, so we are going to urge our colleagues to support it. We are not going to oppose it.

I yield back the balance of my time.

Ms. EDWARDS. Mr. Chairman, I would like to say it has been a real pleasure to be able to work with Mrs. COMSTOCK on this amendment. It is very rare that we have opportunities to work across the aisle and also across the Capitol to make sure that we are doing the right thing for our transit system here in the metropolitan Washington area that serves so many millions of both Federal workers and tourists from all of our different States and jurisdictions.

It is really clear that the General Services Administration in this day and age is probably not the most appropriate place for the appointment of these members of the board. It is dutifully to be placed with the Department of Transportation to which they have

agreed. I thank our colleagues for all agreeing to this as well.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Maryland (Ms. EDWARDS).

The amendment was agreed to.

AMENDMENT NO. 19 OFFERED BY MS. FRANKEL OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in part A of House Report 114–326.

Ms. FRANKEL of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning on page 424, strike line 17 and all that follows through page 426, line 24.

Page 428, line 20, strike ''and'' at the end.

Page 428, line 23, strike the period and insert ''; and''.

Page 428, after line 23, insert the following:

(4) is not a high-risk carrier, as identified by the Federal Motor Carrier Safety Administration.

Beginning on page 449, strike line 5 and all that follows through page 451, line 22.

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from Florida (Ms. FRANKEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. FRANKEL of Florida. Mr. Chairman, I thank the chair, ranking member, and all the colleagues who worked so hard on bringing this legislation to the floor.

My amendment is really about improving this bill. It is going to make it a better bill, and it is about making our Nation's roads safer and the delivery of goods more efficient.

There are 15.5 million trucks on the road each year driving more than 93 billion miles annually, carrying over a billion dollars' worth of goods. There is no question that our Nation's trucking industry is a huge economic driver, earning $650 billion annually, 5 percent of the United States GDP.

With all that sunshine comes a little bit of rain. The National Highway Traffic Safety Administration said that in 2013 almost 4,000 people were killed and 95,000 people were injured by large trucks, costing the public a whopping $100 billion annually. So my amendment does three things to increase safety and to reduce those costs.

First, the amendment brings the requirement for commercial truck insurance into the 21st century. It is shocking, Mr. Chair, that the minimum insurance required for commercial trucks has remained the same since the 1980s at $750,000 per incident regardless of the number of victims or their injuries. The FMCSA, which is the Federal Motor Carrier Safety Administration, is currently engaged in rulemaking to examine the appropriateness of this standard. The base bill requires studies that I respectfully submit will slow down this process.

Imagine a large truck hitting a bus full of schoolchildren and the insurance only being $750,000 to cover all the losses. Do you want to be the person that tells the parents that Congress needs to do more studies before their medical bills can be paid? My amendment strikes these unnecessary studies so that the FMCSA can finish their important work without delay.

Second, the base bill creates a national hiring standard that brokers and shippers must use to hire carriers. One of these standards is based on outdated information. It is not updated annually. So my amendment at the desk would strengthen the hiring standard by prohibiting the hiring of motor carriers defined as ''high-risk carriers'' by the FMCSA.

Finally, just this year, the FMCSA did a study that found that compliance, safety, and accountability scores accurately predict safety performance by drivers. These scores are currently used by brokers and shippers to identify unsafe carriers. Studies show that, since this system has been used, there has been a 14 percent reduction in serious violations of the law. I want to repeat that. There has been a 14 percent reduction in serious violations of the law.

This base bill requires another study that is going to take 18 months. Not only that, the base bill now hides important safety statistics during this time. What my amendment does is very simple. The provision makes these safety scores transparent for the public to see.

Together, these measures are going to improve the movement of goods across the country by increasing safety and efficiency. It is a real good amendment. I think it is going to make this bill much better, and I urge its adoption.

I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, this amendment literally just guts some very crucial reforms to this bill. What this amendment does is strikes a section in the bill that requires the Federal Motor Carrier Safety Administration to remove from its Web site those compliance and safety accountability program scores.

What we found is that the CSA is a flawed system. It treats safe carriers unfairly, and it has done very little to improve motor carrier safety records.

The Government Accountability Office and the motor carrier stakeholders, they have been very critical of the CSA program. They have called for the reform. So what this does is make sure that those reforms are going to happen quickly. It doesn't hide anything. Once the reforms are in place, the scores are going to go back up on the Web site.

In the meantime, that raw data concerning accidents, violations, out-of-service rates, it will remain publicly available; and it is also going to be available to law enforcement if they need to investigate or prosecute an unsafe carrier. So nothing is being hidden, but what this does is require that these reforms are going to take place and they are going to take place very, very quickly.

I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Ms. FRANKEL of Florida. Mr. Chairman, I would just be repeating myself.

I do want to repeat one thing which I think is important. Since the system has been used by FMCSA, there has been a 14 percent reduction in serious violations of the law, and I think that speaks for itself.

I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Chair, again, this guts some very important parts of this bill.

I urge my colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. FRANKEL).

The amendment was rejected.

AMENDMENT NO. 20 OFFERED BY MR. DUNCAN OF TENNESSEE

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in part A of House Report 114–326.

Mr. DUNCAN of Tennessee. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 428, line 23, before the period, insert ''or be unrated''.

Page 428, after line 23, insert the following:

(4) has not been issued an out-of-service order to prohibit a motor carrier from conducting operations at the motor carrier level—

(A) for failing to pay fines under part 385.14 of title 49, Code of Federal Regulations;

(B) for a proposed ''unsatisfactory'' safety rating under part 385.13(d) of title 49, Code of Federal Regulations;

(C) for failing to respond to a new entrant audit under part 385.325 of title 49, Code of Federal Regulations; and

(D) and currently is being considered as an imminent hazard at the carrier level (not the individual driver or equipment level).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Tennessee (Mr. DUNCAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

MODIFICATION TO AMENDMENT NO. 20 OFFERED BY MR. DUNCAN OF TENNESSEE

Mr. DUNCAN of Tennessee. Mr. Chair, I ask unanimous consent that amendment No. 20, printed in part A of House Report 114–326, be modified by the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 20 offered by Mr. DUNCAN of Tennessee:

on line 12 of amendment No. 20, add the word ''not'' after is.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. The Chair recognizes the gentleman from Tennessee.

Mr. DUNCAN of Tennessee. Mr. Chairman, first I want to commend Chairman GRAVES. Nobody could have done a better job on this bill than he has done. I also want to thank Chairman SHUSTER and Ranking Member DEFAZIO because they have placed just about everything that I have requested into this bill, including accepting an amendment yesterday.

I will repeat something that I said during general debate yesterday: I am so pleased that after we have spent hundreds of billions of dollars over the last 15 years in a vain attempt to rebuild the Middle East, now we are finally going to pass a major bill to rebuild this country and provide hundreds of thousands of jobs all across this Nation.

I rise today, Mr. Chairman, with Mr. PAULSEN of Minnesota to offer an amendment that is basically very technical in nature, but it is one that is very, very important to many thousands of the smallest companies in the trucking industry.

I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for including in the base bill some of the language from a bill that I introduced that deals with this situation. This amendment expands that by clarifying the requirements that a freight broker must meet before hiring a motor carrier for the delivery of goods.

□ 1715

Currently, the bill requires a broker to check to ensure that the motor carrier is first registered with and authorized by the Federal Motor Carrier Safety Administration to operate as a licensed motor carrier; secondly, has the minimum insurance required by Federal law; and, third, has the satisfactory safety fitness determination by the FMCSA. All of these things make for a safer trucking industry in this country.

Our amendment inserts ''or be unrated'' in the third requirement. Currently, there are thousands of small trucking operations which have yet to be audited or rated by the FMCSA. By adding the words ''or be unrated,'' we ensure that these small companies are not precluded from being in the pool of eligible motor carriers that can be used for shipping goods.

According to the Owner-Operators Independent Drivers Association, OOIDA, without this amendment, we will be creating an incentive not to use small carriers, putting hundreds of thousands of truck drivers out of business due to no fault of their own.

Without this change, we will hurt small mom-and-pop trucking businesses and drive up the cost of shipping goods for everyone.

The second part of our amendment adds a fourth requirement that must be checked by the brokers. This fourth condition requires a broker to check to make sure that a motor carrier has not been issued an out-of-service order to prohibit a carrier from conducting operations. Once again, this makes for a safer trucking industry in this country.

If we do not make this amendment part of the bill, thousands of small companies and mom-and-pop operators who have never had a wreck or had a violation would lose business just because FMCSA does not have the sufficient time or staff to officially rate them.

In conclusion, Mr. Chairman, I will just say this amendment ensures that we have only safe trucks on the road and that thousands of small businesses are not hurt in the process. However, I have received assurances from both Chairman SHUSTER and Ranking Member DEFAZIO that they want to do something about this.

I think everybody on both sides of the aisle in this Congress really wants to try to help the smallest businesses in almost any industry, and they have told me that they will really try to do something about this in conference.

With that assurance and at their request, I am withdrawing this amendment and hope that we can improve the bill as it goes on through conference.

Mr. Chairman, I withdraw the amendment at this point.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 21 OFFERED BY MR. LEWIS

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 441, beginning line 3, strike section 5404 and insert the following new section:

SEC. 5404. STUDY ON COMMERCIAL DRIVER'S LICENSE PROGRAM.

(a) STUDY.—The Secretary shall conduct a study to evaluate the safety effects of the laws and regulations of States that allow licensed drivers between the ages of 18 years and 21 years to obtain a commercial driver's license to operate a commercial motor vehicle within the State.

(b) MATTERS INCLUDED.—The study under subsection (a) shall include the following:

(1) A review of the requirements for licensed drivers between the ages of 18 years and 21 years to obtain commercial driver's licenses described in such subsection.

(2) A review of collision rates and fatal collision rates for such drivers while operating a commercial motor vehicle.

(3) A review of any other safety factors and metrics determined appropriate by the Secretary in accordance with subsection (c).

(c) INPUT.—In conducting the study under subsection (a), including with respect to the safety factors and metrics reviewed under subsection (b)(3), the Secretary shall solicit input from representatives of State motor vehicle administrators, motor carriers, labor organizations, independent truck drivers, safety advocates, medical associations and medical professionals, and other persons determined appropriate by the Secretary.

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall publish a report containing the results of the study under subsection (a), including any recommendations for statutory changes.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Georgia (Mr. LEWIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. LEWIS. Mr. Chairman, my amendment is simple. It would strike a pilot program that allows teenagers to drive trucks across State lines. Right now this bill mandates that we allow teenagers to become truck drivers. But, Mr. Chairman, it does not ask whether we should give them the keys.

The American public has a strong opinion on this issue. After 92 percent of the comments strongly opposed to this idea, the Federal Motor Carrier Safety Administration denied a request for a similar program in 2003. The vast majority thought it was a bad and dangerous proposal.

My amendment simply asks the Department of Transportation to take another look, a second look, before starting a national program. We need to examine the safety of places where young drivers are already allowed to drive trucks within their own States.

Interstate highways are already dangerous enough. Given the higher and higher accident and fatality rates of younger drivers, it makes no sense to make this change without looking at all of the data.

Mr. Chairman, young drivers may not have the experience needed to handle heavy, dangerous vehicles. Some follow too closely. Others go too fast and don't check their mirrors. Young drivers can use their brakes too much, and that is a real danger when handling an 80,000-pound truck.

Ask any parent. They know. Young drivers do not always listen, even when an experienced driver is in the front seat. My amendment does not say no. It says just let us do the research first. We should study the safety of teen truck drivers before any experiment that might have dangerous results.

I urge my colleagues to support my commonsense amendment.

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

Mr. GRAVES of Missouri. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, this amendment would strike a limited pilot program that is authorizing drivers over the age of 19½ to enter into a graduated program to obtain a commercial driver's license. The program is very limited to a number of States and a number of carriers that

can participate. It also includes a number of safety requirements and a GAO report to Congress examining its safety impacts.

Mr. Chairman, what is interesting about the way present law is is that a driver of the age that is being addressed here could drive all the way across the State of Missouri, for instance, but they can't drive 10 miles in the city of Kansas City, across town, because it is over a State line.

It doesn't make a whole lot of sense, and it actually hampers a whole lot of businesses out there that operate in communities like Kansas City, St. Louis, and St. Joseph that are actually split by a State line.

The trucking industry is facing a severe shortage in the number of drivers. With freight expected to increase 30 percent over the next 10 years, the driver shortage is only going to worsen. We need to get more young people interested in careers in the transportation industry. It is as simple as that.

This is a limited pilot program. It represents a delicate compromise that would accomplish a very important goal.

I urge Members to oppose the amendment.

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

Mr. LEWIS. Mr. Chairman, I appreciate that there is a driver shortage, but it is important, very important, to follow the data. We should not put inexperienced drivers on the road before we have all of the facts.

In my congressional district, in Metro Atlanta, we have three major interstate highways running through our city: I–75, I–85, and I–20. Even with experienced drivers, there is always some major accident. We need to follow the data. I urge all of my colleagues to support my commonsense amendment.

Mr. Chairman, I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, again, what we are trying to do with this program is just allow those drivers to be able to cross the State line. Again, they are already allowed to go an entire State's length within the State.

I would ask my colleagues to oppose the amendment.

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

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

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

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

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

AMENDMENT NO. 22 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in part A of House Report 114–326.

Mr. JOHNSON of Georgia. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 449, beginning line 5, strike section 5501 relating minimum financial responsibility rulemaking.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise today to speak in support of my amendment to H.R. 22.

Minimum insurance requirements for trucks have remained the same since the 1980s. Currently, it is $750,000. Healthcare costs have skyrocketed. For example, hospital care for traumatically brain-injured people can average $8,000 per day. Minimum insurance does not realistically account for multivehicle accidents where $750,000 must be divided among all of the injured parties.

FMCSA is currently undergoing rulemaking to evaluate current insurance requirements. Congress should not delay or derail this effort. Section 5501 conditions the agency's rulemaking upon its completion of detailed studies that must be completed in consultation with industry stakeholders.

This amendment strikes language that is designed to delay and ultimately derail this long-overdue rulemaking. When a person suffers life-threatening injuries due to the negligence of a motor carrier, the cost of long-term care and the loss of his or her livelihood often is pushed to the background. For families that undergo this ordeal, it often comes as a surprise that, despite a congressional mandate in the 1980s, minimum insurance requirements for interstate truckers and bus carriers have remained unchanged.

The Motor Carrier Act of 1980 specifically set out to ensure public safety by requiring insurance premiums to be updated regularly. A similar bill, the Bus Regulatory Reform Act of 1982, was passed for the segment of the industry transporting passengers interstate.

While the minimum insurance levels in 1985 for general freight carriers and small-bus operators was $750,000 and $1.5 million respectively, with higher liability limits for carriers of hazardous materials and large bus carriers, the intent of Congress was to increase the minimums regularly to keep pace with inflation.

In April of this year, the Federal Motor Carrier Safety Administration released a report to Congress that examined the adequacy of the current financial responsibility requirements for motor carriers. The conclusion was clear: Today the cost of injuries and fatalities arising from crashes far exceed the minimum insurance levels interstate operators are required to carry. As a result, victims are often not appropriately compensated for their injuries.

Language in section 5501 is an attempt to stop or at the very least delay this long-overdue FMCSA rulemaking in its tracks by taking away the resources necessary for the agency to evaluate appropriate levels of financial responsibility for the motor carrier industry. FMCSA rulemaking is necessary because current insurance limits do not adequately cover crashes primarily because of increased medical costs.

To be on par with medical consumer price index inflation, the liability limit for general freight carriers today would be $4.4 million, calculated from the 1980 passage date of the Motor Carrier Act, and around $6.5 million for small-bus operators.

Moreover, the April FMCSA report found that, in real terms, insurance premiums have actually decreased for the same level of coverage since the 1980s. The result is that thousands of crash victims are left without the financial resources to pay medical bills or restore the quality of life that he or she enjoyed before the trucking or bus accident, that despite the fact that insurance premiums have gone down.

In many cases, the burden of healthcare costs are passed on to taxpayers, as Medicare and Medicaid shoulder millions of dollars of medical care each year due to inadequately insured carriers. We must keep the trucking industry accountable for safety by supporting this amendment.

I urge my colleagues to support this amendment.

The Acting CHAIR. The time of the gentleman has expired.

□ 1730

Mr. GRAVES of Missouri. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, what this amendment does is it strikes some very commonsense regulatory reforms in the bill.

The underlying bill requires the Department of Transportation to study whether an increase in minimum insurance levels for intercity buses is needed before pursuing a rulemaking to change the levels. I don't understand why we would strike language that simply tells the Department to determine whether a problem exists before it regulates.

The amendment also strikes language in the bill that requires the Secretary to consider the impact of an ongoing rulemaking on small trucking companies and safety.

These considerations, Mr. Chairman, are not going to delay the rulemaking, but it is going to add transparency and accountability to the process.

I would urge my colleagues to oppose the amendment.

I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT NO. 23 OFFERED BY MR. RIBBLE

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title V of division A, add the following:

SEC. ___. TRANSPORTATION OF CONSTRUCTION MATERIALS AND EQUIPMENT.

Section 229(e)(4) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note) is amended—

(1) by striking ''50 air mile radius'' and inserting ''75 air mile radius''; and

(2) by striking ''the driver.'' and inserting ''the driver, except that a State, upon notice to the Secretary, may establish a different air mile radius limitation for purposes of this paragraph if such limitation is between 50 and 75 air miles and applies only to movements that take place entirely within the State.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Wisconsin (Mr. RIBBLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RIBBLE. Mr. Chairman, my amendment would increase the air-mile radius from 50 air-miles to 75 air-miles for the transportation of construction materials and equipment to satisfy the 24-hour reset period under the hours of service rule. It would also give States the ability to opt out of this increase if the movement would take place entirely within one State's borders.

This is a bipartisan amendment cosponsored by Mr. LIPINSKI, Mr. HANNA, and Mr. CRAMER.

Commercial motor vehicle drivers in the construction industry face some unique circumstances. They often haul perishable materials like asphalt and concrete from a construction company's central shop or dispatch center to a specific project site within that company's area of operation.

These drivers spend long periods of time waiting to pick up materials and loading or unloading equipment, instead of driving, but they are considered on duty for the entire duration of the trip. Current law allows construction industry drivers to reset their weekly on-duty time after a 24-hour consecutive off-duty period; however, this exemption is only allowed if those drivers work within a 50 air-mile radius.

Because construction companies operate today in larger areas than they did when the exemption was first put in place two decades ago, I am offering this amendment to increase this air-mile radius to 75 air-miles. I urge all my colleagues to support this amendment.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I rise to claim the time in opposition, though I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, this amendment extends an existing exemption established in 1995 by Congress, and I think it is a reasonable and very small adjustment to that. I think it will improve efficiency and lower costs. I have no objection.

I yield such time as he may consume to the gentleman from Illinois (Mr. LIPINSKI), a cosponsor of the amendment.

Mr. LIPINSKI. I thank the ranking member for yielding.

I want to thank Mr. RIBBLE for his work on this amendment and other important transportation issues. I think Mr. RIBBLE and Ranking Member DEFAZIO have explained this very well.

In recognition of the unique nature of the construction industry, Congress did provide this exemption to certain hours of service rules for commercial motor vehicle drivers in the industry.

Increasing this from 50 to 75 miles is a small change, but I think it will be very helpful because the current exemption we have seen has come up short. It needs to be modernized for most efficient goods movement and keep perishable materials from spoiling, as well as account for the fact that many materials suppliers operate in areas outside of the current air-mile radius. This amendment helps improve the exemption by increasing it by 25 miles.

It is also important to note that this amendment provides an opt-out provision for those States that do not wish to participate in this increase.

I urge my colleagues to support this amendment.

Mr. RIBBLE. Mr. Chairman, I urge all Members to support my amendment.

I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 24 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. It is now in order to consider amendment No. 24 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VI of division A, add the following new section:

SEC. 6027. PILOT PROGRAM FOR REDUCTION OF DEPARTMENT-OWNED VEHICLES AND INCREASE IN USE OF RIDE-SHARING SERVICES.

(a) PILOT PROGRAM REQUIREMENT.—The Secretary of each covered department shall establish a pilot program within the department for the following purposes:

(1) To reduce the inventory of light vehicles owned by the department by 10 percent for each of the fiscal years described in subsection (b), through the sale or other appropriate disposal of such vehicles.

(2) At the discretion of the Secretary of the department, to increase the use by the department of commercial ride-sharing companies.

(b) FISCAL YEARS DESCRIBED.—The fiscal years described in this subsection are the following:

(1) The first fiscal year beginning after the expiration of the 1-year period starting on the date of the enactment of this Act.

(2) Each of the four fiscal years following the fiscal year described in paragraph (1).

(c) REPORT TO CONGRESS.—Not later than 60 days after the end of the fiscal year described in subsection (b)(1), and annually thereafter for the duration of the pilot program, the Secretary of each covered department shall submit to Congress a report on the results of the pilot program in the department. The report shall include information about the transportation budget of the department and such findings and recommendations as the Secretary of the department considers appropriate.

(d) COVERED DEPARTMENT.—In this Act, the term ''covered department'' means each of the following:

(1) The Department of Agriculture.

(2) The Department of the Interior.

(3) The Department of Energy.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Arizona (Mr. SCHWEIKERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, these amendment marathons can often be a bit exhausting around here with all sorts of ideas coming from different directions, but now for something completely different.

Our government is heading to having about a half a million light-duty vehicles, so think of this: As of today, I think we have about 460,000 light-duty vehicles in the fleet of government.

Our amendment is something very, very simple. We all walk around with these supercomputers in our pocket—our smartphones—and we see the technology revolution, the information revolution, that is happening around us, whether it be ride sharing, on-call services, or just the management of data. We have people living next to each other going to the same workplace.

Let's use this information in this new world around us and ask three agencies to reduce their vehicle fleets by engaging in the new world of information, whether it be ride sharing, an Uber model, a Zipcar model, or taxicab model. Maybe it is a hybrid that we have never thought of that gets brought forward.

So the amendment is very, very simple. All we are asking is that three agencies reduce their vehicle fleets by using modern technology, modern means of transportation, modern social transportation.

I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. I yield myself such time as I may consume.

Mr. Chair, first, I would ask the gentleman very quickly the question: Why these particular agencies?

I yield to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chairman, to my friend on the other side, there was a GAO report—I think it might now have been a couple of years ago—and these three agencies actually were tagged as having the highest number of vehicles as a percentage of, I believe, employment population that sat idle. Agriculture was close to 30,000 vehicles; Interior, 18,000. There was an actual reason.

Mr. DEFAZIO. Reclaiming my time, I thank the gentleman.

Although the gentleman does reside in Arizona, I know he certainly is aware that both the BLM and the Forest Service must cover huge amounts of territory with their employees, including many forested and remote areas.

In my district, just doing my rounds on paved roads, I can be out of cell service 20 to 25 percent of the time. There is no Uber, Lyft, or any alternative available to me, let alone my Forest Service and BLM employees who are up in the forest. I don't think Uber is lurking around the forest waiting to pick them up. Plus, they don't have cell service. I guess they could use a sat phone, but I don't think they will come.

The agency choices are peculiar. They may have a large fleet, and they have a large fleet for a particular reason. Obviously, you can have one Forest Service employee and one vehicle going to a very remote work location for one work duty. They don't have an opportunity to ride share or do anything else. I find that to be particularly problematic.

I think the intent of having the government reduce the number of light vehicles, particularly for agencies that are based in urban areas or more urban environments, is very intriguing and interesting. I would be happy to support his next amendment, which would have us study this issue. The GAO, working with GSA, I think could point to appropriate ways to reduce the fleet and to more efficiently reduce costs and yet still have employees be able to use their time very efficiently.

I would oppose this amendment, but in order to save time, I will say now that I will support the next amendment.

I reserve the balance of my time.

Mr. SCHWEIKERT. Mr. Chairman, to my colleague from Oregon, one more time, the reference points in the GAO study actually said vehicles that lay idle, and that is why we chose these. There was actually a reason for choosing these three agencies.

Mr. Chairman, a couple of data points: Agriculture, 29,818 light-duty vehicles; Interior, 18,752 light-duty vehicles; the Department of Energy, 7,315 light-duty vehicles.

We are asking them to do the 10 percent reduction of those vehicle fleets over the 4 years. If technology efficiencies, the new gig economy, however you see it, can't accomplish that through the simplest reforms brought to us by the modern era, we are in trouble.

Mr. Chairman, I ask for support of this amendment.

I yield back the balance of my time.

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

I think the gentleman misstated. It is 10 percent per year for 5 years. It is a 50 percent reduction in fleet. So that seems, without much more granular data, pretty radical. And I wouldn't want to see that the next time I have got a major fire, the Forest Service doesn't have adequate vehicles in the Willamette Forest or in any other forest in my State to dispatch all the people they need to command and control and to deal with that fire.

So I think the idea of the study has merit. I think it is an arbitrary cut of 50 percent, particularly with two land management agencies that manage millions of acres of land. I know of Forest Service and BLM employees that, on a given day, their duty may require them to drive 4 hours to a remote spot to do a particular function, spend an hour there, and drive back; and there is no way around it because they had to do something at that particular point. So saying, ''Gee, you are going to have to ride share or thumb or call Uber and see if they will take you out there for a couple hundred miles in the mountains,'' it just doesn't work for me.

I think a study is a good idea, and we may find, indeed, there are efficiencies. But to arbitrarily reduce the fleets of the two largest land management agencies in the Federal Government, the Forest Service and the BLM, by 50 percent, I think could cause very unanticipated and potentially disastrous problems.

I urge opposition to the amendment.

I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT NO. 25 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VI of division A, add the following new section:

SEC. 6027. STUDY AND REPORT ON REDUCING THE AMOUNT OF VEHICLES OWNED BY CERTAIN FEDERAL DEPARTMENTS AND INCREASING THE USE OF COMMERCIAL RIDE-SHARING BY THOSE DEPARTMENTS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the feasibility of—

(1) reducing the amount of vehicles owned by a covered department; and

(2) increasing the use of commercial ride-sharing companies by a covered department.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that contains the results and conclusions of the study conducted under subsection (a).

(c) COVERED DEPARTMENT DEFINED.—In this section, the term ''covered department'' means each of the following:

(1) The Department of Agriculture.

(2) The Department of the Interior.

(3) The Department of Energy.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Arizona (Mr. SCHWEIKERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, not to belabor this one, because actually, in many ways, our friend from Oregon has spoken to this one. I actually believe we may have some misreading of what the previous one says, but we will adjudicate that again maybe over coffee.

This is basically a similar concept as we were just discussing but is actually trying to produce some data sets for future policy.

Mr. Chairman, my understanding is the gentleman from Oregon is going to accept the amendment.

I yield back the balance of my time.

□ 1745

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

The amendment was agreed to.

AMENDMENT NO. 26 OFFERED BY MR. REICHERT

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 580, in the matter following line 20, add to the analysis for chapter 702 of title 49, United States Code, after the item relating to section 70203, the following:

''70204. GAO study on economic impact of labor contract negotiations at ports on west coast.

Page 584, line 20, strike the closing quotation marks and the period at the end.

Page 584, after line 20, insert the following:

''§ 70204. GAO study on economic impact of labor contract negotiations at ports on west coast

''(a) STUDY.—With respect to the slowdown that occurred during labor contract negotiations at ports on the west coast of the United States during the period from May 2014 to

February 2015, the Comptroller General of the United States shall conduct a study to—

''(1) determine the economic impact of such slowdown on the United States and on each port in the United States, including changes in the amount of cargo arriving at and leaving from ports on the west coast and other changes in cargo patterns, including congestion;

''(2) calculate the cost, including the cost to importers, exporters, farmers, manufacturers, and retailers, of contingency plans put in place to avoid disruptions from such slowdown;

''(3) review steps taken by the Federal Mediation and Conciliation Service to resolve the dispute that caused such slowdown;

''(4) identify tools such Service or the President could have used to facilitate a resolution to such dispute;

''(5) evaluate what other mechanisms are available to the President to avoid disruptions during future labor negotiations at ports in the United States;

''(6) suggest how such mechanisms could be changed to improve the ability to avoid such disruptions in order to prevent serious economic harm to importers, exporters, farmers, manufacturers, and retailers; and

''(7) suggest any legislation that might ensure better regulation of the operations of ports in the United States with respect to such labor negotiations.

''(b) REPORT.—Not later than 1 year after the date of the enactment of this section, the Comptroller General of the United States shall submit a report to Congress containing the findings of the study conducted under subsection (a).''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Washington (Mr. REICHERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. REICHERT. Mr. Chairman, today I rise to offer an amendment that will allow us to collect the facts and evaluate the impact of the 2014–2015 West Coast ports slowdown and dispute.

The efficient movement of goods is critical to the economic success of this country. Our farmers and manufacturers must be able to export their high-quality products to the customers around the world that they rely upon.

Beginning in the summer of 2014, these customer relationships and our economy were threatened. This was the result of a prolonged contract negotiation between the Pacific Maritime Association and the International Longshore and Warehouse Union that ended February 2015.

Just how serious was the impact of these prolonged negotiations? One example from my home State provides a clear illustration.

Our apple growers in Washington State were faced with an estimated $100 million worth of apples that they could not sell. Other stories can be told about multiple types of produce and products, including the hay and the potato industry, in Washington State.

In fact, Mr. Chairman, I was in Malaysia and Singapore during part of the slowdown, and the complaint in those two countries was they couldn't get their potatoes. And especially they were upset they weren't getting their Washington State french fries.

So this did have an impact across the globe. This wasn't just a United States economy impact. This was a global impact.

In fact, the ships coming from those countries to the West Coast were slowed down to 8 knots, hoping that this would be resolved by the time the ships reached the West Coast.

This amendment simply requires the Government Accountability Office to study the economic impact of this dispute, review the steps taken to reach an agreement, and suggest what other tools might be used to prevent future slowdowns.

Like many of you, I have committed to my constituents that I will work to ensure that this is not repeated for the sake of our workers, farmers, and manufacturers. This amendment moves us in that direction.

I thank my colleagues, Representatives SCHRADER, NEWHOUSE, RADEWAGEN, and COFFMAN for working with me on this important issue. I urge support of this amendment.

I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. I yield myself 2 minutes.

Mr. Chairman, we would all like to prevent future disruptive shutdowns like this. I think a full survey of all the causes would be interesting. It would be an interesting thing to have the GAO conduct.

Unfortunately, this is directed only at one factor, which is the union itself. In fact, in here, finding 7 says: Suggest any legislation that might ensure better regulation of the operations of the ports in the United States with respect to such labor negotiations.

I think that that is very focused just on the labor side and not a balanced look at what might have gone on on the management side of this issue.

Secondly, there are many other ongoing, enduring, and very costly port congestion factors out there that should be comprehensively looked at in order to more efficiently move freight in and out of our ports, absent any sort of labor dispute or shutdown or lockout or any of those certain things that relate to labor that also merit a comprehensive look and, I think, merit a potential action by Congress. But this report would not enlighten us in those areas either.

I would like to see the GAO conduct an analysis of the myriad of factors that point to port congestion, provide Congress with a wide range of policy recommendations, including options for financing intermodal efficiency to enhance the trade of goods in and out of the United States. So I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. REICHERT. Mr. Chairman, just as a matter of clarification, this legislation addresses both the Pacific Maritime Association and union issues.

How can you be against something that would be an investigation that would clearly reveal what the problems are on both sides?

So this legislation is not designed to point the finger at any one entity. Two entities are involved in this issue. We need to find out what we can do to prevent this from happening in the future because it costs the United States economy money, it costs jobs, and it affects the entire global economy.

Mr. Chair, I yield 2 minutes to the gentlewoman from American Samoa (Mrs. RADEWAGEN).

Mrs. RADEWAGEN. I thank the gentleman for yielding.

Mr. Chairman, first, I would like to thank Representatives REICHERT, SCHRADER, NEWHOUSE, and COFFMAN for their work in offering the amendment that will simply direct GAO to conduct a study on the impact of the recent West Coast ports slowdown so that we can avoid these costly slowdowns in the future.

As we all know, the Nation's economic stability and prosperity are directly linked to our ability to import and export goods. In fact, 30 percent of the Nation's GDP stems from imports and exports, 30 percent. That is a large portion of the country's production.

During the slowdown, many of our businesses struggled to maintain the flow of capital due to their inability to ship goods. Additionally, many of our retailers found it difficult to keep their shelves stocked due to the lack of incoming goods, causing revenue loss and even the shutting of some businesses.

Now, just imagine if, instead of 30 percent, that number was 90 percent. Could you possibly imagine the devastation to the economy of even a brief slowdown?

It would have been the biggest story of the year. Our constituents would have been camped out on our front steps demanding action from Congress.

Well, let me tell you that, in American Samoa, that number is 90 percent. We rely almost solely on imported goods for our food and energy needs.

The main revenue generator on our beautiful islands is the tuna canning industry, which comprises more than 85 percent of the island's GDP. This industry relies heavily upon their ability to ship their products quickly to the mainland and other nations.

We must ensure that this does not happen again. This amendment being offered by my colleagues and me will take the first step in finding solutions to future slowdowns in the operations at our Nation's ports.

I ask that my colleagues in the House support this bipartisan measure to ensure the continued flow of goods to and from our ports and the growth of our economy.

Mr. DEFAZIO. Mr. Chair, I yield 1 minute to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. Mr. Chairman, I am actually pleased here to join my colleague, Representative REICHERT from

Washington, in offering this important amendment today.

I want to assure Members here on the floor that this in no way is picking sides. You want to talk about labor disputes? These are labor management disputes.

The problem we have on the West Coast is that this particular dispute last year actually crippled severely the United States economy not just on the West Coast, but into the Midwest and beyond.

We can't have this happen again. We cannot have this happen again. We have to remain competitive in this global economy. We have to figure out a different way to resolve these disputes so that what is a legitimate labor management negotiation does not affect businesses, farmers, workers, and thousands of jobs across this country.

In my State, Terminal 6, the port of Portland's container terminal, is no longer operational. Why? Because the carriers don't want to call on this port because it is too unreliable. They don't know if they are going to have ships to anchor up for weeks on end waiting to upload.

Instead, they will just call on other ports north or south of us. This is directly an impact for the businesses and farmers.

The Acting CHAIR. The time of the gentleman has expired.

Mr. DEFAZIO. I yield the gentleman an additional 30 seconds.

Mr. SCHRADER. The Reichert amendment simply allows us to have a GAO study to talk about what possible outcomes could be different than what we endured last year. The goal here is just simply to get some facts, get some information, protect American jobs, protect American workers.

The Acting CHAIR. The time of the gentleman from Washington has expired.

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

I would suggest that, in reading the language, I think it could be more balanced and I think it also should include those other factors which are day-to-day congestion, which do cost our economy hundreds of millions or billions of dollars a year.

So I am opposed to this, as worded. I urge people to oppose it, and I would hope that we can work through the conference committee on something that will give us a more comprehensive analysis of what we need to do to increase the viability of all American ports.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 27 OFFERED BY MR. NEWHOUSE

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII of Division A of the bill, add the following:

SEC. _____. FINDINGS ON PORT PERFORMANCE.

Congress finds the following:

(1) America's ports play a critical role in the Nation's transportation supply chain network.

(2) Reliable and efficient movement of goods through the Nation's ports ensures that American goods are available to customers throughout the world.

(3) Breakdowns in the transportation supply chain network, particularly at the Nation's ports, can result in tremendous economic losses for agriculture, businesses, and retailers that rely on timely shipments.

(4) A clear understanding of terminal and port productivity and throughput should help—

(A) to identify freight bottlenecks;

(B) to indicate performance and trends over time; and

(C) to inform investment decisions.

SEC. _____. PORT PERFORMANCE FREIGHT STATISTICS PROGRAM.

(a) IN GENERAL.—Chapter 63 of title 49, United States Code, is amended by adding at the end the following:

"§ 6314. Port performance freight statistics program

''(a) IN GENERAL.—The Director shall establish, on behalf of the Secretary, a port performance statistics program to provide nationally consistent measures of performance of, at a minimum—

''(1) the Nation's top 25 ports by tonnage;

''(2) the Nation's top 25 ports by 20-foot equivalent unit; and

''(3) the Nation's top 25 ports by dry bulk.

''(b) REPORTS.—

''(1) PORT CAPACITY AND THROUGHPUT.—Not later than January 15 of each year, the Director shall submit an annual report to Congress that includes statistics on capacity and throughput at the ports described in subsection (a).

''(2) PORT PERFORMANCE MEASURES.—The Director shall collect monthly port performance measures for each of the United States ports referred to in subsection (a) that receives Federal assistance or is subject to Federal regulation to submit a quarterly report to the Bureau of Transportation Statistics that includes monthly statistics on capacity and throughput as applicable to the specific configuration of the port.

''(A) MONTHLY MEASURES.—The Director shall collect monthly measures, including—

''(i) the average number of lifts per hour of containers by crane;

''(ii) the average vessel turn time by vessel type;

''(iii) the average cargo or container dwell time;

''(iv) the average truck time at ports;

''(v) the average rail time at ports; and

''(vi) any additional metrics, as determined by the Director after receiving recommendations from the working group established under subsection (c).

''(B) MODIFICATIONS.—The Director may consider a modification to a metric under subparagraph (A) if the modification meets the intent of the section.

''(c) RECOMMENDATIONS.—

''(1) IN GENERAL.—The Director shall obtain recommendations for—

''(A) specifications and data measurements for the port performance measures listed in subsection (b)(2);

''(B) additionally needed data elements for measuring port performance; and

''(C) a process for the Department of Transportation to collect timely and consistent data, including identifying safeguards to protect proprietary information described in subsection (b)(2).

''(2) WORKING GROUP.—Not later than 60 days after the date of the enactment of this section, the Director shall commission a working group composed of—

''(A) operating administrations of the Department of Transportation;

''(B) the Coast Guard;

''(C) the Federal Maritime Commission;

''(D) U.S. Customs and Border Protection;

''(E) the Marine Transportation System National Advisory Council;

''(F) the Army Corps of Engineers;

''(G) the Saint Lawrence Seaway Development Corporation;

''(H) the Advisory Committee on Supply Chain Competitiveness;

''(I) 1 representative from the rail industry;

''(J) 1 representative from the trucking industry;

''(K) 1 representative from the maritime shipping industry;

''(L) 1 representative from a labor organization for each industry described in subparagraphs (I) through (K);

''(M) 1 representative from a port authority;

''(N) 1 representative from a terminal operator;

''(O) representatives of the National Freight Advisory Committee of the Department; and

''(P) representatives of the Transportation Research Board of the National Academies.

''(3) RECOMMENDATIONS.—Not later than 1 year after the date of the enactment of this section, the working group commissioned under this subsection shall submit its recommendations to the Director.

''(d) ACCESS TO DATA.—The Director shall ensure that the statistics compiled under this section are readily accessible to the public, consistent with applicable security constraints and confidentiality interests.''.

(b) PROHIBITION ON CERTAIN DISCLOSURES.—Section 6307(b)(1) of title 49, United States Code, is amended by inserting ''or section 6314(b)'' after ''section 6302(b)(3)(B)'' each place it appears.

(c) COPIES OF REPORTS.—Section 6307(b)(2)(A) of such title is amended by inserting ''or section 6314(b)'' after ''section 6302(b)(3)(B)''.

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for chapter 63 of such title is amended by adding at the end the following:

''6314. Port performance freight statistics program.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Washington (Mr. NEWHOUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Mr. Chairman, I would like to thank the chairman of the committee, Mr. SHUSTER, as well as Ranking Member DEFAZIO and all the

members of the Transportation and Infrastructure Committee for their hard work on this large bill, this legislation.

The amendment I offer today for myself and Mr. SCHRADER of Oregon is vitally important to the American economy. Nearly a year ago, a dispute began at 29 of our Nation's West Coast ports that drastically slowed imports and exports to a near standstill.

Agricultural products rotted on the docks. Retailers couldn't get products to stores. American manufacturers could not get their products to foreign customers. By one estimate, there was nearly $7 billion in damages to our economy.

Mr. Chairman, I have no interest in pointing fingers over who is responsible for the dispute. However, I do believe that Congress has a great interest in preventing future disruptions from harming our businesses and consumers as well as our economy.

One thing that became abundantly clear during the disruption was that there was very little data available to gauge how our ports are functioning on a day-to-day basis. If something is impeding port performance, be it a dispute, major congestion, or even a natural disaster, we need to know if and how our ports are suffering before it harms our economy and standing with foreign trading partners.

This amendment is simple. It requires the Bureau of Transportation Statistics to collect and make available data on how our Nation's ports are operating. Currently, the Bureau collects this information for our railroads, for our highways, and our airports. We also need this information for our ports as well.

The amendment that we are introducing is already in the Senate highway bill. It has been approved by the Senate Commerce Committee by voice vote. This is not and should not be controversial.

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I also want to note that there are over 150 organizations supporting this measure, organizations like the National Retail Federation, the American Farm Bureau, the Association of American Railroads, the National Association of Manufacturers, and the American Trucking Association. The list goes on and on. It has very broad multi-industry and bipartisan support.

Mr. Chairman, this amendment is about transparency and certainty for our Nation's economy. If something is harming our ports, our decisionmakers need information to address and mitigate that harm.

Now, I would have urged my colleagues to adopt this amendment, just as a broad, bipartisan group did so in the Senate, but I have been in close conversation with staff of the Transportation and Infrastructure Committee, as well as the chairman and the ranking member. I would ask for continued commitment on the part of the chairman to keep working on this issue. It is very important and vital to the economy of the United States.

With that commitment, Mr. Chairman, I withdraw the amendment.

The Acting CHAIR. The amendment is withdrawn.

The Chair understands that amendment No. 28 will not be offered.

AMENDMENT NO. 29 OFFERED BY MR. DESANTIS

The Acting CHAIR. It is now in order to consider amendment No. 29 printed in part A of House Report 114–326.

Mr. DESANTIS. Mr. Chairman, I have an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following new section:

SEC. 1431. SENSE OF CONGRESS ON INSOLVENCY OF THE HIGHWAY TRUST FUND AND RETURNING POWER TO STATES.

(a) FINDINGS.—Congress finds the following:

(1) The Highway Trust Fund is nearing insolvency.

(2) It is critical for Congress to phase down the Federal gas and diesel taxes and empower the States to tax and regulate their highway and infrastructure projects.

(3) The Federal role and funding of surface transportation should be refocused solely on Federal activities and empower States with control and responsibility over their transportation funding and spending decisions.

(4) The objective of the Federal highway program has been to facilitate the construction of a modern freeway system that promotes efficient interstate commerce by connecting all States.

(5) The Interstate System connecting all States is near completion.

(6) Each State has the responsibility of providing an efficient transportation network for the residents of the State.

(7) Each State has means to build and operate a network of transportation systems, including highways, that best serves the needs of the State.

(8) Each State is best capable of determining the needs of the State and acting on those needs.

(9) The Federal role in highway transportation has, over time, usurped the role of the States by taxing motor fuels used in the States and then distributing the proceeds to the States based on the perceptions of the Federal Government on what is best for the States.

(10) The Federal Government has used the Federal motor fuel tax revenues to force all States to take actions that are not necessarily appropriate for individual States.

(11) The Federal distribution, review, and enforcement process wastes billions of dollars on unproductive activities.

(12) The Federal mandates that apply uniformly to all 50 States, regardless of the different circumstances of the States, cause the States to waste billions of hard-earned tax dollars of projects, programs, and activities that the States would not otherwise undertake.

(13) Congress has expressed a strong interest in reducing the role of the Federal Government by allowing each State to manage its own affairs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary should provide a new policy blueprint to govern the Federal role in transportation once existing and prior financial obligations are met;

(2) this policy should return to the individual States maximum discretionary authority and fiscal responsibility for all elements of the national surface transportation systems that are not within the direct purview of the Federal Government;

(3) this policy will preserve the Federal responsibility for the Dwight D. Eisenhower National System of Interstate and Defense Highways and will preserve responsibility of the Department of Transportation for design construction and preservation of transportation facilities on Federal public land, preserving responsibility of the Department of Transportation for national programs of transportation research and development and transportation safety; and

(4) this policy will preserve responsibility of the Department of Transportation to eliminate, to the maximum extent practicable, Federal obstacles to the ability of each State to apply innovative solutions to the financing, design, construction, operation, and preservation of Federal and State transportation facilities with respect to transportation activities carried out by States, local governments, and the private sector.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Florida (Mr. DESANTIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DESANTIS. Mr. Chairman, we are here today discussing how to meet the country's important infrastructure needs, and I think what my amendment does is offer a vision for a different approach in the future. I think it is an approach that is more accountable to taxpayers, and I think it rests on governments closer to the people making more of our transportation decisions.

I don't think anyone is going to sit here and claim that the transit and highway system as it is done up here in Washington is being done well. It is chronically underfunded. We are using all kinds of budget gimmicks in this bill. We are doing the Strategic Petroleum Reserve again to, quote, unquote, pay for this. Somehow you are taking oil at $50 a barrel and you are projecting it to be sold for $85 a barrel. So we know we have been through this a lot here.

I think part of the problem is, if you look at our infrastructure needs, most of them are intrastate, not necessarily interstate. And while the interstate system is very important and it needs to be maintained, expanded where appropriate, most of the needs that we have in a State like Florida can be done at the county level or at the State level.

I would note, Mr. Chairman, that since we have had the highway trust fund since 1956, Florida has paid a lot in taxes, and we received about 88 cents on the dollar back. So I am trying to figure out why we would want to perpetuate a system that is not fiscally sustainable and that puts more power in Washington.

Think about it. Most of your needs are done countywide, citywide, and statewide, and yet people in a State like Florida will pay their gas taxes. That will be shipped up to Washington;

people will fight over it, politicians, lobbyists, and interest groups; and then the money that comes back is 88 cents on the dollar.

I would like to send the gas tax to Washington that is going to fund the actual interstate system, but then leave a portion of the gas tax for State legislatures to spend or for people in local governments to spend. I think you would be able to do it cheaper. I think it would be more accountable to the taxpayers, and I think it would be better for motorists and people who are using our transportation system.

So all this does, Mr. Chairman, it is not binding. I wish we could have done something binding, but there are different budget rules. What it does is lay out a vision that we can do this in a way that rests on decisions being made closer to the American people rather than putting everything in Washington, D.C.

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

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, we want to go back to the good old days; that is, before Dwight David Eisenhower was President. Here we have what we had before when we didn't have a national highway program. This is the brand-new Kansas turnpike. Oklahoma said: We will build ours. Uh-oh. We have got financial problems.

They didn't.

So for a few years, this brand-new ribbon of concrete ended right here. Kind of odd. This is Amos Schweitzer's farm field. They put up a big wooden barrier. People crashed through it, and Amos towed them out of the field. He was a nice guy.

Until we had a national program where the Federal Government would partner with the States for something that was of national import, it didn't happen. Let's go back to those good old days.

This is a new idea, came from Grover Norquist: We are going to devolve the duty to the 50 States assembled and the territories, and somehow they will magically coordinate this. Oh, by the way, if you happen to be a coastal State with major ports—I think Florida has a few of those—gee, you are going to have to pay for all of the costs of transshipping the goods that flow into your State out to the other States. That is your responsibility. You are Florida, raise the money to do it.

Oh, how are you going to do that?

I don't know. You can't raise taxes on the imports because that would be a Federal responsibility, a different category.

Mr. Chairman, this is an idea whose time has not yet come, an idea whose time passed a very long time ago. We need more investment in the national system. Mr. Chairman, 140,000 bridges need repair or replacement; 40 percent of the highway surface, the roadbeds need replacement; $84 billion backlog in bringing our transit systems up to a state of good repair, and that is not even dealing with a growing population, growing mobility, and the need for a national freight program. And we are just going to send it back to the States, and they will magically somehow take care of it—poppycock.

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

Mr. DESANTIS. Mr. Chairman, we would love for these interstate issues to be done at the Federal level. That is what the Federal Government is here for, and that is the way it should be. But when you are talking about purely local issues, there is not a reason to send the money up to Washington and then beg back for pennies on the dollar. That is not an efficient way to do it.

Yes, I think that we do have a responsibility to have an efficient interstate system, but we also need to understand that Washington shouldn't be dictating what local communities do.

And, yes, in a State like Florida where we have a lot of this is intrastate, let's empower the States and let's empower the local communities. Just imagine if they were able to have a portion of that gas tax go directly to them. I think you would see great decisions made.

Mr. Chairman, I urge my colleagues to support this amendment.

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

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the committee.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I share many of the same conservative beliefs that my colleague from Florida has. This town is littered with agencies that don't belong here according to the Founding Fathers. Over time they have grown up, and the Federal Government has taken that power.

But I do disagree with the gentleman from Florida on this issue. When it comes to transportation, the Constitution we have today, the breaking point of the Articles of Confederation, one of the breaking points, the biggest breaking point, was the transportation system. Maryland and Virginia couldn't come together on a treaty to navigate the Potomac River, so they realized that if they couldn't connect this Nation, then we would never be a nation. We would be 13 separate entities, 50 entities today. But the Founding Fathers came and wrote the Constitution we know today.

Article I, section 8 talks about the role of the Federal Government, providing for the common defense, regulating interstate commerce, and establishing post roads. Those post roads today are the highways and the byways of this Nation.

Mr. Chairman, I agree with the gentleman. Washington shouldn't be dictating. This bill does more to send back power to the States, to let the States drive the issues. But there is a Federal role, not to do it all, but to partner—to partner—with the States in building the infrastructure system that we have today. What physically connects us is our highway system; it is our transportation system.

I would argue also, Mr. Chairman, the gentleman pointed out that Florida—I agree, I know what the return on Florida is, but Florida has benefited tremendously by two roads in particular: I–95 and I–75. If you go to the east coast or the west coast of Florida, millions of people are traveling from the Northeast and the Midwest down to Florida to spend their dollars, and many are relocating. If you go to the east coast, there are many Pennsylvanians. So Florida has benefited tremendously by this system that we have today.

Again, I believe with this bill we are turning back to the States a lot of responsibility. I think this is a conservative bill based on that, to let States—and also, to remind the gentleman and my colleagues, I like to turn back things to the States that they actually ask for. My phone is not ringing off the hook having Governors say, ''Give us this back.''

The Acting CHAIR. The time of the gentleman has expired.

Mr. DEFAZIO. Mr. Chairman, I yield the gentleman an additional 15 seconds.

Mr. SHUSTER. Finally, Mr. Chairman, Adam Smith said in ''The Wealth of Nations'' that government should do three things for their people: provide them with security, preserve justice, and erect and maintain infrastructure to promote commerce.

If you don't believe BILL SHUSTER, get out a copy of ''The Wealth of Nations'' and read what Adam Smith said, the father of our economic system.

With that, Mr. Chairman, I urge everyone to oppose this amendment.

Mr. DEFAZIO. Mr. Chairman, I would point out that under the current formulas, actually, and current spending levels, Florida is getting back $1.15 on the dollar. So, actually, under the gentleman's proposal, devolving back to the States, doing away with the Federal revenues, both gas tax and general fund revenues, would actually be a net loss to Florida; but then I guess they would just have to raise their gas taxes by the 18.3 cents that is going to the Federal Government and a bit more in order to make that up.

Again, we would lose the coordination among the States. The priorities of States bordering Florida may not match the priorities of Florida in terms of access and egress to the State of Florida. So I think we are well-served as a nation by having a coordinated Federal program and streamlined and efficient reforms.

Mr. Chairman, I urge Members to oppose this amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. SHUSTER OF PENNSYLVANIA

Mr. SHUSTER. Mr. Chairman, pursuant to House Resolution 512, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, and 56 printed in part A of House Report No. 114–326, offered by Mr. SHUSTER of Pennsylvania:

AMENDMENT NO. 30 OFFERED BY MS. MOORE OF WISCONSIN

Page 17, after line 14, insert the following:

(8) SENSE OF CONGRESS ON PROMPT PAYMENT OF DBE SUBCONTRACTORS.—It is the sense of Congress that—

(A) the Secretary should take additional steps to ensure that recipients comply with section 26.29 of title 49, Code of Federal Regulations (the disadvantaged business enterprises prompt payment rule), or any corresponding regulation, in awarding federally funded transportation contracts under laws and regulations administered by the Secretary; and

(B) such additional steps should include increasing the Department's ability to track and keep records of complaints and to make that information publicly available.

AMENDMENT NO. 31 OFFERED BY MR. GRAVES OF LOUISIANA

Page 65, strike lines 16 and 17, and insert the following:

''(5) enhance the resiliency of critical highway infrastructure, including highway infrastructure that supports national energy security.

AMENDMENT NO. 32 OFFERED BY MR. POLIS OF COLORADO

Page 198, line 3, strike the closing quotation marks and the final period and insert the following:

''(86) Interstate Route 70 from Denver, Colorado, to Salt Lake City, Utah.''.

AMENDMENT NO. 33 OFFERED BY MS. BONAMICI OF OREGON

Page 198, line 3, strike the closing quotation marks and final period.

Page 198, after line 3, insert the following:

''(86) The Oregon 99W Newberg-Dundee Bypass Route between Newberg, Oregon, and Dayton, Oregon.''.

AMENDMENT NO. 34 OFFERED BY MR. SCHRADER OF OREGON

Page 198, line 3, striking the closing quotation mark and the second period.

Page 198, insert after line 3 the following:

''(86) Interstate Route 205 in Oregon from its intersection with Interstate Route 5 to the Columbia River.''.

AMENDMENT NO. 35 OFFERED BY MR. DUFFY OF WISCONSIN

Page 229, line 23, strike the closing quotation marks and final period.

Page 229, after line 23, insert the following:

''(n) CERTAIN LOGGING VEHICLES IN WISCONSIN.—

''(1) IN GENERAL.—The Secretary shall waive, with respect to a covered logging vehicle, the application of any vehicle weight limit established under this section.

''(2) COVERED LOGGING VEHICLE DEFINED.—In this subsection, the term 'covered logging vehicle' means a vehicle that—

''(A) is transporting raw or unfinished forest products, including logs, pulpwood, biomass, or wood chips;

''(B) has a gross vehicle weight of not more than 98,000 pounds;

''(C) has not less than 6 axles; and

''(D) is operating on a segment of Interstate Route 39 in Wisconsin from mile marker 175.8 to mile marker 189.''.

AMENDMENT NO. 36 OFFERED BY MR. CRAWFORD OF ARKANSAS

Add at the end of the title I of the bill the following:

SEC. ___. OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.

If any segment of United States Route 63 between the exits for highways 14 and 75 in the State of Arkansas is designated as part of the Interstate System, the single axle weight, tandem axle weight, gross vehicle weight, and bridge formula limits under section 127(a) of title 23, United States Code, and the width limitation under section 31113(a) of title 49, United States Code, shall not apply to that segment with respect to the operation of any vehicle that may have legally operated on that segment before the date of the designation.

AMENDMENT NO. 37 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle D of title I of Division A, insert the following:

SEC. _____. PROJECTS FOR PUBLIC SAFETY RELATING TO IDLING TRAINS.

Section 130(a) of title 23, United States Code, is amended by striking ''and the relocation of highways to eliminate grade crossings'' and inserting ''the relocation of highways to eliminate grade crossings, and projects to eliminate hazards posed by blocked grade crossings due to idling trains''.

AMENDMENT NO. 38 OFFERED BY MR. LIPINSKI OF ILLINOIS

At the end of subtitle D of title I of division A, add the following:

SEC. ___. EXEMPTIONS FROM REQUIREMENTS FOR CERTAIN WELDING TRUCKS USED IN PIPELINE INDUSTRY.

(a) COVERED MOTOR VEHICLE DEFINED.—In this section, the term ''covered motor vehicle'' means a motor vehicle that—

(1) is traveling in the State in which the vehicle is registered or another State;

(2) is owned by a welder;

(3) is a pick-up style truck;

(4) is equipped with a welding rig that is used in the construction or maintenance of pipelines; and

(5) has a gross vehicle weight and combination weight rating and weight of 15,000 pounds or less.

(b) FEDERAL REQUIREMENTS.—A covered motor vehicle, including the individual operating such vehicle and the employer of such individual, shall be exempt from the following:

(1) Any requirement relating to registration as a motor carrier, including the requirement to obtain and display a Department of Transportation number, established under chapters 139 and 311 of title 49, United States Code.

(2) Any requirement relating to driver qualifications established under chapter 311 of title 49, United States Code.

(3) Any requirement relating to driving of commercial motor vehicles established under chapter 311 of title 49, United States Code.

(4) Any requirement relating to parts and accessories and inspection, repair, and maintenance of commercial motor vehicles established under chapter 311 of title 49, United States Code.

(5) Any requirement relating to hours of service of drivers, including maximum driving and on duty time, established under chapter 315 of title 49, United States Code.

AMENDMENT NO. 39 OFFERED BY MR. NOLAN OF MINNESOTA

At the end of title I of division A, add the following:

SEC. ___. WAIVER.

(a) IN GENERAL.—The Secretary shall waive, for a covered logging vehicle, the application of any vehicle weight limit established under section 127 of title 23, United States Code.

(b) COVERED LOGGING VEHICLE DEFINED.—In this section, the term ''covered logging vehicle'' means a vehicle that—

(1) is transporting raw or unfinished forest products, including logs, pulpwood, biomass, or wood chips;

(2) has a gross vehicle weight of not more than 99,000 pounds;

(3) has not less than 6 axles; and

(4) is operating on a segment of Interstate Route 35 in Minnesota from mile marker 235.4 to mile marker 259.552.

AMENDMENT NO. 40 OFFERED BY MR. COHEN OF TENNESSEE

Page 241, line 10, strike ''and''.

Page 241, after line 10, insert the following:

(2) by amending paragraph (3)(I) to read as follows:

''(I) the provision of nonfixed route paratransit transportation services in accordance with section 223 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12143), but only for grant recipients that are in compliance with applicable requirements of that Act, including both fixed route and demand responsive service, and only for amounts—

''(i) not to exceed 10 percent of such recipient's annual formula apportionment under sections 5307 and 5311; or

''(ii) not to exceed 20 percent of such recipient's annual formula apportionment under sections 5307 and 5311, if consistent with guidance issued by the Secretary, the recipient demonstrates that the recipient meets at least one of the following requirements:

''(I) Provides an active fixed route travel training program that is available for riders with disabilities.

''(II) Provides that all fixed route and paratransit operators participate in a passenger safety, disability awareness, and sensitivity training class on at least a biennial basis.

''(III) Has memoranda of understanding in place with employers and American Job Centers to increase access to employment opportunities for people with disabilities.''.

AMENDMENT NO. 41 OFFERED BY MR. VEASEY OF TEXAS

Page 248, beginning on line 6, strike ''or general public demand response service'' and insert ''or demand response service, excluding ADA complementary paratransit service,''.

AMENDMENT NO. 42 OFFERED BY MR. LIPINSKI OF ILLINOIS

Page 252, strike lines 14 through 19 and insert the following: ''exceed 80 percent of the net capital project cost. A full funding grant agreement for a new fixed guideway project shall not include a share of more than 50 percent from the funds made available under this section. Funds made available under

section 133 of title 23, United States Code, may not be used for a grant agreement under subsection (d). A grant for a core capacity project shall not exceed 80 percent of the net capital project cost of the incremental cost to increase the capacity in the corridor. A grant for a small start project shall not exceed 80 percent of the net capital project costs.''; and

AMENDMENT NO. 43 OFFERED BY MS. ADAMS OF NORTH CAROLINA

Page 263, line 18, strike ''minority, and female'' and insert the following: ''female, individual with a disability, minority (including American Indian or Alaska Native, Asian, Black or African American, native Hawaiian or other Pacific Islander, and Hispanic)''.

AMENDMENT NO. 44 OFFERED BY MS. FOXX OF NORTH CAROLINA

Page 268, line 14, strike ''and''.

Page 268, line 17, strike the period and insert a semicolon and after such line insert the following:

''(iv) the percentage of program participants who are in unsubsidized employment during the second quarter after exit from any such program;

''(v) the percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from any such program;

''(vi) the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from any such program;

''(vii) the percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent, during participation in or within 1 year after exit from any such program; and

''(viii) the percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment.''.

Page 267, line 25, strike ''and''.

Page 268, line 4, strike the period and insert a semicolon and after such line insert the following:

''(x) address in-demand industry sector or occupation, as such term is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).''.

AMENDMENT NO. 45 OFFERED BY MRS. LAWRENCE OF MICHIGAN

Page 314, after line 15, insert the following new subsection:

(d) REPORT.—The Council shall, concurrently with submission to the President of a report containing final recommendations of the Council, transmit such report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

AMENDMENT NO. 46 OFFERED BY MS. MOORE OF WISCONSIN

At the end of title III of division A, add the following:

SEC. _____. EFFECTIVENESS OF PUBLIC TRANSPORTATION CHANGES AND FUNDING.

Not later than 18 months after the date of enactment of this Act, the Comptroller General shall examine and evaluate the impact of the changes that Map-21 had on public transportation, including—

(1) the ability and effectiveness of public transportation agencies to provide public transportation to low-income workers in accessing jobs and being able to use reverse commute services;

(2) whether services to low-income riders declined after Map-21 was implemented; and

(3) if guidance provided by the Federal Transit Administration encouraged public transportation agencies to maintain and support services to low-income riders to allow them to access jobs, medical services, and other life necessities.

AMENDMENT NO. 47 OFFERED BY MR. RODNEY DAVIS OF ILLINOIS

Page 466, after line 21, insert the following:

(a) AUTOMOBILE TRANSPORTER DEFINED.—Section 31111(a)(1) of title 49, United States Code, is amended—

(1) by striking ''specifically''; and

(2) by adding at the end the following: ''An automobile transporter shall not be prohibited from the transport of cargo or general freight on a backhaul, so long as it complies with weight limitations for a truck tractor and semitrailer combination.''.

(b) TRUCK TRACTOR DEFINED.—Section 31111(a)(3)(B) of title 49, United States Code, is amended—

(1) by striking ''only''; and

(2) by inserting before the period at the end the following: ''or any other commodity, including cargo or general freight on a backhaul''.

(c) BACKHAUL DEFINED.—Section 31111(a) of title 49, United States Code, is amended by adding at the end the following:

''(5) BACKHAUL.—The term 'backhaul' means the return trip of a vehicle transporting cargo or general freight, especially when carrying goods back over all or part of the same route.''.

Page 466, line 22, insert ''(d) STINGER-STEERED AUTOMOBILE TRANSPORTERS.—'' before ''Section''.

AMENDMENT NO. 48 OFFERED BY MS. MOORE OF WISCONSIN

Page 322, strike line 8 and insert the following:

''(vii) support for school-based driver's education classes to improve teen knowledge about—

''(I) safe driving practices; and

''(II) State's graduated driving license requirements, including behind-the-wheel training required to meet those requirements; and''.

AMENDMENT NO. 49 OFFERED BY MR. CRAWFORD OF ARKANSAS

At the end of subtitle E of title V of Division A of the bill, add the following:

SEC. _____. COMMERCIAL DELIVERY OF LIGHT- AND MEDIUM-DUTY TRAILERS.

(a) DEFINITIONS.—Section 31111(a) of title 49, United States Code, is amended by adding at the end the following:

''(5) TRAILER TRANSPORTER TOWING UNIT.—The term 'trailer transporter towing unit' means a power unit that is not used to carry property when operating in a towaway trailer transporter combination.

''(6) TOWAWAY TRAILER TRANSPORTER COMBINATION.—The term 'towaway trailer transporter combination' means a combination of vehicles consisting of a trailer transporter towing unit and two trailers or semitrailers—

''(A) with a total weight that does not exceed 26,000 pounds; and

''(B) in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor or dealer of such trailers or semitrailers.''.

(b) GENERAL LIMITATIONS.—Section 31111(b)(1) of such title is amended—

(1) in subparagraph (E) by striking ''or'' at the end;

(2) in subparagraph (F) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(G) has the effect of imposing an overall length limitation of less than 82 feet on a towaway trailer transporter combination.''.

(c) CONFORMING AMENDMENTS.—

(1) PROPERTY-CARRYING UNIT LIMITATION.—Section 31112(a)(1) of such title is amended by inserting before the period at the end the following: '', but not including a trailer or a semitrailer transported as part of a towaway trailer transporter combination, as defined in section 31111(a)''.

(2) ACCESS TO INTERSTATE SYSTEM.—Section 31114(a)(2) of such title is amended by inserting ''any towaway trailer transporter combination, as defined in section 31111(a),'' after ''passengers,''.

AMENDMENT NO. 50 OFFERED BY MS. MENG OF NEW YORK

At the end of subtitle E of title V, insert the following new section:

SEC. 5515. GAO REVIEW OF SCHOOL BUS SAFETY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a review of the following:

(1) Existing Federal and State rules and guidance, as of the date of the review, concerning school bus transportation of elementary school and secondary school students engaging in home-to-school transport or other transport determined by the Comptroller General to be a routine part of kindergarten through grade 12 education, including regulations and guidance regarding driver training programs, capacity requirements, programs for special needs students, inspection standards, vehicle age requirements, best practices, and public access to inspection results and crash records.

(2) Any correlation between public or private school bus fleet operators whose vehicles are involved in an accident as defined by section 390.5 of title 49, Code of Federal Regulations, and each of the following:

(A) A failure by those same operators of State or local safety inspections.

(B) The average age or odometer readings of the school buses in the fleets of such operators.

(C) Violations of Federal laws administered by the Department of Transportation, or of State law equivalents of such laws.

(D) Violations of State or local law relating to illegal passing of a school bus.

(3) A regulatory framework comparison of public and private school bus operations.

(4) Expert recommendations on best practices for safe and reliable school bus transportation, including driver training programs, inspection standards, school bus age and odometer reading maximums for retirement, the percentage of buses in a local bus fleet needed as spare buses, and capacity levels per school bus for different age groups.

AMENDMENT NO. 51 OFFERED BY MS. MENG OF NEW YORK

Page 524, line 12, after ''challenges'' insert '', including consumer privacy protections''.

AMENDMENT NO. 52 OFFERED BY MRS. NAPOLITANO OF CALIFORNIA

Page 541, line 15, add at the end the following: ''In developing such regulations, the Secretary shall consult with States to determine whether there are safety hazards or concerns specific to a State that should be taken into account in developing the requirements for a comprehensive oil spill response plan.''

AMENDMENT NO. 53 OFFERED BY MR. MOULTON OF MASSACHUSETTS

Page 571, line 3, redesignate section 7015 as section 7016.

Page 571, after line 2, insert after section 7014 the following new section:

SEC. 7015. STUDY ON THE EFFICACY AND IMPLEMENTATION OF THE EUROPEAN TRAIN CONTROL SYSTEM.

(a) IN GENERAL.—The Comptroller General of the United States shall, in consultation with other heads of Federal agencies as appropriate, conduct a study on the European Train Control System.

(b) ISSUES.—In conducting the study described in subsection (a), the Comptroller General shall examine, at a minimum, the following issues:

(1) The process by which the European Train Control System came to replace the more than 20 separate national train control systems throughout the European continent.

(2) The costs associated with implementing the European Train Control System across all affected railroads in Europe.

(3) The impact of the European Train Control System on operating capacity and rail passenger safety.

(4) The efficacy of the European Train Control System and the feasibility of implementing such a system throughout the national rail network of the United States.

(5) A comparison of the costs associated with adopting European Train Control System technology with the costs associated with developing and implementing Positive Train Control in the United States.

(c) REPORT.—Not later than 180 days after the date of the enactment of this section, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study described in subsection (a).

AMENDMENT NO. 54 OFFERED BY MR. NEUGEBAUER OF TEXAS

At the end of title VII, add the following:

SEC. _____. HAZARDOUS MATERIALS ENDORSEMENT EXEMPTION.

The Secretary shall allow a State, at the discretion of the State, to waive the requirement for a holder of a Class A commercial driver's license to obtain a hazardous materials endorsement under part 383 of title 49, Code of Federal Regulations, if the license holder—

(1) is acting within the scope of the license holder's employment as an employee of a custom harvester operation, agrichemical business, farm retail outlet and supplier, or livestock feeder; and

(2) is operating a service vehicle that is—

(A) transporting diesel in a quantity of 3,785 liters (1,000 gallons) or less; and

(B) clearly marked with a ''flammable'' or ''combustible'' placard, as appropriate.

AMENDMENT NO. 55 OFFERED BY MR. CUMMINGS OF MARYLAND

Page 573, after line 11, add the following:

SEC. ___. TRACK SAFETY: VERTICAL TRACK DEFLECTION.

(a) REPORT.—Not later than March 31, 2016, the Secretary shall transmit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate detailing research conducted or procured by the Federal Railroad Administration on developing a system that measures Vertical Track Deflection (in this section referred to as ''VTD'') from a moving railroad car, including the ability of such a system to identify poor track support from fouled ballast, deteriorated cross ties, or other conditions.

(b) INCLUSIONS.—This report shall include—

(1) the findings and results of testing of VTD instrumentation during field trials on revenue service track;

(2) the findings and results of subsequent testing of VTD instrumentation on a Federal Railroad Administration Automated Track Inspection Program geometry car;

(3) if considered appropriate by the Secretary based on the report and related research, a plan for developing quantitative inspection criteria for poor track support using existing VTD instrumentation on Federal Railroad Administration Automated Track Inspection Program geometry cars; and

(4) if considered appropriate by the Secretary based on the report and related research, a plan for installing VTD instrumentation on all remaining Federal Railroad Administration Automated Track Inspection Program geometry cars within 3 years after the date of enactment of this Act.

AMENDMENT NO. 56 OFFERED BY MR. WALZ OF MINNESOTA

At the end of title VII, add the following:

SEC. _____. HAZARDOUS MATERIALS BY RAIL LIABILITY STUDY.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall initiate a study on the levels and structure of insurance for a railroad carrier transporting hazardous materials.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the level and structure of insurance, including self-insurance, available in the private market against the full liability potential for damages arising from an accident or incident involving a train transporting hazardous materials; and

(2) the level and structure of insurance that would be necessary and appropriate—

(A) to efficiently allocate risk and financial responsibility for claims; and

(B) to ensure that a railroad carrier transporting hazardous materials can continue to operate despite the risk of an accident or incident.

(c) REPORT.—Not later than 1 year after the date the study under subsection (a) is initiated, the Secretary shall submit a report containing the results of the study and recommendations for addressing liability issues with rail transportation of hazardous materials to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(d) DEFINITIONS.—In this section:

(1) HAZARDOUS MATERIAL.—The term ''hazardous material'' means a substance or material the Secretary designates under section 5103(a) of title 49, United States Code.

(2) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Oregon (Mr. DEFAZIO) each will control 10 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, let me start off by first saying we lost a valuable former member of this committee just recently. Howard Coble passed away. I just want to say that Howard was on this committee his entire time in Congress.

He was a very valued member of the Transportation and Infrastructure Committee. He was a champion of the Coast Guard, which he served, his beloved Coast Guard, and he was always there fighting for them. He was an excellent Representative of the people of his district in North Carolina, and he was a great friend of mine and, I know, many, many Members of this Congress.

Howard Coble will be missed greatly. I am just proud to say that on the last Coast Guard reauthorization bill we were able to name it after Howard Coble, someone who deserved that honor.

So, again, it is with a heavy heart I say that I salute Howard Coble and say farewell, as I said, to a great friend and great Member of this institution.

Mr. Chairman, I rise now to offer these amendments en bloc. They reflect priorities from both sides of the aisle. I thank all Members for their cooperation in putting together this en bloc, and I urge all Members to support it.

I would like, also, to take a moment at this time to thank all the Members on both sides of the aisle that participated in this debate. I want to thank the Speaker for putting us first on the floor for this new open and transparent—I know some of my colleagues on the other side don't think it was open enough, but I think many of us on the committee, I don't want to speak for Mr. DEFAZIO, but it was an open process to me, and I think that is important.

□ 1815

As Mr. POLIS talked about earlier today, he had ideas. We were able to incorporate some of those, some of the Members on the other side, and some we certainly opposed. But it was the hard work and willingness to come together on this important piece of legislation. I think this makes it stronger when we go to the Senate.

The STRR Act continues the Federal role in providing a strong national transportation system, enables our country to remain economically competitive, and helps ensure our quality of life. As we just talked about in the last amendment, this is a Federal responsibility. The Founders would have wanted it this way. They certainly probably had differences of opinion. But this role is something the Federal Government needs to be part of.

The STRR Act is a multiyear bill that provides that certainty for States and local governments. This bill helps to improve our Nation's infrastructure and maintains a strong commitment to safety, but it also provides important reforms that will help us to continue to do the job more effectively. Some of those reforms I mentioned earlier were pushing back to the States, giving them the ability to have the flexibility, to make sure that they can drive this in their States to get these projects done more effectively and more efficiently, which will save us all money.

I urge all Members to support this bill and the amendments en bloc.

With that, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Chairman, I would like to thank both the ranking member for yielding and for his support, and the chairman for his support, for two amendments that I have in this bloc.

One is a commonsense amendment exempting a narrow class of welders from the Federal Motor Carrier Safety regulations that I offered with Mr. DAVIS of Illinois and a number of other Members. The other amendment is a bipartisan compromise that I offered with Mr. DOLD and Mr. NADLER. It is an effort to clarify that transit agencies can utilize CMAQ and TIFIA funds to match the 50 percent funding in a New Start grant.

I appreciate the chairman's willingness to work with me on this issue and restore the Core Capacity and Small Starts projects Federal match limit back to 80 percent and allow local agencies to flex other Federal funds to these projects.

Without these funds, without these changes, local flexibility would be greatly diminished and many projects would be delayed or canceled, including Chicago's red and purple line modernization.

This bill still restricts the use of the STP funds for the remainder of the match and codifies the New Starts grant amount at 50 percent. I strongly disagree with these new restrictions and hope we can also work on this in conference.

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

Mr. DEFAZIO. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. NOLAN), a member of the committee.

Mr. NOLAN. Mr. Chairman, my amendment and the body of the amendments in this bloc are really all about public safety. Mine, in particular, is a bipartisan, commonsense solution to a very limited but seriously dangerous problem. In short, it will help make winter travel safer for truckers, travelers, and pedestrians who live, work, and do business in and around the great seaport of Duluth, Minnesota.

I would like to thank Chairman BILL SHUSTER and Ranking Member PETER DEFAZIO for working with me on this, and the endless hours that you have put forth in committee and here on the floor yesterday, today, late into the night, and tomorrow for opening up and democratizing this process, making amendments like mine and others possible.

Mr. Chairman, I urge adoption of the amendment.

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

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE) to describe her amendments which are included.

Ms. MOORE. Mr. Chairman, I thank the ranking member.

I want to thank the chairman and the ranking member for accepting my amendments on the DBE prompt payment issue, and to allow teen driving safety grants to be used to help fund school-based driver's education to help our young people meet the Graduated Driver Licensing requirements.

I want to talk about the last of my amendments, requiring a GAO report on the impact of MAP–21 changes on the ability of those who previously benefited from transportation services under the Job Access and Reverse Commute program to get to work.

The report would examine whether services to low-income riders declined after MAP–21 was implemented, as well as efforts by the FTA, after passage of MAP–21, to encourage public transportation agencies to maintain and support these services so that low-income riders would allow them access to jobs, medical services, and other life necessities.

MAP–21 ended the stand-alone JARC grant program. Instead, those activities were added as eligible uses of funds under larger formula grant programs. There was no requirement that transit agencies use any of their annual transit funding to provide services to meet the needs of low-income individuals trying to get to work—none.

My amendment would allow us to know what the real-world impact of these changes are. Congress did not intend these changes to make it harder for low-income and TANF populations to use transportation to get to work. That just doesn't make sense. These hardships should not occur.

I hope that adoption of this amendment sends a message to transit agencies that they must continue to provide innovative services to ensure that low-income people and the marginally employed are able to reach places of employment, educational opportunities, job training, child care, medical appointments, and other life necessities.

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

Mr. DEFAZIO. Mr. Chairman, I yield 1 minute the gentlewoman from North Carolina (Ms. ADAMS) to discuss her amendment.

Ms. ADAMS. Mr. Chairman, I thank the gentleman for yielding.

I rise today in support of this package of amendments that includes my amendment, which clarifies minority groups to be targeted in human resources outreach efforts by the Department of Transportation. My amendment would expand the bill's use of the term ''minority'' and specify the inclusion of underrepresented minority groups.

Oftentimes, when policies are put in place to create diversity, they are not implemented with special attention to communities that are historically underrepresented. This is a special burden for underrepresented minorities who have higher than average unemployment rates.

Furthermore, we all know investments in infrastructure means jobs for our constituents and opportunities for our businesses back home. As we work to pass this legislation, I believe we must make a concerted effort to diversify the people who are able to take advantage of these opportunities.

I should note that particular areas of the transportation industry, such as public transportation service providers see better levels of diversity, but it is time to expand these opportunities to include engineering, contracting, project development, and other components of the process. Our transportation industry should reflect the diversity of our country at every level.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Chairman, I just want to make note of an important provision that is included in the en bloc amendment package.

As you know, the transportation bill includes a new program that addresses significant roadways. It addresses some of the more expensive projects, and it establishes a competitive grant program in excess of about $740 million a year.

One of the important things we have to do is we have to provide guidance to the Department of the Transportation in regard to the criteria they use, the metrics they use, in this competitive process.

An amendment in this bill includes the importance of strategic energy assets to ensure that roadways like LA 1 in south Louisiana are included.

After Hurricane Katrina, gasoline prices nationwide spiked about 75 cents a gallon. Following Hurricanes Gustav and Ike in 2008, gasoline prices spiked about $1.40 a gallon, which was the largest price spike since the Arab oil embargo. So it is important that, as they go through and allocate these grants, that they are looking at factors that are very important and have national consequences.

I want to thank the ranking member and the chairman and all the big four for helping us on this.

Mr. DEFAZIO. Mr. Chairman, we are not quite at the end of this epic, but I would like to take a moment.

First, I want to reflect on the chairman's brief eulogy for Howard Coble, who was a wonderful member of the committee; and Howard's embarked on his last great voyage. We all remember him warmly.

I would like to thank the chairman and the chair of the subcommittee for the way in which we moved forward. This bill was a product of many, many months of negotiation between Members and staff. I think we have a good policy-based product here, so I want to thank the chairman and the chairman of the subcommittee. I want to thank my ranking member of the subcommittee, ELEANOR HOLMES NORTON.

I want to thank my committee staff on my side: Helena Zyblikewycz, Auke Mahar-Piersma—we are blessed with interesting names on our side—Andrew

Okuyiga, Ben Lockshin, Jennifer Homendy, Ryan Seiger, Alexa Old Crow. Of course, my chief of staff Kathy Dedrick. We have had much mention of the last time we did one of these bills. Kathy staffed me when we did the last time long-term bill, which was quite a few years ago. Jen Gilbreath, Jaime Harrell, and Luke Strimer.

On the Republican side, I particularly want to thank Chris Bertram and Murphie Barrett and all the other Republican staff for their fabulous work.

I won't say all the meetings were warm and fuzzy, but we worked stuff out in the end. I think we got a good product. I think going through this legislative process was a demonstration that House Members can individually be relevant, offer their ideas. They might be rejected, they might be accepted, but I think this was a very good process.

With that, I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. YODER). The gentleman from Pennsylvania has 6 minutes remaining.

Mr. SHUSTER. Mr. Chairman, this has been 3 years in the making. When I first became chairman just about 3 years ago to almost the date today, one of my top priorities was to pass a multiyear surface transportation bill. I have had some people who lament and say: Oh, you have been on the floor long; oh, you have had to go through these different fights. But I can tell you, it has all been pleasurable. It is exciting that we finally are getting this thing to send here on the floor and get it into conference.

I couldn't do it without the help and advice of a great staff on the Republican side. I also want to thank the Democratic staff. I know both staffs have spent some long nights and some long weekends trying to get this thing all worked out, and they have done a great job of it. I thank each and every one of them on both sides of the aisle for their hard work.

I want to thank all the members on the Transportation and Infrastructure Committee on both sides for their valuable input and, again, their hard work in putting this thing together to bring it to the floor. I want to thank Ranking Member DEFAZIO, Ranking Member NORTON, and the chair of the Subcommittee on Highways and Transit, Mr. GRAVES, for their work.

PETER DEFAZIO has been a good friend and able opponent at times. He has been here a long time. He is bright; he is tough; he is passionate; but at the end of the day, we are able to come together on a lot of these issues and work it out, so I appreciate Mr. DEFAZIO's efforts.

And finally, let me say, for the first time in my 15 years of Congress that I have participated in a Transportation and Infrastructure debate on the floor, that my father's name has not been mentioned one time. So let me be the first to mention my father, Bud Shuster. I am not sure if he is watching at home. If he is, he is taking notes and will tell me things I said right and things I could have probably said better. But I just want to thank him for the guidance he has given me throughout my life, for the valuable advice he has offered to me at times when I have asked and many times when I have not asked. And, again, if he is watching tonight, I am sure he is writing down some things that he is going to give me some pointers on. But I want to thank my father, Bud Shuster, again, for his great support over the years.

I am looking forward to getting to conference and getting this thing done because I think it is important to the American people that we have a long-term highway bill. This has been an issue that people say it is great, there is a lot of bipartisan support—and there is—but these are issues that Republicans, Democrats, and Americans care about, our infrastructure, and want to get to work without delays and want to get products to market and want to get the raw materials to the factories that keep us competitive in the world. We are in a world market that we have to remain competitive, and transportation is one of those vital links that will keep us there.

With that, again, I thank everybody for their hard work. Staff, again, thank you.

With that, I urge all Members to support the final bill.

I yield back the balance of my time.

Ms. BONAMICI. Mr. Chair, I rise today in support of my amendment to add the Newberg Dundee Bypass Route as a High Priority Corridor and I would like to thank the Chairman and Ranking Member for working with me to bring it forward. Let me be clear—there is no cost to this amendment—it merely raises the prominence and importance of the bypass. The construction of the bypass is underway and has great potential to ease congestion, promote freight mobility, and provide important multi-modal connections for residents and visitors in the broader Yamhill County region. The success of Oregon's wine and agricultural industries has increased freight traffic in the region. The bypass seeks to address the difficulties associated with transportation of goods and services and enhance the recovery of Yamhill County's economically distressed communities. The development of this corridor has wide support in the region, including from the state, local and tribal governments, and surrounding communities. I include a letter from Oregon's Department of Transportation in support of this amendment for the RECORD.

Further, this project is of significant importance because of its location in the Cascadia Subduction Zone. We know that the question is not if, but when, an earthquake and tsunami will hit. Preparing our region is a priority for Oregonians and will save countless lives and federal funds. This road serves as an evacuation route for the central coast and is being built to withstand a 9.0 earthquake. I thank Chairman SHUSTER and Ranking Member DEFAZIO for their support of my amendment.

DEPARTMENT OF TRANSPORTATION,
OFFICE OF THE DIRECTOR,
Salem, OR, October 30, 2015.

Re: Support for amendment to designate the OR 99W Newberg-Dundee bypass route between Newberg, OR, and Dayton, OR as a new High Priority Corridor on the National Highway System.

Hon. BILL SHUSTER,
Chairman, Transportation and Infrastructure Committee, Washington, DC.

Hon. PETER DEFAZIO,
Ranking Member, Transportation and Infrastructure Committee, Washington, DC.

DEAR CHAIRMAN SHUSTER AND RANKING MEMBER DEFAZIO: I write today in support of an amendment to H.R. 22 offered by Representative Suzanne Bonamici of Oregon.

Representative Bonamici has filed an amendment with the Rules Committee seeking to amend Section 1405 of the bill by adding the OR 99W Newberg-Dundee Bypass route between Newberg, OR, and Dayton, OR as a new High Priority Corridor on the National Highway System.

The Newberg-Dundee Bypass project is one of many key regional transportation corridors in Oregon. The Bypass project is important to both regional freight movement and congestion relief. In addition, the Oregon Department of Transportation's (ODOT) Safety Priority Index System for 2014 identified six sites on OR 99W that are in the top 10 percent of crash sites statewide based on frequency and severity of incidents. In the event of a major natural disaster such as a Cascadia Subduction Zone earthquake and tsunami, this corridor would serve as an emergency evacuation and relief route for the central Oregon Coast. The first phase of the project, which is currently under construction, is being built to withstand a 9.0 Cascadia subduction zone earthquake to ensure this critical lifeline will remain operational in such an event. For these reasons, ODOT supports the inclusion of the Newberg-Dundee Bypass on the list of High Priority Corridors on the National Highway System.

Thank you for your consideration.

Sincerely,

MATTHEW L. GARRETT,
Director.

□ 1830

The Acting CHAIR (Mr. YOUNG of Iowa). The question is on the amendments en bloc offered by the gentleman from Pennsylvania (Mr. SHUSTER).

The en bloc amendments were agreed to.

AMENDMENT NO. 57 OFFERED BY MS. HERRERA BEUTLER

The Acting CHAIR. It is now in order to consider amendment No. 57 printed in part A of House Report 114–326.

Ms. HERRERA BEUTLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 289, strike lines 11 through 14 and insert the following:

''(i) $352,950,000 for fiscal year 2016;
''(ii) $462,950,000 for fiscal year 2017;
''(iii) $468,288,000 for fiscal year 2018;
''(iv) $473,653,500 for fiscal year 2019;
''(v) $479,231,500 for fiscal year 2020; and
''(vi) $484,816,000 for fiscal year 2021;''.

Beginning on page 289, strike line 21 and all that follows through page 290, line 8, and insert the following:

''(i) $262,950,000 for fiscal year 2016;
''(ii) $262,950,000 for fiscal year 2017;
''(iii) $268,288,000 for fiscal year 2018;

''(iv) $273,653,500 for fiscal year 2019;

''(v) $279,231,500 for fiscal year 2020; and

''(vi) $284,816,000 for fiscal year 2021.''.

At the end of title III of division A, add the following:

SEC. ___. INCREASE SUPPORT FOR GROWING STATES.

Section 5340 of title 49, United States Code, is amended—

(1) by striking subsection (b) and inserting the following:

''(b) APPORTIONMENT.—Of the amounts made available for each fiscal year under section 5338(b)(2)(M), the Secretary shall apportion 100 percent to States and urbanized areas in accordance with subsection (c).''; and

(2) by striking subsection (d).

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from Washington (Ms. HERRERA BEUTLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. HERRERA BEUTLER. Mr. Chairman, over 50 percent of all transit riders in the U.S. travel on buses, but only 10 percent of our transit funding actually goes to buses. I will say that again. Over half of the people in this country who use public transportation take buses to get to work, to the grocery store, to visit family; yet the Federal Government dedicates less than 10 percent of its transit funds specifically to buses and to bus facilities.

We are selling communities short, communities like my home in southwest Washington, but we have an opportunity to rectify the situation, Mr. Chairman.

While overall transit funding has been steadily increasing, this bill funds buses in 2016 at, roughly, half of the 2012 levels—that is, Mr. Chairman, unless you happen to represent one of seven States for which this bill sets aside, roughly, an additional $272 million a year.

While all 50 States can compete for funds through the nationwide Competitive Bus Grant program, which is funded at $90 million in 2016 and $200 million each year after, a select few of the northeastern States get an additional $272 million pot to draw from. That is right, Mr. Chairman.

These high-density States—Maryland, Massachusetts, New York, New Jersey, Connecticut, Rhode Island, and Delaware—have a special pot of money set aside for them that averages $90 million more a year than the nationwide pot that all 50 States compete for. Oh, and those seven States still get to compete for the nationwide pot.

It is an issue of fairness, Mr. Chairman. The idea that seven States have available to them more money than all 50 States combined isn't fair to the communities in my State or in yours or in the other 43 States.

My amendment would simply move the funding from the seven-State set-aside program into the Competitive Bus Grant program and allow all States to compete for these much-needed resources.

I urge my colleagues to support the amendment.

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

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I rise in reluctant opposition to the amendment offered by the gentlewoman from Washington, a former member of the committee.

Let me be clear. I agree we should be further increasing the funds available for bus procurement. MAP–21 cut bus funding in half—a devastating cut to many smaller and mid-sized transit agencies, including in my district.

We tried to reverse these cuts as much as we could in this bill, but with the severely limited funding that was mentioned earlier today, there was only so much we could do. In total, we increased the bus formula and competitive grant program by 40 percent.

I would also like to mention the bus procurement reforms in the bill that are designed to lower the cost of bus purchases. We provided several different mechanisms that provide bulk buying power for transit agencies. Buses are expensive, and larger purchases will help them to get lower costs.

This amendment will further increase the bus procurement programs and shift money from the high-density-States formula that benefits seven northeastern States. The high-density-States formula is actually an old Senate provision, carefully drafted by the esteemed members of the Senate's Banking, Housing, and Urban Affairs Committee sometime ago and is of great benefit to those seven States.

I am very sympathetic to the amendment, but I am obligated, reluctantly and tepidly, to oppose it.

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

Ms. HERRERA BEUTLER. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Chairman, I rise in opposition to this earmark, as I am a cosponsor and am in support of this amendment, No. 57, offered by Ms. HERRERA BEUTLER.

This has been interesting in the debate because it has been absolutely clarified on both sides that we see this as an earmark. Basically, seven States take from this bill a disproportionate amount based on a formula that declares them high-density States: New York, New Jersey, Massachusetts, Connecticut, Maryland, Rhode Island, and Delaware.

If you do not live in one of these States and if you are a Member of Congress, you should vote for this amendment because declaring them high-density States is a meaningless designation. For example, Chicago, Los Angeles, and many, many urban areas throughout our country are high density and deserve to be able to participate in this fund, but they cannot because they are not located in one of these States that has largely been, as the ranking member has indicated, a Senate formula set-aside.

Our Founding Fathers, when they came together to create the system of the House and the Senate, did so so that we would have equality, a balance between each of the States and their populations. This is not a balance when you have a set-aside for seven States.

Once again, I would call on all of my fellow colleagues who do not live in New York, New Jersey, Massachusetts, Connecticut, Maryland, Rhode Island, and Delaware to vote for this amendment by Ms. HERRERA BEUTLER. She has identified that this is an earmark for these States and that it robs money from other States that need assistance with public transportation.

The Acting CHAIR. The time of the gentleman has expired.

Ms. HERRERA BEUTLER. I yield the gentleman an additional 15 seconds.

Mr. TURNER. I urge my colleagues to vote for this amendment because it does correct an injustice.

Ms. HERRERA BEUTLER. Mr. Chairman, as was well said, 371 Members of the House represent people in States that will benefit from this amendment. By voting ''yes'' for this amendment, 371 Members will have an opportunity to increase access to important transit funds in their districts without raising spending levels in the bill.

Even those Members in these high-density States are not losing access to the funds. The amendment allows all 50 States to compete fairly for grant funding based on the needs of the area and the merits of the project.

How can anybody be against this? What is wrong with this?

I urge my colleagues to support the amendment.

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

Mr. DEFAZIO. Mr. Chairman, in closing, I would say that a great former Speaker of the House, Tip O'Neill, said that ''all politics is local.''

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. HERRERA BEUTLER).

The amendment was agreed to.

AMENDMENT NO. 58 OFFERED BY MR. CHABOT

The Acting CHAIR. It is now in order to consider amendment No. 58 printed in part A of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following new section:

SECTION 1431. INCREASING CERTAIN PENALTIES RELATING TO COMMERCIAL MOTOR VEHICLE SAFETY.

(a) CIVIL PENALTY.—Section 521(b)(2)(A) of title 49, United States Code, is amended by striking ''$2,500'' and inserting ''$5,000''.

(b) CRIMINAL PENALTY.—Section 521(b)(6)(A) of title 49, United States Code, is

amended by striking ''$2,500'' and inserting ''$5,000''.

(c) DISQUALIFICATIONS.—

(1) FIRST VIOLATION OR COMMITTING FELONY.—Section 31310(b)(1) of title 49, United States Code, is amended—

(A) in subparagraph (D), by striking ''; or'' and inserting a semicolon;

(B) in subparagraph (E), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following new subparagraph:

''(F) determined by the Secretary to have operated a commercial motor vehicle that the individual knew or reasonably should have known had a defect that resulted in a fatality.''.

(2) SECOND AND MULTIPLE VIOLATIONS.—Section 31310(c)(1) of title 49, United States Code, is amended—

(A) in subparagraph (E), by striking ''; or'' and inserting a semicolon;

(B) by redesignating subparagraph (F) as subparagraph (G);

(C) in subparagraph (G) (as so redesignated)—

(i) by striking ''(E)'' and inserting ''(F)''; and

(ii) by inserting '', operations,'' after ''violations''; and

(D) by inserting after subparagraph (E) the following new subparagraph:

''(F) determined by the Secretary to have more than once operated a commercial motor vehicle that the individual knew or reasonably should have known had a defect that resulted in a fatality; or''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Ohio (Mr. CHABOT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. CHABOT. Mr. Chairman, I will be brief.

All of us here have the honor to serve in the people's House, and we are here to serve our constituents—the people who send us here from all over the country—and also to serve in the best interests of our great Nation.

I had a constituent who approached me. I happened to be touring the business at which he works, and he told me something that affected me greatly.

His son was just days before his 23rd birthday. He was a student at the University of Cincinnati. He was coming down Interstate 75 in a minivan and was minding his own business. I don't know what he was thinking about, but he had his whole future ahead of him.

But a completely avoidable accident occurred. A wheel that was so rusted broke free from a big rig, and it crossed the median. It struck the vehicle he was in, and it killed him immediately, a couple of days before his 23rd birthday.

It had been a couple of years, but his father was still very emotional about this, understandably so.

We looked into this situation. We talked with a number of our colleagues and did a lot of research on it and worked with the American Trucking Association and with America's Independent Truckers' Association as well. We came up with an amendment to this particular bill that we are discussing here this evening, the transportation bill.

What the amendment would do, essentially, is stiffen the penalties for a driver who knowingly operates a commercial vehicle that has a serious defect that results in a fatal crash.

Clearly, what we are trying to do is to make the public more safe and to deal with a family that has been tragically changed forever. They lost one of the most important members of that particular family. We are trying to do this in a responsible way.

The trucking industry in this country, for the most part, is very safety conscious, and their rate of fatalities has come down. I commend them greatly for what they are trying to do, but there is a hole in the system right now.

In this particular situation, there was a rusted thing that shouldn't have been on the road. This type of thing doesn't happen all that often, but it happened this time, and it killed my constituent's son.

We have discussed this with the chairman and with staff. It is my understanding that the chairman is willing to work with us on addressing this issue of trying to make the American public safer and is willing to work with our distinguished folks on the minority side as well.

With that understanding, I am willing to withdraw my amendment here this evening and continue to work with them through the process to hopefully address this issue in a way that will receive support on both sides of the aisle so that we can pass this into law and make the public safer. It will allow this particular family, who was affected so tragically in this instance, to know that they have done something to honor their son.

I yield to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I am happy to work with the gentleman on the issue. I oppose the amendment, but I want to continue talking with the gentleman and working with him.

Mr. CHABOT. I thank the gentleman.

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

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition, although I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I certainly want to work with the gentleman. I mean, this is a story that tugs at you. The gentleman brings before us an important issue. I think there is a way to get at this; so, I would love to work with the gentleman as we go to conference and see what we can do.

With the indulgence of the House, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I thank the gentleman.

Mr. Chairman, I thank Mr. SHUSTER and Mr. DEFAZIO as well for working with me and for working with the entire committee. The Transportation and Infrastructure Committee does work together in a bipartisan fashion, and the House does work.

On the other hand and in the same vein, I had the pleasure of knowing Howard Coble for my entire time I have been in Congress. I was his ranking member on Judiciary, and he was my ranking member on Judiciary.

We had a great relationship. He was one of the finest gentlemen I have ever known. He was a scholar. He was a gentleman. He loved North Carolina. He loved this House. He will be missed. He was an example of the way people can work together to make progress in the United States Congress. I was honored to know him.

Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

Mr. CHABOT. Mr. Chairman, I would also like to share in the gentleman's comments about our colleague, Howard Coble of North Carolina.

He was truly a wonderful part of this distinguished institution. I served on the Judiciary Committee for the better part of 20 years with Howard Coble, and we all looked up to him. He was kind of one of a kind, and I say that in the most honorable way.

He was one we looked to. He had a sense of humor that went to your heart. He was just a great guy. He will be truly missed not only by his constituents, but by this House that he loved for so many years.

On my amendment, I have heard both the chairman and our friends on the minority side indicate they are willing to work with us on this amendment.

Mr. CHABOT. With that understanding, I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

The Chair understands that amendment No. 1 printed in part A of House Report 114–326 will not be offered.

□ 1845

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 114–326 on which further proceedings were postponed, in the following order:

Amendment No. 5 by Mr. DESAULNIER of California.

Amendment No. 7 by Mr. HUNTER of California.

Amendment No. 8 by Mr. DENHAM of California.

Amendment No. 12 by Mr. KING of Iowa.

Amendment No. 14 by Mr. CULBERSON of Texas.

Amendment No. 21 by Mr. LEWIS of Georgia.

Amendment No. 26 by Mr. REICHERT of Washington.

Amendment No. 29 by Mr. DESANTIS of Florida.

The Chair will reduce to 2 minutes the minimum time for any electronic

vote on these questions after the first vote in this series.

Pursuant to clause 6(f) of rule XVIII, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the amendment consisting of the text of Rules Committee Print 114–32, as amended.

AMENDMENT NO. 5 OFFERED BY MR. DESAULNIER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. DESAULNIER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 171, noes 252, not voting 10, as follows:

[Roll No. 599]

AYES—171

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
Crawford
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Hudson
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kline
Kuster
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Paulsen
Pearce
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sherman
Slaughter
Smith (WA)
Speier
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—252

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Crowley
Culberson
Curbelo (FL)
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
LoBiondo
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Nadler
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Perry
Peters
Pittenger
Pitts
Poe (TX)
Poliquin
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
Russell
Ryan (OH)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Velázquez
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—10

Calvert
Ellmers (NC)
Gohmert
Meeks
Payne
Pelosi
Sinema
Smith (MO)
Takai
Torres

□ 1912

Messrs. FARENTHOLD, CROWLEY, LAMBORN, GRAVES of Georgia, Ms. VELÁZQUEZ, and Mr. MOONEY of West Virginia changed their vote from ''aye'' to ''no.''

Mr. DANNY DAVIS of Illinois, Ms. BROWN of Florida, Mr. LANGEVIN, and Ms. CLARKE of New York changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. SINEMA. Mr. Chair, on rollcall No. 599 I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 7 OFFERED BY MR. HUNTER

The Acting CHAIR (Mr. COLLINS of Georgia). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. HUNTER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 255, not voting 5, as follows:

[Roll No. 600]

AYES—173

Abraham
Allen
Amodei
Ashford
Bass
Benishek
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blum
Bonamici
Bost
Brady (TX)
Brooks (IN)
Brown (FL)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Cárdenas
Carson (IN)
Carter (TX)
Cartwright
Castro (TX)
Chaffetz
Clay
Clyburn
Coffman
Cohen
Conaway
Cooper
Costa
Cramer
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
Diaz-Balart
Dold
Donovan
Duckworth
Duffy
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foster
Franks (AZ)
Frelinghuysen
Garamendi
Gibbs
Gibson
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Green, Al
Griffith
Guthrie
Gutiérrez
Hanna
Harris
Hastings
Hensarling
Herrera Beutler
Hill
Hinojosa
Hudson
Huffman
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jackson Lee
Jolly
Jones
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
LaMalfa
Lipinski
LoBiondo
Long
Loudermilk
Luetkemeyer
Lummis
McCarthy
McKinley
McNerney
Meehan
Miller (MI)
Mooney (WV)
Murphy (FL)
Nolan
Nugent
O'Rourke
Paulsen
Payne
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Posey
Price, Tom
Quigley
Ratcliffe
Renacci
Rigell
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rouzer
Roybal-Allard
Royce
Ruppersberger
Russell
Sanchez, Loretta
Sanford
Scott, David
Serrano
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)

Smith (WA)
Stewart
Stivers
Thompson (CA)
Thornberry
Tiberi
Upton
Vargas
Veasey
Wagner
Walden
Walters, Mimi
Walz
Watson Coleman
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder

NOES—255

Adams
Aderholt
Aguilar
Amash
Babin
Barletta
Barr
Barton
Beatty
Becerra
Bera
Bishop (MI)
Black
Blackburn
Blumenauer
Boustany
Boyle, Brendan F.
Brady (PA)
Brat
Bridenstine
Brooks (AL)
Brownley (CA)
Calvert
Capps
Capuano
Carney
Carter (GA)
Castor (FL)
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Cleaver
Cole
Collins (GA)
Collins (NY)
Comstock
Connolly
Conyers
Cook
Costello (PA)
Courtney
Crawford
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSantis
DeSaulnier
DesJarlais
Deutch
Dingell
Doggett
Doyle, Michael F.
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Farr
Fattah
Fleming
Frankel (FL)
Fudge
Gabbard
Gallego
Garrett
Gosar
Graves (LA)
Graves (MO)
Grayson
Green, Gene
Grijalva
Grothman
Guinta
Hahn
Hardy
Harper
Hartzler
Heck (NV)
Heck (WA)
Hice, Jody B.
Higgins
Himes
Holding
Honda
Hoyer
Huelskamp
Huizenga (MI)
Israel
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Knight
Kuster
Labrador
LaHood
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Love
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McSally
Meadows
Meng
Messer
Mica
Miller (FL)
Moolenaar
Moore
Moulton
Mullin
Mulvaney
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nunes
Olson
Palazzo
Pallone
Palmer
Pascrell
Pearce
Pelosi
Perlmutter
Perry
Pingree
Pocan
Pompeo
Price (NC)
Rangel
Reed
Reichert
Ribble
Rice (NY)
Rice (SC)
Richmond
Roby
Rogers (AL)
Rogers (KY)
Roskam
Rothfus
Ruiz
Rush
Ryan (OH)
Salmon
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Sewell (AL)
Sherman
Shuster
Sinema
Sires
Slaughter
Smith (TX)
Speier
Stefanik
Stutzman
Swalwell (CA)
Takano
Thompson (MS)
Thompson (PA)
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Valadao
Van Hollen
Vela
Velázquez
Visclosky
Walberg
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Weber (TX)
Webster (FL)
Welch
Whitfield
Wilson (FL)
Yarmuth
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—5

Ellmers (NC)
Foxx
Gohmert
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1918

Ms. ADAMS changed her vote from ''aye'' to ''no.''

Mr. BUCHANAN changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. FOXX. Mr. Chair, on rollcall No. 600, I was unavoidably detained. Had I been present, I would have voted "yes."

AMENDMENT NO. 8 OFFERED BY MR. DENHAM

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. DENHAM) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 248, noes 180, not voting 5, as follows:

[Roll No. 601]

AYES—248

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

NOES—180

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brooks (AL)
Brownley (CA)
Buchanan
Buck
Bustos
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Connolly
Conyers
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Gibson
Gowdy
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roskam
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schweikert
Scott (VA)
Serrano
Sewell (AL)
Sherman
Shuster
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Trott

Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zeldin

NOT VOTING—5

Ellmers (NC)
Gohmert
Hartzler
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1922

Mr. RICHMOND changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 238, not voting 7, as follows:

[Roll No. 602]

AYES—188

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cramer
Crawford
Crenshaw
Culberson
Dent
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
Labrador
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—238

Adams
Aguilar
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Edwards
Ellison
Emmer (MN)
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hardy
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
LaHood
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meehan
Meng
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Ros-Lehtinen
Roskam
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—7

Cárdenas
Ellmers (NC)
Engel
Gohmert
Meeks
Rokita
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1925

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. CÁRDENAS. Mr. Chair, on rollcall No. 602, had I been present, I would have voted "no."

Mr. ENGEL. Mr. Chair, on rollcall No. 602 I was inadvertently detained and missed the vote. Had I been present, I would have voted "no."

AMENDMENT NO. 14 OFFERED BY MR. CULBERSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. CULBERSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 116, noes 313, not voting 4, as follows:

[Roll No. 603]

AYES—116

Abraham
Aderholt
Allen
Amash
Babin
Barton
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Carter (GA)
Carter (TX)
Clawson (FL)
Coffman
Collins (GA)
Conaway
Cuellar
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Franks (AZ)
Garrett
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Gene
Griffith
Harris
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Labrador
LaMalfa
Lamborn
Latta
Long
Loudermilk
Luetkemeyer
Lummis
Marchant
Massie
McCaul
McClintock
McHenry
Messer
Miller (FL)
Moolenaar
Mooney (WV)
Mulvaney
Neugebauer
Nugent
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Roby
Roe (TN)
Rokita
Rooney (FL)
Rouzer
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Smith (MO)
Smith (NE)
Smith (TX)
Stutzman
Thornberry
Weber (TX)
Westmoreland
Williams
Wilson (SC)
Woodall
Yoder
Yoho
Young (IA)

NOES—313

Adams
Aguilar
Amodei
Ashford
Barletta
Barr
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Graves (LA)
Graves (MO)
Grayson
Green, Al
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Love
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCollum
McDermott
McGovern
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Mica
Miller (MI)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Wenstrup
Westerman
Whitfield
Wilson (FL)
Wittman
Womack
Yarmuth
Young (AK)
Young (IN)
Zeldin
Zinke

NOT VOTING—4

Ellmers (NC)
Gohmert
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1928

Mr. ROONEY of Florida changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 21 OFFERED BY MR. LEWIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. LEWIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 248, not voting 4, as follows:

[Roll No. 604]

AYES—181

Adams
Aguilar
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
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Peters
Pingree
Pocan
Price (NC)
Price, Tom
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—248

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Castor (FL)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cummings
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fattah
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Takano
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden

Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—4

Ellmers (NC)
Gohmert
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1931

Ms. MAXINE WATERS of California changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 26 OFFERED BY MR. REICHERT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. REICHERT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 200, noes 228, not voting 5, as follows:

[Roll No. 605]

AYES—200

Abraham
Aderholt
Allen
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Boustany
Brat
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (TX)
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cramer
Crawford
Crenshaw
Culberson
Denham
Dent
DeSantis
DesJarlais
Dold
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Goodlatte
Gosar
Gowdy
Granger
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Roskam
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—228

Adams
Aguilar
Amash
Amodei
Bass
Beatty
Becerra
Bera
Beyer
Bilirakis
Bishop (GA)
Blackburn
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Bridenstine
Brooks (AL)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Comstock
Connolly
Conyers
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Harris
Hartzler
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Hudson
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson, E. B.
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meadows
Meehan
Meng
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Rice (SC)
Richmond
Rokita
Ros-Lehtinen
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Trott
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Williams
Wilson (FL)
Yarmuth
Yoho
Zeldin

NOT VOTING—5

Brady (TX)
Ellmers (NC)
Gohmert
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1935

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 29 OFFERED BY MR. DESANTIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DESANTIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 118, noes 310, not voting 5, as follows:

[Roll No. 606]

AYES—118

Amash
Babin
Barton
Bishop (UT)
Black
Blackburn
Blum
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Farenthold
Fincher
Fleming
Flores
Franks (AZ)
Garrett
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffith
Grothman
Harris
Hensarling
Herrera Beutler
Hice, Jody B.
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Issa
Johnson, Sam
Jolly
Jones
Jordan
Kelly (MS)
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Luetkemeyer
Marchant
McCarthy
McCaul
McClintock
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mulvaney
Neugebauer
Nugent
Olson
Palazzo
Palmer
Perry
Pittenger
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Rice (SC)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Royce
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Thornberry
Tipton
Wagner
Walberg
Walker
Weber (TX)
Wenstrup
Williams
Wilson (SC)
Yoho

NOES—310

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Barletta
Barr
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)

Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huffman
Hunter
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matsui
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—5

Brady (TX)
Ellmers (NC)
Gohmert
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1938

Ms. SINEMA changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Ms. ROS-LEHTINEN). The question is on the amendment consisting of the text of the Rules Committee Print 114–32, as amended.

The amendment was agreed to.

□ 1945

AMENDMENT NO. 1 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 114–326.

Mr. PERRY. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1022, strike lines 5 through 7 and insert the following:

(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended—

(1) by striking ''20 percent of such authority for each fiscal year'' and inserting ''25 percent of such authority for fiscal year 2016, 30 percent of such authority for fiscal year 2017, 35 percent of such authority for fiscal year 2018, and 40 percent of such authority for each fiscal year thereafter''; and

(2) by adding at the end the following: ''If the Bank fails to comply with the 2nd preceding sentence with respect to a fiscal year, the Bank may not approve the provision of a guarantee, insurance, or credit, or any combination thereof benefitting a single person, in an amount exceeding $100,000,000 until the beginning of the 2nd succeeding fiscal year.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

Madam Chair, the Export-Import Bank has a portfolio annually somewhere to the tune of $120 billion, I think under the new proposal; $130 billion. Fifty-one percent, Madam Chairman—fully 51 percent—goes to 10 companies in our country—$120 billion. Isn't that fantastic?

Whether you support or oppose the Ex-Im, everyone can welcome the fact that the reauthorization we are considering today raises the Bank's small-business target 25 percent. Republicans and Democrats in both the House and the Senate have called on the Bank to focus on small-business needs more effectively.

This amendment keeps that 25 percent small-business target in the underlying bill. It doesn't change that, but it would then raise the target by 5 percent per year through the reauthorization period.

Madam Chair, $120 billion a year, $130 billion a year, 51 percent goes to 10 companies in the United States. You think: Wouldn't it be great if the town that I represent, the towns that Members in this House represent, could be one of those 10 companies? It is not to disparage any of those 10 companies. We are happy that they are in the United States, and we are happy that they are profitable.

But these small businesses that are trying to get a leg up, that want to employ their neighbors and that want to enrich their communities would like a shot as well. But they don't have legions of lobbyists, and they don't have big staffs to go to the Ex-Im Bank and plead their case.

What that results in is 98 percent of small businesses, 98 percent of trade across our country, is conducted without any help at all of the Export-Import Bank. Wouldn't it be great if we could remedy that? And wouldn't it be easy if we could remedy that?

Madam Chairman, that is what the amendment that I propose does. With this amendment, Ex-Im still has the flexibility to devote most of its assistance—now 51 percent to 10 companies in the country—to large businesses. The big ones will still have the same access to Ex-Im. All this does is requires the Ex-Im to take small businesses more seriously.

Yes, it is a little more work. They don't have the lobbyists and the staff that all these big, multinational companies do. But isn't it worth it in our small towns to help them and to assist them?

We know the Bank is more than capable of doing this. In fiscal year 2014, 25 percent of its authorization went to small businesses. So the Bank easily met its target. But in the 3 years prior to that, Ex-Im ignored—literally ignored—the small-business target that Congress enacted and required of them.

Under this amendment, Ex-Im has to ensure that it meets its small-business target. It has to. If we want to help small businesses like the one in your town, the one in the towns that you represent, we have to make sure that it does that. We need to keep an ambitious target that Ex-Im can meet and encourage the Bank to reach it.

Madam Chair, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Madam Chairman, I rise in opposition to this amendment, and I will be opposing all amendments to this portion of the highway bill.

Without a doubt, these amendments reflect the latest in a string of tactics by opponents of the Export-Import

Bank to delay and block any reauthorization of the Bank from moving forward. This amendment and other anti-Ex-Im amendments we will soon consider cannot reasonably be viewed as a constructive effort.

As we know well, small businesses unquestionably are central to the health of our economy. Fortunately, before extremists, ones on the opposite side of the aisle, shut down the Ex-Im Bank. Many small businesses were already directly supported by the programs offered by the Export-Import Bank.

In fact, in fiscal year 2014, out of over 3,700 authorizations, more than 3,300, or nearly 90 percent, directly served U.S. small businesses. Of the remaining 10 percent, many of these authorizations served companies that support vast U.S. supply chains, including in my district.

The effort to use small businesses as a pawn in the fight to kill the Ex-Im Bank should be rejected. This amendment must be rejected.

Madam Chairman, I reserve the balance of my time.

Mr. PERRY. Madam Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. MULVANEY), my good friend.

Mr. MULVANEY. I thank the gentleman. I agree with most of what the ranking member on Financial Services just said with the exception of the conclusion. Everything that the Export-Import Bank does for small businesses actually is very productive.

So here is the question: Why isn't the Export-Import Bank meeting its small-business requirement? Why hasn't it met it? For the last 3 years, it has not met its statutory requirement.

One of the things we have not talked about yet, Madam Chairman, is that the amendment also puts a penalty on the Bank for not meeting that target. Right now it is the law that the Bank has to provide a certain level of services to the small-business community. It has failed to do that. As is so often the case, there is no penalty. This amendment would add the penalty.

It helps small business, it expands the Export-Import Bank's small-business presence, and it actually puts some teeth in the law for a change. For that reason, I hope that we can support this amendment.

Ms. MAXINE WATERS of California. Madam Chairman, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the whip.

Mr. HOYER. Madam Chairman, I thank the gentlewoman. I am sorry I don't have more time.

Madam Chairman, this is a bill about jobs. The amendment is about killing jobs, as he wants to kill the Bank, the gentleman who sponsored this amendment. That is all it is. Every one of these amendments will undermine the Export-Import Bank that got 313 votes on this floor.

The gentleman mentions five businesses. What he didn't mention is the thousands and thousands and thousands and thousands of jobs that they create and maintain. That is what we are talking about: jobs for average Americans. Whether they work for large, medium, or small businesses, we are talking about jobs for Americans.

Here you are at the last minute trying to kill it. You had 2½ years to offer your amendments. You had 2½ years to bring this bill to the floor. You chose not to because the minority was going to kill this bill. I told your majority leader over and over and over again it had the majority of your party, and you refused to bring it to this floor.

Tonight is the time to say the majority rules, the 313 will rule. Reject every one of these amendments. Let's create jobs with the Export-Import Bank.

The Acting CHAIR. The Chair would remind Members that their remarks are to be directed to the Chair and not to other Members.

Mr. PERRY. Madam Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Madam Chairman, I yield 1 minute to the gentleman from Washington (Mr. HECK) who serves on the Financial Services Committee and who has worked tirelessly for this reauthorization.

Mr. HECK of Washington. Madam Chair, let's begin with the facts. The facts are this: every single killing amendment being offered tonight is, in fact, being sponsored by somebody who voted against passage of the Ex-Im. They don't want to improve the Ex-Im. They want to kill the Ex-Im.

The fact is the 20 percent target in current law, with all due respect to one of the previous speakers, is not a requirement. It is a target. Stop saying requirement. Words matter. That is misleading, and it is wrong. The fact is nearly 90 percent—90 percent—of all transactions of the Ex-Im go to small businesses.

I can't help it that Jenny's Pickles, a jar thereof, sells for infinitely less than a Boeing airplane or that Manhasset music stands sell for infinitely less. The fact of the matter is 90 percent of their transactions go to small businesses.

The fact of the matter is Economics 101. Please hear me sometime: the Boeing Airplane Company has 14,800 businesses in its supply chain and 6- to 8,000 are small. Reject the amendment.

Ms. MAXINE WATERS of California. Madam Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER), who has been an absolute leader on this issue.

Mr. FINCHER. Madam Chair, I thank the gentlewoman for yielding.

Madam Chair, one more time let me talk about the facts. The facts are, as the gentleman from Washington just stated, 90 percent of the Bank's transactions go to small businesses, 3,340 transactions.

The facts are that section 201 in our reform bill that is actually reforming the Export-Import Bank takes the target—not the requirement, but the target—from 20 percent to 25 percent.

What we need to make sure that we are focused on here tonight is not punishing people that want to grow their businesses or not trying to put a cap on people that want to create jobs.

Again, I am from a little place called Frog Jump. This is not about Boeing, and this is not about GE. This is about jobs all over this country that don't cost the taxpayer one penny—not one penny—Madam Chairman.

This is just about killing the Export-Import Bank and killing jobs. It breaks my heart, but we must defeat these amendments. I urge my colleagues to vote ''no.''

Mr. PERRY. Madam Chair, the fact is that all the reforms that the kind gentleman just spoke of are not going to happen. None of that is happening. The Senate threw that in the trash.

So what we have is an Export-Import Bank that has refused to comply with the law over and over again. The fact also remains that nobody here is trying to kill the Export-Import Bank. We aren't. This is the process by which we make it better.

Whether or not you sell a jar of pickles or whether you sell an airplane, $120 billion, 51 percent of it goes to 10 companies. You figure it out. You figure out what that looks like to you. To me, it looks like cronyism. That is what it looks like to me.

I come from York, Pennsylvania, and instead of creating thousands and thousands and thousands of jobs, we would like to create tens and hundreds of thousands of jobs by requiring the Bank that is encumbering the United States taxpayer to work with small businesses, the businesses in our town, instead of just going to the big businesses in this country.

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

Ms. MAXINE WATERS of California. Madam Chairman, I would simply say to the gentleman from Pennsylvania you figure it out. Evidently, you don't know anything about what Ex-Im does and the jobs that it provides.

Madam Chairman, I yield 15 seconds to the gentleman from Oklahoma (Mr. LUCAS), a leader with courage.

Mr. LUCAS. Madam Chair, my colleagues, I would urge you to reject this amendment and all the amendments.

This process should have happened 6 months ago. It should have happened in committee. It should have happened in regular order. But we weren't allowed to do that. We have been forced into this position.

Reject this amendment, reject these amendments, and then let's begin the process of real reform.

Ms. MAXINE WATERS of California. Madam Chair, I yield back the balance of my time.

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

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

Mr. MULVANEY. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 114–326.

Mr. MULVANEY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. RESTRICT BANK LENDING TO SERVING AS COUNTERVAILING LENDER.

(a) BAN ON PROVIDING CREDIT ASSISTANCE FOR TRANSACTION THAT DOES NOT MEET FOREIGN COMPETITION.—Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended by adding at the end the following:

''(14) PROHIBITION ON ASSISTANCE FOR TRANSACTION THAT DOES NOT MEET FOREIGN COMPETITION.—The Bank shall not guarantee, insure, or extend (or participate in the extension of) credit involving any transaction, with respect to which credit assistance from the Bank is first sought after the effective date of this paragraph, that does not meet competition from a foreign, officially sponsored, export credit agency.''.

(b) ANNUAL CERTIFICATION THAT EACH PROVISION BY THE BANK OF CREDIT ASSISTANCE IS MADE TO MEET FOREIGN COMPETITION.—Section 8(h) of such Act (12 U.S.C. 535g(h)) is amended to read as follows:

''(h) CERTIFICATION THAT EACH PROVISION OF CREDIT ASSISTANCE IS MADE TO MEET FOREIGN COMPETITION.—The Bank shall include in its annual report to the Congress under subsection (a) a certification that—

''(1) each provision by the Bank of a loan, guarantee, or insurance, with respect to which credit assistance from the Bank was first sought after the effective date of this subsection, in the period covered by the report was made to meet competition from a foreign, officially sponsored, export credit agency; and

''(2) no such provision was made to fill market gaps that the private sector is not willing or able to meet.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

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PARLIAMENTARY INQUIRY

Mr. MULVANEY. Madam Chair, a parliamentary inquiry before you start my time.

The Acting CHAIR. The gentleman from South Carolina will state his parliamentary inquiry.

Mr. MULVANEY. Madam Chair, you state No. 2. Is that Mulvaney No. 2 or Mulvaney No. 1?

The Acting CHAIR. Amendment No. 2 printed in part B of House Report 114–326.

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

I have heard a couple arguments already—I guess we heard them before, Madam Chair—about how the place to do this was in committee. Fine. That could be. It doesn't make the amendments bad. It doesn't mean the principles contained in here are wrong. We didn't get a chance to do that in committee. You can blame whoever you want to for that. But the point of the matter is, this is where we are going to take up the amendments, and the fact we didn't do it 6 months ago does not make a good amendment a bad amendment. The amendments will stand on their own merit, as this one will, Madam Chair.

What this one does is fairly simple. One of the things we have heard for the last several years about the Bank is that we need the Bank in order to meet foreign competition, that 1,700 other countries have export credit facilities, and if we don't have one of our own, we will unilaterally disarm and not be able to compete in the global marketplace.

I happen to disagree with that. I happen to have some faith that American goods are good enough to compete overseas without the government subsidy. But that is fine. Let's take that for sake of discussion and say, all right, we don't want to unilaterally disarm. What this amendment does is makes sure that we don't.

What this amendment does is simply says, look, if you want to use the Export-Import Bank, you have to be able to establish that you are actually competing with a foreign export credit facility. Fairly simple. It goes to the heart of what so many people say is why we have the Bank. So why not simply say, all right, look, we will have this thing until we can convince other countries to get out of this business, which we should be doing and, by the way, are obligated by law to be doing—not by target, but by law.

We have had the responsibility to do that, Mr. Chairman, since 2012, yet this administration has refused to do that. But until we get a chance to enforce the law and actually get other countries to disarm, let's go ahead and not unilaterally disarm, and let's make sure, in order to use the Export-Import Bank, you have to be meeting specific and identifiable competition from other export credit facilities.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chair, I yield myself 1 minute.

This amendment, offered by one of the leading opponents of the Ex-Im Bank, would effectively chop the Ex-Im Bank's mission in half by eliminating the Bank's role in providing finance to fill market gaps that the private sector is unable to meet. This would overwhelmingly harm the small businesses that use the Bank and that often have the hardest time securing the financing they need through the private sector alone.

For example, when U.S. small businesses are seeking to export, commercial banks often refuse to accept foreign receivables as collateral for a loan without an Ex-Im guarantee. Without Ex-Im, these small businesses would be unable to extend terms to foreign buyers and would have to ask for cash in advance. In these cases, sales would almost always go to a firm from another country that can count on the backing of its own official export credit agency.

I urge all Members to oppose this amendment, which would undermine the Bank's important role.

I reserve the balance of my time.

Mr. MULVANEY. Mr. Chair, how much time did each of us consume in our opening statements?

The Acting CHAIR. The gentleman from South Carolina consumed 2 minutes. The gentlewoman from California consumed 1 minute.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chairman, two quick points.

First, let's not quite leave this issue of the irregular order and nature of what we are doing. Let's all remember one thing. Not only are all the people who are advancing amendments here today opponents of the Ex-Im and want to kill it, but they also, many of them, sat in the committee and voted against an amendment to the budget views and estimates that suggested that reauthorization of the Ex-Im ought to be subjected to regular order. They have already made their position clear: no regular order. They not only don't want regular order, they don't want the Ex-Im.

No, it is not 700 and however many countries that have export credit authority; it is only 59. It is every other developed nation on the face of the Earth. The Chinese have not one, but four, export credit authorities. In the last 2 years, they financed as much as our Export-Import Bank has in its 81-year history.

Let me leave you with this one thought: I know a lot of you on that side of the aisle read The Wall Street Journal. I hope you saw the Business section 2 days ago. The headline is, ''China Rolls Out First Large Passenger Jet''—The Wall Street Journal.

I warned here about a year ago they were developing the C919. There it is. There is the picture. They also indicate in here that they have the C929, which is a double aisle, wide-body jet airplane under development.

Do you really want to strike this death blow to the heart of America's manufacturing business? Please vote ''no'' on this and all amendments.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Chairman, I think it is worth once again considering how we got to this point. Considering that under regular committee order, we should have taken this bill up 6 months ago. Three months ago, many of us went from the point of pleading to demanding, pressing harder and harder to try to bring this to the focus. Ultimately, that was not the option, and we were obligated to use a rather old but important rule in order to bring this legislation to the floor.

As some of my colleagues have noted, a supermajority of the House voted for it—313 Members. A majority of the Republican Conference, a majority of the majority voted for it. Yet now we are at a point where we are rebattling all of these amendments.

If you can't win by playing by the rules, then how do you win in this place? If we defeat all of these amendments, will things mysteriously happen in the next process and we will have to fight that off? That is why I tell my colleagues: Play by the rules. Remember what we accomplished last week? Understand the real purpose of these amendments. If it was to perfect a bill, then the authors would have been working with us 6 months ago or 3 months ago or a few weeks ago, but that wasn't the option provided. So now, a second time, we have to fight our way all the way through these issues.

Please demonstrate that you care about economic competitiveness in this country. Please demonstrate that you care about workers in this country. Reject all of these amendments. Let's move the process over. Let's finish this for real.

Mr. MULVANEY. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chairman, look, I stand behind the microphone right now, hopefully helping many of you who support the Ex-Im Bank, to help you stand behind your previous rhetoric.

If I remember, as you said, the older—was it archaic?—process that was brought last week, I noticed the rule you brought allowed me to bring my reform amendment because you were reforming the—oh, that is right. You didn't. You did not allow us to have that voice on those reforms. It was not a process. So now guess what is going on? We happen to have regular order, an opportunity to walk up and say we have some little ideas that we believe make the institution better.

To my friend over on the left, okay, 59 credit enhancement, surety enhancement organizations. All this amendment does is it says, if you are competing against someone who is using another country's credit enhancement, you get to use ours. Isn't that what you are asking for reformwise?

If you want to level the playing field, what a great idea. If they are using it, we get to use it. If they are not using it, we don't have to. That is reform, and that matches up with the rhetoric I was hearing around here last week of how you were reforming the institution.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. Mr. Chairman, I thank the ranking member.

Again, we continue to make these great speeches and get all wound up, but we don't talk about the facts. The facts are that Bank customers already have to certify. The facts are that all of the people offering the amendments want to kill the Export-Import Bank, which creates thousands of jobs. The facts are that we could have done this in committee a year ago. The facts are none of us wanted to be here tonight having this debate because we wanted to do this in regular order.

But, Mr. Chairman, the facts are that, if we allow these amendments that are just aimed at killing the Export-Import Bank to pass and thousands of people are going to lose their jobs and our competitors all around the world are going to benefit, we must vote ''no.'' We need to defeat this amendment. I appreciate my buddy from South Carolina offering it, but I just think it is in the wrong order, and we need to defeat it.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield back the balance of my time.

Mr. MULVANEY. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. JENKINS of West Virginia). The gentleman from South Carolina has 1½ minutes remaining.

Mr. MULVANEY. Mr. Chairman, let's look at the facts. Yes, the Bank is required right now to look at this. They are not required to actually consider it. In fact, there are examples, factual examples, of the Bank looking into whether or not there were any countervailing efforts done by foreign credit facilities and just ignoring that. Yes, the law does require them to, but there are no teeth in the law. This amendment would allow us to do that.

Another fact: in 2012, this body required the Export-Import Bank to start getting out of the business of competing with Export-Import Banks overseas in the airline industry. The law signed here, signed by the Senate, signed by the President was completely ignored by this administration. This amendment would fix that.

Those are the facts, Mr. Chairman, from my friend from Tennessee. The facts are the administration is not following the law.

We have seen that from time to time, haven't we?

We have a chance to rectify that here this afternoon, Mr. Chairman, by passing this amendment and focusing the Bank on what everybody seems to agree is a very important core duty of competing with export credit facilities overseas, and I would recommend an approval of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. 95004. CERTIFICATION THAT BANK ASSISTANCE DOES NOT COMPETE WITH THE PRIVATE SECTOR.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act, is amended by adding at the end the following:

''(1) RECIPIENTS OF BANK ASSISTANCE FOR A TRANSACTION OF MORE THAN $10,000,000 REQUIRED TO CERTIFY INABILITY TO OBTAIN CREDIT ELSEWHERE.—The Bank shall not guarantee, insure, or extend credit, or participate in an extension of credit, in connection with a transaction, with respect to which credit assistance from the Bank is first sought after the effective date of this paragraph, of more than $10,000,000, to a person, unless the person has—

''(1) certified to the Bank that the person has sought, and has been unable to obtain, private sector financing for the transaction without any Federal Government support; and

''(2) provided the Bank with documentation that at least 2 private financial institutions have declined to provide financing for the transaction.''.

SEC. 95005. FALSE CLAIMS ACT PROVISIONS.

(a) APPLICABILITY OF FALSE CLAIMS PROVISIONS TO EXPORT-IMPORT BANK TRANSACTIONS.—Section 3729(a) of title 31, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4);

(2) by inserting after paragraph (2) the following:

''(3) ADDITIONAL VIOLATIONS.—Any person who—

''(A) receives a loan or guarantee from the Export Import Bank of the United States for the purposes of supporting a project or venture, without conducting reasonable diligence to determine whether private sector financing would have been available to support the project or venture, whether or not the terms of the private sector financing would have been substantially different from the terms of the financing provided by the Export Import Bank of the United States; or

''(B) receives a loan or guarantee from the Export Import Bank of the United States for the purposes of supporting a project or venture, knowing that private sector financing

would have been available to support the project or venture, whether or not the terms of the private sector financing would have been substantially different from financing provided by the Export Import Bank of the United States,

is liable to the United States Government for the face value or the appraised value of the loan or guarantee, whichever amount is greater.''; and

(3) in paragraph (2)(A), by striking ''the violation of this subsection'' and inserting ''a violation under paragraph (1)''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to acts described in paragraph (3) of section 3729(a) of title 31, United States Code, as added by subsection (a)(2) of this section, that are committed on or after the date of the enactment of this Act.

SEC. 95006. STATUTORY REQUIREMENT FOR EXPORT-IMPORT BANK CONTRACTS.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by sections 95001 and 95004 of this Act, is amended by adding at the end the following:

''(m) EFFECTS OF FINDING BY INSPECTOR GENERAL THAT CONTRACT RECIPIENT MADE INACCURATE REPRESENTATION ABOUT AVAILABILITY OF COMPETING FOREIGN FINANCING OR PRIVATE SECTOR FINANCING.—

''(1) RESCISSION OF CONTRACT.—The Bank may not enter into a contract under which the Bank provides a loan or guarantee, unless the contract provides that, if the Inspector General of the Bank determines that a representation made by the recipient of the loan or guarantee about the availability of competing foreign export financing or private sector financing was inaccurate at the time the representation was made—

''(A) the contract shall be considered rescinded; and

''(B) the recipient shall immediately repay to the Bank an amount equal to—

''(i) in the case of a loan, the amount of the loan; or

''(ii) in the case of a guarantee, an amount equal to the appraised value of the guarantee.

''(2) INELIGIBILITY FOR FUTURE FINANCIAL SUPPORT.—A person whose contract is rescinded under paragraph (1) shall not be eligible for any financial support from the Bank.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. Mr. Chairman, I rise today in support of private lenders crowded out by the Export-Import Bank.

I thank my friend from South Carolina (Mr. MULVANEY) for his work reforming the Export-Import Bank and for introducing this particularly important reform.

This amendment is pro-American, pro-jobs, and is entirely consistent with the policy of Ex-Im's lapsed authorization.

Last year, Mr. Chairman, and earlier this year, I worked in good faith to reform the Export-Import Bank. The Bank's authorization lapsed in large part because the White House and the Bank's proponents would not take yes for an answer. They refused to work with us on changes, just like they are again tonight, that would prevent any single business from dominating the Bank's activity or to prevent the Bank from crowding out private lenders. That latter point is the one that this amendment will address.

This amendment requires loan applicants receiving more than $10 million to certify that they had originally sought out and been denied by two private lenders. This requirement doesn't block anyone from getting a loan. It only requires that they go to traditional banks first.

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This provision is similar to one required for some Small Business Administration financing as well.

Mr. Chairman, one of my central objections to government lending programs is their capacity to destroy and replace private markets. The government inevitably misallocates resources and jobs, ultimately making our industries less competitive and reducing jobs in the long term.

Apparently, the authors of the Bank's prior reauthorization also agree to that point because, according to the Ex-Im's charter, it is ''the policy of the United States that the Bank in the exercise of its functions should supplement and encourage and not compete with private capital.'' Let me emphasize that last part, that the Bank should not compete with private capital. Unfortunately, I have heard from lenders in Indiana who say that, absent Ex-Im, they would be financing more exports.

If the Bank is going to exist at all, the role of the Bank should only be as a lender of last resort. The Bank is only intended to fill gaps in the private lending market. Any larger role the Bank plays is a violation of its own charter. Worse, granting the Bank a larger role would exacerbate market distortions that will, ultimately, fail countries and the businesses that rely on them.

This amendment simply ensures that the Export-Import Bank stays within its bounds. If the Bank is truly a lender of last resort, this amendment will not affect its lending. If it is, in fact, competing with private lenders despite clear congressional intent, then this amendment will start to correct the problem.

Mr. Chairman, the world is watching. Developing countries are deciding whether to pursue American-style capitalism or Chinese-style central planning. As Speaker RYAN put it last week on this House floor, we should be exporting democratic capitalism, not crony capitalism. If this Bank is going to be reauthorized, we should at least make a real effort to let private lenders have the first opportunity to finance exports.

I know that many of Ex-Im's proponents agree that the Bank is not a long-term solution to foreign competition. Even Ex-Im Chair Fred Hochberg agrees, telling us earlier this year in committee that, in a perfect world, there would be no export credit agency of the United States. If our priority is long-term economic growth and employment, then we must not be tempted to rely on central planned exports the way that China and Europe do.

Mr. Chairman, this is a commonsense amendment, and I ask my colleagues to support it.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself 1 minute.

This amendment offered by the gentleman from South Carolina is yet another attempt to undermine the reauthorization of the Ex-Im Bank by requiring multiple denials of assistance from the private sector be provided as a precondition of obtaining financing. The Ex-Im Bank would not exist if they had to go before someone and require that they look at their application 10 times, 15 times.

This would be burdensome. It would be time consuming and, more likely, unworkable for the potential uses of the Ex-Im Bank. The fact is that private sector banks don't generally issue letters of rejection, likely making compliance with the amendment impossible.

I also take issue with the provisions included in the amendment that are designed to intimidate potential users of the Bank who would be liable if they were found to have not adequately determined whether private sector financing may have been available to them.

I urge Members to oppose this amendment, which would impose new restrictions on U.S. businesses alone, putting them at a unique disadvantage.

I reserve the balance of my time.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chairman, of all of the arguments against the Export-Import Bank, this is my favorite. Ayn Rand would be thrilled. I am appalled. Of all of the arguments, private lenders will be crowded out. Private lenders will be displaced. Private lenders: ''Woe is me. You are taking away our business.''

Yet no one ever—not once—has answered the question: Why is it then that the American Bankers Association and the Independent Community Bankers Association are among the strongest supporters of this? It is because—and the truth of the matter is—markets aren't perfect, and they don't work in certain circumstances.

Where don't they work? They don't work with low-cost items: Miss Jenny's

Pickles, Manhasset Music Stands, PEXCO's Traffic Cones.

Why? It is because a small bank doesn't have the wherewithal to collect across an international border, and a big bank isn't going to bother with that low volume of a transaction. A big bank isn't going to bother with Miss Jenny's Pickles or with Manhasset Music Stands. It is not worth it to them.

That is why they see that markets aren't perfect. There are certain instances in which they fail, and that is why they support the reauthorization of the Export-Import Bank.

We, actually, ought to be very proud of them. Sometimes it is used as a point of criticism. ''You know they only finance 1 or 2 percent. Who needs them? It is such a small amount.'' You ought to take that as a point of pride. We are laser-focused on exactly where the need is—where the market isn't perfect. We are not subsidizing. We are, in fact, compensating for an imperfect market.

Perhaps it is China that is subsidizing with their four export credit authorities, which, again, in the aggregate, have loaned more in the last 2 years or have financed more than we have in our 81-year history.

We are laser-focused where the market doesn't exactly work—small cost items. Large-lived capital items, that is the other issue. Who is going to collect across an international border?

I urge you to vote ''no'' because the private sector wants you to vote ''no.''

Mr. MULVANEY. Mr. Chairman, I inquire as to the time remaining.

The Acting CHAIR. The gentleman from South Carolina has 1 minute remaining.

Mr. MULVANEY. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. I thank the gentleman.

Mr. Chairman, as a rank-and-file Member—that is, a Member who is not on the Financial Services Committee—I want to stand in strong support of this amendment. There are a lot of us who are looking for a way forward in this, and this reform would allow that to happen.

We don't know whether the private sector would work or not, because those who are seeking lending aren't forced to ask. I find it laughable that some say this would be too onerous on a bank or on someone who is seeking lending. These are the same people who think that Dodd-Frank regulations are okay, that they aren't too onerous. I think that is ridiculous.

Last week, we were afforded the choice of an unreformed Ex-Im Bank or no Ex-Im Bank. This amendment and the ones being brought up tonight that are like it offer us a third way: commonsense reforms that would allow the private sector to work and then would allow the Ex-Im Bank to be a function of last resort, preserving the jobs that we all care about. No one on this floor, Republican or Democrat, wants to kill a job. That is ridiculous.

So, as a rank-and-file Member who is off committee, I stand in support of the Mulvaney amendment, and I ask for its support.

Mr. MULVANEY. Mr. Chairman, I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. I thank the ranking member for yielding.

Mr. Chairman, I just want to address a statement that was made a little earlier from my friend from Indiana.

He quoted the chairman and said that, in a perfect world, we would not need Ex-Im. I agree. In a perfect world, we wouldn't need nuclear weapons. In a perfect world, nobody would have nuclear weapons, but nobody in this Chamber is suggesting that we unilaterally disarm our nuclear weapons in order to live by the politics of purity.

I had dinner the other day with a friend of mine who has a manufacturing company. It is a small manufacturing company. They export drilling components to Third World countries to help them drill for their own energy resources. He informed me that he has actually lost 15 percent of his business since this charter has expired. That is real money. That is real exporting. That is a real situation that affects real people's lives.

Look, I understand that people want to amend this, and I think they have a right to desire to amend this. The place to amend this would have been in the committee, which I am not on by the way. It would have been an opportunity to have amended it and to have had a full debate and to have brought the amended bill to the floor of the House of Representatives to debate. That didn't happen.

I urge my colleagues to vote against this.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. I thank the ranking member.

Mr. Chairman, I will just simply ask my colleagues: Why did we get to this point? Why should we vote against this amendment? Why should we vote against all 10 amendments?

It is because, 100 years ago, our friends—our predecessors—set up a system so that, if a Speaker or a chairman thwarted the will of the body, there would be a way for the membership to bring it forward and pass it; but the system had to be created so streamlined that that same force or forces working to prevent the body from working its will could not overcome it.

Last week, we demonstrated that rule worked. Unfortunately, today, we are demonstrating they didn't quite think everything through, because we are revoting or we are voting on 10 issues on a subject matter that was solved last week.

My colleagues, if you enjoy being here this evening, if you enjoy listening to this debate all over again, I am sorry. The proponents didn't do this. We thought we had won by playing fair and square last week. Furthermore, we would have loved this debate 6 months ago.

Ms. MAXINE WATERS of California. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

Ms. MAXINE WATERS of California. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 4 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. PROHIBITION ON SUPPORT TO CERTAIN ENTERPRISES IN COUNTRIES WITH SOVEREIGN WEALTH FUNDS OVER $100,000,000,000.

Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635) is amended by adding at the end the following:

''(14) PROHIBITION ON SUPPORT TO CERTAIN ENTERPRISES IN COUNTRIES WITH SOVEREIGN WEALTH FUNDS OVER $100,000,000,000.—

''(A) IN GENERAL.—The Bank shall not guarantee or extend (or participate in an extension of) credit in connection with a transaction, with respect to which credit assistance from the Bank is first sought after the effective date of this paragraph, with a foreign company (or joint venture including a foreign company) that benefits from support from a foreign government if the foreign government has 1 or more sovereign wealth funds with an aggregate value of at least $100,000,000,000.

''(B) SOVEREIGN WEALTH FUND DEFINED.—In clause (i), the term 'sovereign wealth fund' means, with respect to a government, an investment fund owned by the government, excluding foreign currency reserve assets, any asset held by a central bank for the execution of monetary policy, and any government-managed pension fund.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

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

Before I go on to the next amendment, I want to very briefly put a closing point on the last discussion in responding to the gentleman from Washington (Mr. HECK).

Of course, the bankers love this. What does a banker love any less than a guaranteed loan?

As for Miss Jenny's Pickles that we have heard about many, many times, I will point out to everybody that the last amendment was limited to loans that were greater than $10 million, not really, really small businesses. Those are exactly the type of private sector market loans we are looking for.

In fact, if I wanted to sum up in one sentence as to why you should support the last amendment, it would be: Can't we at least, maybe, give the private sector a chance first on loans of this size?

There is another opportunity to do that now, Mr. Chairman, on this next amendment, which would prohibit the Export-Import Bank from doing any business with companies that are owned or have other ties to sovereign wealth funds in excess of $100 billion.

I will give you a classic example of how the Export-Import Bank is being used right now.

The Government of Indonesia was seeking bids for a power plant. One of the American manufacturers was in the bidding, and the bid request came in as follows and said that the buyer shall finance the project by using 30 percent equity and 70 percent debt. An export credit agency shall cover at least 50 percent of the debt financing. Bidders shall propose a prospective lender who will cover the loan without guarantee from the Government of Indonesia and without collateral.

What was this, Mr. Chairman?

This was a foreign government saying: We would like to buy your stuff, and if we don't pay you, we would like your taxpayers to be on the hook.

That is exactly what this is, and that is why so many of these international requests for proposals have exactly that requirement in it. These foreign governments don't want to be responsible if they can't pay. They want this government to be responsible if they can't pay, and that means they want our taxpayers to be responsible if they can't pay.

We figured let's go ahead and let that be, Mr. Chairman, for a little bit; but if you have a sovereign wealth fund in excess of $100 billion, then maybe you should be on the hook. Maybe our taxpayers should not be. Maybe you are big enough to actually guarantee your own debts. It seems like a fairly reasonable thing that we should be sitting here, trying to figure out ways to protect the taxpayer. So I encourage folks to support this particular amendment.

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

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Ms. MAXINE WATERS of California. Mr. Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chair, I yield myself 1 minute.

Mr. Chair, I rise in opposition to yet another poison pill amendment offered by the gentleman from South Carolina. The amendment seeks to create an odd linkage between the world's sovereign wealth funds and the provision of export credit financing.

Given the fact that, even if these funds involve themselves a great deal in the provision of export financing, which I understand they do not, I would assume they would be more interested in financing their own country's exports and not the exports of American goods and services.

In any event, I want to be very clear about one thing. The purpose of the U.S. Export-Import Bank is to support American jobs by boosting U.S. exports. The Bank exists to serve American interests. So when we withhold financing from the potential foreign purchaser of a U.S. product or service, we are only hurting ourselves.

This is not a serious amendment. I urge Members to oppose it.

I reserve the balance of my time.

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

Ms. MAXINE WATERS of California. Mr. Chair, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE), who serves on the Financial Services Committee.

Ms. MOORE. Mr. Chair, I, too, oppose this amendment. This amendment incorrectly presumes that sovereign wealth funds have some special linkage to export financing. Sovereign wealth funds do not have a direct link to export credit financing.

The gentleman is certainly thinking about one of his favorite companies, Delta, who complains about the Export-Import Bank while ignoring the OECD and existing mechanisms established to address this, for example, the Open Skies laws. I repeat. Sovereign wealth funds do not have a direct link to export credit financing.

I agree with the gentlewoman from California that this cannot be taken seriously. I urge Members to oppose it.

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

Ms. MAXINE WATERS of California. I yield 1 minute to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chair, let's remind everybody that it has been asserted here that you would pass this amendment to protect taxpayers, and the exact opposite is the truth.

The truth is, for a generation, the Export-Import Bank has transferred money into the U.S. Treasury to reduce the deficit. If you want to reduce the deficit, vote ''no'' on this amendment.

It has also been suggested that these amendments somehow constitute reform as opposed to the underlying bill. It is not true. This is the biggest package of reforms ever enacted for Ex-Im.

It does the following: increases small-business target from 20 to 25 percent, codifies the chief risk officer and the risk management committee, provides and requires external audits of fraud controls, provides for upgrades and modernization of IT long overdue, expands loss reserves to 5 percent, reduces exposure of the portfolio from $140 billion to $135. Lastly, it has a pilot program for a reinsurance program shifted to the private sector.

This is a reform bill without these amendments. These amendments are designed to kill the bill. Vote ''no'' on the bill. Vote for reform. Vote ''no'' on the amendments.

Mr. MULVANEY. Mr. Chair, I inquire as to the amount of time remaining.

The Acting CHAIR. The gentleman from South Carolina has 3 minutes remaining. The gentlewoman from California has 2 minutes remaining.

Mr. MULVANEY. Mr. Chair, I yield 1 minute to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. Mr. Chair, regarding reforms, looking at the underlying legislation that we dealt with last week, those reforms either already existed, have been in place and been ignored by the Ex-Im Bank—we have been waiting several years since the last time I voted against the Ex-Im Bank for these reforms, and they don't do it; they have been ignored—or it is ignorance or malfeasance regarding traditional or standard business or Bank practices.

I stand in favor of this amendment because this proposal would prevent the Ex-Im Bank from providing financing to any foreign company or joint venture that benefits from government support when that joint venture's country also has a sovereign wealth fund over $100 billion. Why in the world would we want to subsidize a joint venture that has or could have state backing from its own country?

Now, if we enacted this reform for fiscal year 2014, applying this provision would have resulted in an estimated reduction of approximately $3.1 billion or only 15 percent of the Bank's total authorizations, far from killing it, but, again, allowing a needed reform that isn't in the underlying legislation we dealt with this week.

I urge support for this amendment.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. Mr. Chair, again, I know great public speeches, but this is the biggest package of reforms since President Reagan.

The Bank actually returns on an average of $500 million to $1 billion to the Treasury every year. It is not costing the taxpayer a dime.

These are a few companies: Abro Industries, South Bend, Indiana; Auburn Leather Company, Auburn, Kentucky; Metropolitan Air Technology, Chicago, Illinois; Advanced Protection Technologies, Clearwater, Florida. Several companies, Mr. Chair, that will not be in business if we kill the Export-Import Bank. All you hear from the opposition are excuses, trying to kill the Export-Import Bank.

It is a shame when the facts don't matter, Mr. Chairman, but the facts are this doesn't cost the taxpayers. The facts are we are doing more to reform

the Bank than has been done in 40 years. This is a Republican reform package. Let's put the politics aside here and do what is best for our constituents, the folks back home.

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

Ms. MAXINE WATERS of California. Mr. Chair, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Chair, once again, let's turn this amendment down. Let's turn back all of these amendments.

If anything, this amendment appears to try to fix the problem that one company has in one sector in one region of the world. Some people might define that as crony capitalism. Others might even call it an earmark.

Let's turn it back. Let's turn all these back. Let's get on with our business. I'm sorry we have to go through this this evening.

Mr. MULVANEY. I yield 1 minute to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chair, to my friend from Tennessee, let's do the facts. Simple amendment because, without it, you have all decided to subsidize the uber-wealthy in the world.

Think about it. You have made a decision to use our import credit facility, our constituents' credit, to subsidize great wealth around the world. That is what you have decided to do here.

I thought there was a battle here between the right and the left and the left always said, ''We are for the little guy.'' Here is your chance.

If you want just some basic reforms that—are you thrilled with the concept of a sovereign wealth fund coming out of Indonesia? Malaysia? Others? We are going to guarantee the loan instruments on the back of our taxpayers.

Come on. At some point, the argument is absurd saying: Well, you had a chance to do this last week. No, we didn't. You chose to do a closed rule. You did. You had every opportunity to do an open rule and give us the chance to put these actual reforms in.

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 30 seconds to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chair, obviously, they don't get what a sovereign wealth fund is. It just is a balance of payments between countries, and I think that it is a dilatory argument.

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

I have heard three arguments, Mr. Chairman, that somehow this is a convoluted linkage. No, it is not. It is pretty straightforward. The Bank shall not guarantee or extend credit in connection with a transaction with a foreign company or joint venture, including a foreign company, that benefits from support from a foreign government if the foreign government has a sovereign wealth fund with an aggregate value of at least $100 billion.

I have no idea how that is convoluted, Mr. Chairman. That is about as straightforward as you get. If you are involved in a sovereign wealth fund, you don't get taxpayer money.

The other thing I heard is that this is to protect one customer, one client. That is absurd. This is designed to protect 150 million American taxpayers.

The last thing I heard was this is not serious. Yes, it is. Anytime we have the opportunity to put American taxpayers in front of foreign taxpayers, I think that would be very serious.

I would encourage the support of this amendment.

I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman and Members, this desperate attempt by my friends on the opposite side of the aisle, this last-minute attempt to try and kill Ex-Im, is laughable.

I am asking all of the Members of this House to simply see it for what it is and vote against it. Vote ''no'' on these amendments and this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

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

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

AMENDMENT NO. 5 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. SATISFACTION OF OBLIGATIONS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES.

(a) ELIMINATION OF AUTHORITY TO ISSUE OBLIGATIONS TO THE SECRETARY OF THE TREASURY.—Section 5 of the Export-Import Bank Act of 1945 (12 U.S.C. 635d) is repealed.

(b) REQUIREMENT THAT THE EXPORT-IMPORT BANK OF THE UNITED STATES COVER ALL ITS LOSSES.—

(1) IN GENERAL.—Section 2 of Public Law 90-390 (12 U.S.C. 635k) is amended—

(A) by striking ''the first $100,000,000 of such losses shall be borne by the Bank; the second $100,000,000 of such losses shall be borne by the Secretary of the Treasury; and any losses in excess thereof'' and inserting ''all losses''; and

(B) by striking the 2nd and 3rd sentences.

(2) CONFORMING REPEAL.—Section 3 of Public Law 90-390 (12 U.S.C. 635l) is repealed.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, this one is fairly simple. We have heard now for the last half-hour or so how much money the Treasury gets from the Export-Import Bank, how profitable the Export-Import Bank is for the American taxpayer. Okay. That is great.

Then, let's get rid of the connection between the Export-Import Bank and the guarantee that the Treasury gives to it. Let's let the Export-Import Bank rise and fall on its own economics and its own balance sheet and not put the taxpayer on the hook.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chairman, I rise in strident opposition to this amendment. I think that this amendment really tells the story that they really are trying to destroy the Export-Import Bank as opposed to reform it. How can you deny borrowing authority to a lending institution and say you are serious about having it stay alive?

The Bank has done a fantastic job of managing risk by keeping its overall debt rate below one quarter of 1 percent, far better than most private banks, in fact.

The Export-Import Bank reauthorization already includes the creation of a permanent chief risk officer role, establishing a risk management committee, enhancing the Bank's loan loss reserves, among other reforms.

The underlying bill makes the Bank safer and better run than before, making this amendment transparently unnecessary.

Members should oppose this anti-Ex-Im amendment.

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

Ms. MAXINE WATERS of California. Mr. Chair, I yield 2 minutes to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. Mr. Chair, to the gentlewoman's comments, this does show an attempt to kill the Bank.

When we go back home to our districts, a lot of times we are on the tail end of jokes, being Congressmen and Congresswomen, and sometimes they talk about us being a little slow.

So let me go over the facts one more time for the gentleman from South Carolina. The Bank doesn't cost the taxpayer a penny. We are doing more in the way of reforms than since President Reagan. It returns $500 million to $1 billion a year back to the Treasury.

Now, I know that they have taken the position to kill the Bank, but this kills jobs. This is about jobs in Tennessee, jobs in California, jobs in Oklahoma, jobs in Illinois.

This is not a level playing field. China, Russia, and all of these other countries are just hoping that we make the mistake and we don't reauthorize the charter of the Export-Import Bank.

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Let's be responsible adults. Let's not play politics as usual and worry about these outside groups and our political scores, Mr. Chairman. Isn't it sad that we would worry about some score with an outside group more than our districts and more than our constituents that have jobs because of the Export-Import Bank? We should be ashamed of ourselves.

I again urge my colleagues to vote ''no'' on all these amendments, and let's get to the serious business of the people's House.

Mr. MULVANEY. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Chairman, I rise in strong support of Mr. MULVANEY's amendment to shield taxpayers from bailing out the Export-Import Bank.

I have been here for this debate over the last 45 minutes, and I have heard my good friend from Frog Jump, Tennessee, comment, and I think he said the Export-Import Bank doesn't cost taxpayers one penny, okay? That was the quote, doesn't cost one penny. But what this amendment does is guarantee that the Export-Import Bank won't cost the taxpayer one penny because the taxpayer is not going to be on the hook. But then I just heard my good friend from Tennessee say, if we pass this amendment, it is going to kill the Bank.

You can't have it both ways. Either it kills the Bank if you don't have a backstop because it costs the taxpayers money, or it doesn't cost the taxpayers any money and this amendment won't kill the Bank. But you can't have it both ways. It does not work that way.

Listen, this makes sense. The Export-Import Bank helps the 10 largest businesses in America. Why are moms and dads and families in Wausau, Wisconsin, or Hayward, Wisconsin, Frog Jump, Tennessee, the suburbs of Chicago, or rural Oklahoma, who make $50,000, $60,000—maybe a little more in the Chicago suburbs—why are they the backstop for these biggest corporations?

That shouldn't be the way it is. So let's take the backstop of that taxpayer, those American families, let's take them off the hook. As the author of the amendment said, let's let the Bank stand on their own. Let them make that guarantee on their own.

In our communities, our banks make loans to small businesses every single day. I know the gentlewoman from Wisconsin knows that. There is not a taxpayer backstop to those loans. If they don't pay those loans back, the bank loses. Why are the biggest corporations getting the backstop of the American taxpayer? This one makes sense. This one makes sense.

Let's all stand together and say the American taxpayer, the American family is not going to back up the biggest banks. Let's get away from the crony capitalism. It is not going to kill the Bank. It is a good amendment. This is the place and the time for reform. Maybe it should have happened 6 months ago, but with regular order, it gets to happen today. Let's stand together for American families and against crony capitalism.

Ms. MAXINE WATERS of California. Mr. Chairman, may I inquire how much time I have remaining?

The Acting CHAIR. The gentlewoman has 2½ minutes remaining.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Mr. Chairman, it is interesting in these great conversations, good debate, nobody has said that this doesn't make money for the taxpayers. They try to make the link and everything else, and that is fine.

My friend from Wisconsin just said, well, if this amendment kills the Bank, it is because, et cetera, et cetera. This amendment is aimed to kill the Bank because it is a poison pill amendment on Ex-Im. That is what all these amendments are. They are attempting a last-ditch effort to destroy something that has really, frankly, provided a lot of jobs in my district and provided a lot of exports from my district.

We talk about protecting taxpayers. Protecting taxpayers from what, an extra $500 million? Are we protecting them from a smaller deficit? It doesn't make sense. I am not sure why certain folks have made this the hill to die on. There are a lot of better hills to die on, to fight, to argue in this.

I will tell you a quick story. I went to Ethiopia 6 months ago or so. I flew to Ethiopia on a Boeing Dreamliner. Now, I know a lot of people like to call out names of big companies, but I didn't go to Ethiopia on Ethiopian Airlines on an Airbus. The fact that I was on a Boeing Dreamliner means that the parts and components are made in my district for that Dreamliner, which means there are people who have a job because Ethiopian Airlines bought a Boeing.

Let's kill this amendment and save the Bank.

Mr. MULVANEY. Mr. Chairman, how much time is remaining on my side?

The Acting CHAIR. The gentleman from South Carolina has 2 minutes remaining.

Mr. MULVANEY. Mr. Chairman, I reserve the balance of my time to close.

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

I have listened carefully to the arguments that are being made on the opposite side of the aisle, and I listened carefully to Mr. DUFFY. Evidently, he does not know or does not understand that those big corporations that he talked about are hiring small businesses in his district. He does not understand that these are the suppliers to these big companies. These are the families who are benefiting from the jobs and the contracts that they have been able to get.

Evidently, listening to my friends on the opposite side of the aisle, they really don't understand the Ex-Im Bank. They really don't understand its support for our ability to export, thus creating jobs.

While on the one hand they talk about how great our country is and how competitive we are, how competitive we need to be, they don't understand that, just as Mr. FINCHER said, other countries such as China are just hoping that we cannot reopen this Bank. They are just hoping that we will not support our exporters, because they are going to support their exporters 100 percent.

If you care about jobs, if you care about contracts, if you care about small businesses, you would not be opposing this Bank. As a matter of fact, there are those who would say: I am surprised that MAXINE WATERS is such an advocate for the Ex-Im Bank; we did not expect her to be. But I want you to know, I have worked with the Chamber of Commerce. I have held meetings in my district.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. MULVANEY. Mr. Chairman, a couple different things. I am a little surprised, Mr. Chairman, to hear some of the advocates here today because some of them, including the most recent speaker, were actually against the Bank when there was a different party in charge of the White House.

I hear today that this is supposedly about jobs, jobs being created. By the way, that is a claim that not even the Export-Import Bank makes on its own. It has never come into our committee and said, ''We create jobs.'' It comes into our committee and says, ''We support jobs.'' We are not really sure what that means. We have asked them. They are not really sure how to count it. In fact, there is really good evidence that they are counting it wrong.

Let's say for the sake of argument, Mr. Chairman, that they do create jobs. They also destroy jobs. Every time the government gets involved in the market and creates jobs someplace, they destroy it someplace else. It is just much harder to see. So it is very difficult for us to say: Look, this job was destroyed by the Export-Import Bank.

But I will tell you this, my local banks in rural South Carolina can't go to the Treasury and borrow money for free every time they want to. If they could, they might be able to create some more jobs as well.

We have a distortion to the market, Mr. Chairman, plain and simple. That is all this is. Are there going to be winners? Absolutely. There is a lot of them, as a matter of fact. In fact, you

can go buy stock in some of them if you want to. Are there losers? Absolutely. You will never see them. You will never see them. They are in Union County, South Carolina, maybe. I don't know because we will never see the jobs that are not created because of the distortion created by the Bank.

We have a tremendous opportunity not to kill the Bank. If the Bank really is as profitable as you say it is, this should be fine.

By the way, the gentleman from Illinois (Mr. KINZINGER) has left and said that no one is getting up to say the Bank doesn't make money. Here I am. The Bank doesn't make money. First of all, if you made it count right, it wouldn't make any money. But, in my lifetime, we have had to bail this institution out to the tune of billions of dollars. How soon we forget those types of things, Mr. Chairman.

We are going to pass this amendment. It is not designed to kill the Bank. It is designed to get the taxpayers off the hook in case the Bank makes the same mistakes today that it has made in the past.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

Ms. MAXINE WATERS of California. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 6 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. STRENGTHENING PORTFOLIO DIVERSIFICATION AND RISK MANAGEMENT.

(a) LIMITATIONS ON SECTORAL CREDIT EXPOSURE OF THE BANK.—Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act, is amended by adding at the end the following:

''(1) LIMITATIONS ON SECTORAL CREDIT EXPOSURE OF THE BANK.—

''(1) IN GENERAL.—The Bank shall not guarantee, insure, or extend (participate in the extension of) credit in connection with a transaction in a single industrial sector if the provision of the guarantee, insurance, or credit would result in the total credit exposure of the Bank in the sector being more than 20 percent of the total credit exposure of the Bank.

''(2) EFFECT OF EXCESSIVE SECTORAL CREDIT EXPOSURE.—If, as of the end of a fiscal year, the credit exposure of the Bank in a single industrial sector exceeds the limit specified in paragraph (1), the Bank may not guarantee, insure, or extend (participate in the extension of) credit in connection with a transaction in the sector until the President of the Bank reports to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that, as of the end of the calendar month preceding the month in which the report is made, the credit exposure of the Bank in the sector does not exceed the limit.''.

(b) LIMITATIONS ON BANK ASSISTANCE BENEFITTING A SINGLE PERSON.—Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act and subsection (a) of this section, is amended by adding at the end the following:

''(m) LIMITATIONS ON BANK ASSISTANCE BENEFITTING A SINGLE PERSON.—

''(1) IN GENERAL.—The Bank shall not guarantee, insure, or extend (participate in the extension of) credit in a fiscal year if the provision of the guarantee, insurance, or credit would result in a single person benefitting from more than 10 percent of the total dollar amount of credit assistance provided by the Bank in the fiscal year.

''(2) EFFECT OF EXCESSIVE BENEFIT FOR A SINGLE EXPORTER.—If, in a fiscal year, a person has benefitted from more than 10 percent of the total dollar amount of credit assistance provided by the Bank in the fiscal year, the Bank may not guarantee, insure, or extend (participate in the extension of) credit so as to benefit the person until the beginning of the 2nd succeeding fiscal year.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

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

Mr. Chairman, I was on a working group last year under the auspices of the chairman of the Committee on Financial Services with, amongst other people, the good gentleman from Tennessee (Mr. FINCHER), who has now left us for dinner. No, there he is. One of the things that the opponents and proponents of the Bank could all agree on was the fact that the Bank was poorly run when it came to managing its risk. Specifically, it has what bankers call market concentration. It puts too many of its eggs in one basket. In fact, one particular industry, aircraft and avionics, takes up almost 30 percent of the Bank's portfolio.

We had a banker on that committee who worked with us. He said no self-respecting private sector bank would ever allow that to happen. That is simply bad management. It is not credible management. It is not responsible management to the shareholders. The bad news here, of course, Mr. Chairman, is the shareholders are the people who pay us.

What does this amendment do? It tries to bring some of the private sector sanity into the Export-Import Bank and say: Look, you are going to have to abide by rules that ensure diversification of risk, both within industries and across companies.

If this were really a bank and not just a political extension of the current administration, they would probably be doing this. If the Bank was run by a banker and not a political bundler, the Bank would probably already be doing this. But since it is a political extension of this administration, since it is run by a political bundler and not a banker, it falls to us to make sure that the Bank follows some commonsense rules about to whom it lends and how much it lends to them.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. I yield myself 1 minute.

Yet again the gentleman from South Carolina is offering an amendment designed to kill the Ex-Im Bank and compromise its reauthorization in the highway bill conference. By imposing arbitrary caps on the Bank's ability to meet the needs of American exporters, regardless of the sector they represent, the amendment would starve certain sectors of the financing they need, resulting in a needless loss of U.S. jobs.

I am concerned the amendment would also create incentives for businesses to be the first in line to get the limited amount of financing that is available for that particular sector or industry and would also undermine its mandates to serve sub-Saharan Africa, small businesses, and renewable energy exports.

Given the Bank's extremely low default rate, it is hard to envision how this amendment would help the Bank better manage its portfolio.

I urge Members to reject this poison pill amendment so that we can reauthorize the Ex-Im Bank without delay.

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

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chairman, these amendments are getting more and more strange as the evening wears on.

The favorite indictment of this Bank, I think, is that it picks winners and losers, and yet here is an amendment that does exactly that. It puts these artificial caps on sectors. Mr. Chairman, this Bank is demand driven, and if the world demands shifts, why would we create barriers to U.S. firms meeting that demand? These caps just mean that the U.S. can't compete for growing market trends.

□ 2100

This is a poison pill amendment, and I urge the Members to reject this so we can reauthorize the Bank immediately.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I rise in opposition to my friend Mr. MULVANEY's amendment. He is a friend. I do want to say that this amendment puts not only a cap, but statutory quotas on industry sectors for the full 5-year authorization. It ignores market forces.

The amendment would mirror the French quota system in their export credit agency, which is ineffective. Rapidly developing industries like unconventional gas—and I represent a gas State, where we do a lot of Marcellus shale—and the industrial Internet would be disadvantaged under this policy.

It creates incentives for businesses to rush to be the first in the door and get under the arbitrary cap, resulting in missed opportunities and inequitable treatment of U.S. exporters and U.S. workers. This would make the Bank ineffective and unable to fill in the gaps in the private sector or to help American businesses compete on a level playing field.

I also have to note, too, that I suspect that many of the amendments that we are seeing here tonight are not designed to make the bill better, but to simply take it down. As I said, Mr. MULVANEY is my friend, but I suspect if his amendment is adopted, he probably still wouldn't be inclined to support the legislation, unless he tells me otherwise.

Mr. MULVANEY. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from South Carolina has 3 minutes remaining, and the gentlewoman from California has 2 minutes remaining.

Mr. MULVANEY. Mr. Chairman, I yield myself 2 minutes.

Arbitrary limits, I had to laugh about that one, Mr. Chairman, when I was making my notes, because I was in a committee meeting today with the same folks making the argument now, saying that Congress does that all the time. In fact, I think the person who made that argument is sitting across the aisle from me today.

I am just glad that folks making the argument now in opposition to this amendment aren't in charge of private banks. In fact, if they were, they would probably be in jail, because a lot of the same restrictions on lending that are contained in Dodd-Frank are exactly the rules that the Export-Import Bank is breaking right now.

We would never tolerate a private institution that allows the type of concentration, both marketwise and geographically, that the Export-Import Bank has. Dodd-Frank would never permit it. Apparently, now it is okay, because we don't have private shareholders on the hook. We have taxpayers on the hook. So, if things go bad, it is really not that big a deal.

I will remind everyone here, Mr. Chairman, that the inspector general's report has suggested exactly the type of reforms that are contained in this amendment. Anyone with any banking experience or even people from Tennessee with just a little common sense might be able to look at the balance sheet of this Bank and say: ''Wait a second. There is too much concentration of various industries. There is too much concentration of various geographic areas. This is a really, really bad way to run a bank.''

And it would be, of course, if this is a bank. But it is not a bank. It is a government program. It should be run like a bank, however. And that is what this amendment gives us the opportunity to do.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Chairman, I think it is relevant that we think for a moment about the Bank.

Some of my friends here who press these amendments—which, I would remind you, you should vote against all of them—say that they are not trying to kill the Bank. They are trying to do something.

Well, didn't the Bank expire in July? Isn't it no longer able to do new business? Isn't that the definition of dead? By their lack of action, which is inaction, they killed it. Now they say, with their actions, they will resurrect it? Not likely, my friends.

Turn all these amendments down. Let's get on with the core business here. Let's fight the fight we fought last week again, and one more time let's give American business an opportunity to compete with the rest of the world.

Who knows—we might have to do this three or four more times, but let's keep doing the right thing for American workers. Let's keep doing the right thing for American business. That is all I am asking: just do the right thing and abide by the decision of the House and the majority of the majority.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chairman, the gentleman from South Carolina suggested that the Export-Import Bank was a political extension of this administration. If that is true, let's be real clear: it has been a political extension of every single administration since it was created in 1934.

All 13 Presidents have supported the Export-Import, all 13—Democrats and Republicans, liberals and conservatives. Sixteen times it has bean reauthorized in this Chamber. Virtually every time, it was done unanimously and overwhelmingly.

In earlier remarks, the other gentleman suggested that those of us who oppose these amendments are trying to have it both ways. They also say that we try to pick winners and losers with the Export-Import Bank.

Well, this amendment is exhibit A in picking winners and losers. It compels diversification. It is not based on need and not based on creditworthiness. Diversification for diversification's sake, that is not what a good bank does, and that is not what the Export-Import Bank does. The Export-Import Bank meets a specific need in the marketplace; and when it does it, it creates jobs, jobs for Americans.

Oppose this amendment. Oppose all amendments.

Mr. MULVANEY. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from South Carolina has 1½ minutes remaining.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield back the balance of my time.

Mr. MULVANEY. Mr. Chairman, in closing on all of these amendments, I want to touch on something we haven't had a chance to talk about here today.

There are a lot of people in here who are apparently very proud of the Bank. They are happy with the way the Bank is run. They don't think that, but for some token reforms and changes, the Bank needs to change very much at all.

The last 6 years have been 75 years of combined prison time because of wrongdoing at the Bank. There were 90 criminal indictments and complaints, 49 criminal judgments, and more than $223 million—a quarter of a billion dollars—in court-ordered fines and restitution because of wrongdoing at the Bank.

We are proud of that? That is something that doesn't need serious overhaul? That is something we can just tweak around the edges because we have done it for so long?

Maybe that is part of the problem. Maybe it has been a really, really long time since we have looked at this Bank under the microscope like we should. Maybe we should not have rubberstamped it for the past 16 administrations. Maybe the Bank should have followed the law that we passed in 2012 to reform itself.

What does it say about an institution, Mr. Chairman, that ignores the law that this Chamber passes, the Senate passes, and the President signs? You combine that which can only be described as bureaucratic arrogance with this—prison time, criminal indictments, judgments, fines and restitutions—and you have an institution that is in sad need of reform, Mr. Chairman, and this is it.

The amendments that you will see tonight are your only opportunity to do that. We could have done it the other day on the motion to discharge, but it was finely tuned so that that could not happen. This is it. We should pass not only this amendment, Mr. Chairman, but all of the amendments.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

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

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

AMENDMENT NO. 7 OFFERED BY MR. ROTHFUS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. GUARANTEE FROM UNITED STATES EXPORTER REQUIRED AS A CONDITION OF PROVIDING GUARANTEE OR EXTENDING CREDIT TO FOREIGN PERSON.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act, is amended by adding at the end the following:

''(1) GUARANTEE FROM UNITED STATES EXPORTER REQUIRED AS A CONDITION OF PROVIDING GUARANTEE OR EXTENDING CREDIT TO FOREIGN PERSON.—

''(1) IN GENERAL.—The Bank may not provide a guarantee or extend (or participate in the extension of credit) to a foreign person in a fiscal year in connection with the export of goods or services by a United States company, unless—

''(A) the United States company—

''(i) guarantees the repayment by the foreign person of the applicable percentage for the fiscal year of the amount of the guarantee or credit provided by the Bank; and

''(ii) pledges collateral in an amount sufficient to cover the applicable percentage for the fiscal year of the amount guaranteed by the United States company; and

''(B) the guarantee by the United States company is senior to any other obligation of the United States company.

''(2) APPLICABLE PERCENTAGE DEFINED.—In paragraph (1), the term 'applicable percentage' means—

''(A) in the case of fiscal year 2016, 10 percent;

''(B) in the case of fiscal year 2017, 20 percent;

''(C) in the case of fiscal year 2018, 30 percent;

''(D) in the case of fiscal year 2019, 40 percent;

''(E) in the case of fiscal year 2020, 50 percent;

''(F) in the case of fiscal year 2021, 60 percent;

''(G) in the case of fiscal year 2022, 70 percent;

''(H) in the case of fiscal year 2023, 80 percent;

''(I) in the case of fiscal year 2024, 90 percent; and

''(J) in the case of fiscal year 2025 and each succeeding fiscal year, 100 percent.

''(3) INAPPLICABILITY TO SMALL BUSINESS EXPORTERS.—Paragraph (1) shall not apply with respect to the provision of a guarantee or credit in connection with an export by a small business concern (as defined in section 3(a) of the Small Business Act).''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Pennsylvania (Mr. ROTHFUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

I cannot understate the importance of this amendment, Mr. Chairman. The House finally has an opportunity to begin today what may be a years-long process of unwinding the Federal Government's massive loan guarantees. We need to do this to better protect hardworking taxpayer dollars so we can ensure that, when bills come due in 10 years for Social Security, Medicare, and veterans' benefits, we will be able to meet these commitments that Americans have earned and deserve.

My amendment also supports small businesses and ensures they can continue to export goods and services. In short, it is a win-win for taxpayers and job creators alike.

My amendment builds a firewall to protect the American taxpayer in the event that an overseas purchaser takes out a loan from the Export-Import Bank and stops paying it back. While the loan will still have a taxpayer guarantee, the U.S. exporter that directly profits on the deal will be responsible for a percentage of the loss before you go to the taxpayers.

One need only look at the details surrounding the deal with NewSat, a troubled satellite operator in Australia, to see why this amendment is necessary. The American taxpayer lost $139 million of a direct loan from the Export-Import Bank because the deal wasn't properly collateralized. Hardworking taxpayers should not be left paying for these risky loans.

This is vitally important, Mr. Chairman. This amendment will allow elected Representatives to cast a vote on whether it is fair and prudent to facilitate transactions where profits stay in the private sector, but losses are passed on to taxpayers. This is often described as ''privatize the profits, but socialize the losses.''

Here is how the amendment works. First, it does not apply if any exporter is a small business. According to the Export-Import Bank's own figures, nearly 90 percent of the Bank's transactions directly serve small businesses. This amendment does not touch this 90 percent and will not impact local mom-and-pop businesses.

For big businesses, though, when a foreign government or corporation takes out a loan from the Export-Import Bank to buy their products or services, if that foreign purchaser then defaults on the loan, before dipping into the Bank's reserves—which belong to the taxpayers—the big businesses would have to repay a percentage of the loan.

To minimize any potential disruptions, this reform is phased in gradually over the next decade, starting at a mere 10 percent for any lending that occurs in fiscal year 2016, 20 percent in fiscal year 2017, and so on. Loans will still get made, the Bank will still operate, but the American taxpayers will have a layer of protection that will mitigate any chance of the Export-Import Bank requesting a bailout, as it did in 1987 to the tune of $3 billion.

Why is this so important? Because American taxpayers are today the guarantor of more than $3 trillion in loans backed by numerous agencies, including the Export-Import Bank. This level of taxpayer leverage is not sustainable; and in 10 years, when we look into the faces of our seniors and our veterans, I want to have the confidence that we will have the resources we need to uphold the commitments we have made to them.

Mr. Chairman, the modest reforms in this amendment are a small step towards achieving that end. We can—we must—start this process today. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. I thank the gentleman for yielding, and I thank her for her tremendous leadership on this issue. I join her; Mr. HECK of Washington; our whip, Mr. HOYER; Congresswoman MOORE of Wisconsin; and so many others on the Republican side of the aisle who have been such strong leaders on reauthorization of the Ex-Im Bank.

Mr. Chair, some concerns have been raised here that I think are in need of response.

In terms of this amendment, I rise in opposition to it and state that the Bank's portfolio is well-collateralized, especially in the largest product sector, and it maintains a loss rate of less than one-quarter of 1 percent.

The Bank is also self-funded, largely through user fees collected from foreign customers, and has generated a surplus of close to $7 billion, money that has been sent to the U.S. Treasury to help reduce the deficit.

The previous speaker, Mr. MULVANEY, talked about some incidences of fraud that he said were associated with the Bank. I think it is important for our colleagues and those who are listening to this debate to know that those incidences of fraud were fraud exacted upon the Bank, not by the Bank; and so the charge that this fraud was within the Bank is just simply not true. These were people who tried to defraud the Bank.

Now, there was one incidence of fraud that the members of the staff of the Bank referred to or called out—one incident. So I just don't want anyone to

be misled into thinking that, however it was characterized, it is a fact.

□ 2115

That is why we have an IG, and that is why it is so good that in this bill, in terms of fraud and ethics, it creates a nonpartisan chief ethics officer and requires a GAO review at least once every 4 years of the Bank's fraud controls.

Legitimate concerns were raised, but the fact is the Bank should not be associated with fraud that is being exacted against it as if it was committing fraud. That is just not so.

But it is a good evening because we are debating an issue that has strong bipartisan support, that creates jobs, that reduces the deficit, that increases our competitiveness overseas, that enables U.S. companies to have markets for our products overseas, not only big businesses that are addressed in this amendment. That is important as well.

But for small and moderate-sized businesses who would not have the internal resources to find markets abroad, the Ex-Im Bank is created for that purpose.

I thank Mr. DENT and others who have been so much a part of bringing this legislation to the floor. I think it is a victory for the American people that we will have a bill that not only is good for our highways and in terms of transportation, but also reauthorizes the Ex-Im Bank in order to agree with the language in the Senate bill.

So all of these amendments, however well intentioned or well thought out, have the additional burden of taking down the Bank. Maybe you save them for another day, but in the here and now, we do not need any amendments on the Ex-Im Bank in the transportation bill just because the Ex-Im Bank is authorized in the transportation bill in the Senate.

This House very thoughtfully passed our own authorization. I would hope that the Senate would agree to our language unamended.

Again, I commend all of you who made this evening possible, and I look forward to a celebration of passing a highway bill that does not take down the Ex-Im Bank.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chair, I am not as calm as the Leader in her remarks because I think enough is enough.

Not directed at the offerer of this amendment but to a previous speaker: I cannot help but be reminded of Joseph Welch during the McCarthy hearings when he said: Have you no sense of decency, sir, at long last?

With one exception, these indictments were people outside the Bank trying to defraud the Bank; yet, it is offered here today as a reflection on the 300 or 400 employees down there.

What do they do? Well, they have a default rate that is one-tenth the rate of transactions in trade by the private sector, one-tenth.

They have a collection rate that is the envy of the commercial banking sector. They transfer funds to the Treasury, $6 billion or $7 billion in the last generation. That is what these hardworking people do.

Stop it. Stop making comments that reflect on all of these people who are hardworking civil servants, who are doing the job, and who are reducing the deficit.

Yes, they are supporting and creating jobs. What does ''support'' mean? Create or save. The GAO says that, not me, the GAO. So stop it.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. I thank the gentlewoman.

Mr. Chair, again, let's go over the facts. We are getting off base.

The Bank doesn't lose taxpayer dollars. It returns money to the Treasury every year, $500 million to $1 billion.

We are reforming. This is a Republican reform bill. We should be happy when Democrats want to cross the aisle and support Republican ideas. This is a Republican reform bill.

And to the gentleman that makes the argument on this amendment, the aircraft section of the portfolio is over on collateral 1.4 to 1.

These are bogus arguments. These are amendments to kill the Bank.

This is sad when people put their political scorecards above their constituents. This is about jobs in all of our districts.

They are not using the facts. The facts are that this creates lots of jobs at no cost, and we are reforming the Bank.

Read the bill. Read the bill, Mr. Chairman, and maybe we would have more than 313 votes next time we vote on this.

Mr. ROTHFUS. Mr. Chairman, I have heard a number of times tonight that the Bank doesn't cost anything. But if you take a look at the Congressional Budget Office analysis and if you use fair value accounting, it costs $2 billion over 10 years. And there will be an amendment later on talking about that.

I think people forget about the $3 billion taxpayer bailout that Export-Import asked for in 1987.

Finally, Fannie Mae and Freddie Mac were fine until they weren't, and they left the taxpayers with a $150 billion tab.

I am looking 10 years down the road, Mr. Chairman, looking at the debt that this country continues to accrue and thinking about the obligations that we have to meet in 2025 for our seniors, for our veterans. I want to make sure that we are not going to have a bailout at that time of this institution.

All this amendment does is says, who bears the risk of loss, the taxpayer or the entities that made the profit. It is phased in over time. Small businesses are protected.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. I thank the ranking member, and I thank the chairman.

Mr. Chair, I would simply note that the provision requires U.S. business to factor in new costs of a guarantee for repayment to the Ex-Im Bank, in addition to the fees and interests already required. Those additional costs would make U.S. business less competitive.

Now, that said, once again, I urge my colleagues to turn back this amendment, turn back all 10 amendments.

Remember, the Bank expired in July. When my friends say they don't want to kill it, they already have. Now they are just trying to keep it from being brought back to be able to function as a part of our economy.

Look through the amendment process we are going through here. Look at the whole process we are involved in. Understand what is really occurring.

Nothing ever happens by accident in politics—right?—or the legislative process. Understand the fight we are engaged in.

Turn back this amendment. Turn back all these amendments. Let's get on with it. If we could have made things better 6 months ago, we would have, but we weren't allowed to.

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

Ms. MAXINE WATERS of California. Mr. Chairman, this amendment has been offered in an attempt to delay and derail the Bank's reauthorization.

Despite the implication made by the gentleman's amendment that Ex-Im is undertaking and mismanaging excessive risk, it is important to be clear on the fact that the Bank has a portfolio that is well diversified regionally and by sector, spread across over 170 countries and dozens of industries.

The Bank's portfolio is also well collateralized, especially in its larger product sector, and it maintains the loss rate of less than one-quarter of 1 percent.

Moreover, Ex-Im Bank's strong portfolio has withstood the test of numerous market disruptions in the past.

Finally, the Bank is also self-funded largely through user fees collected from foreign customers and has generated a surplus of close to $7 billion, money that has been sent to the U.S. Treasury to help lower our deficit.

So I urge all Members to reject this amendment.

I yield back the balance of my time.

Mr. ROTHFUS. Mr. Chairman, again, I think people have a short memory of

what happened with Fannie Mae and Freddie Mac and the $150 billion loss that those institutions incurred.

This amendment does not end the Bank. It allows loans to continue to be made. It simply puts a firewall between a potential loss and the taxpayers. Who bears the risk of loss? The taxpayers or the entity that made the profit?

I suggest that there should be phased in over time 10 percent the first year, just 10 percent—that is a miniscule ask—that those who make a profit from this Bank have a little skin in the game. Small businesses are exempted.

I ask for support of this amendment. I urge my colleagues to vote ''yes.''

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 8 OFFERED BY MR. ROYCE

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. PROHIBITION ON AID TO STATE-SPONSORS OF TERRORISM.

Section 2(b)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(2)) is amended—

(1) in the paragraph heading, by inserting ''OR STATE-SPONSORS OF TERRORISM'' before the period;

(2) in subparagraph (A)—

(A) by striking ''or'' at the end of clause (i);

(B) by redesignating clause (ii) as clause (iii) and inserting after clause (i) the following:

''(ii) in connection with the purchase or lease of any product by a country that is designated as a state-sponsor of terrorism, or any agency or national thereof; or''; and

(C) in clause (iii) (as so redesignated), by inserting ''or a state-sponsor of terrorism'' before the period;

(3) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively, and inserting after subparagraph (B) the following:

''(C) STATE-SPONSOR OF TERRORISM DEFINED.—In this paragraph, the term 'state-sponsor of terrorism' means a country the government of which the Secretary of State has determined, for purposes of section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A)) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)), section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)), or any other provision of law, to be a government that has repeatedly provided support for acts of international terrorism.'';

(4) in subparagraph (D) (as so redesignated)—

(A) in the subparagraph heading, by inserting ''OR A STATE-SPONSOR OF TERRORISM'' after ''MARXIST-LENINIST'';

(B) by inserting ''or that any country described in subparagraph (C) has ceased to be a state-sponsor of terrorism'' after ''(B)(i))'';

(C) by inserting ''or a state-sponsor of terrorism, as the case may be,'' before ''for purposes''; and

(D) by inserting ''or a state-sponsor of terrorism, as the case may be'' before the period at the end; and

(5) in subparagraph (E) (as so redesignated)—

(A) in clause (i)—

(i) by striking ''Subparagraph'' and inserting ''Clauses (i) and (iii) (but only to the extent applicable with respect to Marxist-Leninist countries) of subparagraph''; and

(ii) by striking ''(ii)'' and inserting ''(iii) (but only to the extent applicable with respect to Marxist-Leninist countries)''; and

(B) in clause (ii), by striking ''(ii)'' and inserting ''(iii) (but only to the extent applicable with respect to Marxist-Leninist countries)''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. ROYCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROYCE. Mr. Chairman, I would explain to my colleagues at the outset that I, frankly, think we should voice vote this amendment without objection. I think it is misguided to oppose it because this amendment is not part of this fight over Ex-Im.

What this fight is over, what this amendment is over, is my experience in terms of the President using waivers. I will explain to you my worry if we don't close this loophole, which I frankly think it would be very easy to close because I think the Senate would agree with us.

But Export-Import Bank loans and guarantees obviously would be absolutely off limits to state sponsors of terrorism if we write the law correctly. The worst of the worst—Iran, Syria, Sudan—should have the Bank door slammed shut, period.

That is what this amendment does. No administration wiggle room, none at all.

One country where the Ex-Im has not operated in recent years is Iran. This is because of our sanctions. But, of course, much of this sanctions regime is going to be suspended, misguidedly, as part of the President's nuclear deal.

So what does that mean?

For one, the administration is committed to making it possible for Iran to purchase commercial aircraft. I think we can all agree, Ex-Im supporters and opponents alike, that Iran should not be entitled to American taxpayer-financed aircraft deals.

Iran has a long history of using its commercial airlines to support its terrorist proxies. Its commercial flights are now flying military personnel to Syria. When I say ''now,'' I mean right now.

Iran is on a roll in the region undermining our partners and backing the murderous Assad regime in Syria.

Now, some parts of U.S. law, most notably in the Foreign Assistance Act, do prevent Ex-Im from engaging with state sponsors of terrorism. But these commonsense prohibitions are subject to Presidential waivers, and we have seen the President abuse waivers to pursue his agenda over and over again on Iran, no matter what Congress thinks.

Without consulting Congress, the administration signed us up for an agreement that will waive sanctions year after year until Iran has nuclear breakout capability. That is the way I think this ends.

So, Mr. Chairman, the Foreign Affairs Committee that I chair is continuing to examine the Iran agreement in great detail. We understand how this administration has abused its authority to force a deal that allows the Ayatollah to keep a path to a nuclear weapon, in my view, with little regard for the views of the American people or their Representatives in Congress.

This is not just about Iran. The administration is unilaterally bending, ignoring, and rewriting law to advance his agenda here at home toward Cuba and elsewhere.

So this amendment protects against executive overreach. It would strengthen existing law by prohibiting any bank activities in connection with the purchase or lease of any product by a country that is designated as a state sponsor of terrorism, to include any agency or national of that government, and it prohibits the waivers that are currently exercised by the President.

□ 2130

That means that anyone who is a national of Iran or an appendage of that state sponsor of terrorism cannot benefit from the Bank. The Iranian Government and its Revolutionary Guards—which is increasingly involved in transportation, in energy, in construction, and in telecommunications—are set to profit from the President's nuclear agreement. Now, that is bad enough. But they shouldn't be getting Ex-Im backing on top of that.

Mr. Chairman, given my experience with this President with the waivers he has already given, I want that loophole closed. I don't think there is a reason for a debate on this. I think it should be voice-voted, and I think the Senate will concur in that.

Mr. Chairman, I encourage my colleagues to support this amendment.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman and Members, this amendment, more than any other, is

the one most clearly aimed at fracturing the majority coalition that has overwhelmingly backed the reauthorization of the Export-Import Bank.

For Members who might feel pressure to vote for this amendment, I urge you to keep in mind that you would also be voting to send the Ex-Im provision in this bill to conference and directly into the hands of Chairman HENSARLING and Chairman SHELBY, which will prove fatal to the Export-Import Bank.

Moreover, the Foreign Assistance Act as well as the omnibus spending bill the House adopted last December both prohibit Ex-Im support to state sponsors of terrorism, and there is no reason to believe that will change.

Mr. Chairman, I strongly urge Members to appreciate the extraordinary efforts it has taken Members on both sides of the aisle to get us to this point, and I call on my colleagues to reject this poison pill amendment that is designed to upend the reauthorization of the Bank.

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

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

Mr. Chairman, it is my understanding that, with or without passage of this amendment, the transportation bill with the Ex-Im language is going to conference with the Senate. That is the next step in this procedure.

I understand some believe this, and I understand some have been told that this in some way affects that conference. I don't think so. It is going to go to conference. I do not understand the reason to object to this because I think, frankly, whether you are for Ex-Im or against Ex-Im, at the end of the day, you don't want the President to have this particular waiver. I don't think Members here want that.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma (Mr. LUCAS), who has had so much courage.

Mr. LUCAS. Mr. Chairman, I thank the ranking member.

Mr. Chairman, first, before we talk about the substance of the amendment, let's look at the lay of the land. I am a farmer by trade. That is always something you do, you look at the lay of the land.

The six principal authors of the 10 amendments offered today, all members of Financial Services, none of them were proponents 6 months ago when we were attempting, pleading to bring this bill up for consideration.

None of these six, as I remember, demanded that we bring the bill up 3 months ago when frustration caught up with us. None of these six signed the discharge petition to use a rule of the House to allow this body to have its say. I don't believe any of these six authors actually voted to discharge the petition or voted for the final product last week when 313 Members of this body and a majority of the majority voted for it. So understand the lay of the land. Understand the nature.

Now, I have the greatest respect for the chairman of the Foreign Affairs Committee. I sat next to him for 20 years on Financial Services. He is extremely sincere. My friends, the issues he brings up in this amendment are relevant, but his chairmanship of the committee he presides over has primary jurisdiction on this.

This particular amendment would address a small part of one part of the things the Federal Government does. Maybe we need a bill to address all of these kinds of situations. Maybe we need—as we should have had on Export-Import in Financial Services—a thoughtful and considerate process to craft a good, solid piece of legislation. I know he is capable of it. I know he can do it. I want him to do it.

But let's do it in that concept of regular order in regular process. Let's not take this situation where we have had to do extraordinary things to give the House a chance to make the decision. Let's not take this situation now and in the spirit of the folks who set up the discharge process 100-plus years ago say: Well, the House decided, but really the House's opinion doesn't matter. Now we are going to redo it. We are going to go a different way.

Now, Mr. Chairman, I have faith this evening that, after my colleagues have listened to this debate on 10 amendments, when they come to the floor and vote on all 10 amendments, they will turn all 10 down. I am sorry, my colleagues, that you have to do this, because we shouldn't be here doing this tonight. This was decided last week.

But I hope if we will send a clear message and turn back all 10 amendments, that this will be over with. Let's not do this again next week. That is contrary to the spirit of the House.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. SHERMAN), another member the Financial Services Committee.

Mr. SHERMAN. Mr. Chairman, I have tremendous respect for the author and his intention here, but any amendment to the Ex-Im title means the Ex-Im title is open to the conference, which will kill the Ex-Im Bank. So we should not adopt an amendment that mostly restates existing law. We have, already, provisions which prevent the Bank from financing state sponsors of terrorism.

First, the Bank's own charter, which I helped draft, prohibits them from extending loans or any assistance to any entity that violates U.S. sanctions.

Second, as the gentleman points out, the Foreign Assistance Act prohibits any aid to state sponsors of terrorism but allows for a Presidential waiver, but that is a national security waiver, which is very limited.

I commend the gentleman for his amendment because it has caused the Ex-Im Bank to issue, just an hour ago, a pledge not to seek any waiver under any circumstances that they can concurrently conceive of.

But third, and most importantly, the last 10 appropriations bills have an absolute ban on the Ex-Im Bank helping state sponsors of terror, and there is no waiver allowed. Now, I would like the next omnibus bill, which already has this provision in it, to have the gentleman's language in it as well, and I look forward to working on that.

NOVEMBER 4, 2015.

Re: Letter Concerning Prohibitions Related to State Sponsors of Terrorism.

Hon. FRED P. HOCHBERG,
Chairman and President, Export Import Bank of the United States, Washington, DC.

DEAR CHAIRMAN HOCHBERG: Thank you for your letter outlining the position of the Bank in opposition to support for exports to countries designated state sponsors of terrorism.

As we have discussed, there may be an effort to sell or lease civilian aircraft to Iran Air or other Iranian airlines, and that there may be efforts to secure export credit agency support for such sales or leases. I am therefore grateful for your acknowledgement that there is no scenario that you currently foresee where a Presidential Waiver would be sought to provide loans for export of any items to these countries or any person from those countries.

I understand, of course, that unforeseen and even bizarre circumstances may arise in international affairs; but given the current state of our relations with these countries, I am pleased to hear that you cannot anticipate any scenario where we would provide Ex-Im Bank assistance to state sponsors of terrorism.

Sincerely,

BRAD SHERMAN,
Member of Congress.

NOVEMBER 4, 2015.

Hon. BRAD SHERMAN,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN SHERMAN: Pursuant to applicable law, the Export-Import Bank of the United States does not finance any transactions for designated state sponsors of terrorism. As you know, transactions involving the three existing state sponsors of terrorism—the Republic of Sudan, the Islamic Republic of Iran, and the Syrian Arab Republic—are already subject to numerous additional restrictions. As Chairman and President of the Export-Import Bank of the United States, I do not anticipate any scenario in which the Bank would seek a waiver from the President of the United States as contemplated by (i) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), or (ii) the Arms Export Control Act (22 U.S.C. 2780(g)), in connection with a transaction involving a country designated as a state sponsor of terrorism, or any transaction involving any person from any such countries.

Sincerely,

FRED P. HOCHBERG,
Chairman and President.

Ms. MAXINE WATERS of California. Mr. Chair, I yield back the balance of my time.

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

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

Ms. MAXINE WATERS of California. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 9 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. USE OF FAIR VALUE ACCOUNTING PRINCIPLES.

The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) is amended by adding at the end the following:

''SEC. 16. USE OF FAIR VALUE ACCOUNTING PRINCIPLES.

''The Bank shall prepare the financial statements of the Bank in accordance with fair value accounting principles.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Arizona (Mr. SCHWEIKERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

Mr. Chairman, my fellow Members, let's do some basic accounting, something we would all remember from our accounting 101 class. How many times tonight in the debate have we had the discussion: Oh, Ex-Im Bank, its losses are absolutely tiny? I have heard numbers tonight of 1.7 percent. But do any of you remember the hearing with the head of the Export-Import Bank where we asked the question: Can you tell me your impairment?

Remember, a charge-off is a loss; an impairment is someone who is not paying.

Mr. Chairman, the head of the Ex-Im Bank just stared at us with really angry eyes. He just stared at us. It turns out that the Bank games their losses. This is how they report such a great number.

If I turned to you and said, ''Hey, your neighborhood bank has a loan on the books that has sat there for 55 years without a payment,'' wouldn't you think that would have not been in the impairment category that is not reported under their current accounting methodology, but would have been charged off or forced to be charged off? Could you imagine a Dodd-Frank-regulated bank keeping a loan with no payment for 55 years? They still have a $36 million loan to pre-Castro Cuba on their books. We found lots of this sort of stuff because of the accounting methodology.

Mr. Chairman, this amendment is very simple. It just basically says to do what the rest of the financial world has to do and use fair value accounting.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT), which would do little to strengthen or improve the Export-Import Bank. Rather, the amendment is a cynical attempt to inaccurately and artificially inflate the cost of the programs offered by the Bank. All this would achieve is confusion regarding the real-world state of the Bank's fiscal health.

The fact of the matter is the Export-Import Bank has been extraordinarily careful in its risk management, which has resulted in a dividend to taxpayers of close to $7 billion. This is real money, and to pretend it isn't real for accounting purposes just isn't credible.

Overwhelmingly, majorities in the House and Senate have passed identical reauthorization measures that deliberately excluded this provision, and adding it back now would only serve to undermine the Bank's reauthorization.

Mr. Chairman, I urge Members to oppose this amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. SHERMAN), who serves on the Financial Services Committee.

Mr. SHERMAN. Mr. Chairman, this Bank is important. That is why Ronald Reagan said on January 30, 1984, that the Export-Import Bank contributes in a significant way to our Nation's export sales. We should not adopt an unnecessary amendment, the effect of which would be to kill the Bank.

Now, this amendment deals with accounting. As co-chair of the CPA Caucus, I understand the importance of solid accounting rules. As a CPA, we are the referees that make sure that accounting rules are followed.

The amendment talks about fair value accounting, more properly described as fantasy value accounting. Don't confuse fair value accounting with anything that is used in private enterprise or anywhere else. It is not the same as generally accepted accounting principles. Stick with generally accepted accounting principles. Stick with the principles consistent with the CBO, and those principles show you that the Bank makes money for the Treasury, which is why it transfers half a billion to a billion dollars a year.

Under fantasy value accounting, we don't look at whether the Bank is making money. We look at whether they would be making money if we lived in a fair world. So you would say, for example, in looking at the cost of funds and what it takes to borrow money, you could look at the accounting statements of Pizza Hut and say: Don't look at what they actually paid as interest costs, but what they would have paid in a fair world where they had the same interest rate as Jack's Pizzeria.

□ 2145

Well, maybe we don't live in a fair world. But the fact is, generally accepted accounting principles are to determine whether a company or entity is making or losing money in the real world. Stick with generally accepted accounting principles. Stick with the CBO. Stick with the CPAs. Stick with GAAP. Say ''no'' to fantasy value accounting.

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

You would be happy to know and my friend from California would be happy to know CBO actually supports fair value accounting.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. FINCHER), a real champion and a leader to reauthorize the Bank.

Mr. FINCHER. Mr. Chairman, once again, let's go back to the facts. The facts are this is a Republican reform bill. The gentleman from South Carolina is listening. This doesn't cost the taxpayer a dime.

The scare tactics from my colleagues that are trying to kill the Bank are not going to work. This returns $500 million to $1 billion per year to the Treasury to help pay down the debt.

My colleagues that are in opposition to this talk about us picking winners and losers, the supporters of the Ex-Im Bank. Well, do you know what? We are picking winners: American jobs. Those are the winners here.

This is shameful that we are having this debate tonight at 10:00 on an issue that could have been handled in our committee a year ago. And the gentleman talks about hearings. Well, we haven't had any hearings in how many months? I don't know if we have had any this Congress. We had some last Congress. We haven't had any this Congress.

This is how we fix issues. We have hearings, we have markups, we debate them in committee, and then we move items to the floor. But that didn't happen this time.

So what we have is we have 10 amendments. As the gentleman from Oklahoma said a few minutes ago, the Bank is already dead. They succeeded. But they want to bury the Bank now.

Let's put American jobs first and put political scorecards and trying to outconservative each other for some ranking in some book last. Let's work for our districts and not play political games, Mr. Chairman.

I urge my colleagues, once again, to vote ''no'' on all of these amendments. Let's put people back in charge.

Mr. SCHWEIKERT. Mr. Chairman, may I request how much time is remaining on both sides?

The Acting CHAIR. The gentleman from Arizona has 3 minutes remaining. The gentlewoman from California has 15 seconds remaining.

Mr. SCHWEIKERT. Mr. Chairman, I yield 90 seconds to the good gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. Mr. Chairman, I want to encourage my colleagues, if they vote for one and only one of these Export-Import Bank amendments, they should vote for this one.

In fact, I would bring to their attention that they probably have already voted for it before because, in the last two Congresses, we have voted to put the Federal agencies on fair value accounting and passed that out of the House. We have already done it. I don't know where the objections were at that time, but we have already done this as a House, and we should do it again.

To the gentleman from California's point regarding GAAP, let's be honest with people. Let's be honest. The government doesn't use GAAP. The government does not use GAAP the way that most ordinary people understand it. We use GAAP for government, which is entirely different.

Let's just settle on this amendment so that we can count in a way that people understand, that if you lent money to the Batista regime before Castro and it hasn't been paid yet, maybe it is a bad loan; if you lent money to Chiang Kai-shek, maybe that is a bad loan. Let's start counting in ways that ordinary people can understand. This is not a poison pill. It is just good governance.

And, most importantly, Mr. Chairman, it would not change the way the Bank functions in any way whatsoever. All it would do is change the way the Bank counts and tells Congress and the American people how it is performing. I strongly encourage that if you are going to vote for one Export-Import amendment, this would be the one.

Ms. MAXINE WATERS of California. Mr. Chairman, this is what our accountant friend, Mr. SHERMAN, called fairytale value accounting. But further than that, President George W. Bush calls this fuzzy math.

We have heard everything this evening. We have had every attempt to try to kill the Export-Import Bank, and now we are into this fuzzy, fairytale math that is being presented by my friend.

I urge my friends to vote ''no'' on this amendment. I yield back the balance of my time.

Mr. SCHWEIKERT. Mr. Chairman, all right. So fuzzy math, even though we now require the International Monetary Fund to use fair value accounting, even though many of you, when you voted for the Troubled Asset Relief Program, demanded fair value accounting. We now demand Fannie Mae and Freddie Mac, when they are doing their projections, to use fair value accounting. And a whole bunch of us in this room have voted for that.

Let's actually touch on that. Mr. Chairman, forgive me because I am going to try to find the most elegant way to say this.

My friend from Tennessee now multiple times has referred to a scorecard. Okay? So how many people are voting for this for donations? Just a theoretical question. I mean, if you are going to impugn, be careful.

Many of us have been working on this issue since the day we arrived at this body before it was ever a political issue bouncing up through the blogosphere. This is a problem.

Our amendment here, a fair value accounting, has actually been supported by the gentlemen sitting across from me who opposes this. You have all voted. You have all voted to put all of government on fair value accounting.

But now all of a sudden, when it is an actual reform to the Ex-Im Bank because we might actually understand the value of risk and what is really going on and actually maybe understand what belongs in the impairment category instead of the charge-off category, we would get some honest information. That is what this amendment will do.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 23 OFFERED BY MR. WESTMORELAND

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in part B of House Report 114–326.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. ____. PROCEDURES REQUIRED IN RESPONSE TO COMMENT ALLEGING ECONOMIC HARM WILL RESULT IF PROPOSED BANK TRANSACTION IS APPROVED.

Section 3(c) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(c)) is amended by adding at the end the following:

''(11) PROCEDURES REQUIRED IN RESPONSE TO COMMENT ALLEGING ECONOMIC HARM WILL RESULT IF PROPOSED BANK TRANSACTION IS APPROVED.—If the Board of Directors receives a comment from a representative of a United States company, in response to a notice that the Board has caused to be published in the Federal Register, that alleges that the company will suffer economic harm if a proposed Bank transaction is approved, then, unless the Board unanimously votes to do otherwise, the Board shall provide for—

''(A) a 60-day discussion period that begins at the end of the comment period otherwise required by law, with respect to all comments received by the Board in response to the notice, which period shall be extended by not more than 60 days if at least 1 Board member recommends such an extension; and

''(B) an opportunity for any such commenter who makes such an allegation to appear before the Board and be heard with respect to the notice if at least 1 Board member recommends that the commenter be invited to do so.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Georgia (Mr. WESTMORELAND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WESTMORELAND. Mr. Chairman, I want to clarify a few things. This is not a poison pill. My amendment is not a poison pill.

My friend from Oklahoma said that he wanted to play by the rules. That is what I want to do. I have got an amendment that I never had an opportunity to submit. Do you know why? Because of the discharge position.

The authors of the discharge petition chose to have it brought up under a closed rule. So I never got a chance. My 700,000 people never had a chance.

Now, I don't know how many people in Frog Jump, Tennessee, buy wide-bodied planes. I am sure there are probably one or two that buy them. But I have got 6,000 Delta employees, both current and retired, that live in my district.

What this amendment does is it allows a fair playing field to where you can go to the board of directors at Ex-Im Bank and give your analysis, not to the Ex-Im—that is almost like giving your complaint to the opposition's attorney. We want to go to the board because it is not fair.

Mr. Chairman, I include in the record a Wall Street Journal article called ''Boeing Helped Craft Own Loan Rule.'' They have been cooking the books.

All we want to do is have a chance where we can go to the board of directors and present our case because, when Ex-Im is cooking the books with Boeing, that doesn't leave us much of a chance.

[From the Wall Street Journal, Mar. 12, 2015]

BOEING HELPED CRAFT OWN LOAN RULE

(By Brody Mullins)

WASHINGTON.—When the Export-Import Bank sought to respond to critics with tighter rules for aircraft sales, it reached out to a company with a vested interest in the outcome: Boeing Co., the biggest beneficiary of the bank's assistance.

For months in 2012, according to about 50 pages of emails reviewed by The Wall Street Journal, the bank worked with Boeing to write rules that would satisfy critics in Congress and the domestic commercial airline industry—while leaving most sales of Boeing's airplanes to foreign carriers unscathed.

Ex-Im Bank, which helps finance the purchase of U.S. exports through loans and guarantees, is the target of Republicans who want to kill it, in part because they say it mostly provides subsidies to America's largest companies. The Boeing emails will add fuel to that fight.

The previously unreported documents, obtained through an open-records request, show how the two sides swapped ideas, drafts and data on sales of wide-body airplanes. Ex-Im Bank officials pushed their Boeing counterparts for information. Boeing suggested changes to the bank's draft proposal.

They reveal an extraordinary level of coordination between public officials and corporate executives. In a message one Saturday morning, Bob Morin, then the bank's

head of aircraft financing, sent a plea: ''If Boeing expects Ex-Im Bank to continue supporting wide-body aircraft, we need to get this right.''

When Congress renewed the bank's charter in 2012, the bank was required to publish its methodology for determining which transactions were significant enough to trigger an additional ''economic-impact review'' and, potentially, rejection.

The requirement didn't specifically include aircraft purchases, but Delta Air Lines Inc. and some lawmakers wanted the bank to include them in the rules, too.

That's when Boeing and Ex-Im Bank started discussing how the rule should be written. Many of the emails between the bank and Boeing deal with the guidelines the bank was creating to determine which aircraft transactions would trigger the additional review.

The collaboration appears to have worked. In the nearly two years since the rule went into effect, no Boeing sales have been nixed as a result.

Republican presidential hopeful Jeb Bush recently joined the chorus of conservatives questioning the bank's purpose. In late February, he told a gathering of the Club for Growth, a conservative advocacy group, that the government should consider whether this kind of financing ''should be phased out.'' The bank's current authorization expires June 30 and the lobbying battle is heating up.

Its usual supporters include lawmakers of both parties, including House Speaker John Boehner (R., Ohio) and Minority Leader Nancy Pelosi (D., Calif.), as well as the U.S. Chamber of Commerce, major labor unions, manufacturers and Wall Street banks.

Officials at Boeing declined to comment on the emails. In general, said Tim Myers, president of Boeing Capital Corp., Boeing's aircraft-financing unit, ''it would be only natural'' for the bank to ask for input since Boeing is the only U.S. maker of wide-body commercial aircraft.

Tim Keating, the company's top Washington lobbyist, called the interaction an example of how government should work: ''There doesn't have to be a full hostile relationship between the regulator and the regulated,'' he said.

Matt Bevens, a spokesman for Ex-Im, said other countries have their own export-financing agencies, but Ex-Im is the only one that assesses the economic impact of its transactions. Mr. Bevens, speaking on behalf of the individual employees named in the emails, said the bank developed the new guidelines voluntarily and that it would have been ''irresponsible if Ex-Im Bank had failed to consult the only American manufacturer of commercial aircraft.''

Bank supporters say foreign airlines would buy planes from European rival Airbus Group NV without Ex-Im financing. Boeing customers are among the biggest recipients of Ex-Im Bank loan guarantees. In the most recent fiscal year ended Sept. 30, 2014, the bank helped Boeing sell 61 wide-body planes to foreign airlines by guaranteeing more than $7 billion in loans.

Overall, in that fiscal year the bank guaranteed $20.5 billion in financing for U.S. exports. The bank charges a fee on its loans and made $675 million in profit that it sent to the U.S. Treasury.

Yet while the bank helps some American exporters, it irks other domestic firms.

Delta, for one, says the bank's financing gives rivals such as Emirates Airline, Thai Airways International PLC and Air India an advantage in their aircraft purchases that isn't available to U.S. carriers. For some foreign airlines, Ex-Im Bank's financing can be less expensive than a standard commercial loan.

It's amid such criticisms that the Ex-Im Bank and Boeing collaboration began. In August 2012, a bank official forwarded a draft proposal on the economic-impact trigger to several senior executives at Boeing and its aircraft-financing unit.

''Please note that this is an internal Ex-Im document still in draft form, but we wanted to get your input on several aspects of it prior to further developing the paper,'' wrote Claire Avett, an Ex-Im policy analyst on Friday, Aug. 31.

''We look forward to working closely with you to define concrete next steps to be able to achieve these ends,'' she wrote, referring to imminent internal deadlines.

The next morning, Saturday, Sept. 1, a second bank official sent a follow-up email. ''We do not have a lot of time,'' wrote Mr. Morin, the Ex-Im official in charge of aircraft financing.

The emails suggest Ex-Im Bank officials wanted Boeing's help to write guidelines that would limit the number of additional reviews on aircraft purchases.

''Subjecting and applying other transactions to detailed analysis under economic impact procedures has had the effect of killing most of those deals,'' wrote Mr. Morin, in the Sept. 1 email. ''Accordingly, it is very important that we establish the correct procedures here,'' he said.

Mr. Bevens, the Ex-Im Bank spokesman, says those deals were killed by delays and uncertainty created by the review process, not the review process itself. He said those delays are why Boeing and its suppliers opposed subjecting aircraft purchases to potentially lengthy scrutiny.

A few hours later on Sept. 1, a senior official at Boeing Capital responded that the company was working ''to look at what data we can pull together.'' The Boeing official, Kristi Kim, director of aircraft financial services at Boeing Capital, said the company was building model impact studies ''to see how the data would vary.''

Tim Neale, a spokesman for Boeing, said the company's goal was to ensure that the reviews were ''based on reasonable criteria.''

On Sept. 6, James Cruse, a senior vice president at Ex-Im's policy and planning group, wrote to Boeing to thank the company for its input. ''We recognize we are pushing and pressing you in ways that are not in your natural strike zone (and may verge toward ridiculous),'' he wrote.

The next month, the partners delved into nitty-gritty details, including the time frame that would be used to assess economic impact (shortening the time period to 12 months might be best, one Boeing official suggested). They settled on 12 months.

They also discussed who would conduct the reviews, if they were ever triggered. Boeing itself was an option because it had access to industry data. Other options were Ex-Im Bank or an outside consulting firm.

In one email where the two sides discussed who should conduct the analysis, Ms. Avett, the Ex-Im Bank policy analyst, asks for input on ''what would be most palatable to Boeing.''

In the end, Ex-Im Bank took the job of performing the reviews. In the two years since the new rules went into effect, Ex-Im has helped finance roughly 50 aircraft deals. Just one of those—a lease deal of Boeing planes by Aeroflot Russian Airlines—triggered the detailed economic review. Ultimately, that transaction was approved.

Mr. WESTMORELAND. Emirates Airline probably has the money to pay for these wide-bodied jets. But I respect Mr. HECK from Washington because he is fighting for people that work in his district. That is what I am trying to do. I am trying to work and fight for those folks in my district.

All we want is an opportunity to take an analysis, a real analysis, not one that the Ex-Im Bank called Boeing and said: You know what? You need to revise this number so we can understand or we can make a claim for the analysis that you need the money.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND), which, with all due respect, is a solution in search of a problem that, if adopted, will only serve to undermine the competitiveness of U.S. businesses.

The fact is the Ex-Im Bank already has a process in place for providing public notice and comment under which any member of the public, including companies who believe they may have been harmed, may submit comments which the board reviews prior to approving any transaction.

Lengthening this approval process by an additional 4 months, as the gentleman's amendment would do, would only serve to hurt our exporters by preventing them from competing in time-sensitive deals. Our U.S. exporters need and deserve every competitive edge they can get.

I urge my Members to reject this unnecessary and burdensome amendment.

I reserve the balance of my time.

Mr. WESTMORELAND. Mr. Chairman, I would just like to tell the gentlewoman that it is not 4 months. It is 60 days. Is 60 days too much to ask that you could go present your case in front of the board of directors? I think that is just fair.

To the gentlewoman from California, I understand, but you are just reading something that your staff has given you. It is not 4 months. This is a new idea. I never got the chance to offer this amendment.

Mr. FINCHER, with the discharge petition, evidently wrote a perfect bill. I have been doing this for 25 years. I have never seen a perfect bill. We are trying to perfect the bill that Mr. FINCHER wrote and that the discharge petition brought to the floor on a closed rule where nobody could have any amendments.

All I am trying to do is get a fair shake for my folks, just like Mr. HECK of Washington is trying to get a fair shake for his. Give me the opportunity. Give us an opportunity to do that.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, what the gentleman doesn't realize is we are all trying to get a fair chance for our constituents, the small businesses and the jobs.

I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chairman, I want to thank the ranking member.

Here we have another Delta amendment once again. The Ex-Im Bank already, Mr. Chairman, has a process in place for providing public notice and comment. Companies can provide feedback, which the board reviews prior to approving any transaction.

I can tell you that this is very dilatory again. All of Delta's lawsuits have all been thrown out. This is only another attempt to force the Ex-Im Bank to delay. The frustrating delay is doing its work.

I urge all my colleagues to vote against this dilatory amendment.

□ 2200

Mr. WESTMORELAND. Mr. Chairman, may I ask how much time is remaining?

The Acting CHAIR. The gentleman from Georgia has 1½ minutes remaining.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chairman, my favorite literary theme is illusion reality, where you do not know whether you are in an illusion or you are in reality. It is greatly used throughout our culture and great movies, like ''The Stunt Man,'' with Peter O'Toole, or in classic literature, like ''Ulysses,'' by—who?—James Joyce.

It is not a good axis on which to pivot around an argument regarding public policy; so let's leave the illusion behind and go to reality. Here is the reality:

The Ex-Im does support jobs—164,000 last year. GAO, which you keep citing, approved its methodology. What is the proof? We have already lost nearly 1,000 jobs since you shuttered the doors of the Ex-Im. The reality is this is unilateral disarmament if we fail to reauthorize it. Every other developed nation has an export authority.

The reality is that this reduces deficit. The Ex-Im reduces deficit. Every year for 20 years, since the enactment of the Credit Reform Act, it has transferred cash. The heck with the accounting system—cash. The reality is a lot of these small businesses don't have an alternative.

Steve Wilburn, who is the CEO of FirmGreen, stood before us last year and said: If you have got an alternative for my pending deal in Korea, tell me what it is. He lost the deal because of the cloud over Ex-Im. An Indian company got the job. This issue is about jobs.

Mr. WESTMORELAND. Mr. Chairman, I don't know what the gentleman is talking about with regard to reality because the reality is that my constituents are losing jobs, and that is not fair.

I believe the gentleman is an attorney. All we want is an opportunity to go to the people who can make a decision and ask them to make that decision within 60 days. I am not going to go to the attorney who is fighting me and say: ''Hey, here is my analysis—or here is my thing. Take it, and give it to somebody else.'' That is the fox looking after the henhouse, and that is not the way we need to operate.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentlewoman has 2 minutes remaining.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. I thank the gentlewoman for yielding.

Mr. Chairman, this already is allowed in the current charter. I know the gentleman from Georgia wants to play political games, but this is already happening. Yes, it is. This is just another attempt to try to kill the Bank—to keep it dead, to bury it.

It is sad, Mr. Chairman. We worked on this reform package—this Republican reform package—for a year and a half. Where was the gentleman from Georgia with his amendment? Mr. MULVANEY with his amendments? and the other Members in this body with their amendments during this year and a half? We didn't get to have a committee process, Mr. Chairman.

Mr. Chairman, where was the process by which he could offer his amendment? No, Mr. Chairman. They wait until they could try to bury the Bank here tonight and kill thousands of jobs and reward China and Russia.

We have to vote ''no'' on all of these amendments. Kill them all. Let's revive American jobs and do what is best for our constituents.

Mr. WESTMORELAND. Mr. Chairman, to the gentleman from Frog Jump, if he would read section 2(e)(7)(c) to (d), he would understand that my amendment tries to amend the procedure. Now, I know he wrote the perfect bill, but I am trying to help the gentleman perfect it.

Mr. Chairman, the other thing is I never saw the gentleman's bill. I never had a chance to amend the gentleman's bill. If the gentleman had allowed the open process—the right process—that the gentleman from Oklahoma talked about, then I would have had a chance to have offered my amendment; but, unfortunately, they chose to have a closed rule. So don't talk to me about process, because the process has not been followed here.

I just want to make it clear that all I am trying to do is the same thing as everybody here is doing. I am trying to represent my constituents. I think I deserve a chance to do that, and I think we deserve a chance to perfect the bill that Mr. FINCHER and the others brought to the floor under a discharge petition.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS), one of our champions on the reauthorization of the Ex-Im Bank.

Mr. LUCAS. I thank the ranking member.

Mr. Chairman, I will note to my colleagues that I think the world of the gentleman from Georgia. He is a wonderful fellow as he is trying to help his people, but politics is like life—a lack of action is an action. When there was no action to help move an Export-Import reauthorization bill this spring or this summer, then the opportunity to do all of these great things went away. We all knew it was going to expire in July, and the people in critical positions chose to let that happen. Discharge was just an opportunity to resurrect what has already died.

Now, I would say this:

Let's finish the process. Let's put it back on the books for 4 years. Let's start the hearing process. If there are reforms and changes that need to be made, then let's file a new bill, and let's go with it; but let's not stop the opportunities economically that are created by this in the intervening period of time.

Mr. Chairman, I would say respectfully to my friend from Georgia, who has out-Southerned me, you are wrong on this one, sir.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 10 OFFERED BY MR. YOUNG OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 114–326.

Mr. YOUNG of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amend the table of contents by inserting after the item pertaining to section 62001 the following:

TITLE LXIII—REQUIREMENTS REGARDING RULE MAKINGS

Sec. 63001. Requirements regarding rule makings.

Page 988, insert after line 20 the following:

TITLE LXIII—REQUIREMENTS REGARDING RULE MAKINGS

SEC. 63001. REQUIREMENTS REGARDING RULE MAKINGS.

For each publication in the Federal Register required to be made by law and pertaining to a rule made to carry out this Act

or the amendments made by this Act, the agency making the rule shall include in such publication a list of information on which the rule is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Iowa (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. YOUNG of Iowa. Mr. Chairman, I yield myself such time as I may consume.

We talk a lot about transparency and accountability around here. We hear about transparency and accountability needs from our constituents regarding the Federal Government. It is time to quit just talking the talk and walk the talk.

The question is: How do rulemakers get their conclusions? How do they come to a decision when they are working on rules and regulations?

They have certain science and data and criteria and analyses that they look at, but we don't often get to see that. We hear their conclusions, and we wonder: How did they get to that conclusion? They used science, data, and analyses.

My amendment simply says that those scientific tools, data, and analyses have to be made public and just posted online. It is pretty simple. The data they used needs to go online so we can see it all as well and have the same benchmark and be on the same page. Why shouldn't Americans have access to this as well? Why shouldn't we have a more transparent government? Just post a link on the Internet. Let's walk the talk on transparency.

This amendment has been approved before as part of the REINS Act that passed 249–159. Now, the REINS Act looked at the whole Federal Government, but this amendment just pertains to the Department of Transportation. I urge my colleagues to support this amendment. It is common sense. It is what our constituents demand—common sense and transparency.

I reserve the balance of my time.

Ms. MOORE. Madam Chair, I claim the time in opposition.

The Acting CHAIR (Ms. FOXX). The gentlewoman from Wisconsin is recognized for 5 minutes.

Ms. MOORE. Madam Chair, this amendment would not only undo all of Dodd-Frank but all financial market regulations past, present, and future. I support the cost-benefit analyses mandates that are already contained in Federal securities laws and in President Obama's executive orders.

This particular amendment, of course, is dilatory, and it would mean that rulemaking would take even longer as the SEC has struggled to meet the impossibly subjective economic cost-benefit standards to stave off upcoming court battles over competing economic impact projections.

Not only that, Madam Chair, but the most dangerous part about this initiative is that this would open the door to the most powerful industry participants. If it were possible to make rules, they could challenge the rules in a way that achieved their most narrow interests, and it would be to the detriment of investors or to the less affluent market participants. In this way, the most powerful industry interests would not only be able to use the courts to undo consumer protections, but they would also seek competitive advantages over competitors.

Current law already requires the SEC to conduct economic analyses, pursuant to the Paperwork Reduction Act, the Congressional Review Act, and the Regulatory Flexibility Act, as other agencies do.

I urge my colleagues to oppose this amendment.

Madam Chair, I reserve the balance of my time.

Mr. YOUNG of Iowa. Madam Chair, I yield myself such time as I may consume.

I heard my friend from the other side talk about the SEC and Dodd-Frank and executive orders. We are just, really, talking about any rules and regulations pertaining to this act—the transportation bill, primarily the Department of Transportation.

I believe that it is very important that we have more transparency and accountability in government. I do not see what is wrong with the American people being allowed to see the data, the cost-benefit analyses, the science, and the criteria of those who make these rules. What is so wrong with that, with being on the same page?

I simply ask my colleagues to support this amendment. Transparency and accountability, we talk about it a lot, but we don't do enough of it. I have some other great transparency and accountability amendments, and we will worry about those later. Right now, I am asking my colleagues to support transparency and accountability. Let the American people see how we make decisions that affect their lives.

Madam Chair, I reserve the balance of my time.

Ms. MOORE. Madam Chair, will the Chair advise me as to how much time I have remaining?

The Acting CHAIR. The gentlewoman from Wisconsin has 3 minutes remaining.

Ms. MOORE. Madam Chair, I appreciate the fact that the gentleman has claimed that he is restricting this to the highway bill; but, again, it is problematic because it would really impose cost-benefit analyses on all rulemaking under the highway bill, as amended.

It would require several rulemakings from the SEC that are related to emerging growth companies, private security transaction exemptions, and disclosure reforms. It would require the SEC to comply with this additional hurdle that is administratively burdensome and that opens up the SEC to additional litigation risks. It is not just limited to the transportation bill just in terms of its multiplier impact.

□ 2215

This legislation is just yet another veiled attempt to stop the Ex-Im Bank, which we have discussed earlier today, because it, again, would create a sufficiently high bar to pass new rulemaking and open up every SEC rule to ongoing litigation.

I reserve the balance of my time.

Mr. YOUNG of Iowa. Mr. Chair, I yield myself such time as I may consume.

Transparency is a good thing. Shining sunlight is a good thing. It is the best disinfectant out there.

Why can't we know, the American people, the science and the cost benefit behind the rules and regulations that are inflicted upon the American people, good or bad, whatever they are?

Madam Chairman, the other side, my friend mentioned the Ex-Im Bank. I am not in that battle with this amendment. This is just about general rules and regulations, the science behind them. Why can't the American people know what it is? We will all be on the same playing field, so we know what we are talking about. It is a good thing.

I reserve the balance of my time.

Ms. MOORE. Madam Chair, this has been misnamed as a transparency bill. It is not a transparency bill. This cost benefit bill literally is a race-to-the-courthouse bill, and we would just be in an endless litigious position.

We are already late with the transportation bill. We have already created great uncertainty for all of our cities, counties, and towns in America. Why would we now want to subject our broken bridges and our broken transportation system to yet another dilatory tactic that sort of slows down our ability to create good jobs and to fix our infrastructure?

Madam Chair, I would urge all Members to vote against this initiative because it is wrong-headed at a time when we really need to get our transportation infrastructure improvements back on track.

I yield back the balance of my time.

Mr. YOUNG of Iowa. Madam Chair, I yield myself the balance of my time to close.

So we can't find out what the science is. At the same time, we don't even know who these nameless, faceless folks are in the bureaucracy who are putting out these rules and regulations. Why are we to be left in the dark? What is wrong with transparency? Sunlight is the best disinfectant. The American people are tired of this, are tired about this veil around our government.

I don't care what administration it is, Republican, Democrat, why should it matter. I put my name on a bill and amendment. You do, too. These rules and regulations that come out, we have no idea who these people are. They could be very well intended and that is fine. We don't know what their titles are either. Are they experts in their fields? We don't know. Where is the transparency?

This amendment passed in a bipartisan way before. I am asking for my colleagues to support it this time.

I yield back the balance of my time.

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

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

Ms. MOORE. Madam Chairman, I demand a recorded vote.

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

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114–326 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. PERRY of Pennsylvania.

Amendment No. 2 by Mr. MULVANEY of South Carolina.

Amendment No. 3 by Mr. MULVANEY of South Carolina.

Amendment No. 4 by Mr. MULVANEY of South Carolina.

Amendment No. 5 by Mr. MULVANEY of South Carolina.

Amendment No. 6 by Mr. MULVANEY of South Carolina.

Amendment No. 7 by Mr. ROTHFUS of Pennsylvania.

Amendment No. 8 by Mr. ROYCE of California.

Amendment No. 9 by Mr. SCHWEIKERT of Arizona.

Amendment No. 23 by Mr. WESTMORELAND of Georgia.

Amendment No. 10 by Mr. YOUNG of Iowa.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. PERRY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 121, noes 303, not voting 9, as follows:

[Roll No. 607]

AYES—121

Abraham
Allen
Amash
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffith
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Loudermilk
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—303

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—9

Babin
DeFazio
Ellmers (NC)
Meeks
Rice (NY)
Sinema
Takai
Wagner
Wilson (FL)

□ 2245

Messrs. KILDEE and RUSH changed their vote from ''aye'' to ''no.''

Messrs. WEBSTER, HURT of Virginia, and Ms. JENKINS of Kansas changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. BABIN. Madam Chair, on rollcall No. 607, my voting card didn't register. Had I been present, I would have voted "yes."

AMENDMENT NO. 2 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 117, noes 309, not voting 7, as follows:

[Roll No. 608]

AYES—117

Abraham
Allen
Amash
Babin
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot

Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Graves (GA)
Graves (LA)
Grayson
Griffith
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Royce
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—309

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Gowdy
Graham
Granger
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—7

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Sinema
Takai
Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2249

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 124, noes 302, not voting 7, as follows:

[Roll No. 609]

AYES—124

Abraham
Allen
Amash
Babin
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Brooks (AL)
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Grayson
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walberg
Walker
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—302

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
Meehan
Meng
Mica
Miller (MI)
Moolenaar

Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—7

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Sinema
Takai
Waters, Maxine

□ 2253

Mr. BYRNE changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 116, noes 308, not voting 9, as follows:

[Roll No. 610]

AYES—116

Abraham
Allen
Amash
Babin
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Grayson
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Pearce
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Ross
Rothfus
Rouzer
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—308

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—9

DeFazio
Ellmers (NC)
Emmer (MN)
Loudermilk
Meeks
Nolan
Ribble
Sinema
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2256

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 117, noes 308, not voting 8, as follows:

[Roll No. 611]

AYES—117

Abraham
Allen
Amash
Babin
Barr
Barton
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Grayson
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaHood
LaMalfa
Lamborn

Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—308

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—8

Conyers
DeFazio
Ellmers (NC)
Loudermilk
Meeks
Rice (NY)
Sinema
Takai

□ 2300

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SINEMA. Madam Chair, on rollcall Nos. 607, 608, 609, 610, 611, I was unavoidably detained. Had I been present, I would have voted "no" on each of these rollcall votes.

AMENDMENT NO. 6 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 114, noes 314, not voting 5, as follows:

[Roll No. 612]

AYES—114

Abraham
Allen
Amash
Babin
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffith
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Pearce
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Ross
Rothfus
Rouzer
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walberg
Walker
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—314

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell

Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—5

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2303

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. ROTHFUS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. ROTHFUS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 115, noes 313, not voting 5, as follows:

[Roll No. 613]

AYES—115

Abraham
Allen
Amash
Babin
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Grayson
Griffith
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Nugent
Olson
Palmer
Pearce
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—313

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—5

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

□ 2307

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. ROYCE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROYCE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 244, not voting 6, as follows:

[Roll No. 614]

AYES—183

Abraham
Allen
Amash
Babin
Barr
Barton
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Burgess
Byrne
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Costello (PA)
Culberson
Curbelo (FL)
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Griffith
Grothman
Guinta
Guthrie
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Love
Lummis
Maloney, Sean
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers

McSally
Meadows
Meehan
Messer
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Roby
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stutzman
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—244

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Benishek
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Bridenstine
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Marino
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Mica
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Trott
Tsongas
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Womack
Yarmuth

NOT VOTING—6

Blum
DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2310

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 133, noes 295, not voting 5, as follows:

[Roll No. 615]

AYES—133

Abraham
Allen
Amash
Babin
Barr
Barton
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Brooks (AL)
Buck
Burgess
Byrne
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Griffith
Guthrie
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Roby
Roe (TN)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Royce
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stutzman
Thornberry
Tipton
Walberg
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wittman
Woodall
Yoho
Young (IA)
Young (IN)

NOES—295

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton

Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Yoder
Young (AK)
Zeldin
Zinke

NOT VOTING—5

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2314

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 23 OFFERED BY MR. WESTMORELAND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 129, noes 298, not voting 6, as follows:

[Roll No. 616]

AYES—129

Abraham
Allen
Amash
Babin
Barr
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Graves (GA)
Grayson
Griffith
Guthrie
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Nunes
Olson
Palmer
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—298

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Gowdy
Graham
Granger
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—6

DeFazio
Ellmers (NC)
Joyce
Loudermilk
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2318

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. YOUNG OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. YOUNG) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 236, noes 192, not voting 5, as follows:

[Roll No. 617]

AYES—236

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers

McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Russell
Salmon
Sanford
Scalise
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
Valadao
Wagner
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—192

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
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
Collins (NY)
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Harper
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jolly
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Rogers (KY)
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—5

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

□ 2321

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. LOUDERMILK. Madam Chair, on rollcall Nos. 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, I was unavoidably detained. Had I been present, I would have voted "yes."

AMENDMENT NO. 11 OFFERED BY MR. POMPEO

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 114–326.

Mr. POMPEO. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after the item relating to section 62001, insert the following:

Sec. 62002. GAO report on refunds to registered vendors of kerosene used in noncommercial aviation.

Page 988, after line 20, insert the following:

SEC. 62002. GAO REPORT ON REFUNDS TO REGISTERED VENDORS OF KEROSENE USED IN NONCOMMERCIAL AVIATION.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study regarding payments made to vendors of kerosene used in noncommercial aviation under section 6427(l)(4)(C)(ii) of the Internal Revenue Code of 1986, and

(2) submit to the appropriate committees of Congress a report describing the results of such study, which shall include estimates of—

(A) the number of vendors of kerosene used in noncommercial aviation who are registered under section 4101 of such Code,

(B) the number of vendors of kerosene used in noncommercial aviation who are not so registered,

(C) the number of vendors described in subparagraph (A) who receive payments under section 6427(l)(4)(C)(ii) of such Code,

(D) the excess of—

(i) the amount of payments which would be made under section 6427(l)(4)(C)(ii) of such Code if all vendors of kerosene used in noncommercial aviation were registered and filed claims for such payments, over

(ii) the amount of payments actually made under such section, and

(E) the number of cases of diesel truck operators fraudulently using kerosene taxed for use in aviation.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Kansas (Mr. POMPEO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas.

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

Madam Chairman, I rise in support of my amendment to have the GAO study an important issue that goes to the fairness of our transportation user-fee system. For a decade, Congress has been diverting millions of dollars in tax revenue into the highway trust fund at the expense of the general aviation community. This provision, commonly known as the fuel fraud tax, was included in the 2005 highway bill. It was originally created to fight a problem that didn't exist and has now diverted hundreds of millions of dollars from aviation into the highway trust fund.

This is simply unfair. It has to be fixed. The highway trust fund should and must be supported by the user-fee system, just as the aviation community is supported by a fuel tax.

Madam Chair, hopefully we can all agree that general aviation should not be paying for this highway infrastructure. At the very least, revenues paid by U.S. aviators under the fuel fraud provision should be reinvested in modernizing our Nation's airports and their navigation system.

I look forward to working with Chairman SHUSTER and the ranking member on this important issue, and I urge my colleagues to vote for this amendment.

With that, Madam Chairman, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. FOSTER

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 114–326.

Mr. FOSTER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after the item relating to section 62001, insert the following:

Sec. 62002. Determination of certain spending and tax burdens by State.

Page 988, after line 20, insert the following:

SEC. 62002. DETERMINATION OF CERTAIN SPENDING AND TAX BURDENS BY STATE.

(a) CALCULATION OF FEDERAL REVENUE CONTRIBUTIONS BY STATE.—

(1) IN GENERAL.—The Secretary of Treasury, acting through the Commissioner of the Internal Revenue Service, shall calculate the Federal tax burden of each State for each calendar year.

(2) CALCULATION OF FEDERAL TAX BURDEN.—For purposes of calculating the Federal tax burden of each State under paragraph (1), the Secretary shall—

(A) treat Federal taxes paid by an individual as a burden on the State in which such individual resides; and

(B) treat Federal taxes paid by a legal business entity as a burden on each State in which economic activity of such entity is performed in the same proportion that the economic activity of such entity in such State bears to the economic activity of such entity in all the States.

(3) REPORT.—Not later than the date that is 180 days after the beginning of each calendar year, the Secretary of the Treasury shall—

(A) submit to Congress a report containing the results of the calculations described in sections 1 and 2 with respect to such calendar year; and

(B) publish the report on a publicly accessible website of the Internal Revenue Service.

(b) ANNUAL REPORT ON THE FLOW OF TRANSPORTATION FUNDS BY STATE.—

(1) IN GENERAL.—Not later than the first Monday in February of each year, the Secretary of Transportation shall, in consultation with the Secretary of the Treasury, submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure, and the Committee on Ways and Means of the House of Representatives a report that includes—

(A) a description of the total amount of the funds authorized by this Act which were obligated with respect to each State during the last ending fiscal year,

(B) a description of the total amount of revenue contributed from each State to the Highway Trust Fund during such fiscal year.

(2) DETERMINATION OF STATE AMOUNTS.—For purposes of this subsection—

(A) IN GENERAL.—the State with respect to which an amount is obligated and the State from which revenue is contributed shall be determined under principles similar to the principles for determining the Federal tax burden of each State under subsection (a).

(B) SPECIAL RULE FOR GENERAL FUND TRANSFERS.—For purposes of paragraph (1)(B), any transfer from the general fund of the Treasury to the Highway Trust Fund during any fiscal year shall be taken into account as revenue contributed from each State in proportion to each State's Federal tax burden (as determined under subsection (a)) for the calendar year in which such fiscal year began.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Illinois (Mr. FOSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. FOSTER. Madam Chairman, I thank the chairman and ranking member for their hard work on this bill.

Madam Chairman, my amendment is simple. It requires the Department of Transportation to send an annual report to Congress on how much funding each State has received from the highway trust fund and how much each State has contributed to the highway trust fund both directly through the gas tax and related fees and taxes and indirectly through transfers from the general fund.

To understand why this is important, let's step back and ask how it is that we actually decide how much transportation money is spent in each State. The bulk of this funding takes the form of formula grants to States with overall allocations often set by whatever was done in previous years. This may tell us a lot about congressional politics in years gone by, but it tells us very little about good public policy.

All of this serves as a smokescreen which begs the real question: How do we actually allocate our highway spending?

Now, I am a scientist, and I look at the facts. As far as I can tell, here are the facts.

This is a plot here that shows the annual per capita spending from the highway trust fund plotted against the number of U.S. Senators per 10 million people, which I will explain in a moment.

Madam Chair, I include this in the RECORD.

State	Per Capita Apportionment from HTF ($/Year)	Senators Per 10 Million People
Alabama	151	4.12
Alaska	657	27.15
Arizona	105	2.97
Arkansas	168	6.74
California	91	0.52
Colorado	96	3.73
Connecticut	135	5.56
Delaware	175	21.38
Dist. of Col.	234	30.35
Florida	92	1.01
Georgia	123	1.98
Hawaii	115	14.09
Idaho	169	12.24
Illinois	107	1.55
Indiana	139	3.03
Iowa	153	6.44
Kansas	126	6.89
Kentucky	145	4.53
Louisiana	146	4.30
Maine	134	15.04
Maryland	97	3.35
Massachusetts	87	2.96
Michigan	103	2.02
Minnesota	115	3.66
Mississippi	156	6.68
Missouri	151	3.30
Montana	387	19.54
Nebraska	148	10.63
Nevada	123	7.04
New Hampshire	120	15.07
New Jersey	108	2.24
New Mexico	170	9.59
New York	82	1.01
North Carolina	101	2.01
North Dakota	324	27.05
Ohio	112	1.73
Oklahoma	158	5.16
Oregon	122	5.04
Pennsylvania	124	1.56
Rhode Island	200	18.95
South Carolina	134	4.14
South Dakota	319	23.44
Tennessee	125	3.05
Texas	124	0.74
Utah	114	6.80
Vermont	313	31.92
Virginia	118	2.40
Washington	93	2.83
West Virginia	228	10.81
Wisconsin	126	3.47
Wyoming	423	34.24

Mr. FOSTER. Madam Chair, this plot shows the excellent correlation between the per capita transportation fund spending in each State with the number of Senators per person that the State has. And that says a lot about how broken our transportation trust fund allocations are.

So how do we allocate transportation spending? Is it calculated per capita, with each American getting roughly the same amount of transportation spending? If this were the case, then transportation money would ultimately follow Americans to whatever States they chose to live in and could be applied to the best use in each State: elegant mass transportation systems in urban States, highways through the wilderness in rural States, and well-maintained commuter highways in suburban States. Spending in this way would not be a distortion of our economy.

But, Madam Chairman, that is not what we do. In fact, per capita transportation spending varies by more than a factor of seven from State to State driven by a mysterious formulae handed down from generation to generation in Congress. So, in my State of Illinois, we get about $107 per person per year in transportation spending, and I have a hard time explaining to my constituents why citizens of other States should get $200, $400, $600, or more every year in Federal highway spending.

□ 2330

The States that are getting rooked like this generally are the larger States, as can be seen on this plot. In order to rectify this, I actually filed an amendment to replace the complex historical formulae with a simple per capita allotment, which would have benefited the States which contain 240 Members of the U.S. Congress. I was very disappointed that it was decided that this amendment would not be in order.

Or perhaps we should divide the highway trust fund by economic productivity and actual highway usage. In this case, each State should take out from the Federal highway trust fund the same amount that it paid in in taxes. This approach would have an element of basic fairness and eliminate the economic distortions from massive transfers of wealth between the States.

But that is not what we do either. Many States are getting out of the Federal highway trust fund several times more money than they paid into it, while other States, States like Illinois, New York, Florida, New Jersey, California, Michigan, Colorado, and many others are getting rooked. So the highway trust fund has simply become a vehicle for a massive redistribution of wealth from one State to another.

Getting to the bottom of this is what my amendment is about. My amendment would require the Department of Transportation to calculate in each year how much each State receives from the highway trust fund. The report would also include an accounting of how much revenue each State put into the highway trust fund through both the gas tax and related contributions and contributions that were made through funds transferred from general revenue.

While it is relatively easy to figure out how much revenue was collected from each State via the gas tax or personal income tax, determining the same for business tax is less straightforward. A business, for example, may file its taxes in Delaware, but most of its economic production might occur in a factory in Ohio.

My amendment would require the IRS to assist the Department of Transportation in this analysis by looking not just at where a company files its taxes, but the State in which those tax dollars are generated. This kind of analysis has sporadically been done by private entities and nonprofits, but there has never been a sustained effort by the Federal Government to do so.

I urge my colleagues to join me and vote ''yes'' on this amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. WILLIAMS

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 114–326.

Mr. WILLIAMS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 563, line 15, insert ''primarily'' before ''engaged''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. WILLIAMS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. WILLIAMS. Madam Chair, I am a second-generation auto dealer. I have been in the industry for most of my life. I know it well.

As such, my one-word amendment will fix Senate language that puts unintentional new burdens on all rental car establishments.

My amendment will clarify the Senate language so it only applies to actual rental car companies, like it is supposed to.

The definition in the underlying bill, which the House never passed, is so broad that it sweeps up dealers who offer loaner vehicles or rentals as a convenience for their customers. My amendment leaves the regulations on all rental car companies, which compromise 99 percent of the market, intact.

The Senate language is flawed because it simply is not tailored to small business. For example, under the bill, vehicles would be grounded for weeks or months for such minor compliance matters as an airbag warning sticker that might peel off the sun visor or an incorrect phone number printed in the owner's manual. The regulations in this bill are not proportionate.

Another problem is that this bill favors multinational rental car companies at the expense of small businesses. This bill will regulate a small-business dealer with a fleet of five loaner vehicles the same way it would regulate a massive rental car company with hundreds of thousands of vehicles in their fleet.

The bill even allows large rental car companies additional compliance time, which further disadvantages small businesses. Madam Chair, large businesses have regulatory and legal staffs available on-hand to help with this burden, and they have the capital to pay millions of dollars in regulatory compliance costs.

The average small-business owner, however, is his or her own legal and regulatory staff. Without my amendment, this bill would impose new government inspections, additional recordkeeping requirements, and new penalties up to $15 million on small businesses.

The Senate bill also gives the National Highway Traffic Safety Administration the authority to add more regulatory burdens as appropriate, and that is too open-ended.

Without my amendment, this bill could make it impractical for small-business dealers to provide loaner or rental cars to their customers because it mandates vehicles be grounded for minor compliance matters with a minimal impact on safety, and that is not what Congress' intent is or should be.

Madam Chair, in tax law, employment law, and other areas, Congress has recognized the difference between big business and small business. Let's not regulate our Main Street businesses like multinational corporations. Frankly, Main Street is hurting enough as it is.

Vote ''yes'' on the Williams amendment.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Ms. SCHAKOWSKY. Madam Chair, Mr. WILLIAMS' amendment unreasonably limits the application of the Raechel and Jacqueline Houck Safe Rental Car Act that is included in the Senate amendments to H.R. 22.

I yield 3 minutes to the gentlewoman from California (Mrs. CAPPS), the woman who has really been a leader for safety in the car rental field.

Mrs. CAPPS. Madam Chair, I thank my colleague for yielding.

Madam Chair, I rise in strong opposition to the Williams amendment.

This amendment would needlessly exempt auto dealers from critical vehicle safety requirements included in the underlying bill.

While Federal law currently prohibits auto dealers from selling new cars subject to a recall, there is no similar law prohibiting rental companies or auto dealers from renting or loaning out unrepaired recalled vehicles.

I introduced the Raechel and Jacqueline Houck Safe Rental Car Act to close this loophole and prohibit rental car companies and auto dealers from renting or loaning vehicles under safety recall until they are fixed, and I am pleased this legislation is in the underlying bill.

This harmful amendment, however, would put lives at risk by exempting auto dealers from complying with this commonsense safety requirement.

GM, Honda, Chrysler, and other car manufacturers who have issued safety recalls, are loaning out tens of thousands of cars to customers while the repairs are being made. Consumers expect that the loaner cars they receive when they take their own cars into a dealership for repairs are safe to drive. But rather than ensure these loaners are safe, the Williams amendment would allow car dealers to give out loaner cars that have the same exact defect as the car that is being repaired.

The auto dealers are justifying this amendment by claiming that some safety recalls aren't actually important enough to require immediate repairs. This is ridiculous. NHTSA does not issue frivolous recalls. All safety recalls pose serious safety risks and should be fixed as soon as possible. Any claim otherwise is simply not true.

Madam Chair, it only takes one car with an unrepaired safety recall to tragically end a life. That is what happened to Raechel and Jackie Houck when their rented PT Cruiser caught fire and crashed into a tractor-trailer due to an unrepaired recall. And that is what happened to Jewel Brangman when she was killed by the unrepaired Takata airbag in her rented Honda Civic.

Loaned cars from auto dealers should be no different. The Williams amendment would let these auto dealers off the hook and allow them to loan out defective cars to unsuspecting consumers. It creates a nonsensical double standard for rentals and loaner cars not based on how unsafe they are, but based on who is renting or loaning them to the public. Keeping unrepaired recalled cars parked in the lot and out of the hands of consumers is common sense.

I urge my colleagues to join me in opposing the Williams amendment to ensure all consumers can be confident that their rental car or their loaner car is safe to drive, regardless of whether they get it from a rental company or a dealership.

Ms. SCHAKOWSKY. Madam Chair, I thank the gentlewoman for her leadership.

I understand that everyone has car dealerships in their districts and they are an important part of our economy, but this amendment serves one purpose and one purpose only: allowing car dealers and rental car companies to evade responsibility.

Just like rental car companies, car dealerships rent and lease vehicles regularly. And just like rental car companies, car dealerships should not be renting or leasing cars that are subject to a safety recall without first repairing the defect. These are safety recalls on cars the auto manufacturers themselves have deemed necessary to repair.

Can you imagine bringing your car to a dealer to get a deadly Takata airbag replaced and then being given a loaner car with the same deadly Takata airbag to drive while your car is being repaired? That is the situation that this amendment would allow.

Of all those subjected to the Safe Rental Car Act, car dealerships are in the best position to fix these recalled cars quickly.

Instead of this amendment, which weakens the Senate provision, the Rules Committee should have made in order the gentlewoman's amendment expanding the provision to ensure used cars are not sold until recalls are fixed.

Whether or not renting cars is the company's primary business makes no business. A defective car is a defective car.

Rental companies and auto dealers alike have a responsibility to their customers, and we have a responsibility to ensure that consumers' lives are not put at risk.

I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. WILLIAMS. Madam Chair, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY), my good friend who is an auto dealer.

Mr. KELLY of Pennsylvania. I thank the gentleman.

Madam Chair, I am fascinated. I have been here for 5 years. And the fact is that people who don't have any idea about how a business is run are constantly telling people how to run their business; they are people who don't have the foggiest idea of who auto dealers are or who our responsibility is to and the fact that all recalls are not created equal.

There is not a single person in our business that would ever put one of our owners in a defective car or a car with a recall. But that could happen. That could happen.

So if you are telling me that, because the wrong phone number is printed in an owner's manual, that is a recall, we have to get that car off the road, my God, can you imagine what would happen to this owner if they opened up that glove box and saw that? What a horrible situation to put them in. Now, you shake your heads and you say, no, that is not what is going on.

Now, please, this is what I do. This is who I am. We are a third-generation automobile business, sold thousands of cars. And these people are not just customers. They are our part of our extended families.

But somehow we believe that, if we can redefine, if we can tell people: ''This car has been recalled. You can't possibly get in it'' and you say: ''Well, what is the recall?'', well, you know what? One pound per square inch on the tire pressure is not printed correctly. That is horrible. How could that possibly be? You have got to get that car off the road.

You are subjecting automobile dealers to the same things that you are subjecting rental car companies who don't have to worry about it because, by the way, as those cars come off the road in a recall, the factories pay them for those cars as they sit waiting to be repaired. There is no loss of revenue for a rental car company. That is why they are so happy about it.

And what will they do with us when we take a car off the road? They will say: ''Send your customer to us and we will rent them a car.''

If you can't see the difference, if you can't see the unequal balance in it, then there is a problem here. If a safety recall is a safety recall, that is one thing. But if it is something else that is cosmetic, that is something altogether different, to group them all under the same umbrella and say: ''This is a problem. This is a problem hunting for some type of an issue and there is no issue here. There is none of us in our business that would ever put any of our owners in an unsafe car.

But I will tell you what. I wish some of these ridiculous amendments would expire.

The Acting CHAIR. The time of the gentleman has expired.

□ 2345

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

Auto dealers, much like us here in Washington, D.C., have a reputation to uphold. No auto dealer in his right mind would loan a vehicle to his customers that is unsafe to drive or operate. Auto dealers should not have to ground all of their loaner vehicles because of minor issues like a sticker that might peel off the sun visor because something was misspelled in the owner's manual. Auto dealers want to provide great service and be able to loan their customers vehicles so they can go to work, drop their kids off at school, go to the grocery store, and visit the doctor. These small business owners should not be regulated like huge, multinational car rental agencies.

I urge Members to support my amendment and protect small businesses.

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

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

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. KINZINGER OF ILLINOIS

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 114–326.

Mr. KINZINGER of Illinois. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title XXXIV of division C, add the following:

SEC. 34216. AVAILABILITY OF CERTAIN INFORMATION ON MOTOR VEHICLE EQUIPMENT.

Section 30118 of title 49, United States Code, is amended by adding at the end the following:

''(f) INFORMATION ON DEFECTIVE OR NONCOMPLIANT PARTS.—

''(1) PROVISION OF INFORMATION BY SUPPLIERS.—A supplier of parts that are determined to be defective or noncompliant by the Secretary under subsection (a) or (b) shall identify all parts that are subject to the recall and provide to the Secretary and each affected manufacturer, not later than 3 business days after receiving notification of the determination, for each affected part—

''(A) all part names;

''(B) all part numbers; and

''(C) a description of the part.

''(2) PROVISION OF INFORMATION BY MANUFACTURERS.—Upon receipt of notification of a determination by the Secretary under subsection (a) or (b) or notification from a supplier of parts under paragraph (1), a manufacturer of motor vehicles shall—

''(A) identify the vehicle identification number for each affected vehicle; and

''(B) not later than 5 business days after receiving such notification, provide to the Secretary, in a searchable format determined by the Secretary—

''(i) the vehicle identification numbers identified under subparagraph (A); and

''(ii) the specific part names, numbers, and descriptions used by the manufacturer for all affected parts the sale or lease of which is prohibited by section 30120(j).

''(3) AVAILABILITY OF INFORMATION ON THE INTERNET.—In the case of information provided by a manufacturer under paragraph (2)(B), the Secretary shall make such information available, or require the manufacturer to make such information available, on an Internet website that may be accessed by any person who sells or leases motor vehicle equipment for purposes of assisting such person in complying with section 30120(j). Such information shall be made available in real-time or near-real-time as provided under paragraph (2)(B) and at no cost to the person obtaining access.

''(g) INFORMATION ON ORIGINAL EQUIPMENT.—Not later than July 31, 2016, a manufacturer of motor vehicles shall make available on an Internet website information about the original equipment contained in such vehicles, which shall include—

''(1) all parts or component numbers for such equipment; and

''(2) specific part names and descriptions associated with each manufacturer vehicle identification number.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Illinois (Mr. KINZINGER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. KINZINGER of Illinois. Madam Chair, I yield myself such time as I may consume.

I rise today to offer an amendment that would improve vehicle safety and ensure that businesses have the necessary information to comply with section 8 of the TREAD Act.

Every day, professional automotive recyclers sell over a half a million original equipment manufacturer parts which are harvested from total loss or end-of-life vehicles and are resold to consumers, repair shops, and dealers. These parts are designed by automakers and are manufactured to meet their requirements. Even when a vehicle may reach the end of its useful life, many parts have a greater lifespan and can be subsequently recycled, resold, and reused. This offers consumers with additional choice to purchase a quality recycled part at a lower cost.

In 2000, Congress enacted the TREAD Act to increase vehicle safety by prohibiting the resale of recycled auto parts that are subject to a recall and have not been remedied. Congress passed this legislation with the safety of the driving public in mind. However, the ability of professional automotive recyclers to identify and remove recalled parts from the supply chain is severely limited.

Earlier this year, Secretary Foxx responded to a question for the record on this subject following a House Transportation and Infrastructure Committee hearing. He recommended that

automotive manufacturers provide part number information in an efficient and easy-to-use format directly to recyclers and others who need the information to support auto safety. My amendment does just that and will ensure these businesses can identify such parts and remove them from their inventory.

Our friends in the European Union have already implemented regulations requiring such a system that includes the VIN, OE parts numbers, and the OE naming of the parts. I know we have the technological capabilities to similarly improve vehicle safety, and I am hoping that my colleagues will show their commitment to improving the recall process with an ''aye'' vote. Now is the time to pass this measure.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentlewoman from Illinois is recognized for 5 minutes.

There was no objection.

Ms. SCHAKOWSKY. Madam Chair, while I am not going to oppose the amendment, I do have some questions about it.

For this reason, it seems to me that this amendment is not likely to be all that effective in getting defective parts off the market: It only requires parts suppliers and automakers to supply information when a recall is first ordered by the Secretary of Transportation. It does not apply in the most common recall scenario when a manufacturer provides notice of a recall.

So NHTSA is going to be asked to expend valuable resources to set up a new system for auto part information, and that system, it seems to me, should at least be effective in getting defective parts off the market and off the roads in all circumstances of recalls.

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

Mr. KINZINGER of Illinois. I appreciate my friend from Illinois' response. I would be happy to work with her in the future on this.

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

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

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MS. SCHAKOWSKY

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part B of House Report 114–326.

Ms. SCHAKOWSKY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 574, insert after line 6 the following new sections:

SEC. 34216. IMPROVED VEHICLE SAFETY DATABASES.

Not later than 2 years after the date of enactment of this Act, the Secretary shall increase public accessibility to and timeliness of information on the National Highway Traffic Safety Administration's vehicle safety databases including by—

(1) improving organization and functionality, including modern web design features, and allowing for data to be searched, aggregated, and downloaded;

(2) providing greater consistency in presentation of vehicle safety issues;

(3) improving searchability about specific vehicles and issues through standardization of commonly used search terms and the integration of databases to enable all to be simultaneously searched using the same keyword search function; and

(4) improving the publicly accessible early warning database, by—

(A) enabling users to search for incidents across multiple reporting periods for a given make and model name, model year, or type of potential defect; and

(B) ensuring that search results, in addition to being downloadable, are sortable within an Internet browser by make, model name, model year, State or foreign country of the incident, number of deaths, number of injuries, date of the incident, and type of potential defect.

SEC. 34217. IMPROVED USED CAR BUYERS GUIDE.

In addition to the information already required to be included pursuant to section 455.2 of title 16, Code of Federal Regulations (the Used Motor Vehicle Trade Regulation Rule), the Buyers Guide window form shall include—

(1) a statement of the vehicle's brand history, total loss history, and salvage history according to the vehicle's National Motor Vehicle Title Information System (NMVTIS) vehicle history report, the date on which the dealer obtained the vehicle history report, and the website where a consumer can obtain a vehicle history report; and

(2) a statement of the vehicle's recall repair history according to the vehicle identification number search tool established pursuant to section 31301 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note), the date on which the used vehicle dealer obtained the recall repair history, and the website where a consumer may obtain this information.

SEC. 34218. RETENTION OF SAFETY RECORDS BY MANUFACTURERS.

(a) RULE.—Not later than 18 months after the date of enactment of this Act, the Secretary shall issue a final rule pursuant to section 30117 of title 49, United States Code, requiring each manufacturer of motor vehicles or motor vehicle equipment to retain all motor vehicle safety records, including documents, reports, correspondence, or other materials that contain information concerning malfunctions that may be related to motor vehicle safety (including any failure or malfunction beyond normal deterioration in use, or any failure of performance, or any flaw or unintended deviation from design specifications, that could in any reasonably foreseeable manner be a causative factor in, or aggravate, an accident or an injury to a person), for a period of not less than 20 calendar years from the date on which they were generated or acquired by the manufacturer. Such requirement shall also apply to all underlying records on which information reported to the Secretary under part 579 of title 49, Code of Federal Regulations, is based.

(b) APPLICATION.—The rule required by subsection (a) shall apply with respect to any record described in such subsection that is in the possession of a manufacturer on the effective date of such rule.

SEC. 34219. ELIMINATION OF REGIONAL RECALLS.

Section 30118 of title 49, United States Code, is amended by adding at the end the following new subsections:

''(f) LONG-TERM EXPOSURE TO ENVIRONMENTAL CONDITIONS.—If a manufacturer of a motor vehicle or replacement equipment learns the vehicle or equipment contains a safety problem caused by long-term exposure to environmental conditions, the manufacturer shall give notice under subsection (c) as if the manufacturer learned the vehicle or equipment contains a defect and decides in good faith that the defect is related to motor vehicle safety.

''(g) NATIONAL ORDERS AND NOTIFICATIONS.—All orders under subsection (b)(2) and notifications under subsection (c) shall be carried out on a national basis and shall not be limited to vehicles or equipment in certain States or territories or other geographic regions of the United States. This paragraph shall not prevent the Secretary from permitting the prioritization of the shipment of replacement parts by geographic location when appropriate.''.

SEC. 34220. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.

Section 30120(g)(1) of title 49, United States Code, is amended by striking ''the motor vehicle or replacement equipment was bought by the first purchaser more than 10 calendar years, or''.

SEC. 34221. PEDESTRIAN SAFETY IMPROVEMENT RULE.

(a) SAFETY RESEARCH INITIATIVE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete research into the development of safety standards or performance requirements to reduce the number of injuries and fatalities suffered by pedestrians and other non-occupants who are struck by passenger motor vehicles.

(b) SPECIFICATIONS.—In carrying out subsection (a), the Secretary shall consider means for protecting especially vulnerable pedestrian and non-occupant populations, including children, older adults, and individuals with disabilities.

(c) RULEMAKING OR REPORT.—

(1) RULEMAKING.—Not later than 1 year after the completion of each testing and research initiative required under subsection (a), the Secretary shall initiate a rulemaking proceeding to issue a Federal motor vehicle safety standard if the Secretary determines that such a standard meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

(2) REPORT.—If the Secretary determines that the standard described in paragraph (1) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(d) PASSENGER MOTOR VEHICLE DEFINED.—In this section, the term ''passenger motor vehicle''—

(1) means a motor vehicle (as defined in section 30102(a) of title 49, United States Code) that is rated at less than 10,000 pounds gross vehicular weight; and

(2) does not include—

(A) a motorcycle;

(B) a trailer; or

(C) a low speed vehicle (as defined in section 571.3 of title 49, Code of Federal Regulations).

SEC. 34222. RULEMAKING ON REAR SEAT CRASHWORTHINESS.

(a) SAFETY RESEARCH INITIATIVE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete research into the development of safety standards or performance requirements for the crashworthiness and survivability for passengers in the rear seats of motor vehicles.

(b) SPECIFICATIONS.—In carrying out subsection (a), the Secretary shall consider side- and rear-impact collision testing, additional airbags, head restraints, seatbelt fit, seatbelt airbags, belt anchor location, and any other factors the Secretary considers appropriate.

(c) RULEMAKING OR REPORT.—

(1) RULEMAKING.—Not later than 1 year after the completion of each research and testing initiative required under subsection (a), the Secretary shall initiate a rulemaking proceeding to issue a Federal motor vehicle safety standard if the Secretary determines that such a standard meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

(2) REPORT.—If the Secretary determines that the standard described in paragraph (1) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Ms. SCHAKOWSKY. Madam Chair, in the wake of the GM and Takata recalls, it became apparent that major changes were needed to improve information sharing, enhance safety, and strengthen accountability measures. This amendment addresses some of those issues, and I urge my colleagues to support it.

Before I explain the contents of this amendment, it is important to explain what is not in the amendment.

There are no new civil penalties for companies that fail to adequately protect drivers and the public. There is no ''imminent hazard authority'' to enable NHTSA to get the most dangerous cars off the road as soon as possible. While I believe those changes are sorely needed, I knew that the Republican majority would oppose them. What is left are some of the more obvious reforms for auto safety, and there is no reasonable excuse to oppose the amendment.

This amendment would improve the functionality of the National Highway Traffic Safety Administration's Web site to enable better and more detailed searches, to standardize terms so that consistent problems can be identified faster, and to improve the early warning database so that consumers can determine whether a vehicle they drive or plan to drive has a history of dangerous incidents.

My amendment would also increase the amount of information provided to consumers who are purchasing or leasing used vehicles, including specific vehicle damage history and recall repair history. It would include that information in the Used Car Buyers Guide, which already must be posted on each used vehicle that is offered for sale; and it would inform consumers about the Web site, which is where they can find more information about their specific vehicle history.

The investigations into the GM and Takata failures were made more difficult by the fact that comprehensive safety records were not maintained by many manufacturers. This amendment would fix that by ensuring that those records are preserved for 20 years.

Auto manufacturers are not currently required to remedy recalled vehicles if those cars were sold more than 10 years before the recall. That makes no sense, especially when the average car on the road is more than 11 years old. This amendment would require all defects to be remedied at no cost to the car owner no matter how long the car has been owned.

With more than 30,000 deaths a year, we have a long way to go in reducing deaths and serious injuries on our roads. There are things we can and should do to enhance auto safety, and Congress has a long track record of doing just that.

For example, a bill I sponsored, which was signed into law by President Bush, established a rulemaking to require technologies that would enable drivers to see behind their vehicles. By 2018, rear cameras will be standard for all cars. That rule will prevent more than 100 deaths and many more injuries each year.

This amendment would require NHTSA to continue that progress by requiring research into technologies and then developing standards that could reduce injuries and deaths for rear seat passengers and pedestrians.

Finally, this amendment eliminates the flawed system of regional recalls. Regional recalls limit remedies to specific States. This prevents vehicles which have traveled across the country from being recalled.

Takata issued regional recalls for its airbags, but with high humidity being a factor in airbag explosions, it makes no sense that its regional recall missed, for example, Washington, D.C.—a swamp, with all due respect. While most of Takata's regional recalls were expanded nationally, not all of them were, and some drivers can't legally get their vehicles remedied free of charge. We can't allow this regional recall system to continue.

Again, these are commonsense, safety-focused provisions that would enhance consumer information, vehicle safety, and accountability.

I urge my colleagues to support this amendment.

Madam Chair, I reserve the balance of my time.

Mr. BURGESS. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. BURGESS. Madam Chair, for some time now, the Energy and Commerce Committee, its Subcommittee of Oversight and Investigations as well as its Subcommittee of Commerce, Manufacturing, and Trade, have been looking into recalls and automobile safety.

We have heard about problems within the National Highway Traffic Safety Administration and about problems within the automobile industry, itself. There is a lot to fix, and there are provisions to get after those issues in terms of recommendations from the Inspector General's Office.

Serious flaws of the basic operation of the National Highway Traffic Safety Administration were revealed earlier this year in a widely reported inspector general's report. In an unprecedented move after the inspector general's report was released, the National Highway Traffic Safety Administration publicly committed to a timeline to implement all of the inspector general's recommendations because of the serious and direct impact on NHTSA's ability to fulfill its core mission.

You do worry that the direction in which this amendment purports to now go is going to send resources in the wrong direction. It is going to be very, very friendly to the Plaintiff's Trial Bar, but, really, that is not where our focus should be. Of course, the Plaintiffs' Bar wants to be able to download, sort, and map all of the incidents attributable by an automaker so that they can file class action lawsuits—very, very good for the Plaintiffs' Bar, not necessarily so good for the consumer.

The problem is there is a real cost in going in this direction. More resources are diverted to defending non meritorious lawsuits, and that means less can go into safety and quality. Effectively, this provision starves the consumer in order to feed the Plaintiffs' Bar.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, how much time is remaining?

The Acting CHAIR. The gentlewoman from Illinois has 1 minute remaining.

Ms. SCHAKOWSKY. Madam Chair, I would say to my colleague, as the chairman of the subcommittee I serve on and that deals with auto safety, I know, for a very long time, he has certainly seen the legislation that I have offered in the past, and this is the first time that I have heard that argument.

The idea of this legislation was to pair down the bill that I had introduced into the kinds of safety enhancements that the gentleman and many of the Republicans on the committee also had in their legislation.

The goal is one thing: to make sure that we provide more safety, strengthen accountability, and that we share more information with consumers. The amendment addresses those issues. It has avoided, studiously, the more controversial parts of auto safety bills

that maybe, someday, we can come back to, but the goal was to get a good start.

I am disappointed that there is opposition to this amendment, but I still urge my colleagues to support it.

I yield back the balance of my time.

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

I would just restate that this amendment takes us in the wrong direction; so I urge my colleagues to vote in opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY).

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

Ms. SCHAKOWSKY. Madam Chair, I demand a recorded vote.

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

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AMENDMENT NO. 16 OFFERED BY MR. MULLIN

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part B of House Report 114–326.

Mr. MULLIN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title XXXIV insert the following new part:

PART IV—ALTERNATIVE FUEL VEHICLES

SEC. 34441. REGULATION PARITY FOR ELECTRIC AND NATURAL GAS VEHICLES.

(a) IN GENERAL.—In promulgating regulations, the Administrator of the Environmental Protection Administration shall ensure that any preference or incentive provided to an electric vehicle is also provided to a natural gas vehicle.

(b) REVISION OF EXISTING REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall revise any regulations of the Administrator in existence as of that date concerning electric vehicles as necessary to ensure that the regulations conform to subsection (a).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Oklahoma (Mr. MULLIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. MULLIN. Madam Chair, the EPA currently regulates the tailpipe emissions of automobiles sold in the United States. In order to incentivize the use of alternative fuels, the agency provides regulatory credits to automakers that produce alternative fuel vehicles.

The EPA has provided greater incentives for manufacturers to produce electric vehicles rather than natural gas vehicles, even though natural gas is a growing and inexpensive source of fuel with a clean emission profile.

If we are going to incentivize alternative fuel vehicles, we need to make sure that natural gas vehicles are on a level playing field. My amendment does exactly that, encouraging the broader adoption of natural gas vehicles. It instructs EPA to provide the same incentives for the production of natural gas vehicles that it already provides for electric vehicles.

In States like mine in Oklahoma, natural gas is cheap, but filling stations for vehicles can be few and far between. Consumers are hesitant to buy natural gas vehicles because they are afraid they won't have access to filling stations.

The surface transportation bill encourages the build of natural gas refueling corridors. My amendment will add to the effort by encouraging automakers to produce the vehicles that will actually consume the natural gas fuel.

This is a commonsense amendment, pro competition, and a reform the auto industry needs. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Ms. SCHAKOWSKY. Madam Chairman, I rise in opposition to the gentleman's amendment, which would undermine the Obama administration's historic vehicle fuel economy and tailpipe emission standards.

The EPA and the Department of Transportation rules provide huge benefits. They help consumers save money at the pump, reduce reliance on foreign oil, and reduce the carbon pollution that threatens our climate and our health. By 2025, these rules are expected to save American families $1.7 trillion on fuel costs, cut greenhouse gas emissions by 6 billion metric tons, and reduce America's dependance on oil by more than 2 million barrels per day.

These are rules that have been an overwhelming success due in large part to the high level of coordination and participation of multiple stakeholder groups in their development. We are talking about groups like automobile manufacturers, State and local governments, the United Auto Workers, consumer groups, environmental organizations, and the public. In short, these rules are good for American consumers, manufacturers, and the environment.

The Mullin amendment would undermine the success of existing and future car rules by requiring EPA to extend any ''preference or incentive'' provided to electric vehicles to natural gas vehicles as well.

The amendment also requires EPA to go back and make retroactive changes to the tailpipe rules already on the books. Some of these rules were finalized 3 years ago, and reopening these carefully coordinated negotiations makes no sense.

The Mullin amendment would effectively say that natural gas vehicles and electric vehicles are exactly the same, but they are fundamentally different in terms of their tailpipe emissions and the miles per gallon they get on the road.

Natural gas vehicles already receive numerous incentives under the tailpipe and fuel economy rules, and natural gas vehicles are an established and functioning technology, so there is little need to incentivize them further for reasons of technological innovation. This is in contrast with electric vehicles for whom many of the current incentives are designed.

The amendment is also not justified from a climate perspective. Electric vehicles have the potential to be game changers, especially with low greenhouse gas electricity. On the other hand, natural gas vehicles continue to depend on a fossil fuel with no such game-changing potential. Also, because natural gas is already a very viable fuel for heavy-duty vehicles, additional incentives would essentially be bonuses for using a fuel that would have been used anyway. So this would dilute the heavy-duty vehicle GHG program.

The Mullin amendment would give windfall incentives to automobile manufacturers that produce natural gas vehicles, creating a loophole that will allow them to produce other dirty and less efficient vehicles and still meet their tailpipe emissions and fuel economy requirements. This sets a dangerous precedent that subverts essential rules that were developed through an open public rulemaking process, including all stakeholders, and undermines critical U.S. energy conservation policies.

I reserve the balance of my time.

Mr. MULLIN. Madam Chair, I appreciate what the gentlewoman is stating. All we are trying to do is listen to the President, too, when he says he has an all-the-above approach on energy.

The gentlewoman states that electric vehicles are a clean way to drive around, but I must remind the gentlewoman that the power that they are charged by typically is produced by coal and natural gas power plants. So the argument that she is saying just simply doesn't make any sense.

The EPA has already said that their emissions fits within their profile. What we are saying is let's truly have an all-the-above approach and allow natural gas to be on a natural, clean playing field.

If we are going to talk about having a real conversation and not playing politics, then we shouldn't be playing winners and losers with this administration and the real fight, which is against—anti-fossil fuels altogether.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, my view is, if it ain't broke, don't fix it. We have had a good deal of success with the current rules, and to change the game plan right now, I think, is a disservice to consumers, to all the other stakeholders, including the auto manufacturers, the unions, the consumer groups, and everybody who has

weighed in and bought in to these rules.

So I would urge a ''no'' vote on the Mullin amendment.

I yield back the balance of my time.

Mr. MULLIN. Madam Chair, I obviously encourage a ''yes'' vote, and I encourage my colleagues to support it.

I yield back the balance of my time.

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

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

Ms. SCHAKOWSKY. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 17 OFFERED BY MR. BURGESS

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in part B of House Report 114–326.

Mr. BURGESS. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 550, strike line 24 and all that follows through page 551, line 4, and insert the following:

(A) $31,270,000 for fiscal year 2016.

(B) $36,537,670 for fiscal year 2017.

(C) $42,296,336 for fiscal year 2018.

(D) $47,999,728 for fiscal year 2019.

(E) $54,837,974 for fiscal year 2020.

(F) $61,656,407 for fiscal year 2021.

Insert after subtitle D of title XXXIV the following new subtitle:

Subtitle E—Additional Motor Vehicle Provisions

SEC. 34501. REQUIRED REPORTING OF NHTSA AGENDA.

Not later than December 1 of the year beginning after the date of enactment of this Act, and each year thereafter, the Administrator of the National Highway Traffic Safety Administration shall publish on the public website of the Administration, and file with the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual plan for the following calendar year detailing the Administration's projected activities, including—

(1) the Administrator's policy priorities;

(2) any rulemakings projected to be commenced;

(3) any plans to develop guidelines;

(4) any plans to restructure the Administration or to establish or alter working groups;

(5) any planned projects or initiatives of the Administration, including the working groups and advisory committees of the Administration; and

(6) any projected dates or timetables associated with any of the items described in paragraphs (1) through (5).

SEC. 34502. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.

Section 30120(g)(1) of title 49, United States Code, is amended by striking ''10 calendar years'' and inserting ''15 calendar years''.

SEC. 34503. RETENTION OF SAFETY RECORDS BY MANUFACTURERS.

(a) RULE.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule pursuant to section 30117 of title 49, United States Code, requiring each manufacturer of motor vehicles or motor vehicle equipment to retain all motor vehicle safety records required to be maintained by manufacturers under section 576.6 of title 49, Code of Federal Regulations, for a period of not less than 10 calendar years from the date on which they were generated or acquired by the manufacturer.

(b) APPLICATION.—The rule required by subsection (a) shall apply with respect to any record described in such subsection that is in the possession of a manufacturer on the effective date of such rule.

SEC. 34504. NONAPPLICATION OF PROHIBITIONS RELATING TO NONCOMPLYING MOTOR VEHICLES TO VEHICLES USED FOR TESTING OR EVALUATION.

Section 30112(b) of title 49, United States Code, is amended—

(1) in paragraph (8), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(10) the introduction of a motor vehicle in interstate commerce solely for purposes of testing or evaluation by a manufacturer that prior to the date of enactment of this paragraph—

''(A) has manufactured and distributed motor vehicles into the United States that are certified to comply with all applicable Federal motor vehicle safety standards;

''(B) has submitted to the Secretary appropriate manufacturer identification information under part 566 of title 49, Code of Federal Regulations;

''(C) if applicable, has identified an agent for service of process in accordance with part 551 of such title; and

''(D) agrees not to sell or offer for sale the motor vehicle at the conclusion of the testing or evaluation.''.

SEC. 34505. TREATMENT OF LOW-VOLUME MANUFACTURERS.

(a) EXEMPTION FROM VEHICLE SAFETY STANDARDS FOR LOW-VOLUME MANUFACTURERS.—Section 30114 of title 49, United States Code, is amended—

(1) by striking ''The'' and inserting ''(a) VEHICLES USED FOR PARTICULAR PURPOSES.—The''; and

(2) by adding at the end the following new subsection:

''(b) EXEMPTION FOR LOW-VOLUME MANUFACTURERS.—

''(1) IN GENERAL.—The Secretary shall—

''(A) exempt from section 30112(a) of this title not more than 500 replica motor vehicles per year that are manufactured or imported by a low-volume manufacturer; and

''(B) except as provided in paragraph (4) of this subsection, limit any such exemption to the Federal Motor Vehicle Safety Standards applicable to motor vehicles and not motor vehicle equipment.

''(2) REGISTRATION REQUIREMENT.—To qualify for an exemption under paragraph (1), a low-volume manufacturer shall register with the Secretary at such time, in such manner, and under such terms that the Secretary determines appropriate. The Secretary shall establish terms that ensure that no person may register as a low-volume manufacturer if the person is registered as an importer under section 30141 of this title.

''(3) PERMANENT LABEL REQUIREMENT.—

''(A) IN GENERAL.—The Secretary shall require a low-volume manufacturer to affix a permanent label to a motor vehicle exempted under paragraph (1) that identifies the specified standards and regulations for which such vehicle is exempt from section 30112(a) and designates the model year such vehicle replicates.

''(B) WRITTEN NOTICE.—The Secretary may require a low-volume manufacturer of a motor vehicle exempted under paragraph (1) to deliver written notice of the exemption to—

''(i) the dealer; and

''(ii) the first purchaser of the motor vehicle, if the first purchaser is not an individual that purchases the motor vehicle for resale.

''(C) REPORTING REQUIREMENT.—A low-volume manufacturer shall annually submit a report to the Secretary including the number and description of the motor vehicles exempted under paragraph (1) and a list of the exemptions described on the label affixed under subparagraph (A).

''(4) EFFECT ON OTHER PROVISIONS.—Any motor vehicle exempted under this subsection shall also be exempted from sections 32304, 32502, and 32902 of this title and from section 3 of the Automobile Information Disclosure Act (15 U.S.C. 1232).

''(5) LIMITATION AND PUBLIC NOTICE.—The Secretary shall have 60 days to review and approve a registration submitted under paragraph (2). Any registration not approved or denied within 60 days after submission shall be deemed approved. The Secretary shall have the authority to revoke an existing registration based on a failure to comply with requirements set forth in this subsection. The registrant shall be provided a reasonable opportunity to correct all deficiencies, if such are correctable based on the sole discretion of the Secretary. An exemption granted by the Secretary to a low-volume manufacturer under this subsection may not be transferred to any other person, and shall expire at the end of the calendar year for which it was granted with respect to any volume authorized by the exemption that was not applied by the low-volume manufacturer to vehicles built during that calendar year. The Secretary shall maintain an up-to-date list of registrants on an annual basis and publish such list in the Federal Register or on a website operated by the Secretary.

''(6) LIMITATION OF LIABILITY FOR ORIGINAL MANUFACTURERS, LICENSORS OR OWNERS OF PRODUCT CONFIGURATION, TRADE DRESS, OR DESIGN PATENTS.—The original manufacturer, its successor or assignee, or current owner, who grants a license or otherwise transfers rights to a low-volume manufacturer shall incur no liability to any person or entity under Federal or State statute, regulation, local ordinance, or under any Federal or State common law for such license or assignment to a low-volume manufacturer.

''(7) DEFINITIONS.—In this subsection:

''(A) LOW-VOLUME MANUFACTURER.—The term 'low-volume manufacturer' means a motor vehicle manufacturer, other than a person who is registered as an importer under section 30141 of this title, whose annual worldwide production is not more than 5,000 motor vehicles.

''(B) REPLICA MOTOR VEHICLE.—The term 'replica motor vehicle' means a motor vehicle produced by a low-volume manufacturer and that—

''(i) is intended to resemble the body of another motor vehicle that was manufactured not less than 25 years before the manufacture of the replica motor vehicle; and

''(ii) is manufactured under a license for the product configuration, trade dress, trademark, or patent, for the motor vehicle that is intended to be replicated from the original manufacturer, its successors or assignees, or current owner of such product configuration, trade dress, trademark, or patent rights.''.

(b) VEHICLE EMISSION COMPLIANCE STANDARDS FOR LOW-VOLUME MOTOR VEHICLE MANUFACTURERS.—Part A of title II of the Clean Air Act (42 U.S.C. 7521 et seq.) is amended—

(1) in section 206(a) by adding at the end the following new paragraph:

''(5)(A) A motor vehicle engine (including all engine emission controls) from a motor vehicle that has been granted a certificate of conformity by the Administrator for the model year in which the motor vehicle is assembled, or a motor vehicle engine that has been granted an Executive order subject to regulations promulgated by the California Air Resources Board for the model year in which the motor vehicle is assembled, may be installed in an exempted specially produced motor vehicle, if—

''(i) the manufacturer of the engine supplies written instructions explaining how to install the engine and maintain functionality of the engine's emission control system and the on-board diagnostic system (commonly known as 'OBD II'), except with respect to evaporative emissions diagnostics;

''(ii) the manufacturer of the exempted specially produced motor vehicle installs the engine in accordance with such instructions; and

''(iii) the installation instructions include emission control warranty information from the engine manufacturer in compliance with section 207, including where warranty repairs can be made, emission control labels to be affixed to the vehicle, and the certificate of conformity number for the applicable vehicle in which the engine was originally intended or the applicable Executive order number for the engine.

''(B) A motor vehicle containing an engine compliant with the requirements of subparagraph (A) shall be treated as meeting the requirements of section 202 applicable to new vehicles manufactured or imported in the model year in which the exempted specially produced motor vehicle is assembled.

''(C) Engine installations that are not performed in accordance with installation instructions provided by the manufacturer and alterations to the engine not in accordance with the installation instructions shall—

''(i) be treated as prohibited acts by the installer under section 203; and

''(ii) subject to civil penalties under the first and third sentences of section 205(a), civil actions under section 205(b), and administrative assessment of penalties under section 205(c).

''(D) The manufacturer of an exempted specially produced motor vehicle that has an engine compliant with the requirements of subparagraph (A) shall provide to the purchaser of such vehicle all information received by the manufacturer from the engine manufacturer, including information regarding emissions warranties from the engine manufacturer and all emissions-related recalls by the engine manufacturer.

''(E) To qualify to install an engine under this paragraph, a manufacturer of exempted specially produced motor vehicles shall register with the Administrator at such time and in such manner as the Administrator determines appropriate. The manufacturer shall submit an annual report to the Administrator that includes—

''(i) a description of the exempted specially produced motor vehicles and engines installed in such vehicles; and

''(ii) the certificate of conformity number issued to the motor vehicle in which the engine was originally intended or the applicable Executive order number for the engine.

''(F) Exempted specially produced motor vehicles compliant with this paragraph shall be exempted from—

''(i) motor vehicle certification testing under this section; and

''(ii) vehicle emission control inspection and maintenance programs required under section 110.

''(G) A person engaged in the manufacturing or assembling of exempted specially produced motor vehicles shall not be treated as a manufacturer for purposes of this Act by virtue of such manufacturing or assembling, so long as such person complies with subparagraphs (A) through (E).''; and

(2) in section 216 by adding at the end the following new paragraph:

''(12) EXEMPTED SPECIALLY PRODUCED MOTOR VEHICLE.—The term 'exempted specially produced motor vehicle' means a replica motor vehicle that is exempt from specified standards pursuant to section 30114(b) of title 49, United States Code.''.

(c) IMPLEMENTATION.—Not later than 12 months after the date of enactment of this Act, the Secretary of Transportation and the Administrator of the Environmental Protection Agency shall issue such regulations as may be necessary to implement the amendments made by subsections (a) and (b), respectively.

SEC. 34506. NO LIABILITY ON THE BASIS OF NHTSA MOTOR VEHICLE SAFETY GUIDELINES.

Section 30111 of title 49, United States Code, is amended by adding at the end the following new subsection:

''(f) NO LIABILITY ON THE BASIS OF MOTOR VEHICLE SAFETY GUIDELINES ISSUED BY THE SECRETARY.—(1) No guidelines issued by the Secretary with respect to motor vehicle safety shall provide a basis for or evidence of liability in any action against a defendant whose practices are alleged to be inconsistent with such guidelines. A person who is subject to any such guidelines may use an alternative approach to that set forth in such guidelines that complies with any requirement in a provision of this subtitle, a motor vehicle safety standard issued under this subtitle, or another relevant statute or regulation.

''(2) No such guidelines shall confer any rights on any person nor shall operate to bind the Secretary or any person who is subject to such guidelines to the approach recommended in such guidelines. In any enforcement action with respect to motor vehicle safety, the Secretary must prove a violation of a provision of this subtitle, a motor vehicle safety standard issued under this subtitle, or another relevant statute or regulation. The Secretary may not build a case against or negotiate a consent order with any person based in whole or in part on practices of the person that are alleged to be inconsistent with any such guidelines.

''(3) A defendant may use compliance with any such guidelines as evidence of compliance with the provision of this subtitle, motor vehicle safety standard issued under this subtitle, or other statute or regulation under which such guidelines were developed.''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Madam Chair, the thesis of this amendment is to secure good government reforms at the National Highway Traffic Safety Administration.

We want to make certain that we are able to exercise strong oversight of the National Highway Traffic Safety Administration, and we want to make certain that NHTSA is staying within its authorized jurisdiction.

We took some ideas that were raised by the minority, amended them to reflect things like the longer life of cars. We asked manufacturers to hold onto safety information for a longer period of time. We extend the time for free recall fix requirements.

Lastly, we have added the bipartisan Low Volume Motor Vehicle Manufacturers Act of 2015 and provided adjusted funding levels to the National Highway Traffic Safety Administration to advance their important safety work.

This is an important amendment, and I urge my colleagues to accept it.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Ms. SCHAKOWSKY. Madam Chairman, by reducing appropriations for vehicle safety programs, Mr. BURGESS' amendment is making it impossible for NHTSA, the National Highway Traffic Safety Administration, to actually carry out its critical vehicle safety functions.

At the same time that this amendment drastically cuts funding for critical safety functions, the amendment also requires more reporting that diverts necessary resources, both people and dollars, from NHTSA's mission to save lives, prevent injuries, and reduce economic costs from traffic crashes.

The average age of cars on the road in the United States has hit a record high at 11½ years. That is just the average. Many cars are even older.

Instead of fully acknowledging this reality, this amendment only requires manufacturers to keep limited safety records for 15 years and only requires recall repairs to be free of charge for 10 years. The recent GM ignition switch recall covered vehicles that were more than 10 years old. That means that, under this amendment, some owners of defective GM cars could have to pay to have the defect repaired.

The amendment also exempts from motor vehicle safety standards replica cars. Brand-new cars would not have to meet any safety standards as long as they look like a car that was made 25 years ago. These cars could be exempt from seatbelt and airbag requirements, basic but crucial safety equipment. We have no idea how many replica cars will end up on the roads. Although each low-volume manufacturer is limited to 500 vehicles, there are no limits on the number of manufacturers.

The low-volume provision would also exempt manufacturers of replicas, unlike all others who manufacture cars in small batches, from the EPA's emission standards concerning greenhouse gasses. Replica cars also would be exempt from State inspections and emissions testing and evaporative emission standards. In the wake of the recent VW scandal, it is unthinkable that we would make it easier for any manufacturers to bypass emission standards and to continue to put public health at risk.

The amendment also allows automakers and others to use compliance with guidelines as evidence of compliance with motor vehicle safety standards. By prohibiting NHTSA from using guidelines for enforcement purposes, the majority obviously recognizes that nonbinding guidelines are not the same as actual safety requirements. But at the same time, this amendment allows automakers to evade liability by showing that they complied with nonbinding guidelines instead of having to prove that they complied with safety mandates. This double standard makes no sense.

Instead of ensuring that automakers are held responsible for safety violations they commit, this amendment gives them yet another out. This amendment will adversely affect the public health and safety.

I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. BURGESS. Madam Chairwoman, as I advised earlier in speaking to another amendment, some significant flaws in the basic operations of the National Highway Traffic Safety Administration were revealed earlier this year and reported in an inspector general's report.

Again, in an unprecedented move, after the IG report was released, the National Highway Traffic Safety Administration publicly committed to a timeline to implement all of the inspector general's recommendations because of their serious and direct impact on NHTSA's ability to fulfill its core mission. I am grateful to NHTSA that they had this commitment to these reforms.

Just like the Senate language, our amendment does provide for additional funding to the National Highway Traffic Safety Administration. This amendment would increase NHTSA's funding by 23½ percent for fiscal year 2016 and over 27 percent for fiscal year 2017 from the authorized levels in the underlying bill. Maybe we don't go as far as the Senate, but these are significant and generous increases.

Again, I will urge my colleagues to support the amendment.

I reserve the balance of my time.

□ 0015

Ms. SCHAKOWSKY. Madam Chair, actually there is an increase in my chairman's amendment. It is also a significant decrease from what the Senate has added to the National Highway Traffic Safety Administration. Because we have so many deaths on the road, and NHTSA has been significantly underfunded, it definitely makes sense to as fully fund them as they can to provide their mission of auto safety.

So, for that reason and all the others I listed, I certainly urge my colleagues to vote ''no'' on this legislation.

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

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

This amendment also requires the National Highway Traffic Safety Administration to issue an agenda on December 1 of every year detailing the agency's policy priorities, their planned rulemakings, and any projected alterations to the agency structure. Actually, that is a good idea. Regulated entities, especially, should have an idea of what the focus of the agency is going to be in the upcoming months and years.

The last time the National Highway Traffic Safety Administration published a planning report was 2011. They are asking us for more money. We are providing them with more money. All we ask is they provide us a glimpse into what their strategy is as to how that money will be effectively spent.

This is a good amendment. I urge my colleagues to support it.

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

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

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

Ms. SCHAKOWSKY. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 18 OFFERED BY MR. NEUGEBAUER

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in part B of House Report 114–326.

Mr. NEUGEBAUER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 52203 and 52205.

Insert after section 52202 the following:

SEC. 52203. ELIMINATION OF SURPLUS FUNDS OF FEDERAL RESERVE BANKS.

(a) ELIMINATION OF SURPLUS FUNDS.—Section 7 of the Federal Reserve Act (12 U.S.C. 289 et seq.) is amended—

(1) in subsection (a)—

(A) in the heading of such subsection, by striking ''AND SURPLUS FUNDS''; and

(B) in paragraph (2), by striking ''deposited in the surplus fund of the bank'' and inserting ''transferred to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury''; and

(2) by striking the first subsection (b) (relating to a transfer for fiscal year 2000).

(b) TRANSFER TO THE TREASURY.—The Federal reserve banks shall transfer all of the funds of the surplus funds of such banks to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. NEUGEBAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

Madam Chair, I rise today to offer amendment No. 18 with the gentleman from Michigan (Mr. HUIZENGA), my good friend.

First, let me say I don't think it is good policy that we are trying to fund transportation from other sectors of the economy. This amendment does seek to address two major issues in the budget offset sent over from the Senate—the Federal Reserve dividend increase and the g-fee increase.

Moving forward with the Federal Reserve dividend reduction without studying it could have a devastating consequence for the supervision of the financial sector and the stability of the Federal Reserve System. The cost that banks, especially community banks, could face as a result of the dividend reduction would be passed on to hard-working consumers. At a time when many Americans continue to struggle from the unintended consequences of Dodd-Frank, it would be dangerous and irresponsible to move ahead with the Senate version.

Second, this amendment addresses what I see as a further entrenchment of Fannie Mae and Freddie Mac. This is particularly timely because just this week we learned that Fannie and Freddie may need to tap the Treasury once again and saddle the taxpayers with the bill. This amendment further protects the taxpayers. Allowing Congress to continue to raise g-fees will make comprehensive housing finance reform impossible.

Our amendment addresses both problems by liquidating and dissolving the Federal Reserve capital surplus account. The Federal Reserve currently has about $29 billion in capital surplus account. This account is made up of the earnings that the Federal Reserve has retained from investing member banks' money. Let me say that again. The surplus account is made up of earnings that the Federal Reserve has made from investing member banks' money. The Federal Reserve continues to hold this account in surplus at a time when our Nation is over $18.5 trillion in debt. This is not a perfect policy, but it is better than the alternative.

This preserves the budget neutrality of the transportation bill and counters irresponsible proposals sent over to us by the Senate. Further, it protects consumers from potential for cost increases while reforming the surplus account to meet the needs of the current fiscal crisis.

When the surplus account was created, no one could have imagined the debt and deficits that we are facing. It is appropriate to liquidate this account to meet today's realities.

Moving forward, I hope that this body will ensure that transportation funding comes from transportation users and not completely unrelated sectors of the economy.

Madam Chair, in closing, I include for the RECORD a joint trade letter of support from 27 banking and housing groups in support of amendment No. 18.

Madam Chair, I reserve the balance of my time.

NOVEMBER 4, 2015.

Hon. PAUL RYAN,
Speaker, House of Representatives.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives.

DEAR SPEAKER RYAN AND LEADER PELOSI: The undersigned organizations urge the House to adopt the Neugebauer-Huizenga amendment to H.R. 22, the DRIVE Act, which would remove two harmful provisions from the Senate version of the bill.

The Neugebauer-Huizenga amendment would remove from H.R. 22 a harmful proposal to reduce the dividend paid on Federal Reserve stock that would have significant negative consequences on banks of all sizes across the country. Member banks of the Federal Reserve are required by law to purchase stock in regional Federal Reserve Banks. This stock may not be sold, transferred or even used as collateral, unlike virtually every other asset a bank holds. These funds represent ''dead capital'' for the financial institution. The dividend that the Senate is considering reducing reflects the unique structure and constraints of this arrangement that is required by law, as this is money that otherwise would be used by banks for lending and to provide other services to customers.

The Neugebauer-Huizenga amendment would also remove from H.R. 22 an extension of higher Fannie Mae and Freddie Mac guarantee fees. The purpose of these fees is to prospectively guard against credit losses at Fannie Mae and Freddie Mac. G-fees should only be used to protect taxpayers from mortgage losses, not to fund unrelated spending. Each time g-fees are extended, increased and diverted for unrelated spending, homeowners are charged more for their mortgages and taxpayers are exposed to additional risk for the long-term. The g-fee increase was originally included in the Senate highway bill as a funding offset, but the Congressional Budget Office has scored the House bill as being budget neutral without this provision. It should be removed to ensure that potential homebuyers are not kept on the sidelines by raising the cost to purchase or refinance a home.

To ensure it is fully offset, the Neugebauer-Huizenga amendment would use the Federal Reserve's ''surplus'' account of earnings retained after paying operating expenses and dividends. As a result of recent changes in the way the Federal Reserve operates, these retained earnings are no longer necessary. This amendment would use funds from this account to pay for the extension of the Highway Trust Fund.

We urge the House to pass the Neugebauer-Huizenga amendment to H.R. 22.

America's Homeowner Alliance, American Escrow Association, American Bankers Association, American Land Title Association, Center for Responsible Lending, The Clearing House, Community Home Lenders Association, Consumer Bankers Association, Consumer Mortgage Coalition, Credit Union National Association.

The Financial Services Forum, Financial Services Roundtable, Habitat for Humanity International, Homeownership Preservation Foundation, Independent Community Bankers of America, Leading Builders of America, Mid-size Bank Coalition of America, Mortgage Bankers Association, National Association of Hispanic Real Estate Professionals.

National Association of Home Builders, National Association of Real Estate Brokers, National Association of REALTORS®, Real Estate Services Providers Council, Inc., The Realty Alliance, Securities Industry and Financial Markets Association, U.S. Chamber of Commerce Center for Capital Markets Competitiveness, U.S. Mortgage Insurers.

Ms. MAXINE WATERS of California. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

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

Madam Chairwoman, I rise in opposition to this amendment. The Neugebauer amendment represents a poorly designed attempt to cover the cost of the highway bill. My colleague from Texas is concerned that the Senate's underlying provisions would cut the largest banks' guaranteed 6 percent dividend payments from the Federal Reserve as well as extend a 10 basis point fee on new mortgages, although not until 2021.

In place of those provisions, my colleague would eliminate the Federal Reserve surplus account without even considering whether it could harm monetary policy or our economic security in the decades ahead.

I previously expressed concern about using Fannie Mae and Freddie Mac as a piggy bank to pay for unrelated government spending. Instead, Republicans should finally take up housing finance reform. Despite controlling this House for almost 5 years and the Senate for nearly 2, Republicans have entirely failed to reform the housing markets, despite claiming that the mortgage giants caused the crisis.

Regarding the other Senate provision, I am not sure why the largest banks should be entitled to a permanent dividend payment of 6 percent a year. How many of my colleagues or their constituents have a safe investment that pays this well? In fact, most of my constituents are lucky to earn a penny a month on their bank account. Yet, when the Senate first proposed to cut these bank dividends, House Republicans urged that Congress first study what would be the effect before changing the law.

The Federal Reserve surplus account, which Mr. NEUGEBAUER proposes to eliminate permanently to protect the bank dividends, has promoted global confidence in U.S. monetary policy for more than 100 years. Federal Reserve officials explained to the GAO that maintaining capital, including the surplus account, provides an assurance of a central bank's strength and stability to investors and foreign holders of U.S. currency. That is why central banks around the world—including the Bank of England, the European Central Bank, and the German Central Bank—all make use of surplus accounts. Nevertheless, my Republican colleagues are willing to cut this monetary policy tool without knowing what the long-term effect would be.

During the 2008 financial crisis, the Federal Reserve took unprecedented action to prevent economic collapse by purchasing trillions of dollars of assets. During the countless hearings with Federal Reserve chairs Bernanke and Yellen, my colleagues suggested that the Federal Reserve is leveraged more than Lehman Brothers, pointing out that the Fed surplus is inadequate to protect losses to the taxpayer. But with this amendment, they would eliminate for all time all Fed surplus which, based on Republican logic, would be infinite leverage.

Madam Chair, I reserve the balance of my time.

Mr. NEUGEBAUER. Madam Chair, I yield 1½ minutes to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. Madam Chair, folks that are watching this at this late hour are unfortunately seeing politics over policy. The ranking member wants to agree but just can't let herself.

This policy that we have seen, 73 percent of the Democrats on her committee signed a letter saying we need to hit the pause button; we need to make sure that we understand what this policy that got shipped over to us from the Senate is going to mean. Unfortunately, it has been plunged ahead, and we are moving ahead with this.

This is less than ideal policy that we are looking at, but our choice isn't good choice versus bad choice. Our choice is less than ideal versus very bad choice. What we are seeing here is that we need to examine this further. It hasn't been looked at in over 50 years from the Committee on Financial Services.

So I hope two things: one, that we are going to have a change in the way the House operates. I believe that that new day has arrived and that we will be doing that, but we are not sure exactly what this fixed rate is going to be. I will point out, though, that with that 6 percent return, the Fed has been able to build up a $29 billion, with a B, surplus account, which is where we are today.

Chairman HENSARLING of the Committee on Financial Services had written the GAO requesting a study of that. I put out this letter, a bipartisan letter where we had 150 colleagues, that was forwarded. What we are doing is a better offset. We are believing that this is a better way to go rather than raiding Fannie and Freddie and the g-fees and the budget.

Ms. MAXINE WATERS of California. Madam Chair, I yield 1 minute to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Madam Chair, I thank the gentlewoman for yielding, especially because I rise in favor of this amendment; not because it is perfect, but because it deals with a fundamental problem in the underlying legislation.

How are we going to fund our highway system? Some would argue a tax on motorists; some would argue the general revenue of the United States. I

don't know anyone who can really make the argument that we ought to have a tax on home buyers to fund highways; yet that is what the underlying bill does. It imposes a tax on everyone who gets a mortgage or refinances a mortgage and uses that for highways.

I am confident that if we pass this amendment, the conference committee will take a look at how to finance this bill and will come up with a better way than the idea of imposing a tax on everyone. That basically means middle class homeowners who use Fannie Mae or Freddie Mac in order to buy a home or refinance a home.

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

Ms. MAXINE WATERS of California. Madam Chair, I would like to draw to your attention that Mr. NEUGEBAUER's original amendment would have paused for 1 year and studied it. He changed it to strip the surplus forever and keep the dividend.

My Republican colleagues had every opportunity to ask Federal Reserve Chair Janet Yellen about this amendment or, for that matter, her thoughts on what cutting the big bank dividend payments would be but did not. Instead, they peppered her for 3 hours with sundry other questions, failing to ask about one proposal, then considered late in the day to eliminate a 100-year-old monetary policy tool.

Madam Chair, yesterday my Republican colleagues sought to hamstring the Federal Reserve. I ask for a ''no'' vote on this amendment.

I yield back the balance of my time.

Mr. NEUGEBAUER. Madam Chair, I yield the balance of my time to close to the gentleman from Texas (Mr. HENSARLING), the distinguished chairman of the House Committee on Financial Services.

□ 0030

Mr. HENSARLING. I thank the gentleman for yielding.

Transportation ought to be funded out of transportation fees. It shouldn't be funded out of the functional equivalent of a bank account tax. It should not be funded on the backs of home buyers, or particularly those taxpayers who are forced to backstop Fannie and Freddie.

If we are ever going to have a sustainable housing finance system in America, these guarantee fees cannot be diverted.

I want to thank the gentleman from Texas and the gentleman from Michigan. No, they didn't come up with the perfect solution, but it is far superior than this bank account tax and this home-buyer tax. It makes no sense whatsoever.

So I urge the entire House to adopt the Neugebauer amendment and get rid of this terrible idea from the Senate.

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

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

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

Mr. NEUGEBAUER. Madam Chairman, I demand a recorded vote.

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

AMENDMENT NO. 19 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in part B of House Report 114–326.

Mr. GOSAR. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 942, strike lines 7 and 8 (and redesignate subsequent clauses accordingly).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Madam Chair, I rise today to offer a commonsense amendment to this transportation bill.

My amendment is simple. If the intent of the Federal Permitting Improvement Council section of this bill is to actually improve the Federal permitting process, then the EPA, which is not a principal permitting or reviewing agency, should not be allowed an outsized vote to obstruct the expedited process for covered projects created by this legislation.

The bill establishes a new council for the purpose of streamlining the Federal permitting process for projects of national importance. As currently constructed, the Environmental Protection Agency, or EPA, is given far too big a voice in this process—an EPA that is known for being the primary obstructionist for every significant infrastructure and economic development project in the United States.

It is important to note that nothing in my amendment prevents the EPA from being invited to be a participating or cooperating agent and providing information throughout this process to the council.

The council established by this bill will be composed of a minimum of 16 members, and it takes a vote by the majority of the members of the council in order for a covered project to be entitled to an expedited review.

Currently, the bill allows the EPA too much influence in this process. This is wrong and will under mine goals of the rest of the council.

In a memo regarding the Federal permitting process, the EPA itself stated: ''It is important to recognize the EPA is rarely, if ever, the principal permit or reviewing agency.''

It goes on further: ''EPA's role is most often one of providing input to processes managed by others. . . . In addition, where projects do require permits issued under Federal environmental laws, permitting decisions are typically made by States under delegated or authorized programs. EPA is not responsible for the day-to-day administration of delegated or authorized permitting programs.''

By the EPA's own admission, the agency is never the primary reviewing entity. It defies common sense that EPA would have a vote when other agencies and States that actually manage the permitting process don't.

Intentional actions and shear incompetence from the EPA continue to impose Federal permitting delays and kill jobs throughout the country. The Wall Street Journal recently reported that the EPA coordinated with special interest groups to veto a mine project in Alaska.

Media reports have also documented ''close coordination between the EPA and environmental groups in drafting the controversial Clean Power Plan, which would mark the demise of coal-fired plants in the United States.''

My amendment is endorsed by Eagle Forum, Americans for Limited Government, Concerned Citizens for America, the Arizona Department of Transportation, the Arizona Small Business Association, the Bullhead Chamber of Commerce, the Lake Havasu Area Chamber of Commerce, the New Mexico Cattle Growers' Association, the New Mexico Federal Lands Council, and the Town of Fredonia.

If the intent of this bill is to improve the Federal permitting process, then the EPA, which is not a principal permitting or reviewing agency, should not be allowed an outsized vote for critical projects that already have investments of $200 million or more.

I fully support the intent of the council created by the bill and the committee's work in that regard. I believe the process utilized could create tens of thousands of jobs and significantly benefit our economy. Let's not let the EPA screw it up.

I urge my colleagues to stand with job creators, ranchers, local chambers of commerce, small businesses, transportation officials, and countless other organizations and individuals throughout this country that are tired of the EPA's obstructionism, and support my amendment. You are either with them or you are with the EPA.

Vote ''yes'' on my amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 20 OFFERED BY MR. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in part B of House Report 114–326.

Mr. GOODLATTE. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 964, line 6, insert after ''the participating agencies'' the following: ''and the project sponsor''.

Page 964, line 7, strike ''and''.

Page 964, line 11, strike the period and insert the following: ''; and''

Page 964, after line 11, insert the following:

(III) in the case of a modification that would necessitate an extension of a final completion date under a permitting timetable established under subparagraph (A) to a date more than 30 days after the final completion date originally established under subparagraph (A), the facilitating or lead agency submits a request to modify the permitting timetable to the Executive Director, who shall consult with the project sponsor and make a determination on the record, based on consideration of the relevant factors described under subparagraph (B), whether to grant the facilitating or lead agency, as applicable, authority to make such modification.

Page 964, after line 15, insert the following:

(iii) LIMITATION ON LENGTH OF MODIFICATIONS.—

(I) IN GENERAL.—Except as provided in subclause (II), the total length of all modifications to a permitting timetable authorized or made under this subparagraph, other than for reasons outside the control of Federal, State, local, or tribal governments, may not extend the permitting timetable for a period of time greater than half of the amount of time from the establishment of the permitting timetable under subparagraph (A) to the last final completion date originally established under subparagraph (A).

(II) ADDITIONAL EXTENSIONS.—The Director of the Office of Management and Budget, after consultation with the project sponsor, may permit the Executive Director to authorize additional extensions of a permitting timetable beyond the limit prescribed by subclause (I). In such a case, the Director of the Office of Management and Budget shall transmit, not later than 5 days after making a determination to permit an authorization of extension under this subclause, a report to Congress explaining why such modification is required. Such report shall explain to Congress with specificity why the original permitting timetable and the modifications authorized by the Executive Director failed to be adequate. The lead or facilitating agency, as applicable, shall transmit to Congress, the Director of the Office of Management and Budget, and the Executive Director a supplemental report on progress toward the final completion date each year thereafter, until the permit review is completed or the project sponsor withdraws its notice or application or other request to which this title applies under section 61010.

(iv) LIMITATION ON JUDICIAL REVIEW.—The following shall not be subject to judicial review:

(I) A determination by the Executive Director under clause (i)(III).

(II) A determination under clause (iii)(II) by the Director of the Office of Management and Budget to permit the Executive Director to authorize extensions of a permitting timetable.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

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

I and Regulatory Reform Subcommittee Chairman MARINO offer this amendment to bridge the gap between two vital pieces of legislation: Chairman MARINO's RAPID Act, H.R. 348, which the House passed on September 24, 2015, and Senators Portman and McCaskill's Federal Permitting Improvement Act, S. 280.

These bills have been companions for multiple terms in our effort to streamline the process by which Federal agencies review and decide upon applications for federally funded and federally permitted construction projects. Permit streamlining reform is essential to create new, high-paying jobs and strengthen our economy. It is a priority of the House, the Senate, and the President.

S. 280 was incorporated by a floor amendment into the Senate amendments to H.R. 22 and, so, is included in the base bill before us. In two of the three key respects, it substantially achieves the House goals embodied by the RAPID Act: to shorten the time it takes to conclude litigation over Federal permitting decisions, and require litigants first to present the substance of any claims before permitting agencies during their administrative reviews.

The Senate text, however, falls short in the third key respect: reliably expediting the time agencies have to conclude their reviews before acting to approve or disapprove permits. The Senate language includes many important steps toward this goal, but multiple loopholes in the language open the door for deadlines without end and without standards.

The amendment Subcommittee Chairman MARINO and I offer fixes this problem by establishing firm checks and balances through which the Director of OMB and the Executive Director of the Federal Permitting Improvement Steering Council can prevent abusive extensions and assure that permit applications are reviewed within reasonable deadlines.

The amendment embodies a preconferenced resolution of the differences between the RAPID Act and S. 280 as incorporated into H.R. 22 that Subcommittee Chairman MARINO, I, Senator PORTMAN, and Senator MCCASKILL all support.

If the House adopts this amendment, it will perfect the bill to assure powerful permit streamlining reform, paving the way for good projects to move forward more quickly, delivering high-quality jobs and improvements to Americans' daily lives. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. I yield myself such time as I may consume.

Madam Chairman, I rise in opposition to the gentleman's amendment and title 61 of the underlying bill, which adopts the text of S. 280, the Federal Permitting Improvement Act.

Before addressing my substantive concerns, I have serious procedural objections to the inclusion of title 61 in a transportation funding bill.

S. 280, the Federal Permitting Improvement Act, was attached to the transportation bill on the Senate floor through a manager's amendment offered by Senate Majority Leader MCCONNELL. It was adopted without adequate debate in an expedited process just days before the August recess. The bill has not been introduced in the House. Neither the House nor the Senate has had a hearing on the text of this bill, which involves a nuanced area of the law with broad implications for public health and safety.

Moving to the substance of title 61, this bill is a misguided attempt to restrict public input and challenges in the permitting process under the National Environmental Policy Act, or NEPA.

Over 40 years, NEPA has saved time, money, and protected the environment, all while providing a framework for wide-ranging input from all affected interests when a Federal agency conducts an environmental review of a proposed project.

Title 61 of H.R. 22 discards this commonsense approach by severely curtailing the public's right to challenge permitting decisions in several ways.

First, title 61 restricts challenges of major Federal projects to only parties who file comments within the bill's 45- to 60-day window. The bill requires that these comments must be sufficiently detailed to put the lead agency on notice of the issue on which the party seeks judicial review. In other words, a party would have to litigate the issue in the 45- to 60-day comment period—an extremely tall order for the public.

Second, title 61 requires that courts consider the potential for significant job losses and other economic harms in considering whether to enjoin a project that has been challenged.

The bill further requires that courts presume that these harms are irreparable, even if they aren't, tilting the outcome in favor of private interests and away from the public's interest in health, safety, and the environment.

This is a radical departure from our laws and would have the practical effect of allowing a project to proceed even where there is ongoing litigation. Indeed, by the time a court determines that a project violates the law, a project could already be completed.

Third, under current law, the public has 6 years to bring claims arising under most Federal laws, which provides for citizens to discover latent harms of projects. Title 61 only provides for 2 years for challenges to the Nation's most complex projects requiring a Federal permit.

Madam Chairman, title 61 presents a false choice between funding transportation projects and accepting bad legislation without debate or proper consideration that would potentially have disastrous effects on the public's right to challenge Federal permitting decisions in court. This is yet another pro-

corporate, anti-safety provision designed by the donor class to restrict access to the courts by the common people.

I reserve the balance of my time.

Mr. GOODLATTE. Madam Chairman, it is my pleasure to yield such time as he may consume to the gentleman from Pennsylvania (Mr. MARINO), who joins me in offering this amendment.

Mr. MARINO. I thank Chairman GOODLATTE for yielding.

For two terms now, enacting legislation to streamline the Federal permitting process has been among my primary goals. Three times now, this House has passed the RAPID Act, a bill that I sponsored in both the 113th and 114th Congresses.

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Our goal has been to fix the flaws in our Federal permitting process that often doom worthy projects that could collectively create millions of jobs and hundreds of millions of dollars in economic activity.

In just my home State of Pennsylvania, one 2011 study found that the stalled energy projects alone would produce an average of over 56,000 jobs a year and over $44 billion in economic output.

The potential growth in the American economy is staggering. Worthy projects across the country should not die on the vine while awaiting Federal bureaucratic approval.

This amendment achieves these goals, and I am pleased to offer it with the chairman. It builds upon the reforms already encompassed in several bills passed by the House Transportation and Infrastructure Committee and signed into law. Perhaps most importantly we have reached agreement on this amendment in a bipartisan fashion.

It has been one of the honors of my time in Congress to reach not only across the aisle, but across Chambers, to work with Senator PORTMAN and Senator MCCASKILL on these reforms and this amendment.

I urge all my colleagues and Members to join us in supporting this important amendment that will put Americans to work and help stimulate economic growth.

Mr. JOHNSON of Georgia. Madam Chair, this is a bad amendment that hurts the public interest, and for that reason I would ask that my colleagues vote along with me to disapprove of this amendment.

I yield back the balance of my time.

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

Madam Chair, this is a very good amendment that will help create hundreds of thousands of jobs by getting projects that have been delayed all across this country moving. It is supported by many on both sides of the aisle in both Chambers of this institution.

We have worked closely with Democrats and Republicans, and we have worked closely with the White House on this language. This is ready for prime time. This is ready to go.

It is very appropriate to include it in this legislation because transportation projects will be the biggest beneficiary of this streamlining of permitting that will take place as a result of adoption of this legislation.

I urge my colleagues to support this amendment and the underlying bill.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 21 OFFERED BY MR. HENSARLING

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in part B of House Report 114–326.

Mr. HENSARLING. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

DIVISION J—FINANCIAL SERVICES

SEC. 1. TABLE OF CONTENTS.

The table of contents for this division is as follows:

Sec. 1. Table of contents.

TITLE I—IMPROVING ACCESS TO CAPITAL FOR EMERGING GROWTH COMPANIES

Sec. 101. Filing requirement for public filing prior to public offering.
Sec. 102. Grace period for change of status of emerging growth companies.
Sec. 103. Simplified disclosure requirements for emerging growth companies.

TITLE II—DISCLOSURE MODERNIZATION AND SIMPLIFICATION

Sec. 201. Summary page for form 10–K.
Sec. 202. Improvement of regulation S–K.
Sec. 203. Study on modernization and simplification of regulation S–K.

TITLE III—BULLION AND COLLECTIBLE COIN PRODUCTION EFFICIENCY AND COST SAVINGS

Sec. 301. Technical corrections.
Sec. 302. American Eagle Silver Bullion 30th Anniversary.

TITLE IV—SBIC ADVISERS RELIEF

Sec. 401. Advisers of SBICs and venture capital funds.
Sec. 402. Advisers of SBICs and private funds.
Sec. 403. Relationship to State law.

TITLE V—ELIMINATE PRIVACY NOTICE CONFUSION

Sec. 501. Exception to annual privacy notice requirement under the Gramm-Leach-Bliley Act.

TITLE VI—REFORMING ACCESS FOR INVESTMENTS IN STARTUP ENTERPRISES

Sec. 601. Exempted transactions.

TITLE VII—PRESERVATION ENHANCEMENT AND SAVINGS OPPORTUNITY

Sec. 701. Distributions and residual receipts.
Sec. 702. Future refinancings.
Sec. 703. Implementation.

TITLE VIII—TENANT INCOME VERIFICATION RELIEF

Sec. 801. Reviews of family incomes.

TITLE IX—HOUSING ASSISTANCE EFFICIENCY

Sec. 901. Authority to administer rental assistance.
Sec. 902. Reallocation of funds.

TITLE X—CHILD SUPPORT ASSISTANCE

Sec. 1001. Requests for consumer reports by State or local child support enforcement agencies.

TITLE XI—PRIVATE INVESTMENT IN HOUSING

Sec. 1101. Budget-neutral demonstration program for energy and water conservation improvements at multifamily residential units.

TITLE XII—CAPITAL ACCESS FOR SMALL COMMUNITY FINANCIAL INSTITUTIONS

Sec. 1201. Privately insured credit unions authorized to become members of a Federal home loan bank.
Sec. 1202. GAO Report.

TITLE XIII—SMALL BANK EXAM CYCLE REFORM

Sec. 1301. Smaller institutions qualifying for 18-month examination cycle.

TITLE XIV—SMALL COMPANY SIMPLE REGISTRATION

Sec. 1401. Forward incorporation by reference for Form S–1.

TITLE XV—HOLDING COMPANY REGISTRATION THRESHOLD EQUALIZATION

Sec. 1501. Registration threshold for savings and loan holding companies.

TITLE I—IMPROVING ACCESS TO CAPITAL FOR EMERGING GROWTH COMPANIES

SEC. 101. FILING REQUIREMENT FOR PUBLIC FILING PRIOR TO PUBLIC OFFERING.

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is amended by striking ''21 days'' and inserting ''15 days''.

SEC. 102. GRACE PERIOD FOR CHANGE OF STATUS OF EMERGING GROWTH COMPANIES.

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is further amended by adding at the end the following: ''An issuer that was an emerging growth company at the time it submitted a confidential registration statement or, in lieu thereof, a publicly filed registration statement for review under this subsection but ceases to be an emerging growth company thereafter shall continue to be treated as an emerging market growth company for the purposes of this subsection through the earlier of the date on which the issuer consummates its initial public offering pursuant to such registrations statement or the end of the 1-year period beginning on the date the company ceases to be an emerging growth company.''.

SEC. 103. SIMPLIFIED DISCLOSURE REQUIREMENTS FOR EMERGING GROWTH COMPANIES.

Section 102 of the Jumpstart Our Business Startups Act (Public Law 112–106) is amended by adding at the end the following:

''(d) SIMPLIFIED DISCLOSURE REQUIREMENTS.—With respect to an emerging growth company (as such term is defined under section 2 of the Securities Act of 1933):

''(1) REQUIREMENT TO INCLUDE NOTICE ON FORMS S–1 AND F–1.—Not later than 30 days after the date of enactment of this subsection, the Securities and Exchange Commission shall revise its general instructions on Forms S–1 and F–1 to indicate that a registration statement filed (or submitted for confidential review) by an issuer prior to an initial public offering may omit financial information for historical periods otherwise required by regulation S–X (17 C.F.R. 210.1–01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

''(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S–1 or F–1 at the time of the contemplated offering; and

''(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S–X at the date of such amendment.

''(2) RELIANCE BY ISSUERS.—Effective 30 days after the date of enactment of this subsection, an issuer filing a registration statement (or submitting the statement for confidential review) on Form S–1 or Form F–1 may omit financial information for historical periods otherwise required by regulation S–X (17 C.F.R. 210.1–01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

''(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S–1 or Form F–1 at the time of the contemplated offering; and

''(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S–X at the date of such amendment.''.

TITLE II—DISCLOSURE MODERNIZATION AND SIMPLIFICATION

SEC. 201. SUMMARY PAGE FOR FORM 10–K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall issue regulations to permit issuers to submit a summary page on form 10–K (17 C.F.R. 249.310), but only if each item on such summary page includes a cross-reference (by electronic link or otherwise) to the material contained in form 10–K to which such item relates.

SEC. 202. IMPROVEMENT OF REGULATION S–K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall take all such actions to revise regulation S–K (17 C.F.R. 229.10 et seq.)—

(1) to further scale or eliminate requirements of regulation S–K, in order to reduce the burden on emerging growth companies, accelerated filers, smaller reporting companies, and other smaller issuers, while still providing all material information to investors;

(2) to eliminate provisions of regulation S–K, required for all issuers, that are duplicative, overlapping, outdated, or unnecessary; and

(3) for which the Commission determines that no further study under section 203 is necessary to determine the efficacy of such revisions to regulation S–K.

SEC. 203. STUDY ON MODERNIZATION AND SIMPLIFICATION OF REGULATION S–K.

(a) STUDY.—The Securities and Exchange Commission shall carry out a study of the requirements contained in regulation S–K (17 C.F.R. 229.10 et seq.). Such study shall—

(1) determine how best to modernize and simplify such requirements in a manner that reduces the costs and burdens on issuers while still providing all material information;

(2) emphasize a company by company approach that allows relevant and material information to be disseminated to investors without boilerplate language or static requirements while preserving completeness and comparability of information across registrants; and

(3) evaluate methods of information delivery and presentation and explore methods for discouraging repetition and the disclosure of immaterial information.

(b) CONSULTATION.—In conducting the study required under subsection (a), the Commission shall consult with the Investor Advisory Committee and the Advisory Committee on Small and Emerging Companies.

(c) REPORT.—Not later than the end of the 360-day period beginning on the date of enactment of this Act, the Commission shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) specific and detailed recommendations on modernizing and simplifying the requirements in regulation S–K in a manner that reduces the costs and burdens on companies while still providing all material information; and

(3) specific and detailed recommendations on ways to improve the readability and navigability of disclosure documents and to discourage repetition and the disclosure of immaterial information.

(d) RULEMAKING.—Not later than the end of the 360-day period beginning on the date that the report is issued to the Congress under subsection (c), the Commission shall issue a proposed rule to implement the recommendations of the report issued under subsection (c).

(e) RULE OF CONSTRUCTION.—Revisions made to regulation S–K by the Commission under section 202 shall not be construed as satisfying the rulemaking requirements under this section.

TITLE III—BULLION AND COLLECTIBLE COIN PRODUCTION EFFICIENCY AND COST SAVINGS

SEC. 301. TECHNICAL CORRECTIONS.

Title 31, United States Code, is amended—

(1) in section 5112—

(A) in subsection (q)—

(i) by striking paragraphs (3) and (8); and

(ii) by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (3), (4), (5), and (6), respectively;

(B) in subsection (t)(6)(B), by striking ''90 percent silver and 10 percent copper'' and inserting ''not less than 90 percent silver''; and

(C) in subsection (v)—

(i) in paragraph (1), by striking ''Subject to'' and all that follows through ''the Secretary shall'' and inserting ''The Secretary shall'';

(ii) in paragraph (2)(A), by striking ''The Secretary'' and inserting ''To the greatest extent possible, the Secretary'';

(iii) in paragraph (5), by inserting after ''may issue'' the following: ''collectible versions of''; and

(iv) by striking paragraph (8); and

(2) in section 5132(a)(2)(B)(i), by striking ''90 percent silver and 10 percent copper'' and inserting ''not less than 90 percent silver''.

SEC. 302. AMERICAN EAGLE SILVER BULLION 30TH ANNIVERSARY.

Proof and uncirculated versions of coins issued by the Secretary of the Treasury pursuant to subsection (e) of section 5112 of title 31, United States Code, during calendar year 2016 shall have a smooth edge incused with a designation that notes the 30th anniversary of the first issue of coins under such subsection.

TITLE IV—SBIC ADVISERS RELIEF

SEC. 401. ADVISERS OF SBICS AND VENTURE CAPITAL FUNDS.

Section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(l)) is amended—

(1) by striking ''No investment adviser'' and inserting the following:

''(1) IN GENERAL.—No investment adviser''; and

(2) by adding at the end the following:

''(2) ADVISERS OF SBICS.—For purposes of this subsection, a venture capital fund includes an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940).''.

SEC. 402. ADVISERS OF SBICS AND PRIVATE FUNDS.

Section 203(m) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(m)) is amended by adding at the end the following:

''(3) ADVISERS OF SBICS.—For purposes of this subsection, the assets under management of a private fund that is an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940) shall be excluded from the limit set forth in paragraph (1).''.

SEC. 403. RELATIONSHIP TO STATE LAW.

Section 203A(b)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3a(b)(1)) is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) that is not registered under section 203 because that person is exempt from registration as provided in subsection (b)(7) of such section, or is a supervised person of such person.''.

TITLE V—ELIMINATE PRIVACY NOTICE CONFUSION

SEC. 501. EXCEPTION TO ANNUAL PRIVACY NOTICE REQUIREMENT UNDER THE GRAMM-LEACH-BLILEY ACT.

Section 503 of the Gramm-Leach-Bliley Act (15 U.S.C. 6803) is amended by adding at the end the following:

''(f) EXCEPTION TO ANNUAL NOTICE REQUIREMENT.—A financial institution that—

''(1) provides nonpublic personal information only in accordance with the provisions of subsection (b)(2) or (e) of section 502 or regulations prescribed under section 504(b), and

''(2) has not changed its policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers in accordance with this section,

shall not be required to provide an annual disclosure under this section until such time as the financial institution fails to comply with any criteria described in paragraph (1) or (2).''.

TITLE VI—REFORMING ACCESS FOR INVESTMENTS IN STARTUP ENTERPRISES

SEC. 601. EXEMPTED TRANSACTIONS.

(a) EXEMPTED TRANSACTIONS.—Section 4 of the Securities Act of 1933 (15 U.S.C. 77d) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(7) transactions meeting the requirements of subsection (d).'';

(2) by redesignating the second subsection (b) (relating to securities offered and sold in compliance with Rule 506 of Regulation D) as subsection (c); and

(3) by adding at the end the following:

''(d) CERTAIN ACCREDITED INVESTOR TRANSACTIONS.—The transactions referred to in subsection (a)(7) are transactions meeting the following requirements:

''(1) ACCREDITED INVESTOR REQUIREMENT.—Each purchaser is an accredited investor, as that term is defined in section 230.501(a) of title 17, Code of Federal Regulations (or any successor regulation).

''(2) PROHIBITION ON GENERAL SOLICITATION OR ADVERTISING.—Neither the seller, nor any

person acting on the seller's behalf, offers or sells securities by any form of general solicitation or general advertising.

''(3) INFORMATION REQUIREMENT.—In the case of a transaction involving the securities of an issuer that is neither subject to section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m; 78o(d)), nor exempt from reporting pursuant to section 240.12g3–2(b) of title 17, Code of Federal Regulations, nor a foreign government (as defined in section 230.405 of title 17, Code of Federal Regulations) eligible to register securities under Schedule B, the seller and a prospective purchaser designated by the seller obtain from the issuer, upon request of the seller, and the seller in all cases makes available to a prospective purchaser, the following information (which shall be reasonably current in relation to the date of resale under this section):

''(A) The exact name of the issuer and the issuer's predecessor (if any).

''(B) The address of the issuer's principal executive offices.

''(C) The exact title and class of the security.

''(D) The par or stated value of the security.

''(E) The number of shares or total amount of the securities outstanding as of the end of the issuer's most recent fiscal year.

''(F) The name and address of the transfer agent, corporate secretary, or other person responsible for transferring shares and stock certificates.

''(G) A statement of the nature of the business of the issuer and the products and services it offers, which shall be presumed reasonably current if the statement is as of 12 months before the transaction date.

''(H) The names of the officers and directors of the issuer.

''(I) The names of any persons registered as a broker, dealer, or agent that shall be paid or given, directly or indirectly, any commission or remuneration for such person's participation in the offer or sale of the securities.

''(J) The issuer's most recent balance sheet and profit and loss statement and similar financial statements, which shall—

''(i) be for such part of the 2 preceding fiscal years as the issuer has been in operation;

''(ii) be prepared in accordance with generally accepted accounting principles or, in the case of a foreign private issuer, be prepared in accordance with generally accepted accounting principles or the International Financial Reporting Standards issued by the International Accounting Standards Board;

''(iii) be presumed reasonably current if—

''(I) with respect to the balance sheet, the balance sheet is as of a date less than 16 months before the transaction date; and

''(II) with respect to the profit and loss statement, such statement is for the 12 months preceding the date of the issuer's balance sheet; and

''(iv) if the balance sheet is not as of a date less than 6 months before the transaction date, be accompanied by additional statements of profit and loss for the period from the date of such balance sheet to a date less than 6 months before the transaction date.

''(K) To the extent that the seller is a control person with respect to the issuer, a brief statement regarding the nature of the affiliation, and a statement certified by such seller that they have no reasonable grounds to believe that the issuer is in violation of the securities laws or regulations.

''(4) ISSUERS DISQUALIFIED.—The transaction is not for the sale of a security where the seller is an issuer or a subsidiary, either directly or indirectly, of the issuer.

''(5) BAD ACTOR PROHIBITION.—Neither the seller, nor any person that has been or will be paid (directly or indirectly) remuneration or a commission for their participation in the offer or sale of the securities, including solicitation of purchasers for the seller is subject to an event that would disqualify an issuer or other covered person under Rule 506(d)(1) of Regulation D (17 C.F.R. 230.506(d)(1)) or is subject to a statutory disqualification described under section 3(a)(39) of the Securities Exchange Act of 1934.

''(6) BUSINESS REQUIREMENT.—The issuer is engaged in business, is not in the organizational stage or in bankruptcy or receivership, and is not a blank check, blind pool, or shell company that has no specific business plan or purpose or has indicated that the issuer's primary business plan is to engage in a merger or combination of the business with, or an acquisition of, an unidentified person.

''(7) UNDERWRITER PROHIBITION.—The transaction is not with respect to a security that constitutes the whole or part of an unsold allotment to, or a subscription or participation by, a broker or dealer as an underwriter of the security or a redistribution.

''(8) OUTSTANDING CLASS REQUIREMENT.—The transaction is with respect to a security of a class that has been authorized and outstanding for at least 90 days prior to the date of the transaction.

''(e) ADDITIONAL REQUIREMENTS.—

''(1) IN GENERAL.—With respect to an exempted transaction described under subsection (a)(7):

''(A) Securities acquired in such transaction shall be deemed to have been acquired in a transaction not involving any public offering.

''(B) Such transaction shall be deemed not to be a distribution for purposes of section 2(a)(11).

''(C) Securities involved in such transaction shall be deemed to be restricted securities within the meaning of Rule 144 (17 C.F.R. 230.144).

''(2) RULE OF CONSTRUCTION.—The exemption provided by subsection (a)(7) shall not be the exclusive means for establishing an exemption from the registration requirements of section 5.''.

(b) EXEMPTION IN CONNECTION WITH CERTAIN EXEMPT OFFERINGS.—Section 18(b)(4) of the Securities Act of 1933 (15 U.S.C. 77r(b)(4)) is amended—

(1) by redesignating the second subparagraph (D) and subparagraph (E) as subparagraphs (E) and (F), respectively;

(2) in subparagraph (E), as so redesignated, by striking ''; or'' and inserting a semicolon;

(3) in subparagraph (F), as so redesignated, by striking the period and inserting ''; or''; and

(4) by adding at the end the following new subparagraph:

''(G) section 4(a)(7).''.

TITLE VII—PRESERVATION ENHANCEMENT AND SAVINGS OPPORTUNITY

SEC. 701. DISTRIBUTIONS AND RESIDUAL RECEIPTS.

Section 222 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4112) is amended by adding at the end the following new subsection:

''(e) DISTRIBUTION AND RESIDUAL RECEIPTS.—

''(1) AUTHORITY.—After the date of the enactment of this subsection, the owner of a property subject to a plan of action or use agreement pursuant to this section shall be entitled to distribute—

''(A) annually, all surplus cash generated by the property, but only if the owner is in material compliance with such use agreement including compliance with prevailing physical condition standards established by the Secretary; and

''(B) notwithstanding any conflicting provision in such use agreement, any funds accumulated in a residual receipts account, but only if the owner is in material compliance with such use agreement and has completed, or set aside sufficient funds for completion of, any capital repairs identified by the most recent third party capital needs assessment.

''(2) OPERATION OF PROPERTY.—An owner that distributes any amounts pursuant to paragraph (1) shall—

''(A) continue to operate the property in accordance with the affordability provisions of the use agreement for the property for the remaining useful life of the property;

''(B) as required by the plan of action for the property, continue to renew or extend any project-based rental assistance contract for a term of not less than 20 years; and

''(C) if the owner has an existing multi-year project-based rental assistance contract for less than 20 years, have the option to extend the contract to a 20-year term.''.

SEC. 702. FUTURE REFINANCINGS.

Section 214 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4104) is amended by adding at the end the following new subsection:

''(c) FUTURE FINANCING.—Neither this section, nor any plan of action or use agreement implementing this section, shall restrict an owner from obtaining a new loan or refinancing an existing loan secured by the project, or from distributing the proceeds of such a loan; except that, in conjunction with such refinancing—

''(1) the owner shall provide for adequate rehabilitation pursuant to a capital needs assessment to ensure long-term sustainability of the property satisfactory to the lender or bond issuance agency;

''(2) any resulting budget-based rent increase shall include debt service on the new financing, commercially reasonable debt service coverage, and replacement reserves as required by the lender; and

''(3) for tenants of dwelling units not covered by a project- or tenant-based rental subsidy, any rent increases resulting from the refinancing transaction may not exceed 10 percent per year, except that—

''(A) any tenant occupying a dwelling unit as of time of the refinancing may not be required to pay for rent and utilities, for the duration of such tenancy, an amount that exceeds the greater of—

''(i) 30 percent of the tenant's income; or

''(ii) the amount paid by the tenant for rent and utilities immediately before such refinancing; and

''(B) this paragraph shall not apply to any tenant who does not provide the owner with proof of income

Paragraph (3) may not be construed to limit any rent increases resulting from increased operating costs for a project.''.

SEC. 703. IMPLEMENTATION.

The Secretary of Housing and Urban Development shall issue any guidance that the Secretary considers necessary to carry out the provisions added by the amendments made by this title not later than the expiration of the 120-day period beginning on the date of the enactment of this Act.

TITLE VIII—TENANT INCOME VERIFICATION RELIEF

SEC. 801. REVIEWS OF FAMILY INCOMES.

(a) IN GENERAL.—The second sentence of paragraph (1) of section 3(a) of the United States Housing Act of 1937 (42 U.S.C. 1437a(a)(1)) is amended by inserting before the period at the end the following: ''; except that, in the case of any family with a fixed income, as defined by the Secretary, after the initial review of the family's income, the public housing agency or owner shall not be

required to conduct a review of the family's income for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, which shall include policies to adjust for inflation-based income changes, that 90 percent or more of the income of the family consists of fixed income, and that the sources of such income have not changed since the previous year, except that the public housing agency or owner shall conduct a review of each such family's income not less than once every 3 years''.

(b) HOUSING CHOICE VOUCHER PROGRAM.—Subparagraph (A) of section 8(o)(5) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(5)(A)) is amended by striking ''not less than annually'' and inserting ''as required by section 3(a)(1) of this Act''.

TITLE IX—HOUSING ASSISTANCE EFFICIENCY

SEC. 901. AUTHORITY TO ADMINISTER RENTAL ASSISTANCE.

Subsection (g) of section 423 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383(g)) is amended by inserting ''private nonprofit organization,'' after ''unit of general local government,''.

SEC. 902. REALLOCATION OF FUNDS.

Paragraph (1) of section 414(d) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11373(d)(1)) is amended by striking ''twice'' and inserting ''once''.

TITLE X—CHILD SUPPORT ASSISTANCE

SEC. 1001. REQUESTS FOR CONSUMER REPORTS BY STATE OR LOCAL CHILD SUPPORT ENFORCEMENT AGENCIES.

Paragraph (4) of section 604(a) of the Fair Credit Reporting Act (15 U.S.C. 1681b(a)(4)) is amended—

(1) in subparagraph (A), by striking ''or determining the appropriate level of such payments'' and inserting '', determining the appropriate level of such payments, or enforcing a child support order, award, agreement, or judgment'';

(2) in subparagraph (B)—

(A) by striking ''paternity'' and inserting ''parentage''; and

(B) by adding ''and'' at the end;

(3) by striking subparagraph (C); and

(4) by redesignating subparagraph (D) as subparagraph (C).

TITLE XI—PRIVATE INVESTMENT IN HOUSING

SEC. 1101. BUDGET-NEUTRAL DEMONSTRATION PROGRAM FOR ENERGY AND WATER CONSERVATION IMPROVEMENTS AT MULTIFAMILY RESIDENTIAL UNITS.

(a) ESTABLISHMENT.—The Secretary of Housing and Urban Development (in this section referred to as the ''Secretary'') shall establish a demonstration program under which the Secretary may execute budget-neutral, performance-based agreements in fiscal years 2016 through 2019 that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 20,000 residential units in multifamily buildings participating in—

(1) the project-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(3) the supportive housing for persons with disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

(i) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision that—

(I) shall serve as a payment threshold for the term of the agreement; and

(II) requires that payments shall be contingent on realized cost savings associated with reduced utility consumption in the participating properties.

(ii) LIMITATIONS.—A payment made by the Secretary under an agreement under this section—

(I) shall be contingent on documented utility savings; and

(II) shall not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) THIRD-PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established pre-retrofit;

(ii) annual third-party confirmation of actual utility consumption and cost for utilities;

(iii) annual third-party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third-party determination of savings to the Secretary.

An agreement under this section with an entity shall provide that the entity shall cover costs associated with third-party verification under this subparagraph.

(2) TERMS OF PERFORMANCE-BASED AGREEMENTS.—A performance-based agreement under this section shall include—

(A) the period that the agreement will be in effect and during which payments may be made, which may not be longer than 12 years;

(B) the performance measures that will serve as payment thresholds during the term of the agreement;

(C) an audit protocol for the properties covered by the agreement;

(D) a requirement that payments shall be contingent on realized cost savings associated with reduced utility consumption in the participating properties; and

(E) such other requirements and terms as determined to be appropriate by the Secretary.

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that, either jointly or individually, demonstrate significant experience relating to—

(i) financing or operating properties receiving assistance under a program identified in subsection (a);

(ii) oversight of energy or water conservation programs, including oversight of contractors; and

(iii) raising capital for energy or water conservation improvements from charitable organizations or private investors.

(4) GEOGRAPHICAL DIVERSITY.—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(5) PROPERTIES.—A property may only be included in the demonstration under this section only if the property is subject to affordability restrictions for at least 15 years after the date of the completion of any conservation improvements made to the property under the demonstration program. Such restrictions may be made through an extended affordability agreement for the property under a new housing assistance payments contract with the Secretary of Housing and Urban Development or through an enforceable covenant with the owner of the property.

(c) PLAN AND REPORTS.—

(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations and Financial Services of the House of Representatives and the Committees on Appropriations and Banking, Housing, and Urban Affairs of the Senate a detailed plan for the implementation of this section.

(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to Congress a report describing each evaluation conducted under subparagraph (A).

(d) FUNDING.—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated to the Secretary for the renewal of contracts under a program described in subsection (a).

TITLE XII—CAPITAL ACCESS FOR SMALL COMMUNITY FINANCIAL INSTITUTIONS

SEC. 1201. PRIVATELY INSURED CREDIT UNIONS AUTHORIZED TO BECOME MEMBERS OF A FEDERAL HOME LOAN BANK.

(a) IN GENERAL.—Section 4(a) of the Federal Home Loan Bank Act (12 U.S.C. 1424(a)) is amended by adding at the end the following new paragraph:

''(5) CERTAIN PRIVATELY INSURED CREDIT UNIONS.—

''(A) IN GENERAL.—Subject to the requirements of subparagraph (B), a credit union shall be treated as an insured depository institution for purposes of determining the eligibility of such credit union for membership in a Federal home loan bank under paragraphs (1), (2), and (3).

''(B) CERTIFICATION BY APPROPRIATE SUPERVISOR.—

''(i) IN GENERAL.—For purposes of this paragraph and subject to clause (ii), a credit union which lacks Federal deposit insurance and which has applied for membership in a Federal home loan bank may be treated as meeting all the eligibility requirements for Federal deposit insurance only if the appropriate supervisor of the State in which the credit union is chartered has determined that the credit union meets all the eligibility requirements for Federal deposit insurance as of the date of the application for membership.

''(ii) CERTIFICATION DEEMED VALID.—If, in the case of any credit union to which clause (i) applies, the appropriate supervisor of the State in which such credit union is chartered fails to make a determination pursuant to such clause by the end of the 6-month period beginning on the date of the application, the credit union shall be deemed to have met the requirements of clause (i).

''(C) SECURITY INTERESTS OF FEDERAL HOME LOAN BANK NOT AVOIDABLE.—Notwithstanding any provision of State law authorizing a conservator or liquidating agent of a credit

union to repudiate contracts, no such provision shall apply with respect to—

''(i) any extension of credit from any Federal home loan bank to any credit union which is a member of any such bank pursuant to this paragraph; or

''(ii) any security interest in the assets of such credit union securing any such extension of credit.

''(D) PROTECTION FOR CERTAIN FEDERAL HOME LOAN BANK ADVANCES.—Notwithstanding any State law to the contrary, if a Bank makes an advance under section 10 to a State-chartered credit union that is not federally insured—

''(i) the Bank's interest in any collateral securing such advance has the same priority and is afforded the same standing and rights that the security interest would have had if the advance had been made to a federally insured credit union; and

''(ii) the Bank has the same right to access such collateral that the Bank would have had if the advance had been made to a federally insured credit union.''.

(b) COPIES OF AUDITS OF PRIVATE INSURERS OF CERTAIN DEPOSITORY INSTITUTIONS REQUIRED TO BE PROVIDED TO SUPERVISORY AGENCIES.—Section 43(a)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1831t(a)(2)(A)) is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by inserting at the end the following new clause:

''(iii) in the case of depository institutions described in subsection (e)(2)(A) the deposits of which are insured by the private insurer which are members of a Federal home loan bank, to the Federal Housing Finance Agency, not later than 7 days after the audit is completed.''.

SEC. 1202. GAO REPORT.

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit a report to Congress—

(1) on the adequacy of insurance reserves held by a private deposit insurer that insures deposits in an entity described in section 43(e)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1831t(e)(2)(A)); and

(2) for an entity described in paragraph (1) the deposits of which are insured by a private deposit insurer, information on the level of compliance with Federal regulations relating to the disclosure of a lack of Federal deposit insurance.

TITLE XIII—SMALL BANK EXAM CYCLE REFORM

SEC. 1301. SMALLER INSTITUTIONS QUALIFYING FOR 18-MONTH EXAMINATION CYCLE.

Section 10(d) of the Federal Deposit Insurance Act (12 U.S.C. 1820(d)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking ''$500,000,000'' and inserting ''$1,000,000,000''; and

(B) in subparagraph (C)(ii), by striking ''$100,000,000'' and inserting ''$200,000,000''; and

(2) in paragraph (10)—

(A) by striking ''$100,000,000'' and inserting ''$200,000,000''; and

(B) by striking ''$500,000,000'' and inserting ''$1,000,000,000''.

TITLE XIV—SMALL COMPANY SIMPLE REGISTRATION

SEC. 1401. FORWARD INCORPORATION BY REFERENCE FOR FORM S–1.

Not later than 45 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise Form S–1 so as to permit a smaller reporting company (as defined in section 230.405 of title 17, Code of Federal Regulations) to incorporate by reference in a registration statement filed on such form any documents that such company files with the Commission after the effective date of such registration statement.

TITLE XV—HOLDING COMPANY REGISTRATION THRESHOLD EQUALIZATION

SEC. 1501. REGISTRATION THRESHOLD FOR SAVINGS AND LOAN HOLDING COMPANIES.

The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended—

(1) in section 12(g)—

(A) in paragraph (1)(B), by inserting after ''is a bank'' the following: '', a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''; and

(B) in paragraph (4), by inserting after ''case of a bank'' the following: '', a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''; and

(2) in section 15(d), by striking ''case of bank'' and inserting the following: ''case of a bank, a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

People are still hurting in this economy, Madam Chair. We all know that. We need to do everything we can, as the House, to promote economic growth.

It is very difficult in this Chamber and in this institution to come by bipartisan legislation. But I am proud to say, in the House Financial Services Committee, we have passed numerous pieces of bipartisan legislation. They are modest because they are bipartisan. But they are, nonetheless, important and can make a difference in people's lives.

There are 15 bills that have already passed the House Financial Services Committee either unanimously or near unanimously and then have gone to the House to be debated and have been passed, almost all of them, unanimously by voice vote or near 400-plus votes.

They are bills like H.R. 2064, to help with emerging growth company regulatory reforms; H.R. 1525, that simplifies some of the Security and Exchange Commission disclosures; H.R. 432, the Small Investment Company Regulatory Relief Act; and a number of bills like these that have typically passed our committee 57–0, for example, 60–0, 53–0, and then have gone on to pass the House by voice vote.

Again, these are bipartisan bills. They are modest bills, but they happen to be germane to this transportation bill because of the revenue stream, the funding source, the pay-for in the transportation bill.

So because they have already been debated in committee, passed in the committee, debated in the House, passed in the House, we are simply packaging 15 of these bills together because there is an opportunity to have these become law and benefit the American people.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Madam Chair, I yield myself such time as I may consume.

Madam Chair, this amendment combines 15 Financial Services bills that have had broad bipartisan support and passed through the committee and on the House floor. These bills address important issues that range from helping to preserve affordable rental housing to providing regulatory relief to small banks and reporting companies, to affording start-ups, emerging growth companies and community financial institutions with greater flexibility to raise capital.

Let me be clear. I have supported these bills in committee and on the floor. But, Madam Chair and Members, this Congress is made up of two Houses, the House of Representatives and the Senate. Just as we were given the opportunity to debate and amend these bills, taking into account concerns from our constituents and interested stakeholders, the Senate should also be given the opportunity.

I am also concerned with the other amendments and their potential negative effect on this set of bills. For example, Representative YOUNG has an amendment that would require each rulemaking in the highway bill, as amended, to include a list of information upon which it is based, including data, scientific and economic studies, and cost-benefit analysis, and identify how the public can access such information online.

What this means is that the Securities and Exchange Commission, in conducting its rulemaking under Chairman HENSARLING's amendment, would face this additional administrative hurdle, including the innocent-sounding cost-benefit analysis.

However, cost-benefit analysis is a tool that has been used by the industry and the opposite side of the aisle both in agencies and in the courts and in Congress to delay, weaken, or kill necessary reforms. Such analysis encourages second-guessing, favors easily quantifiable costs over less tangible benefits, and is extremely resource intensive.

That is why my Democratic colleagues and I have opposed its application to the SEC, an agency that already performs economic analysis for its rulemaking and has enough on its plate with its additional responsibility under the JOBS Act and the Dodd-Frank Act.

Requiring the SEC to conduct an onerous cost-benefit analysis is even more concerning with the Republicans'

refusal to adequately fund the agency. So the meager existing funds would have to be diverted from other important SEC functions, like enforcement and investigations.

Cost-benefit analysis in Representative YOUNG's amendment is also opposed by consumer advocates like the Coalition for Sensible Safeguards.

While, again, I support the 15 Financial Services bills in this amendment, I oppose this process of pushing them through the House attached to the highway bill.

Madam Chair and Members, again, this is about process. I do believe that the Senate should have the ability to debate these bills.

Coming out of the Financial Services Committee, we are tasked with the responsibility to take a very complicated subject matter, Financial Services matters, and to make sure that we give every Member an opportunity to have input, to have credible debates. I just believe that the Senate should have that opportunity.

So while we have supported these bills—and Mr. HENSARLING is absolutely correct—we had an opportunity to do that because we understood them very well. We debated them. We had an opportunity to have input to ask questions, to do everything that you need to do to be well informed about legislation that you are either supporting or opposing.

Again, this is about process. I just simply believe that the Senate should have the right to debate.

I yield back the balance of my time.

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

I was listening carefully to my ranking member, and I think the translation is: I was for the bills before I was against the bills. I think she just said she supported all of these on the committee and the floor, she just doesn't support them tonight. And, apparently, the reason has something to do with the fact that the Senate, the other body, the other Chamber, perhaps hasn't gone through the same process that we have.

I didn't know it was our business to do the Senate's business. Our business is to propose and support what the House has done. So I don't know if the ranking member sees the other body as a group of shrinking violets who cannot take care of themselves, who will somehow be overwhelmed by one particular amendment.

I would remind all Members there is this thing called a conference committee between the House and the Senate to work out differences. They have many matters in the Senate bill that have not been debated in the House, yet those will be taken up in conference committee.

So it is late in the evening, Madam Chair, as you well know, and I have heard a lot of very, very interesting things throughout the hours and hours of debate.

But I simply cannot understand how Members will come to the floor and essentially tell us: ''We were for all of these bills, but we are no longer for all of these bills. We were for them before we were against them because we are just afraid the Senate somehow can't take care of themselves.''

I think we should reject that. These are bills that were passed unanimously and near unanimously in the House. They are bipartisan. They include Republican bills, Democrat bills.

As much as I respect the ranking member, this argument makes no sense to me whatsoever.

The House has already spoken on these matters. Let's get the people's business done. I urge all Members to adopt the amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 22 OFFERED BY MR. MULLIN

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in part B of House Report 114–326.

Mr. MULLIN. Madam Chair, as the designee of the gentleman from Michigan (Mr. UPTON), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, add the following:

DIVISION J—ENERGY SECURITY

SEC. 99001. EMERGENCY PREPAREDNESS FOR ENERGY SUPPLY DISRUPTIONS.

(a) FINDING.—Congress finds that recent natural disasters have underscored the importance of having resilient oil and natural gas infrastructure and effective ways for industry and government to communicate to address energy supply disruptions.

(b) AUTHORIZATION FOR ACTIVITIES TO ENHANCE EMERGENCY PREPAREDNESS FOR NATURAL DISASTERS.—The Secretary of Energy shall develop and adopt procedures to—

(1) improve communication and coordination between the Department of Energy's energy response team, Federal partners, and industry;

(2) leverage the Energy Information Administration's subject matter expertise within the Department's energy response team to improve supply chain situation assessments;

(3) establish company liaisons and direct communication with the Department's energy response team to improve situation assessments;

(4) streamline and enhance processes for obtaining temporary regulatory relief to speed up emergency response and recovery;

(5) facilitate and increase engagement among States, the oil and natural gas industry, and the Department in developing State and local energy assurance plans;

(6) establish routine education and training programs for key government emergency response positions with the Department and States; and

(7) involve States and the oil and natural gas industry in comprehensive drill and exercise programs.

(c) COOPERATION.—The activities carried out under subsection (b) shall include collaborative efforts with State and local government officials and the private sector.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report describing the effectiveness of the activities authorized under this section.

SEC. 99002. RESOLVING ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS.

(a) COMPLIANCE WITH OR VIOLATION OF ENVIRONMENTAL LAWS WHILE UNDER EMERGENCY ORDER.—Section 202(c) of the Federal Power Act (16 U.S.C. 824a(c)) is amended—

(1) by inserting ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2) With respect to an order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation, the Commission shall ensure that such order requires generation, delivery, interchange, or transmission of electric energy only during hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable, is consistent with any applicable Federal, State, or local environmental law or regulation and minimizes any adverse environmental impacts.

''(3) To the extent any omission or action taken by a party, that is necessary to comply with an order issued under this subsection, including any omission or action taken to voluntarily comply with such order, results in noncompliance with, or causes such party to not comply with, any Federal, State, or local environmental law or regulation, such omission or action shall not be considered a violation of such environmental law or regulation, or subject such party to any requirement, civil or criminal liability, or a citizen suit under such environmental law or regulation.

''(4)(A) An order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation shall expire not later than 90 days after it is issued. The Commission may renew or reissue such order pursuant to paragraphs (1) and (2) for subsequent periods, not to exceed 90 days for each period, as the Commission determines necessary to meet the emergency and serve the public interest.

''(B) In renewing or reissuing an order under subparagraph (A), the Commission shall consult with the primary Federal agency with expertise in the environmental interest protected by such law or regulation, and shall include in any such renewed or reissued order such conditions as such Federal agency determines necessary to minimize any adverse environmental impacts to the extent practicable. The conditions, if any, submitted by such Federal agency shall be made available to the public. The Commission may exclude such a condition from the renewed or reissued order if it determines that such condition would prevent the order from adequately addressing the emergency necessitating such order and provides in the order, or otherwise makes publicly available, an explanation of such determination.

''(5) If an order issued under this subsection is subsequently stayed, modified, or set aside by a court pursuant to section 313 or any other provision of law, any omission or action previously taken by a party that was necessary to comply with the order while the order was in effect, including any omission or action taken to voluntarily comply with the order, shall remain subject to paragraph (3).''.

(b) TEMPORARY CONNECTION OR CONSTRUCTION BY MUNICIPALITIES.—Section 202(d) of the Federal Power Act (16 U.S.C. 824a(d)) is amended by inserting ''or municipality'' before ''engaged in the transmission or sale of electric energy''.

SEC. 99003. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.

(a) CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.—Part II of the Federal Power Act (16

U.S.C. 824 et seq.) is amended by adding after section 215 the following new section:

"SEC. 215A. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.

''(a) DEFINITIONS.—For purposes of this section:

''(1) BULK-POWER SYSTEM; ELECTRIC RELIABILITY ORGANIZATION; REGIONAL ENTITY.—The terms 'bulk-power system', 'Electric Reliability Organization', and 'regional entity' have the meanings given such terms in paragraphs (1), (2), and (7) of section 215(a), respectively.

''(2) CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'critical electric infrastructure' means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of such matters.

''(3) CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—The term 'critical electric infrastructure information' means information related to critical electric infrastructure, or proposed critical electrical infrastructure, generated by or provided to the Commission or other Federal agency, other than classified national security information, that is designated as critical electric infrastructure information by the Commission under subsection (d)(2). Such term includes information that qualifies as critical energy infrastructure information under the Commission's regulations.

''(4) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'defense critical electric infrastructure' means any electric infrastructure located in the United States (including the territories) that serves a facility designated by the Secretary pursuant to subsection (c), but is not owned or operated by the owner or operator of such facility.

''(5) ELECTROMAGNETIC PULSE.—The term 'electromagnetic pulse' means 1 or more pulses of electromagnetic energy emitted by a device capable of disabling or disrupting operation of, or destroying, electronic devices or communications networks, including hardware, software, and data, by means of such a pulse.

''(6) GEOMAGNETIC STORM.—The term 'geomagnetic storm' means a temporary disturbance of the Earth's magnetic field resulting from solar activity.

''(7) GRID SECURITY EMERGENCY.—The term 'grid security emergency' means the occurrence or imminent danger of—

''(A)(i) a malicious act using electronic communication or an electromagnetic pulse, or a geomagnetic storm event, that could disrupt the operation of those electronic devices or communications networks, including hardware, software, and data, that are essential to the reliability of critical electric infrastructure or of defense critical electric infrastructure; and

''(ii) disruption of the operation of such devices or networks, with significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure, as a result of such act or event; or

''(B)(i) a direct physical attack on critical electric infrastructure or on defense critical electric infrastructure; and

''(ii) significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure as a result of such physical attack.

''(8) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(b) AUTHORITY TO ADDRESS GRID SECURITY EMERGENCY.—

''(1) AUTHORITY.—Whenever the President issues and provides to the Secretary a written directive or determination identifying a grid security emergency, the Secretary may, with or without notice, hearing, or report, issue such orders for emergency measures as are necessary in the judgment of the Secretary to protect or restore the reliability of critical electric infrastructure or of defense critical electric infrastructure during such emergency. As soon as practicable but not later than 180 days after the date of enactment of this section, the Secretary shall, after notice and opportunity for comment, establish rules of procedure that ensure that such authority can be exercised expeditiously.

''(2) NOTIFICATION OF CONGRESS.—Whenever the President issues and provides to the Secretary a written directive or determination under paragraph (1), the President shall promptly notify congressional committees of relevant jurisdiction, including the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, of the contents of, and justification for, such directive or determination.

''(3) CONSULTATION.—Before issuing an order for emergency measures under paragraph (1), the Secretary shall, to the extent practicable in light of the nature of the grid security emergency and the urgency of the need for action, consult with appropriate governmental authorities in Canada and Mexico, entities described in paragraph (4), the Electricity Sub-sector Coordinating Council, the Commission, and other appropriate Federal agencies regarding implementation of such emergency measures.

''(4) APPLICATION.—An order for emergency measures under this subsection may apply to—

''(A) the Electric Reliability Organization;

''(B) a regional entity; or

''(C) any owner, user, or operator of critical electric infrastructure or of defense critical electric infrastructure within the United States.

''(5) EXPIRATION AND REISSUANCE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an order for emergency measures issued under paragraph (1) shall expire no later than 15 days after its issuance.

''(B) EXTENSIONS.—The Secretary may reissue an order for emergency measures issued under paragraph (1) for subsequent periods, not to exceed 15 days for each such period, provided that the President, for each such period, issues and provides to the Secretary a written directive or determination that the grid security emergency identified under paragraph (1) continues to exist or that the emergency measure continues to be required.

''(6) COST RECOVERY.—

''(A) CRITICAL ELECTRIC INFRASTRUCTURE.—If the Commission determines that owners, operators, or users of critical electric infrastructure have incurred substantial costs to comply with an order for emergency measures issued under this subsection and that such costs were prudently incurred and cannot reasonably be recovered through regulated rates or market prices for the electric energy or services sold by such owners, operators, or users, the Commission shall, consistent with the requirements of section 205, after notice and an opportunity for comment, establish a mechanism that permits such owners, operators, or users to recover such costs.

''(B) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—To the extent the owner or operator of defense critical electric infrastructure is required to take emergency measures pursuant to an order issued under this subsection, the owners or operators of a critical defense facility or facilities designated by the Secretary pursuant to subsection (c) that rely upon such infrastructure shall bear the full incremental costs of the measures.

''(7) TEMPORARY ACCESS TO CLASSIFIED INFORMATION.—The Secretary, and other appropriate Federal agencies, shall, to the extent practicable and consistent with their obligations to protect classified information, provide temporary access to classified information related to a grid security emergency for which emergency measures are issued under paragraph (1) to key personnel of any entity subject to such emergency measures to enable optimum communication between the entity and the Secretary and other appropriate Federal agencies regarding the grid security emergency.

''(c) DESIGNATION OF CRITICAL DEFENSE FACILITIES.—Not later than 180 days after the date of enactment of this section, the Secretary, in consultation with other appropriate Federal agencies and appropriate owners, users, or operators of infrastructure that may be defense critical electric infrastructure, shall identify and designate facilities located in the United States (including the territories) that are—

''(1) critical to the defense of the United States; and

''(2) vulnerable to a disruption of the supply of electric energy provided to such facility by an external provider.

The Secretary may, in consultation with appropriate Federal agencies and appropriate owners, users, or operators of defense critical electric infrastructure, periodically revise the list of designated facilities as necessary.

''(d) PROTECTION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—

''(1) PROTECTION OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Critical electric infrastructure information—

''(A) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code; and

''(B) shall not be made available by any Federal, State, political subdivision or tribal authority pursuant to any Federal, State, political subdivision or tribal law requiring public disclosure of information or records.

''(2) DESIGNATION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Not later than one year after the date of enactment of this section, the Commission, in consultation with the Secretary of Energy, shall promulgate such regulations and issue such orders as necessary to—

''(A) designate information as critical electric infrastructure information;

''(B) prohibit the unauthorized disclosure of critical electric infrastructure information;

''(C) ensure there are appropriate sanctions in place for Commissioners, officers, employees, or agents of the Commission who knowingly and willfully disclose critical electric infrastructure information in a manner that is not authorized under this section; and

''(D) taking into account standards of the Electric Reliability Organization, facilitate voluntary sharing of critical electric infrastructure information with, between, and by—

''(i) Federal, State, political subdivision, and tribal authorities;

''(ii) the Electric Reliability Organization;

''(iii) regional entities;

''(iv) information sharing and analysis centers established pursuant to Presidential Decision Directive 63;

''(v) owners, operators, and users of critical electric infrastructure in the United States; and

''(vi) other entities determined appropriate by the Commission.

''(3) CONSIDERATIONS.—In promulgating regulations and issuing orders under paragraph (2), the Commission shall take into consideration the role of State commissions in reviewing the prudence and cost of investments, determining the rates and terms of

conditions for electric services, and ensuring the safety and reliability of the bulk-power system and distribution facilities within their respective jurisdictions.

''(4) PROTOCOLS.—The Commission shall, in consultation with Canadian and Mexican authorities, develop protocols for the voluntary sharing of critical electric infrastructure information with Canadian and Mexican authorities and owners, operators, and users of the bulk-power system outside the United States.

''(5) NO REQUIRED SHARING OF INFORMATION.—Nothing in this section shall require a person or entity in possession of critical electric infrastructure information to share such information with Federal, State, political subdivision, or tribal authorities, or any other person or entity.

''(6) SUBMISSION OF INFORMATION TO CONGRESS.—Nothing in this section shall permit or authorize the withholding of information from Congress, any committee or subcommittee thereof, or the Comptroller General.

''(7) DISCLOSURE OF NONPROTECTED INFORMATION.—In implementing this section, the Commission shall segregate critical electric infrastructure information or information that reasonably could be expected to lead to the disclosure of the critical electric infrastructure information within documents and electronic communications, wherever feasible, to facilitate disclosure of information that is not designated as critical electric infrastructure information.

''(8) DURATION OF DESIGNATION.—Information may not be designated as critical electric infrastructure information for longer than 5 years, unless specifically re-designated by the Commission.

''(9) REMOVAL OF DESIGNATION.—The Commission shall remove the designation of critical electric infrastructure information, in whole or in part, from a document or electronic communication if the Commission determines that the unauthorized disclosure of such information could no longer be used to impair the security or reliability of the bulk-power system or distribution facilities.

''(10) JUDICIAL REVIEW OF DESIGNATIONS.—Notwithstanding section 313(b), any determination by the Commission concerning the designation of critical electric infrastructure information under this subsection shall be subject to review under chapter 7 of title 5, United States Code, except that such review shall be brought in the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in the District of Columbia. In such a case the court shall examine in camera the contents of documents or electronic communications that are the subject of the determination under review to determine whether such documents or any part thereof were improperly designated or not designated as critical electric infrastructure information.

''(e) SECURITY CLEARANCES.—The Secretary shall facilitate and, to the extent practicable, expedite the acquisition of adequate security clearances by key personnel of any entity subject to the requirements of this section, to enable optimum communication with Federal agencies regarding threats to the security of the critical electric infrastructure. The Secretary, the Commission, and other appropriate Federal agencies shall, to the extent practicable and consistent with their obligations to protect classified and critical electric infrastructure information, share timely actionable information regarding grid security with appropriate key personnel of owners, operators, and users of the critical electric infrastructure.

''(f) CLARIFICATIONS OF LIABILITY.—

''(1) COMPLIANCE WITH OR VIOLATION OF THIS ACT.—Except as provided in paragraph (4), to the extent any action or omission taken by an entity that is necessary to comply with an order for emergency measures issued under subsection (b)(1), including any action or omission taken to voluntarily comply with such order, results in noncompliance with, or causes such entity not to comply with any rule, order, regulation, or provision of this Act, including any reliability standard approved by the Commission pursuant to section 215, such action or omission shall not be considered a violation of such rule, order, regulation, or provision.

''(2) RELATION TO SECTION 202(c).—Except as provided in paragraph (4), an action or omission taken by an owner, operator, or user of critical electric infrastructure or of defense critical electric infrastructure to comply with an order for emergency measures issued under subsection (b)(1) shall be treated as an action or omission taken to comply with an order issued under section 202(c) for purposes of such section.

''(3) SHARING OR RECEIPT OF INFORMATION.—No cause of action shall lie or be maintained in any Federal or State court for the sharing or receipt of information under, and that is conducted in accordance with, subsection (d).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require dismissal of a cause of action against an entity that, in the course of complying with an order for emergency measures issued under subsection (b)(1) by taking an action or omission for which they would be liable but for paragraph (1) or (2), takes such action or omission in a grossly negligent manner.''.

(b) CONFORMING AMENDMENTS.—

(1) JURISDICTION.—Section 201(b)(2) of the Federal Power Act (16 U.S.C. 824(b)(2)) is amended by inserting ''215A,'' after ''215,'' each place it appears.

(2) PUBLIC UTILITY.—Section 201(e) of the Federal Power Act (16 U.S.C. 824(e)) is amended by inserting ''215A,'' after ''215,''.

SEC. 99004. STRATEGIC TRANSFORMER RESERVE.

(a) FINDING.—Congress finds that the storage of strategically located spare large power transformers and emergency mobile substations will reduce the vulnerability of the United States to multiple risks facing electric grid reliability, including physical attack, cyber attack, electromagnetic pulse, geomagnetic disturbances, severe weather, and seismic events.

(b) DEFINITIONS.—In this section:

(1) BULK-POWER SYSTEM.—The term ''bulk-power system'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(2) CRITICALLY DAMAGED LARGE POWER TRANSFORMER.—The term ''critically damaged large power transformer'' means a large power transformer that—

(A) has sustained extensive damage such that—

(i) repair or refurbishment is not economically viable; or

(ii) the extensive time to repair or refurbish the large power transformer would create an extended period of instability in the bulk-power system; and

(B) prior to sustaining such damage, was part of the bulk-power system.

(3) CRITICAL ELECTRIC INFRASTRUCTURE.—The term ''critical electric infrastructure'' has the meaning given that term in section 215A of the Federal Power Act.

(4) ELECTRIC RELIABILITY ORGANIZATION.—The term ''Electric Reliability Organization'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(5) EMERGENCY MOBILE SUBSTATION.—The term ''emergency mobile substation'' means a mobile substation or mobile transformer that is—

(A) assembled and permanently mounted on a trailer that is capable of highway travel and meets relevant Department of Transportation regulations; and

(B) intended for express deployment and capable of being rapidly placed into service.

(6) LARGE POWER TRANSFORMER.—The term ''large power transformer'' means a power transformer with a maximum nameplate rating of 100 megavolt-amperes or higher, including related critical equipment, that is, or is intended to be, a part of the bulk-power system.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(8) SPARE LARGE POWER TRANSFORMER.—The term ''spare large power transformer'' means a large power transformer that is stored within the Strategic Transformer Reserve to be available to temporarily replace a critically damaged large power transformer.

(c) STRATEGIC TRANSFORMER RESERVE PLAN.—

(1) PLAN.—Not later than one year after the date of enactment of this Act, the Secretary, acting through the Office of Electricity Delivery and Energy Reliability, shall, in consultation with the Federal Energy Regulatory Commission, the Electricity Sub-sector Coordinating Council, the Electric Reliability Organization, and owners and operators of critical electric infrastructure and defense and military installations, prepare and submit to Congress a plan to establish a Strategic Transformer Reserve for the storage, in strategically located facilities, of spare large power transformers and emergency mobile substations in sufficient numbers to temporarily replace critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations.

(2) INCLUSIONS.—The Strategic Transformer Reserve plan shall include a description of—

(A) the appropriate number and type of spare large power transformers necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations to mitigate significant impacts to the electric grid resulting from—

(i) physical attack;

(ii) cyber attack;

(iii) electromagnetic pulse attack;

(iv) geomagnetic disturbances;

(v) severe weather; or

(vi) seismic events;

(B) other critical electric grid equipment for which an inventory of spare equipment, including emergency mobile substations, is necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations;

(C) the degree to which utility sector actions or initiatives, including individual utility ownership of spare equipment, joint ownership of spare equipment inventory, sharing agreements, or other spare equipment reserves or arrangements, satisfy the needs identified under subparagraphs (A) and (B);

(D) the potential locations for, and feasibility and appropriate number of, strategic storage locations for reserve equipment, including consideration of—

(i) the physical security of such locations;

(ii) the protection of the confidentiality of such locations; and

(iii) the proximity of such locations to sites of potentially critically damaged large power transformers and substations that are

critical electric infrastructure or serve defense and military installations, so as to enable efficient delivery of equipment to such sites;

(E) the necessary degree of flexibility of spare large power transformers to be included in the Strategic Transformer Reserve to conform to different substation configurations, including consideration of transformer—

(i) power and voltage rating for each winding;

(ii) overload requirements;

(iii) impedance between windings;

(iv) configuration of windings; and

(v) tap requirements;

(F) an estimate of the direct cost of the Strategic Transformer Reserve, as proposed, including—

(i) the cost of storage facilities;

(ii) the cost of the equipment; and

(iii) management, maintenance, and operation costs;

(G) the funding options available to establish, stock, manage, and maintain the Strategic Transformer Reserve, including consideration of fees on owners and operators of bulk-power system facilities, critical electric infrastructure, and defense and military installations relying on the Strategic Transformer Reserve, use of Federal appropriations, and public-private cost-sharing options;

(H) the ease and speed of transportation, installation, and energization of spare large power transformers to be included in the Strategic Transformer Reserve, including consideration of factors such as—

(i) transformer transportation weight;

(ii) transformer size;

(iii) topology of critical substations;

(iv) availability of appropriate transformer mounting pads;

(v) flexibility of the spare large power transformers as described in subparagraph (E); and

(vi) ability to rapidly transition a spare large power transformer from storage to energization;

(I) eligibility criteria for withdrawal of equipment from the Strategic Transformer Reserve;

(J) the process by which owners or operators of critically damaged large power transformers or substations that are critical electric infrastructure or serve defense and military installations may apply for a withdrawal from the Strategic Transformer Reserve;

(K) the process by which equipment withdrawn from the Strategic Transformer Reserve is returned to the Strategic Transformer Reserve or is replaced;

(L) possible fees to be paid by users of equipment withdrawn from the Strategic Transformer Reserve;

(M) possible fees to be paid by owners and operators of large power transformers and substations that are critical electric infrastructure or serve defense and military installations to cover operating costs of the Strategic Transformer Reserve;

(N) the domestic and international large power transformer supply chain;

(O) the potential reliability, cost, and operational benefits of including emergency mobile substations in any Strategic Transformer Reserve established under this section; and

(P) other considerations for designing, constructing, stocking, funding, and managing the Strategic Transformer Reserve.

(d) ESTABLISHMENT.—The Secretary may establish a Strategic Transformer Reserve in accordance with the plan prepared pursuant to subsection (c) after the date that is 6 months after the date on which such plan is submitted to Congress.

(e) DISCLOSURE OF INFORMATION.—Any information included in the Strategic Transformer Reserve plan, or shared in the preparation and development of such plan, the disclosure of which could cause harm to critical electric infrastructure, shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code, and any State, tribal, or local law requiring disclosure of information or records.

SEC. 99005. ENERGY SECURITY VALUATION.

(a) ESTABLISHMENT OF ENERGY SECURITY VALUATION METHODS.—Not later than one year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall develop and transmit, after public notice and comment, to the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate a report that develops recommended United States energy security valuation methods. In developing the report, the Secretaries may consider the recommendations of the Administration's Quadrennial Energy Review released on April 21, 2015. The report shall—

(1) evaluate and define United States energy security to reflect modern domestic and global energy markets and the collective needs of the United States and its allies and partners;

(2) identify transparent and uniform or coordinated procedures and criteria to ensure that energy-related actions that significantly affect the supply, distribution, or use of energy are evaluated with respect to their potential impact on energy security, including their impact on—

(A) consumers and the economy;

(B) energy supply diversity and resiliency;

(C) well-functioning and competitive energy markets;

(D) United States trade balance; and

(E) national security objectives; and

(3) include a recommended implementation strategy that identifies and aims to ensure that the procedures and criteria referred to in paragraph (2) are—

(A) evaluated consistently across the Federal Government; and

(B) weighed appropriately and balanced with environmental considerations required by Federal law.

(b) PARTICIPATION.—In developing the report referred to in subsection (a), the Secretaries may consult with relevant Federal, State, private sector, and international participants, as appropriate and consistent with applicable law.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Oklahoma (Mr. MULLIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. MULLIN. Madam Chair, I am offering this amendment on behalf of Chairman UPTON. I would like to thank him for his leadership on the energy issues.

This is a noncontroversial provision that had bipartisan support when it was reported out of the full committee. I would urge my colleagues to support it.

□ 0100

Madam Chair, I yield such time as he may consume to the gentleman from Texas (Mr. OLSON) for the purpose of supporting the amendment.

Mr. OLSON. Madam Chair, I thank my friend from Oklahoma.

Madam Chair, a special thanks to the gentleman from Michigan (Mr. UPTON), my committee chairman, for having this amendment in this important highway bill. This amendment is common sense. There is a great saying in America, ''The third time is a charm.''

These exact words have passed this body three straight times. In the 112th, the 113th, and the current 114th Congress, this exact language has passed this body without objection, all ''yea'' votes. It is noncontroversial.

This amendment does one simple thing. It ensures that our power grid will be reliable in a power crisis, and that crisis won't become a legal crisis as has happened at least two times in the last 10 years.

It is the same scenario: there is a power crisis, the entity that controls the grid says to keep that grid up and running, the operator says we will see our permits from EPA, they do that, and they are sued. This amendment says to stop that practice. If you are told to keep the grid up and running, you can do that for at least 16 days.

Madam Chair, I urge my colleagues to support this amendment one more time because right now we have the chance to have it go to the President and become signed into law to make our grid safer and more reliable for future Americans.

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

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

The amendment was agreed to.

Mr. MULLIN. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. OLSON) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, had come to no resolution thereon.

HOUR OF MEETING ON TOMORROW

Mr. MULLIN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. today.

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

There was no objection.

APPOINTMENT OF MEMBERS TO SELECT INVESTIGATIVE PANEL OF THE COMMITTEE ON ENERGY AND COMMERCE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 2(a) of House Resolution 461, 114th Congress, and the order of the House of January 6, 2015, of the following Members to the Select Investigative Panel on the Committee on Energy and Commerce:

Ms. SCHAKOWSKY, Illinois
Mr. NADLER, New York
Ms. DEGETTE, Colorado
Ms. SPEIER, California
Ms. DELBENE, Washington
Mrs. WATSON COLEMAN, New Jersey

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Ms. PELOSI) for today after 10 p.m. and November 5 on account of medical emergency.

ADJOURNMENT

Mr. MULLIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 5 minutes a.m.), under its previous order, the House adjourned until today, Thursday, November 4, 2015, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3372. A letter from the Assistant Secretary, Securities and Exchange Commission, transmitting the Commission's Major final rule — Crowdfunding [Release Nos.: 33-9974; 34-76324; File No.: S7-09-13] (RIN: 3235-AL37) received November 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3373. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Administration's FY 2014 Performance Report to Congress for the Office of Combination Products, pursuant to the Medical Device User Fee and Modernization Act of 2002, Pub. L. 107-250, 21 U.S.C. 353(g); to the Committee on Energy and Commerce.

3374. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's annual report to Congress for FY 2014 regarding imported foods, pursuant to Sec. 1009 of the Food and Drug Administration Amendments Act of 2007, Pub. L. 110-85; to the Committee on Energy and Commerce.

3375. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to Turkey, Transmittal No. 14-01, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended, and certification, pursuant to 22 U.S.C. 2373(d); Foreign Assistance Act, Sec. 620C(d); (92 Stat. 739); to the Committee on Foreign Affairs.

3376. A letter from the Director, International Cooperation, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's intent to sign a Project Arrangement to the Memorandum of Understanding Between the Department of Defense of the United States of America and the Department of Defense of Australia, Transmittal No. 08-15, pursuant to Executive Order 13637 and, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

3377. A letter from the Chair, Board of Governors of the Federal Reserve System, transmitting the Board's Semiannual Report to Congress for the six-month period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); to the Committee on Oversight and Government Reform.

3378. A letter from the Chairman, Board of Trustees and President, John F. Kennedy Center for the Performing Arts, transmitting the Center's report and attachments, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 8G(h)(2); Public Law 100-504, Sec. 104(a); to the Committee on Oversight and Government Reform.

3379. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE210) received November 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

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:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2130. A bill to provide legal certainty to property owners along the Red River in Texas, and for other purposes; with an amendment (Rept. 114–327). Referred to the Committee of the Whole House on the state of the Union.

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. CHABOT (for himself, Mr. GOODLATTE, Mr. HARRIS, and Mr. BOUSTANY):

H.R. 3918. A bill to modify the provisions of the Immigration and Nationality Act relating to nonimmigrant visas issued under section 101(a)(15)(H)(ii)(b) of such Act, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CÁRDENAS (for himself, Mrs. RADEWAGEN, Ms. BROWNLEY of California, Mr. JOLLY, Mr. RYAN of Ohio, Mr. BLUMENAUER, Mr. BISHOP of Georgia, Mr. JONES, Ms. JACKSON LEE, Mr. SERRANO, Ms. JUDY CHU of California, Mr. HONDA, Mr. GARAMENDI, Mrs. NAPOLITANO, Mr. BUTTERFIELD, Mr. VEASEY, Mr. SABLAN, Ms. BORDALLO, Mr. KILMER, and Mr. VAN HOLLEN):

H.R. 3919. A bill to authorize the Secretary of Labor to award special recognition to employers for veteran-friendly employment practices; to the Committee on Education and the Workforce, and in addition to the Committee on Veterans' Affairs, 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. FITZPATRICK (for himself, Mrs. BLACKBURN, Mr. SMITH of New Jersey, and Mr. SABLAN):

H.R. 3920. A bill to direct the Commissioner of Food and Drugs to issue an order withdrawing approval for Essure System; to the Committee on Energy and Commerce.

By Ms. VELÁZQUEZ:

H.R. 3921. A bill to amend the Securities Exchange Act of 1934 to require certain reporting by hedge funds that are the beneficial owner of more than 1 percent of a class of security, and for other purposes; to the Committee on Financial Services.

By Mr. KELLY of Pennsylvania (for himself and Mr. SAM JOHNSON of Texas):

H.R. 3922. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income and Security Act of 1974 to provide for a best interest standard for advice fiduciaries, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUDSON:

H.R. 3923. A bill to provide for a report that develops recommended United States energy security valuation methods; to the Committee on Energy and Commerce.

By Mr. CASTRO of Texas (for himself and Mr. MCCAUL):

H.R. 3924. A bill to establish in the United States Agency for International Development an entity to be known as the United States Global Development Lab, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. DAVIS of California:

H.R. 3925. A bill to direct the Secretary of Education to carry out a program of canceling certain Federal student loans of principals in high need schools; to the Committee on Education and the Workforce.

By Mr. HONDA (for himself, Ms. NORTON, Mr. RYAN of Ohio, Mr. HASTINGS, Mr. BLUMENAUER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. VAN HOLLEN, Mr. MURPHY of Florida, Mr. GALLEGO, Mr. RANGEL, Mr. MCGOVERN, Ms. BROWNLEY of California, Mrs. LAWRENCE, Mr. GRIJALVA, Ms. MCCOLLUM, Mr. RICHMOND, Mr. CÁRDENAS, Ms. EDWARDS, Ms. MOORE, Mrs. WATSON COLEMAN, Ms. JACKSON LEE, Ms. VELÁZQUEZ, Ms. ESTY, Mrs. NAPOLITANO, Mr. FARR, Ms. CASTOR of Florida, Mr. LIPINSKI, Mr. RUSH, Mr. SIRES, Mr. NORCROSS, Mr. MEEKS, Ms. PINGREE, Mr. COHEN, Mr. CONNOLLY, Ms. ADAMS, Mr. RUPPERSBERGER, and Mr. MOULTON):

H.R. 3926. A bill to amend the Public Health Service Act to provide for better understanding of the epidemic of gun violence, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUFFMAN (for himself, Ms. JUDY CHU of California, Ms. BONAMICI, Mr. DEFAZIO, Mr. MCDERMOTT, Mr. TED LIEU of California, Ms. ROYBAL-ALLARD, Ms. ESHOO, Mr. SCHRADER, Ms. LOFGREN,

Mr. HECK of Washington, Mr. DESAULNIER, Mrs. CAPPS, Mr. SWALWELL of California, Mr. BLUMENAUER, Mr. HONDA, Ms. EDWARDS, Ms. SPEIER, Mr. THOMPSON of California, Mrs. NAPOLITANO, Mr. FARR, Ms. LEE, Mr. KILMER, Mr. GARAMENDI, Mr. LOWENTHAL, Mr. LARSEN of Washington, Ms. MATSUI, Mr. SMITH of Washington, Ms. DELBENE, Mr. PETERS, and Mrs. DAVIS of California):

H.R. 3927. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington; to the Committee on Natural Resources.

By Mr. KING of Iowa (for himself, Mr. BARLETTA, Mr. GOHMERT, Mr. GOSAR, Mr. BROOKS of Alabama, Mr. DUNCAN of South Carolina, Mr. SMITH of Texas, and Mr. BABIN):

H.R. 3928. A bill to authorize the Capitol Police to enforce the immigration laws, and for other purposes; to the Committee on House Administration.

By Mr. LATTA (for himself, Mr. FRANKS of Arizona, Mr. PITTENGER, Mr. STEWART, Mr. JONES, Mr. PETERS, Mr. MCKINLEY, Mr. SCHWEIKERT, Mr. HUNTER, Mr. TURNER, Mr. KING of New York, Mr. MEEKS, Mr. MILLER of Florida, Mr. CARSON of Indiana, Mr. VAN HOLLEN, Mr. THOMPSON of Pennsylvania, Mr. KING of Iowa, Mr. RUSSELL, Mr. GIBBS, Ms. KAPTUR, Mr. FORBES, Miss RICE of New York, Mr. HIGGINS, Mr. JOLLY, Mr. MESSER, Mr. WALBERG, Mr. LARSON of Connecticut, Mrs. COMSTOCK, Mr. DESANTIS, and Mr. ZINKE):

H.R. 3929. A bill to award the Congressional Gold Medal, collectively, to the members of the Office of Strategic Services (OSS) in recognition of their superior service and major contributions during World War II; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 3930. A bill to amend title XIX of the Social Security Act to increase the Federal medical assistance percentage for the District of Columbia under the Medicaid Program to 80 percent; to the Committee on Energy and Commerce.

By Mr. WESTERMAN (for himself, Mr. CRAWFORD, Mr. HILL, Mr. ZINKE, Mr. MCDERMOTT, and Mr. WOMACK):

H.R. 3931. A bill to designate the facility of the United States Postal Service located at 620 Central Avenue Suite 1A in Hot Springs National Park, Arkansas, as the ''Chief Petty Officer Adam Brown United States Post Office''; to the Committee on Oversight and Government Reform.

By Mr. MOONEY of West Virginia (for himself, Mr. ROGERS of Alabama, Mr. MEADOWS, Mr. MOOLENAAR, Mr. DUNCAN of South Carolina, Mr. LOUDERMILK, Mr. WEBER of Texas, Mr. CRAMER, Mr. HULTGREN, Mr. LAMALFA, Mr. JONES, Mr. FRANKS of Arizona, Mr. HARPER, Mr. KELLY of Pennsylvania, Mr. PEARCE, Mr. FLEMING, and Mr. PALAZZO):

H. Res. 514. A resolution protecting Religious Freedom in America; to the Committee on the Judiciary.

By Mr. ROSS (for himself and Ms. GRAHAM):

H. Res. 515. A resolution expressing the sense of the House of Representatives regarding the importance of civic education and civic involvement programs in the elementary and secondary schools of the United States; to the Committee on Education and the Workforce.

By Mr. WENSTRUP:

H. Res. 516. A resolution recognizing the individuals who have served, or are serving, in the Armed Forces and have also served, or are serving, as a peace officer or as a first responder and expressing support for the designation of November 10 as Armed Forces, Peace Officer, and First Responder Dual Service Recognition Day; to the Committee on Armed Services.

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. CHABOT:

H.R. 3918.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4

By Mr. CÁRDENAS:

H.R. 3919.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. FITZPATRICK:

H.R. 3920.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. VELÁZQUEZ:

H.R. 3921.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KELLY of Pennsylvania:

H.R. 3922.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 3 of Section 8 of Article I of the United States Constitution. he Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HUDSON:

H.R. 3923.

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. CASTRO of Texas:

H.R. 3924.

Congress has the power to enact this legislation pursuant to the following:

Constitutional Authority—Necessary and Proper Clause (Art. I, Sec. 8, Clause 18)

THE U.S. CONSTITUTION ARTICLE I, SECTION 8: POWERS OF CONGRESS CLAUSE 18

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mrs. DAVIS of California:

H.R. 3925.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. HONDA:

H.R. 3926.

Congress has the power to enact this legislation pursuant to the following:

Article I Sec. 8

By Mr. HUFFMAN:

H.R. 3927.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. KING of Iowa:

H.R. 3928.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 4 ''to establish an uniform Rule of Naturalization.''

By Mr. LATTA:

H.R. 3929.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. NORTON:

H.R. 3930.

Congress has the power to enact this legislation pursuant to the following:

clauses 1 and 18 of section 8 of article I of the Constitution.

By Mr. WESTERMAN:

H.R. 3931.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause 7 of the United State Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. MCKINLEY.

H.R. 242: Ms. KUSTER.

H.R. 249: Mr. KILDEE.

H.R. 317: Mr. LANGEVIN.

H.R. 379: Ms. CASTOR of Florida and Mr. DONOVAN.

H.R. 430: Mr. TAKANO.

H.R. 467: Mr. HUFFMAN.

H.R. 592: Mr. REICHERT.

H.R. 594: Mrs. LOVE.

H.R. 624: Ms. MCSALLY.

H.R. 670: Mr. ISRAEL.

H.R. 816: Mr. AUSTIN SCOTT of Georgia.

H.R. 833: Mr. GRIJALVA, Ms. EDWARDS, and Mr. HONDA.

H.R. 842: Mr. MEADOWS.

H.R. 845: Mr. BROOKS of Alabama and Mr. MEADOWS.

H.R. 879: Mr. KELLY of Mississippi, Mr. HURD of Texas, Mr. BRIDENSTINE, and Mr. HUDSON.

H.R. 912: Mr. COHEN.

H.R. 953: Mr. ROSS.

H.R. 969: Mr. RICE of South Carolina.

H.R. 985: Mrs. WAGNER.

H.R. 1054: Mr. BROOKS of Alabama, Mr. LAMALFA, Mr. KING of Iowa, Mr. JODY B. HICE of Georgia, Mr. HUELSKAMP, Mr. WILSON of South Carolina, Mr. ABRAHAM, and Mr. WEBSTER of Florida.

H.R. 1061: Ms. KAPTUR, Ms. NORTON, Mr. MCDERMOTT, Ms. TSONGAS, Mr. RUSH, Mr. DEFAZIO, and Mr. CARSON of Indiana.

H.R. 1093: Mr. JONES.
H.R. 1174: Mr. BISHOP of Georgia, Mr. DENHAM, Mrs. WATSON COLEMAN, Mr. PAYNE, Mr. LOWENTHAL, and Mr. RANGEL.
H.R. 1192: Mr. SAM JOHNSON of Texas, Mr. KILMER, Mr. GIBSON, and Mrs. DAVIS of California.
H.R. 1194: Ms. DUCKWORTH.
H.R. 1197: Mr. ZELDIN.
H.R. 1202: Mr. EMMER of Minnesota.
H.R. 1211: Ms. SPEIER.
H.R. 1277: Mr. TAKAI.
H.R. 1288: Ms. LEE and Ms. BONAMICI.
H.R. 1453: Mr. FORTENBERRY and Mr. NOLAN.
H.R. 1552: Mr. HASTINGS, Ms. MCCOLLUM, Mr. GRAYSON, Mrs. WATSON COLEMAN, Ms. MATSUI, Mr. QUIGLEY, and Mr. VAN HOLLEN.
H.R. 1568: Ms. CASTOR of Florida.
H.R. 1594: Mr. KILDEE.
H.R. 1608: Ms. ROS-LEHTINEN.
H.R. 1688: Mr. BOST.
H.R. 1715: Mrs. ELLMERS of North Carolina.
H.R. 1728: Mr. RUSH, Ms. MENG, and Ms. GRAHAM.
H.R. 1752: Mr. COSTELLO of Pennsylvania.
H.R. 1784: Mr. ROUZER.
H.R. 1821: Mr. LARSEN of Washington.
H.R. 1877: Mr. JOLLY, Mr. KILDEE, and Mr. CARTWRIGHT.
H.R. 1902: Ms. EDWARDS.
H.R. 2000: Mr. CICILLINE.
H.R. 2043: Ms. TSONGAS and Mr. RUPPERSBERGER.
H.R. 2050: Mr. CUELLAR and Ms. SEWELL of Alabama.
H.R. 2058: Mr. HUDSON.
H.R. 2125: Mr. TAKANO.
H.R. 2142: Mr. ASHFORD.
H.R. 2153: Mr. VAN HOLLEN.
H.R. 2156: Mr. CONAWAY.
H.R. 2241: Mr. DONOVAN, Mr. ENGEL, Mr. KEATING, Mr. PASCRELL, Mr. HIGGINS, Ms. MENG, and Mr. SHERMAN.
H.R. 2278: Mr. CULBERSON.
H.R. 2285: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 2292: Mr. FOSTER.
H.R. 2407: Ms. ADAMS.
H.R. 2434: Mr. EMMER of Minnesota.
H.R. 2477: Mr. HURD of Texas.
H.R. 2515: Ms. CASTOR of Florida and Mr. SENSENBRENNER,
H.R. 2520: Mr. HUDSON.
H.R. 2528: Mr. BISHOP of Georgia.
H.R. 2533: Ms. DUCKWORTH.
H.R. 2546: Mr. QUIGLEY.
H.R. 2590: Ms. KUSTER.
H.R. 2606: Mr. HUIZENGA of Michigan.
H.R. 2646: Mr. ROONEY of Florida.
H.R. 2660: Mr. MCDERMOTT, Ms. JUDY CHU of California, Mrs. KIRKPATRICK, and Ms. VELÁZQUEZ.
H.R. 2671: Mr. CARNEY.
H.R. 2672: Mr. CARNEY.
H.R. 2673: Mr. CARNEY.
H.R. 2674: Mr. CARNEY.
H.R. 2698: Mr. DOLD.
H.R. 2715: Ms. MENG and Mr. RUSH.
H.R. 2841: Mr. FORTENBERRY, Mr. CARTWRIGHT, and Ms. KAPTUR.
H.R. 2858: Mr. GALLEGO.
H.R. 2903: Mr. HUDSON.
H.R. 3042: Mr. COURTNEY.
H.R. 3061: Mr. CICILLINE, Mr. DEFAZIO, and Mr. POCAN.
H.R. 3067: Mr. COSTA.
H.R. 3080: Mr. PETERSON and Mr. ASHFORD.
H.R. 3137: Mr. KILDEE.
H.R. 3179: Ms. KUSTER.
H.R. 3183: Mr. CRAMER and Mr. WEBSTER of Florida.
H.R. 3187: Mr. MCCLINTOCK.
H.R. 3222: Mr. SESSIONS.
H.R. 3268: Mr. ROSS, Mr. SHUSTER, Mr. MCDERMOTT, Mr. COURTNEY, and Mr. GALLEGO.
H.R. 3302: Mrs. ELLMERS of North Carolina.
H.R. 3314: Mr. DESANTIS, Mr. DESJARLAIS, Mr. STEWART, Mr. COLLINS of New York, and Mr. CRAMER.
H.R. 3316: Ms. NORTON and Ms. MENG.
H.R. 3339: Mr. RUPPERSBERGER.
H.R. 3340: Mr. GARRETT and Mr. LUETKEMEYER.
H.R. 3381: Mr. RUSH, Mr. CONYERS, Mr. BISHOP of Georgia, Ms. HAHN, and Mr. LARSON of Connecticut.
H.R. 3395: Mr. SCHIFF.
H.R. 3423: Mr. LOBIONDO and Mr. LARSEN of Washington.
H.R. 3427: Ms. KAPTUR, Mr. NADLER, Ms. EDWARDS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BROWN of Florida, Mr. ENGEL, and Ms. SEWELL of Alabama.
H.R. 3520: Ms. JUDY CHU of California.
H.R. 3534: Mr. LAMALFA.
H.R. 3549: Mr. RIGELL.
H.R. 3565: Mr. GARAMENDI, Mr. LOWENTHAL, Ms. SPEIER, and Mr. HONDA.
H.R. 3632: Mr. HASTINGS and Mr. QUIGLEY.
H.R. 3684: Mr. BOUSTANY.
H.R. 3686: Mr. KIND.
H.R. 3690: Mr. PASCRELL.
H.R. 3705: Mrs. WAGNER, Mr. TIPTON, Mr. ROSS, and Mr. POSEY.
H.R. 3711: Mrs. DAVIS of California.
H.R. 3739: Mr. ZINKE.
H.R. 3750: Mr. CONNOLLY, Mr. ZINKE, Mr. DEUTCH, Mr. BEYER, Mr. SIRES, Mr. RIBBLE, Mr. SWALWELL of California, Mr. SCHIFF, Mrs. DINGELL, Mr. WILSON of South Carolina, and Mr. CICILLINE.
H.R. 3760: Ms. MCCOLLUM.
H.R. 3766: Mr. SIRES and Mr. SHERMAN.
H.R. 3793: Mr. CÁRDENAS, Ms. NORTON, Mr. KILMER, Ms. WILSON of Florida, and Mr. LOWENTHAL.
H.R. 3804: Mr. SANFORD.
H.R. 3805: Mr. POCAN, Mr. SWALWELL of California, Mr. CARSON of Indiana, and Mr. VAN HOLLEN.
H.R. 3841: Mr. KILMER, Ms. LOFGREN, and Mr. CARTWRIGHT.
H.R. 3859: Mr. DUNCAN of South Carolina and Mrs. Watson Coleman.
H.R. 3865: Mr. COSTELLO of Pennsylvania and Mr. LATTA.
H.R. 3868: Mr. STIVERS, Mr. SHERMAN, Mr. SCHWEIKERT, Mr. PITTENGER, and Mr. KILDEE.
H.R. 3880: Mr. HUDSON, Mr. POSEY, Mr. WESTMORELAND, Mr. BISHOP of Michigan, Mr. MEADOWS, and Mr. WILSON of South Carolina.
H. J. Res. 47: Mr. FORTENBERRY.
H. J. Res. 55: Mr. WALKER.
H. Con. Res. 19: Mr. LARSON of Connecticut.
H. Con. Res. 65: Mrs. KIRKPATRICK, Mr. GENE GREEN of Texas, and Ms. ROYBAL-ALLARD.
H. Res. 12: Mr. RENACCI and Mr. GUTIÉRREZ.
H. Res. 32: Ms. BROWNLEY of California.
H. Res. 318: Mr. FARENTHOLD.
H. Res. 393: Mr. TED LIEU of California and Ms. CLARK of Massachusetts.
H. Res. 500: Mr. DESANTIS.
H. Res. 502: Mrs. LAWRENCE, Mrs. CAPPS, Ms. KUSTER, Ms. BORDALLO, Mr. SERRANO, Mr. NOLAN, Mr. DOGGETT, and Mr. GRIJALVA.
H. Res. 505: Mr. VAN HOLLEN, Ms. LINDA T. SÁNCHEZ of California, Ms. BASS, Mrs. DINGELL, Mr. DAVID SCOTT of Georgia, Mr. HONDA, Mrs. LAWRENCE, Mr. BISHOP of Georgia, Mr. MOULTON, Ms. NORTON, Mr. BUTTERFIELD, and Mr. VARGAS.
H. Res. 510: Mr. FRANKS of Arizona, Mr. FORBES, Mr. PITTENGER, Mr. MOONEY of West Virginia, Mrs. WAGNER, Mr. LAMALFA, Mr. LAMBORN, Mr. FLORES, Mr. HARRIS, Mr. PEARCE, Mr. WALBERG, Mr. SMITH of Missouri, Mr. ROE of Tennessee, Mr. GROTHMAN, Mr. HULTGREN, and Mr. GIBBS.
H. Res. 511: Mr. HUELSKAMP and Mr. MESSER.
H. Res. 513: Mrs. LOWEY, Mr. DEUTCH, Mr. LIPINSKI, Mrs. BUSTOS, Mr. FRANKS of Arizona, Ms. GRANGER, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Mr. TED LIEU of California, Mr. SHERMAN, Mr. RUSH, Mr. GUTIÉRREZ, Mrs. WATSON COLEMAN, Ms. KUSTER, Mr. WEBER of Texas, Mr. MCGOVERN, Mrs. LAWRENCE, Ms. BONAMICI, Mr. GRAYSON, Mr. SMITH of Washington, Mr. CICILLINE, Ms. JACKSON LEE, Ms. WASSERMAN SCHULTZ, Ms. MATSUI, Ms. MENG, Mr. NADLER, Mr. DOGGETT, Mr. HASTINGS, Mr. ISRAEL, Mrs. CAPPS, Ms. MCCOLLUM, Mr. KEATING, Mr. DOLD, Mr. LEVIN, Ms. LEE, and Ms. WILSON of Florida.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1019: Mr. CULBERSON.