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:

''(l) 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:

''(l) 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:

''(l) 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 hard-working 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.

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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 Ribble Stivers
Meadows Rice (SC) Stutzman
Messer Rigell Thompson (PA)
Mica Roby Thornberry
Miller (FL) Roe (TN) Tiberi
Miller (MI) Rogers (AL) Tipton
Moolenaar Rohrabacher Trott
Mooney (WV) Rokita Turner
Mullin Rooney (FL) Valadao
Mulvaney Ros-Lehtinen Wagner
Murphy (PA) Roskam Walden
Neugebauer Ross Walker
Newhouse Rothfus Walorski
Noem Rouzer Walters, Mimi
Nugent Russell Weber (TX)
Nunes Salmon Webster (FL)
Olson Sanford Wenstrup
Palazzo Scalise Westerman
Palmer Schweikert Westmoreland
Paulsen Scott, Austin Whitfield
Pearce Sensenbrenner Williams
Perry Sessions Wilson (SC)
Pittenger Shimkus Wittman
Pitts Shuster Womack
Poliquin Simpson Woodall
Pompeo Sinema Yoder
Posey Smith (MO) Yoho
Price, Tom Smith (NE) Young (AK)
Ratcliffe Smith (NJ) Young (IA)
Reed Smith (TX) Young (IN)
Reichert Stefanik Zeldin
Renacci Stewart Zinke

NOES—192

Adams Gabbard Nadler
Aguilar Gallego Napolitano
Bass Garamendi Neal
Beatty Graham Nolan
Becerra Grayson Norcross
Bera Green, Al O'Rourke
Beyer Green, Gene Pallone
Bishop (GA) Grijalva Pascrell
Blumenauer Gutiérrez Payne
Bonamici Hahn Pelosi
Boyle, Brendan F. Harper Perlmutter
Hastings Peters
Brady (PA) Heck (WA) Peterson
Brooks (AL) Higgins Pingree
Brown (FL) Himes Pocan
Brownley (CA) Hinojosa Poe (TX)
Bustos Honda Polis
Butterfield Hoyer Price (NC)
Capps Huffman Quigley
Capuano Israel Rangel
Cárdenas Jackson Lee Rice (NY)
Carney Jeffries Richmond
Carson (IN) Johnson (GA) Rogers (KY)
Cartwright Johnson, E. B. Roybal-Allard
Castor (FL) Jolly Royce
Castro (TX) Kaptur Ruiz
Chu, Judy Keating Ruppersberger
Cicilline Kelly (IL) Rush
Clark (MA) Kennedy Ryan (OH)
Clarke (NY) Kildee Sánchez, Linda T.
Clay Kilmer
Cleaver Kind Sanchez, Loretta
Clyburn Kirkpatrick Sarbanes
Cohen Kuster Schakowsky
Collins (NY) Langevin Schiff
Connolly Larsen (WA) Schrader
Conyers Larson (CT) Scott (VA)
Cooper Lawrence Scott, David
Costa Lee Serrano
Costello (PA) Levin Sewell (AL)
Courtney Lewis Sherman
Crowley Lieu, Ted Sires
Cummings Lipinski Slaughter
Davis (CA) Loebsack Smith (WA)
Davis, Danny Lofgren Speier
DeGette Lowenthal Swalwell (CA)
Delaney Lowey Takano
DeLauro Lujan Grisham (NM) Thompson (CA)
DelBene Luján, Ben Ray (NM) Thompson (MS)
Deutch Titus
Dingell Lynch Tonko
Doggett Maloney, Carolyn Torres
Doyle, Michael F. Maloney, Sean Tsongas
Duckworth Matsui Upton
Edwards McCollum Van Hollen
Ellison McDermott Vargas
Engel McGovern Veasey
Eshoo McNerney Vela
Esty Meehan Velázquez
Farr Meng Visclosky
Fattah Moore Walberg
Foster Moulton Walz
Frankel (FL) Murphy (FL)
Fudge Nadler

Wasserman Schultz Watson Coleman Welch Yarmuth
Waters, Maxine Wilson (FL)

NOT VOTING—5

DeFazio Loudermilk Takai
Ellmers (NC) Meeks

□ 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.

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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.

□ 0045

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:

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.