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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 3, 2019, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

RECOGNIZING CYBERSECURITY AWARENESS MONTH

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to recognize October as National Cybersecurity Awareness Month.

This month is a collaborative effort between government and industry to raise awareness about the importance of cybersecurity in our increasingly technology-driven world. We must emphasize the importance of cybersecurity and take proactive steps to enhance our security both at home and in the workplace.

That includes making a concerted effort to train dedicated professionals who work to protect citizen privacy, consumer data, and e-commerce. Training postsecondary students in cybersecurity-related fields of study will be an instrumental part in protecting data and the flow of sensitive information.

That is why I join my colleague, Congressman JIM LANGEVIN, in introducing a bipartisan bill to strengthen cybersecurity education in career and technical education programs.

H.R. 1592, the Cybersecurity Skills Integration Act, directs the Department of Education to create a competitive grant program that integrates cybersecurity education into new and established postsecondary career and technical education programs. This bill also requires the Secretary of Education to coordinate with the Department of Homeland Security, which oversees the defense of our critical infrastructure and networks, to promote a robust ecosystem of cybersecurity education and training.

We must prepare our next generation of learners to have the most sophisticated and comprehensive educational programs to protect our Nation's critical asset systems and networks.

Despite the real harm and damage that can result from cyberattacks, cybersecurity is rarely covered enough in our current workforce development programs. That is why, together with my friend Congressman LANGEVIN, we have introduced this bill to help protect our sensitive data and critical infrastructure from bad actors.

Madam Speaker, we must continue developing a 21st century workforce to meet the technical demands our country is facing now and in the future. This includes our cybersecurity.

I encourage my colleagues to support this bill and for every citizen to learn more about protecting their privacy and data online during this Cybersecurity Awareness Month.

CELEBRATING THE LIFE OF ELIJAH CUMMINGS

The SPEAKER pro tempore (Mr. CUELLAR). The Chair recognizes the gentleman from Maryland (Mr. BROWN) for 5 minutes.

Mr. BROWN of Maryland. Mr. Speaker, as we mourn our dear colleague, Elijah Cummings, I rise today to say farewell to a good man, a faithful servant, and a true friend.

During the past 2 days, much has been said about Elijah. His life was well documented, although his humility prevented him from seeking the attention or the limelight, either in life or in death.

I admired and respected Elijah. I looked up to him.

When I was first elected in 1998 to the Maryland House of Delegates, Elijah was one of the first calls I got. He didn't call to say congratulations, although his kind words meant a great deal to me. Rather, he called to tell me about my responsibility to the people whom I serve. Elijah told me, if you are going to be your best, you can only be so if you focus your work on empowering the people we serve.

Years later, when I struggled with the decision to run for Lieutenant Governor, I called Elijah for his advice. During our conversation, he didn't tell me what to do. Rather, Elijah challenged me to do that which best positioned me to empower the people.

For Elijah, everything we did was about empowering the people we serve.

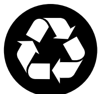
In Elijah's first floor speech delivered 23½ years ago, after winning a special election, he told us that he was on ''a mission and a vision to empower people, to make people realize that the power is within them.''

Elijah, you did your job. You fulfilled your mission.

Elijah was not an ordinary man who lived an extraordinary life. No, Elijah was an extraordinary man who did extraordinary things during his life, things to empower people.

Raised out of poverty and through adversity, he achieved many successes despite the odds and the obstacles. The son of sharecroppers, he earned not only a law degree but received 12 honorary doctoral degrees, all of which represent his dedication to empowering people.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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I, like so many in this Chamber, was the recipient of Elijah's generosity. His greatest gift to us was the ability to challenge all of us to do better and not just to accept things as they are.

Elijah would always say, ''We are better than this.'' He led by example, taught us by doing and showing, not just talking—although his talk, his speech, his quiet advice, and most memorably, his powerful oratory were truly inspiring and matchless.

When I ran for Governor, Elijah supported me. What I will always remember is not that he stood by my side on the stage on the evening of my primary election victory, but, rather, that months later, he was standing by my side late into the night as I experienced a difficult general election defeat.

That was Elijah. His support was unwavering, his friendship unconditional, and his encouragement uplifting.

When I successfully ran for Congress, Elijah and Maya were there for me and Karmen, ready and eager to help us prepare for the rigors of Congress. I thank both Elijah and Maya from the bottom of my heart for always picking up the phone, answering my texts, lending an ear, and offering a word of encouragement, advice, and support.

Mr. Speaker, Elijah was distinguished. He not only mastered the science and statecraft of governing, but he was also conspicuous in the art of understanding and representing his constituents, the people of the city of Baltimore—their dreams and aspirations, their challenges and frustrations.

Elijah possessed a keen intellect and understanding of government as a vehicle to empower the people. He possessed a radiant, remarkable passion that was both commanding and, when necessary, calming, as only Elijah could accomplish.

Whether Elijah was wielding the gavel from his elevated positions as chairman of the Oversight and Reform Committee or when Elijah was wielding a bullhorn on the streets of Baltimore city, the community that he cherished and that adored him, Elijah was always leading at the intersection of intellect and compassion, bringing just the right mix, at the right moment, to address the right issues, and moved us and his people in the right direction. And that direction was always toward righteousness.

History will be kind to Elijah, even when others were not, because Elijah did his work with kindness and compassion, and with moral clarity.

Mr. Speaker, Elijah closed his floor speech in April 1996 with a poem. He said:

I only have a minute, 60 seconds in it.
Forced upon me, I did not choose it.
But I know that I must use it, give account if I abuse it, suffer if I lose it.
Only a tiny little minute, but eternity is in it.

Elijah, what you did with the minute that God gave you will last an eternity.

Rest, my dear friend. Rest well.

OPPOSING UN-AMERICAN IMPEACHMENT INVESTIGATION

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

Mr. RUTHERFORD. Mr. Speaker, I rise today in opposition to the secretive and un-American impeachment investigation taking place right now in the House of Representatives.

Behind closed doors, our President is being tried, tried by my colleagues on the other side of the aisle using an undemocratic process that wouldn't hold up in any American court of law.

Democrats talk about Russian collusion while using Soviet-style investigative techniques against President Trump, denying him due process.

In fact, one of my Democratic colleagues from New York recently said: ''The President says he is innocent, so all we are saying is prove it.''

Really? Mr. Speaker, I spent 41 years in law enforcement, and I know a little something about due process, and that sure isn't it.

What is taking place before us is an insult to fairness, a mockery of justice, and a political witch hunt designed to reverse the will of the American voter. There were over 62 million people who voted for this President.

The Speaker hasn't even formally held a vote on whether or not this is an impeachment inquiry. If this is an impeachment inquiry like the Speaker says, come to the floor and hold a vote.

Some have called this process fair because Republican Members of certain committees—only certain committees—are allowed to be in the room during depositions and interviews. However, they are not even allowed to call witnesses or openly discuss the smears that have been selectively leaked by the Democrats.

But this is not about us. It is not about the Members of this Congress. It is about transparency for the American public. The American people deserve to know what is going on.

Let's recap the last 3 years of searching for a smoking gun that just did not exist.

First, Democrats claimed that President Trump colluded with Russians to influence the 2016 election. That was the message played every single night on television—collusion, collusion, collusion.

Then, Democrats supported Robert Mueller and told him to go find that collusion, which, of course, he didn't.

So they dragged Robert Mueller into a congressional hearing room, and this time, they had no problem being open and transparent before the cameras.

But when that failed, I thought the dog and pony show was going to be over. I had to hope that my colleagues on the other side would get this legislative body back to work for the American public, but, no, here we go again. We have a whistleblower with secondary information, which the only way they could do that was to change the rule in secret—secret depositions in the underbelly of Congress, targeted leaks, and rampant speculation.

Mr. Speaker, this is the House of Representatives, not the KGB. It is about time my friends on the other side of the aisle started acting like it. If you actually believe the President has committed an impeachable offense, why hide the truth from the public?

If you don't like this President, you will have an opportunity to vote against him in November 2020. Until then, let's stop wasting the taxpayers' hard-earned money on frivolous, expensive investigations to nowhere and come together to solve America's problems.

☐ 1015

STILL I RISE

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

Mr. GREEN of Texas. Mr. Speaker, and still I rise, Mr. Speaker. I rise today with a heavy heart and tears welling in my eyes.

I rise because how dare the President compare lynching to impeachment? How dare he do this?

Does he not know the history of lynching in this country?

Does he not know that thousands of African Americans were lynched—mob violence?

Does he not know that this is the equivalent of murder?

How dare the President compare Article II, Section 4 of the Constitution, a lawful constitutional process, to mob violence and lynching?

Mr. President, do you not understand the history that you are encroaching upon?

If you continue to weaponize racism and bigotry, this makes you no better than those who were screaming ''blood and soil'' and ''Jews will not replace us.'' It makes you no better than them. It makes you no better than those who burned crosses. It makes you no better than those who wear hoods and white robes.

Do you not understand what you are doing to this country?

More importantly, do we, the Members of this Congress, not understand how he is denigrating and berating decency in this country?

At some point, we must say that enough is enough. At some point, we must move on to impeach.

Mr. President, I beg that you would reconsider your thoughts; but for fear that you may not, I will say more of this tonight, because I have been promised 30 minutes, and I will use these 30 minutes to talk about what you have done and to also talk about what I may do to continue this impeachment movement.

You are unfit to hold this office.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President. Members are further reminded to address their remarks to the Chair and not to a perceived viewing audience.

THE NATION'S CATTLE MARKETS

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

Mr. GIANFORTE. Mr. Speaker, I rise today to bring attention to the state of our Nation's cattle markets.

Following the August fire at Tyson's beef packing plant in Holcomb, Kansas, live cattle prices hit a 5-year low. At the same time, retail beef prices rose. It makes sense: if you can process less cattle, then there is an oversupply in the live cattle market and less processed beef, which increases retail beef prices.

But the Holcomb processing plant represented only 5 percent of America's processing capacity, and yet live cattle prices fell 11 percent, while retail prices hit their highest levels since 2015.

I asked Secretary Perdue to investigate the cattle market following the Holcomb fire, and he agreed. The USDA expects the investigation to wrap up by the end of this year.

Mr. Speaker, I urge the House to do the right thing by America's ranchers and also to look into this cattle market. Montana ranchers produce the world's best beef, but current conditions in the market are hurting them. They deserve an explanation and to be treated fairly.

I look forward to a full accounting of the cattle market.

PRESCRIPTION DRUG COSTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. O'HALLERAN) for 5 minutes.

Mr. O'HALLERAN. Mr. Speaker, I rise today to discuss the high cost of prescription drugs in this country.

This year, I have held 26 townhalls across Arizona's First Congressional District. At each and every one, I hear from families, seniors, and veterans who are concerned about the overwhelmingly high cost of their prescription drugs.

I hear from people like Karen from Globe, Arizona, a 74-year-old widow who cannot afford her prescriptions and often goes without them; or Elizabeth from Tucson, Arizona, who said: "I don't have much hope." An American saying "I don't have much hope" is unacceptable in America.

Between the years 2012 and 2017, the average annual cost of prescription drug treatment increased by more than 50 percent—way above inflation rates—while the annual income for Arizonans increased by only 12 percent. In 2017, 26 percent of Arizona residents stopped taking medication that is prescribed, due to cost.

The skyrocketing cost of prescription drugs has become a crisis in this country, and something must be done. It is critical that we come together to identify commonsense, bipartisan solutions to address these costs and ensure that hardworking families can access the care and prescriptions they need at affordable prices.

I am working with my colleagues on both sides of the aisle to bring down these costs by identifying a holistic approach that allows Medicare to negotiate for lower prices, caps out-of-pocket drug expenses for seniors, and improves access to lower cost generic drugs. Throughout this process, we must protect innovation and allow for the research and development of new drugs on the market.

As we discuss these solutions, we must also remember the ways this crisis disproportionately affects medically underserved rural and Tribal communities. We need to identify solutions to address their unique needs because Americans deserve quality, affordable care regardless of their ZIP Code. No one should ever have to make the choice between the medication they need and putting food on the table.

Mr. Speaker, I am working hard to ensure this is a reality for all Americans. Let us all start to begin to have hope again.

A BURDEN ON SMALL BUSINESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oklahoma (Mr. KEVIN HERN) for 5 minutes.

Mr. KEVIN HERN of Oklahoma. Mr. Speaker, I rise today in opposition to H.R. 2513, the so-called Corporate Transparency Act. I fear that, in the pursuit of "transparency," my colleagues have crossed a line.

This bill would be more appropriately titled the Small Business Registration and Surveillance Act because that is exactly what it would do. This bill would require America's small business owners—those with 20 or fewer employees—to register their confidential information with a Federal law enforcement and intelligence agency they have never heard of and allow that agency to surveil them without a subpoena or a warrant.

As a former small business owner for 34 years, I know that paperwork is incredibly burdensome and small business owners have to file paperwork themselves. Unlike the big banks, they don't have compliance departments to fill this information out.

NFIB estimates that this legislation will cost small business owners $5.7 billion over 10 years. CBO estimates that this bill will have a significant impact on 25 to 30 million small businesses in America. This is a slap in the face to the small business owners who are doing everything they can to achieve the American Dream.

Mr. Speaker, I urge my colleagues to vote "no" on H.R. 2513.

RECOGNIZING BETTY REID SOSKIN

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

Mr. DESAULNIER. Mr. Speaker, I rise today to recognize the service of esteemed public servant, activist, and great American Betty Reid Soskin.

Betty is a constituent, a friend, and a pillar of Contra Costa County in the Bay Area in California. She is fondly known as the National Park Service's oldest serving ranger, at 98 years old, and is assigned to the Rosie the Riveter/World War II Home Front National Historical Park in Richmond, California.

As an interpretive park ranger for the past 13 years, Betty has educated thousands of visitors about the Rosies and her own experience as a young Black woman working in Richmond during World War II. She worked as a file clerk for the Boilermakers Union A–36, a Jim Crow, all African American union auxiliary.

Betty has been an activist her whole life. She fought for civil rights during Freedom Summer, was an activist against the Vietnam war, helped with faith-based racial healing work in the Unitarian Universalist church, and became a delegate to the 1972 Democratic National Convention.

Betty also served as a legislative aide for a Berkeley city council member and as a field representative for two California State Assembly members, which led to her involvement in designing the Rosie the Riveter National Park. Her advocacy ensured that marginalized communities' narratives and stories were included in the park's historical exhibits and resources on the war efforts in Richmond, California.

In 1995, Betty was named a Woman of the Year by the California State Legislature. She was also named one of the Nation's 10 outstanding women in 2006 by the National Women's History Project.

In 2015, she was formally recognized by President Barack Obama, who gave her a silver coin with the Presidential seal.

Born in 1921, Betty has lived through many pivotal moments in U.S. history and is a crucial voice in speaking to the value of American democracy, the realities of the African American struggle, and the importance of continued progress.

In an interview for a feature in Glamour magazine, Betty said, when she was Woman of the Year: "Democracy has been experiencing these periods of chaos since 1776. They come and go. And it's in those periods that democracy is redefined. History has been written by people who got it wrong, but the people who are always trying to get

it right have prevailed. If that were not true,'' Betty said, ''I would still be a slave like my great-grandmother.''

Betty's colleagues, fans, and friends deeply admire her activism, her leadership, and her dedication to social justice and to America. Her positivity, sense of self, and commitment to doing what is right and preserving and honoring our past continue to inspire us all.

Mr. Speaker, please join me in congratulating and celebrating this wonderful American's dedicated service and in wishing her a speedy recovery and good health. Her strong spirit and perseverance are an inspiration to us all.

BLOOD CANCER AWARENESS MONTH

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Blood Cancer Awareness Month this past September.

Including leukemia, non-Hodgkin's lymphoma, Hodgkin's lymphoma, and more, around 14,000 Americans are diagnosed with blood cancer types each month.

Although a staggering statistic, doctors and researchers across the globe have made significant advances since the 1960s. For some blood cancers, survival rates have more than quadrupled.

As with any illness, early detection is important; so I encourage everyone to see their doctor, get a check-up, and discuss whether they have had any symptoms that could be related to blood cancer.

Mr. Speaker, if you have had bone pain, frequent nose bleeds, or tiny red spots on your skin, I especially encourage you to see a doctor.

I will continue supporting researchers to make further advances in eradicating these diseases.

NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize October 2019 as National Disability Employment Awareness Month.

Workplaces that welcome the talents of all people, including people with disabilities, are a critical part of our efforts to build an inclusive community and a strong economy.

In the First Congressional District of Georgia, I want to especially recognize Goodwill Southeast Georgia, which is working to raise awareness about disability employment issues and celebrate the many and varied contributions of people with disabilities.

Activities they are working on this month reinforce the value and talent that people with disabilities add to our workplaces and communities while affirming Goodwill Southeast Georgia's commitment to an inclusive community.

I encourage employers, schools, and other community organizations around the country to observe this month with programs and activities, and to advance the important message that people with disabilities are capable of surpassing any obstacle.

□ 1030

CONGRATULATIONS TO SCOTT ISAACKS

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Scott Isaacks for receiving the inaugural South Carolina Hospital Association Drive to Zero Harm Leadership Award.

As director and CEO of the Ralph H. Johnson VA Medical Center in Charleston, South Carolina, Mr. Isaacks oversees 3,100 employees, who are some of the best that the VA has to offer.

The first award of its kind in South Carolina, Mr. Isaacks and his VA medical center are being recognized for their exceptional work in creating a culture of high reliability and eliminating harm from all facets of care.

This high-quality care is particularly important to the First Congressional District of Georgia because of the large number of veterans using the VA medical center there in Charleston. Our veterans are our Nation's heroes, and they deserve the best when they return home, which is why I am so proud to see Mr. Isaacks working hard to achieve this goal.

Mr. Speaker, I thank Mr. Isaacks for his service to our veterans and congratulations on his award.

IN REMEMBRANCE OF JAMES W. BOYKIN

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember the life of Mr. James W. Boykin, who passed away at the age of 80 on October 3.

In Jesup, Georgia, nearly everything and everyone seems to have been impacted by Mr. Boykin.

During his term serving as Wayne County commissioner, he was a staunch supporter of projects to boost recreation activities, and now there is even a community lake named in his honor.

He took over his father's construction company in 1975 and worked to grow the business for over 25 years, being largely responsible for its size and success today. But whether in business, government, church, or simply playing sports, Mr. Boykin was always well-respected and continuously mentoring all who knew him.

Through all of his passion to improve his community and the lives of others, he never let his four battles with cancer ever impact his attitude or dedication.

I am proud to have had someone like Mr. James Boykin in the First Congressional District of Georgia. His family and friends will be in my thoughts and prayers during this most difficult time.

STRENGTHEN OUR COUNTRY'S DEMOCRACY

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

Mr. LARSEN of Washington. Mr. Speaker, I rise today to speak on strengthening America's elections and the democratic process.

The task we face is very simple: Congress should secure elections from foreign interference and break down barriers that prevent Americans from accessing the ballot. And the SHIELD Act, which Congress will vote on this week, protects elections from foreign meddling by increasing oversight of campaign contacts and online political advertising.

U.S. citizens have a right to be fully informed of their ballot box choices without concerns of foreign interference. The 2016 election taught us in the United States many lessons as foreign governments sought to influence the outcome of our election.

The SHIELD Act builds on lessons learned from the 2016 election by creating an obligation to report contacts between campaigns and foreign nationals.

Additionally, the SHIELD Act presents modern-day solutions for the problems of manipulative online political advertisements by ensuring the same standards applied to other political ads will extend to these new advertisements.

Mr. Speaker, the House will vote on the SHIELD Act this week, and I urge Members of the House to vote for the SHIELD Act to strengthen our country's democracy.

RECESS

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

Accordingly (at 10 o'clock and 33 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RUIZ) at noon.

PRAYER

Reverend Dr. Marilyn Monroe Harris, First Baptist Church of Teaneck, Teaneck, New Jersey, offered the following prayer:

O Lord, our God, how excellent is Your name in all the Earth. We thank You for this day, and we pray for those who gather in these hallowed Halls and serve the United States of America. We pray that You sustain their physical bodies and wrap Your arms around their loved ones.

On this day, we ask that Your holy presence become manifest. Guide all with wisdom and discernment to implement just and sound policy. Engulf all with compassion for humanity and creation. Infuse our hearts with Your love. For it is Your love, O Lord, that is

transformational. It is Your love that seeks the greater good. It is Your love that heals.

Let us face this day knowing that You are with us, and may all that is done in this place on this day bring You, and You alone, glory and honor.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina (Mr. MURPHY) come forward and lead the House in the Pledge of Allegiance.

Mr. MURPHY of North Carolina led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND DR. MARILYN MONROE HARRIS

The SPEAKER pro tempore. Without objection, the gentleman from New Jersey (Mr. GOTTHEIMER) is recognized for 1 minute.

There was no objection.

Mr. GOTTHEIMER. Mr. Speaker, I rise to welcome my dear friend and a true leader, Reverend Dr. Marilyn Monroe Harris, and thank her for delivering today's invocation.

Dr. Harris is the fifth pastor and the first female pastor of the First Baptist Church of Teaneck, Teaneck, New Jersey, and she is a beacon of leadership for north Jersey and our Nation.

She is joined today by her niece, Amma, and fellow pastors, colleagues, and friends from the Lott Carey Foreign Mission Convention.

Pastor Harris is a lifelong civil servant; the founder of the Christian Women's Alliance, allowing clergywomen to grow together; a founder of the Foundation Building Christian Institute; and a recipient of New Jersey's NAACP Award for Pastoral Leadership and Excellence.

She has preached across the globe, from Spain to South Africa. Reverend Harris also supports our first responders back home, serving as the first female African American chaplain of the Teaneck Fire Department, and she currently serves as the first female president of the United Missionary Baptist Convention of New Jersey.

Dr. Harris brings integrity and excellence to everything she does. With so much in our country dividing us, Reverend Harris' words can bring us together so that we can better serve our great country, the greatest country in the world.

I thank Reverend Harris for praying with us today.

May God continue to bless the United States of America.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Miss Kaitlyn Roberts, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

HONORING AND LAYING TO REST 81 SOUTH VIETNAMESE SOLDIERS

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

Mr. LOWENTHAL. Mr. Speaker, in late 1965, a C–123 transport was shot down over Vietnam. The flight's four American crewmen were identified and their remains returned home.

The 81 South Vietnamese soldiers also on board were never identified, their remains never properly interred. The current Vietnamese Government has twice refused to allow the soldiers' remains to return home.

This Saturday, October 26, the remains of these 81 soldiers will be finally laid to rest in the Little Saigon community of Orange County, California, in my district.

I thank Senator Jim Webb, the Lost Soldiers Foundation, the Republic of Vietnam Airborne Division's national and local chapters, and everyone involved in making it possible to finally honor and properly inter these 81 soldiers.

HOLD VOTE ON IMPEACHMENT OR MOVE ON

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, efforts to impeach the President began in January 2017 with The Washington Post reporting: "The effort to impeach President Donald John Trump is already underway." This was just minutes after the President was sworn into office.

Now, 4 weeks into the Speaker's unprecedented impeachment inquiry, we learn of hidden transcripts, closed-door meetings, complete disregard for transparency and process, and the House has not even been afforded the opportunity to go on record with a vote to open an inquiry.

If this were serious, House Democrats would bring a vote to the floor to open a formal impeachment inquiry, but they won't do that. This is a political stunt beneath the dignity of this institution.

Perhaps more egregious, this stunt has consumed valuable time that we could have used to pass meaningful legislation for all Americans: lowering prescription drugs prices, securing the border, repairing our infrastructure, and moving the USMCA trade agreement forward.

Hold a vote or move on. The American people deserve better.

HONORING DR. ALVIN POUSSAINT

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

Mr. RUIZ. Madam Speaker, I rise today to honor the career of renown psychiatrist, a former associate dean of student affairs at Harvard Medical School, a lifelong public servant, and my mentor and friend, Dr. Alvin Poussaint.

Dr. Poussaint's career has been one of passion and service. During the civil rights movement, Dr. Poussaint marched from Selma to Montgomery with Martin Luther King, Jr., organizing Freedom Clinics with the Freedom Riders.

Over his accomplished career, Dr. Poussaint and his experience, insight, and intellect have been requested by the FBI, the White House, and the Department of Health and Human Services.

One of the biggest blessings of my life is that our paths crossed when I was a student at Harvard Medical School. Dr. Poussaint believed in me and supported me in my studies and my student advocacies.

Dr. Poussaint embraced me and my approach to learning. He encouraged me and guided my passion and energy, and he defended me from those who wanted me to think that I didn't belong there.

Dr. Alvin Poussaint is one of the reasons I am standing up here today as a physician and Congressman standing up for health and social justice.

I wish him well in his retirement and celebrate his decades of professional accomplishments and contributions to our society.

IN MEMORY OF FIRST LIEUTENANT FRANK MONROE "SKIP" MURPHY

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

Mr. WILSON of South Carolina. Madam Speaker, this month, a bronze statue was dedicated at Johnson Hagood Stadium at The Citadel in Charleston, South Carolina, in memory of Lieutenant Joe Missar and Lieutenant Skip Murphy, who died for freedom in Vietnam.

First Lieutenant Frank M. "Skip" Murphy was from Florham Park, New Jersey, graduating from The Citadel in 1965, achieving the dean's list, and

going from football walk-on to team captain, being an honorable mention in the All-Southern Conference.

On December 7, 1966, Lieutenant Murphy courageously rescued his fellow members of the 2nd Battalion, 12th Infantry Rescue Platoon, cited by Sergeant Ken Eising. Sadly, a command-detonated mine exploded under his vehicle, killing him and two of his men.

He was survived by his wife, Molly.

I am grateful Lieutenant Murphy was a student teacher with Ms. Sara Bookhart DeLapp's civic class at the High School of Charleston. I learned firsthand of his inspiring young people to be the best they can be, to promote freedom and democracy.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

PRAISING THE BLACK STUDENT FUND

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

Mr. PAYNE. Madam Speaker, I would like to celebrate an organization right here in Washington, D.C., that fights every day to increase the academic achievements of local African American students, the Black Student Fund.

The fund has provided educational assistance and resources to promising Black students since 1964.

Officials work with students from pre-K to 12th grade to keep their grades up, graduate high school, and go on to college. Many of these students are the first in their families to go to college, and 70 percent of them are from single-parent households.

The benefits of a quality education to students and their communities are too numerous to mention in 1 minute. That is why we need more organizations like the Black Student Fund to keep more of our youth out of trouble and in the classrooms where they belong.

STOP SECRET, PARTISAN IMPEACHMENT INQUIRY

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

Mr. BUDD. Madam Speaker, last month, House Democrats announced an impeachment inquiry into the President without a formal vote, and they chose ADAM SCHIFF to lead the process.

This effectively means that, for the first time in American history, the impeachment of a duly elected President will take place in secret.

Chairman SCHIFF has been caught on at least three occasions making blatantly false statements about this investigation. He has a complete lack of credibility to lead this sham of an inquiry. This whole thing is profoundly unfair and just not worthy of Congress.

So I say to my Democrat colleagues: Stop this secret, partisan impeachment, and let's get back to work for the American people.

REMEMBERING ELIJAH CUMMINGS

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

Mr. TRONE. Madam Speaker, I rise today to remember my great friend and hero, Elijah Cummings.

The enormity of the loss felt with the passing of Elijah has reverberated throughout Maryland and this entire country. He was the voice of the powerless in the Halls of power. He had a giant heart and acted as the conscience of America when we needed it most.

Baltimore had no greater champion. Elijah and I shared a special concern for those impacted by the opioid epidemic and the criminal justice system. I will continue to work on those issues while drawing on Elijah's legacy for inspiration.

My wife, June, and I extend our condolences to Maya and his three children, and we take comfort in knowing that our friend and hero is dancing with the angels.

HONORING STATE TROOPER PETER R. STEPHAN

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

Mrs. BROOKS of Indiana. Madam Speaker, I rise today to honor Indiana State Trooper Peter R. Stephan, or "Bo," of Lafayette, Indiana, who paid the ultimate price and sacrificed his life while protecting his community.

He served with the Indiana State Police Department for 4 years and, tragically, will never return home to his wife, Jessica, or his 5-month-old daughter.

Two weeks ago, this 27-year-old trooper was on his way to assist another trooper who had called for assistance. On his way, Trooper Stephan's car hit a curve and, for unknown reasons, went off the road. The car rolled at least once and hit a utility pole, and he was pronounced dead at the scene.

Trooper Stephan is the 44th Indiana State Police trooper to die in the line of duty. A coworker of his said: "He did what was right. He wasn't pushed around by public opinion. If there were 100 people doing the wrong thing, he would be the one guy doing it right."

I offer my deepest condolences to his family, the Indiana State Police Department, all Hoosiers, and all of those officers around our country who mourn his loss and will forever cherish his memory.

We will never forget.

☐ 1215

CONGRATULATING THE WASHINGTON NATIONALS

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

Ms. NORTON. Madam Speaker, I rise today to congratulate D.C.'s own Washington Nationals for winning the National League Championship to advance to the World Series—sweeping the St. Louis Cardinals in four straight games, no less. The Nationals will now face the Houston Astros to compete for the team's first World Series title.

The Nation's Capital has been on a roll lately. Last year, the Washington Capitals won their first Stanley Cup, and earlier this month, the Washington Mystics won their first WNBA championship.

But, Madam Speaker, I also rise today to issue a challenge to Houston Representative and, yes, my friend, SHEILA JACKSON LEE. I challenge my colleague that, if the Nats win the World Series—I should say, when the Nats win the World Series—she and her staff will wear, for a full day at least, and take a photo in D.C. statehood T-shirts to help us further nationalize the fight for D.C. statehood in Texas.

Although the Nats are underdogs, who doesn't love an underdog story?

Go Nats.

THE PRESIDENT DESERVES DUE PROCESS

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

Mr. MURPHY of North Carolina. Madam Speaker, today I rise in opposition to the unfair and unprecedented process that is being used by my colleagues across the aisle to smear the duly elected President of the United States and make a mockery of American justice.

Since the day he was sworn in, Democrats have dismissed their duty as the majority party to lead this country. Instead, their agenda has revolved around their desire to oust the duly elected President.

Since hearings with Robert Mueller, Joseph Maguire, and others did not yield their desired results, Democrats have changed their tactics. Those publicity stunts backfired.

So what has been their response? Hold Soviet-style, closed-door, "guilty until proven innocent" investigations.

President Trump deserves due process, and the American people deserve transparency and fairness; but, more importantly, Congress should be tending to the business of the people by passing substantive legislation instead of continuing to waste taxpayer time and money on yet another witch hunt.

CONGRATULATING THE HISTORIC ONCE-IN-A-CENTURY WIN OF THE WASHINGTON NATIONALS

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

Ms. JACKSON LEE. Madam Speaker, I accept the gentlewoman from the District of Columbia's—my dear friend—challenge.

While I congratulate the historic once-in-a-century-win of the Nationals, let me be very clear: The Houston Astros have won the most games of any of the Major League Baseball teams.

Let me thank the owner and management, but also the team, the unifying team, the team that does not have one icon, one star, but all of them are stars. Let me thank them for the great work they do in charity throughout our community helping our young people.

Madam Speaker, might I take you down memory lane, when the Astros—can you imagine that late-night game on Saturday night when you thought there was not any hope and there was going to be another game with the Astros and the Yankees?

But what happened? My friend, Altuve—what happened? You didn't even see the ball go. He hit a home run and two came in.

I know this is going to be a great game, and the new world champions of baseball will be the Houston Astros.

Go 'Stros. Go Astros.

I accept, Madam Speaker, and if we win, she will wear this shirt with her staff.

HOLD A VOTE ON IMPEACHMENT

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

Mr. GREEN of Tennessee. Madam Speaker, the Democrat leadership in this House, hell-bent on impeachment, is trampling on precedent, fairness, and our system of representative democracy.

We are in the midst of a so-called impeachment inquiry despite no vote ever having been held on the House floor, as was the case for Nixon and Clinton.

I guess the majority has no concern for what the people of Tennessee have to say. It is as if they are saying: Hey, you guys in Tennessee, we are going to proceed with something as grave as impeaching the President of the United States, and, oh, by the way, you don't get a say.

This is an insult to democracy.

This House—supposedly, the people's House—cannot pass a single law without a vote. We are a legislative body, and we speak after a vote is taken. Failing to do so allows unchecked factions to control the direction of the entire legislative branch. The Founders never intended it as such. In fact, this is the very definition of tyranny.

The people of Tennessee deserve to be heard, and the people of America deserve to be heard on this issue. We need to stop this charade now and hold a vote.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Ms. UNDERWOOD) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 22, 2019.

Hon. NANCY PELOSI,
The Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 22, 2019, at 11:11 a.m.:

That the Senate passed with an amendment H.R. 150.

With best wishes, I am,

Sincerely,

CHERYL L. JOHNSON.

COMMUNICATION FROM DIRECTOR OF MEMBER SERVICES, HOUSE REPUBLICAN CONFERENCE

The SPEAKER pro tempore laid before the House the following communication from Caroline Boothe, Director of Member Services, House Republican Conference:

HOUSE REPUBLICAN CONFERENCE,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 21, 2019.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I, Caroline Boothe, have been served with a subpoena for documents and testimony issued by the United States District Court for the Southern District of New York.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and rights of the House.

Sincerely,

CAROLINE BOOTHE,
Director of Member Services, House Republican Conference.

PROVIDING FOR CONSIDERATION OF H.R. 2513, CORPORATE TRANSPARENCY ACT OF 2019

Mr. PERLMUTTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 646 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 646

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2513) to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

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

GENERAL LEAVE

Mr. PERLMUTTER. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. PERLMUTTER. Madam Speaker, the Rules Committee met last night and reported a structured rule, House Resolution 646, providing for consideration of H.R. 2513, the Corporate Transparency Act. The rule self-executes Chairwoman WATERS' manager's amendment and makes in order five amendments. The rule provides 1 hour of debate, equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services, and provides for one motion to recommit.

Madam Speaker, I am pleased we are here today to provide for consideration of this important, bipartisan legislation to help law enforcement do their job and protect our national security. The lack of transparency in parts of our financial system has created an environment in which criminals, who should be shut out of the financial system, can use anonymous shell companies to launder money, finance terrorism, and engage in other illicit activities.

I want to applaud the work of Subcommittee on Investor Protection, Entrepreneurship, and Capital Markets Chairwoman CAROLYN MALONEY for her work over the last decade to understand these problems and develop the solution we have in front of us this week.

The Corporate Transparency Act would require corporations and limited liability companies to disclose their true beneficial owners to the Financial Crimes Enforcement Network, or FinCEN, at the time a company is formed and in annual corporate filings thereafter. This beneficial ownership information will be available to law enforcement so they can learn who controls or financially benefits from the company and end the current shell game used by bad actors.

There are many examples of how individuals have used shell companies to hide their activities. For instance, there is one involving Viktor Bout, otherwise known as the Merchant of Death, who used shell companies to hide his illicit weapons trafficking. In another example, a former Russian citizen moved $1.4 billion from Russia into 236 different U.S. bank accounts through the use of anonymous shell companies.

This bill will be a game changer for law enforcement investigating bad actors, and it will ensure criminals can no longer hide behind these shell companies. It would also bring the United States in line with other developed countries that already require beneficial ownership disclosure.

□ 1230

The rule will amend the bill to also include my friend, Congressman EMANUEL CLEAVER's H.R. 2514, known as the COUNTER Act, which would modernize and improve the Bank Secrecy Act.

This bill passed the Financial Services Committee unanimously in May. Specifically, it would expand communication about anti-money laundering data within financial institutions and safeguard privacy by creating a civil liberties and privacy officer within each financial regulator. Additionally, this legislation increases penalties for bad actors and reduces barriers to innovation.

For years, Congress has proposed reforms to the Bank Secrecy Act, but this is the first major legislation to receive broad bipartisan support. This bill strikes a careful balance between security and privacy and will be a big step forward to strengthen anti-money laundering tools.

Together, this combined legislation will create a more secure and transparent financial system. I urge all my colleagues to support the rule and the underlying bill, and I reserve the balance of my time.

Mr. WOODALL. Madam Speaker, I yield myself such time as I may consume. I thank my friend from Colorado (Mr. PERLMUTTER) for yielding me the time.

I don't want to take up too much time, because I know we have the chairwoman here. And as the gentleman from Colorado pointed out, she is one of the most studied Members in this Chamber on this topic.

We did meet in the Rules Committee last night. And for the second week in a row, Madam Speaker, we have brought rules out of the Rules Committee that gave the minority a voice that we have not seen throughout this Congress.

Candidly, the record of open rules in the Chamber has been abysmal on both sides of the aisle. I don't believe while Paul Ryan was Speaker, Republicans on the Rules Committee made a single open rule in order, and that has certainly been the way that things have continued in the Pelosi majority.

But I want to mention to my colleagues, as learned as the chairwoman is, I believe that Members in this Chamber have something to offer on these topics. And I just want to remind the Chamber that in 1970, when we passed the Bank Secrecy Act to begin with—that is the bill that this bill before us today amends, Madam Speaker, a very small portion of the Bank Secrecy Act that this bill amends—we brought the Bank Secrecy Act to the floor under an open rule, 2 hours of general debate, and then amended it under the 5-minute rule, ended up passing that bill unanimously out of this Chamber.

As my friend from Colorado knows, Madam Speaker, we had witnesses in the Rules Committee last night who had ideas that they wanted to have considered on the floor of the House by all of their colleagues, ideas that I would tell you deserve consideration.

The gentleman from Ohio (Mr. DAVIDSON), my friend, brought an amendment that said, Listen—as you heard the gentleman from Colorado discuss earlier—this is the creation of a new government database for the purpose of law enforcement querying it for its enforcement activities.

What my friend from Ohio said is, If this is going to be a law enforcement database, if we are creating new government databases, if we are creating them for the sole purpose of law enforcement to query them for the sole purpose of engaging in criminal prosecutions, shouldn't we ask for a warrant to query that database, just like we would ask law enforcement for a warrant in any other investigation? These are, after all, American citizens.

Perhaps, because I don't serve on the Financial Services Committee, Madam Speaker, I don't fully understand the ramifications of that, but I am not afraid of this body considering it in its collective wisdom. And I am disappointed that even as broad as the rule was, even the amendments that were made in order, Mr. DAVIDSON is not going to have a chance to talk about this question of fundamental civil liberties, which, again, I know is important, from the most liberal Democrat in this Chamber to the most conservative Republican.

There was a time in this Chamber where we thought enough of ourselves as a body and had enough respect for one another as individuals that we were not afraid of the open rule process. There is enough blame to go around on both sides of that. I am not proud of the Republican record of the last several years, but I do believe, and I would say to my friend from Colorado, because he has outsized influence on the committee, this would be the kind of bill where we could begin that open-rule process, a very narrowly tailored bill designed to do very specific things.

I will go one more: I offered an amendment last night, Madam Speaker, to allow consideration of an amendment from another Member of this body who thought that we should have a cost–benefit analysis done of this bill. I mean, undeniably, there is a paperwork burden associated with it. That is uncontested.

So the idea was, because we are doing this on behalf of the American people, do the costs outweigh the benefits or do the benefits outweigh the cost. Candidly, my constituency back home would imagine that we have that conversation about every piece of legislation that we pass every day. Of course, the Members of this Chamber know that we don't.

That amendment was offered for consideration. It was defeated on a party-line vote, not the nature of the amendment itself, Madam Speaker, but even the ability to discuss it. I don't think any of my colleagues would say that the legislative calendar of the last week has been so aggressive that they have no bandwidth to consider either civil liberties on the one hand or cost-benefit analysis on the other. I think we do have that bandwidth.

And I recognize that in this culture of outrage that we are in, Madam Speaker, this culture of offense that we have gotten ourselves into, it is oftentimes true that in political discussions, folks will believe that they can never do good enough. However good a rule the gentleman from Colorado crafts, the other side is always going to say, Well, you could have done better. I recognize that. In fact, that was confessed from the witness table last night. The gentleman from Ohio said, Listen, I have been trying to defeat this bill because I disagree with it on its merits.

Now, if we are going to pass this bill, I think we should protect civil liberties. And I am afraid my civil liberties concerns are being dismissed because I have developed a reputation for wanting to kill the bill altogether. We recognize that is a very real circumstance that we have before us. But when we pass the underlying legislation, the Bank Secrecy Act, I will remind my colleagues, again, we came together and did it unanimously, because it is important.

The chairwoman of the subcommittee put together a big bipartisan majority to move this legislation out of her committee. She recognizes how important that is. There are so many opportunities for us to divide ourselves in this Chamber, in this day. It is my regret that we have not taken this opportunity where the bill was so narrow, where the topic was so tailored, and where the expertise that is so obvious, to those of us in the Chamber who don't have it as to which Members do have it, that we did not allow a more full-throated debate on this issue.

For that reason, Madam Speaker, I will be opposing the rule, but I very much would like to get to consideration of the underlying bill. We offered an amendment last night to do this in an open rule. That amendment was rejected. Our ranking member offered it. It was rejected on a party-line vote.

Let us recognize that we are including more voices today than this Congress has historically included. This is, again, for only the second time this year that I remember, there being as many voices included as there are. But that is a step in the right direction. It is not the goal. The goal is to allow every Member, each one of us representing 700,000 American citizens whose voice needs to be heard, to come to the floor and have that debate.

Part of the reason you see the floor is empty, as you do today, Madam Speaker, is because folks know the word has already gone out. Folks have already seen the literature. They know their voices have already been shut out. Those Members who have offered improvements, they know they have already been rejected. They know there will not be a chance for their voice to be heard, and, thus, they are not on the floor today to pursue it.

So, again, to my friend from Colorado, I would ask him to use his influence. I know we can do it. I know we can be better.

And this, again, because of the chairwoman's expertise, because of the bipartisan way it moved through committee, this would have been the way, this would have been the time for us to begin trying to expect more of ourselves. And we have not taken advantage of that this time. I hope that we will not miss that opportunity next time.

Madam Speaker, I reserve the balance of my time.

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

I just want to remind my friend that we are dealing with a serious law enforcement issue here, something that the chairwoman, who will speak, has been dealing with for years, working with law enforcement across the country and has full-throated support from virtually every law enforcement agency in this country to deal with these phony companies. These are phony companies similar to the company that was created by Lev Parnas and Igor Fruman, who were friends of Rudy Giuliani, created to upset elections and elsewhere, who were arrested as they were leaving the country 2 weeks ago.

That is the purpose, it is to get bad actors who are using shell companies to really contort U.S. law, to park money in buildings where they have gotten bribes and they have taken them from their country and parked them in, you know, big townhouses in New York City or L.A. or Denver, Colorado. This is serious stuff that we are dealing with.

And I would remind my friend, as he spoke about the gentleman from Ohio (Mr. DAVIDSON), he is going to get to debate an amendment he proposed. We have five amendments that are going to be considered by the full House. That is after any amendment was allowed in committee to be, you know, voted up or down. And we have a big committee with a lot of Democrats and a lot of Republicans. And there are many Republicans supporting this bill, because they understand how important this is to, you know, get dirty money out of these shell companies.

David Petraeus, a former general, former head of the CIA, and SHELDON WHITEHOUSE wrote an op-ed in The Washington Post dated March 8, 2019, where they said, ''Russian President Vladimir Putin and other authoritarian rulers have worked assiduously to weaponize corruption as an instrument of foreign policy, using money in opaque and illicit ways to gain influence over other countries, subvert the rule of law and otherwise remake foreign governments in their own kleptocratic image.''

And I want to thank the chairwoman for working so hard on this bill and gaining so much support from Democrats, Republicans, law enforcement, and different organizations all across the country to stop this kind of stuff that could really undermine our democracy.

Madam Speaker, I yield 4 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, first, I would like to thank the gentleman from the great State of Colorado (Mr. PERLMUTTER), my good friend, for his extraordinary leadership, not only on the Rules Committee, but on the Financial Services Committee, and his work and support on this bill over a decade. So I thank him very much.

Madam Speaker, I rise in very strong support of this rule which would make a number of amendments in order, and I think would improve the underlying bill. Most importantly, the rule would make in order the Waters manager's amendment, which contains the text of Mr. CLEAVER's bill, called the COUNTER Act.

Mr. CLEAVER is the chairman of the Subcommittee on National Security and has been an exceptional leader on anti-money laundering issues. His bill would make a number of improvements to the Bank Secrecy Act that would protect our national security, make our anti-money laundering regime more effective, and would reduce burdens on financial institutions.

For example, the bill would close loopholes for high-risk commercial real estate transactions and the transfer of arts and antiquities, which we have heard testimony about in our committee.

It would also make modest increases to the threshold for currency transaction reports, which was a compromise that Mr. CLEAVER reached with Mr. LOUDERMILK on the other side of the aisle. This would provide financial institutions with regulatory relief, while also ensuring that law enforcement has the information they need to catch bad actors who are using our financial system to hide their illicit money.

Finally, the bill protects privacy by mandating a privacy and civil liberties officer, as well as an innovation officer in each of the Federal financial regulators. These officials are required to meet regularly, to consult on Bank Secrecy Act policy and regulation.

Madam Speaker, I want to thank Mr. CLEAVER and Chairwoman WATERS for this amendment, which I strongly believe will make my bill better and will improve the chances that it gets passed by the Senate and signed into law.

This bill before us today, the underlying bill, H.R. 2513, would crack down on illicit use of anonymous shell companies. This is one of the most pressing national security problems we face in this country, because anonymous shell companies are the vehicle of choice for money launderers, criminals, and terrorists.

Coming from New York, I am particularly concerned about cracking down on terrorism financing. Because of the importance of this bill, it has been endorsed by every single law enforcement agency in our country. They say that passing this bill will help them protect American citizens, Americans, visitors, anyone in our country.

Madam Speaker, I include in the RECORD a listing of all of the law enforcement agencies that support this bill, and it also has wide support from stakeholders, major stakeholders in our country from the business community, the NGOs, and the not-for-profit community.

[From FACTCOALITION, Updated: October 15, 2019]

ENDORSEMENTS FOR BENEFICIAL OWNERSHIP TRANSPARENCY

ENDORSED LEGISLATION

Anti-Corruption/Transparency:

Citizens for Responsibility & Ethics in Washington (CREW), Coalition for Integrity, Corruption Watch UK, Financial Accountability & Corporate Transparency (FACT) Coalition, Financial Transparency Coalition, Global Financial Integrity, Global Integrity, Global Witness, Government Accountability Project (GAP), Natural Resource Governance Institute, Open Contracting Partnership, Open Ownership, Open the Government, Project on Government Oversight (POGO), Publish What You Pay—U.S. Repatriation Group International, RepresentUs, Sunlight Foundation, Transparency International.

Anti-Human Trafficking:

Alliance to End Slavery and Trafficking (ATEST), Humanity United Action, Liberty Shared, Polaris, Street Grace, Verité.

Business (Large):

Allianz, The B Team, Celtel International, Chobani, Danone, Dow Chemical, Engie, The Kering Group, National Foreign Trade Council, Natura & Co., Safaricom, Salesforce, Thrive Global, Unilever, The Virgin Group.

Business (Small):

American Sustainable Business Council, Harpy IT Solutions, LLC (St. Louis, MO), Luna Global Networks & Convergence Strategies, LLC (Washington, DC), Maine Small Business Coalition, Main Street Alliance, Pax Advisory, Inc (Vienna, VA), Small Business Majority, South Carolina Small Business Chamber of Commerce.

Business (Financial Institutions):

Alabama Bankers Association, Alaska Bankers Association, American Bankers Association, Arizona Bankers Association, Arkansas Bankers Association, Bank Policy Institute, Bankers Association for Finance and Trade (BAFT), The Clearing House Association, Colorado Bankers Association, Connecticut Bankers Association, Consumer Bankers Association, Credit Union National Association (CUNA), Delaware Bankers Association, Financial Services Roundtable, Florida Bankers Association, Georgia Bankers Association, Hawaii Bankers Association, Idaho Bankers Association, Illinois Bankers Association, Independent Community Bankers of America (ICBA).

Indiana Bankers Association, Institute of International Bankers (IIB), Institute of International Finance (IIF), Iowa Bankers Association, Kansas Bankers Association, Kentucky Bankers Association, Louisiana Bankers Association, Maine Bankers Association, Maryland Bankers Association, Massachusetts Bankers Association, Michigan Bankers Association, Mid-Size Bank Coalition of America, Minnesota Bankers Association, Mississippi Bankers Association, Missouri Bankers Association, Montana Bankers Association, National Association of Federally-Insured Credit Unions (NAFCU), Nebraska Bankers Association, Nevada Bankers Association, New Hampshire Bankers Association, New Jersey Bankers Association.

New Mexico Bankers Association, New York Bankers Association, North Carolina Bankers Association, North Dakota Bankers Association, Ohio Bankers League, Oklahoma Bankers Association, Oregon Bankers Association, Pennsylvania Bankers Association, Puerto Rico Bankers Association, Regional Bank Coalition, Rhode Island Bankers Association, Securities Industry & Financial Markets Association (SIFMA), South Carolina Bankers Association, South Dakota Bankers Association, Tennessee Bankers Association, Texas Bankers Association, Utah Bankers Association, Vermont Bankers Association, Virginia Bankers Association, Washington Bankers Association, Western Bankers Association, West Virginia Bankers Association, Wisconsin Bankers Association, Wyoming Bankers Association.

Business (Insurance):

Coalition Against Insurance Fraud.

Business (Real Estate):

American Escrow Association, American Land Title Association (ALTA), National Association of REALTORS©, Real Estate Services Providers Council, Inc. (RESPRO).

Faith:

Interfaith Center on Corporate Responsibility (ICCR), Interfaith Worker Justice, Jubilee USA Network, Maryknoll Fathers and Brothers, Maryknoll Office for Global Concerns, Missionary Oblates, NETWORK Lobby for Catholic Social Justice, Society of African Missions (SMA Fathers), United Church of Christ, Justice and Witness Ministries, The United Methodist Church—General Board of Church and Society.

Human Rights:

Accountability Counsel, African Coalition for Corporate Accountability (ACCA), Amnesty International USA, Business and Human Rights (BHR), Business & Human Rights Resource Centre, Center for Constitutional Rights, EarthRights International. EG Justice, Enough Project, Freedom House, Human Rights First, Human Rights Watch, International Corporate Accountability Roundtable (ICAR), International Labor Rights Forum, International Rights Advocates, National Association for the Advancement of Colored People (NAACP), Responsible Sourcing Network, Rights and Accountability in Development (RAID), Rights CoLab, The Sentry.

International Development:

ActionAid USA, Bread for the World, ONE Campaign, Oxfam America.

Law Enforcement:

ATF Association, Federal Law Enforcement Officers Association (FLEOA), Dennis Lormel, former Chief of the FBI Financial Crimes and Terrorist Financing Operations Sections, Donald C. Semesky Jr., Former Chief of Financial Operations, Drug Enforcement Administration, John Cassara, former U.S. Treasury Special Agent, National Association of Assistant United States Attorneys (NAAUSA), National District Attorneys Association (NDAA), National Fraternal Order of Police (FOP), Society of Former Special Agents of the FBI; U.S. Marshals Service Association.

Lawyers:

Group of 11 business and human rights lawyers.

NGOs (Misc.):

Africa Faith & Justice Network; Amazon Watch; American Family Voices; Americans for Democratic Action (ADA); Americans for Financial Reform; Americans for Tax Fairness; Association of Concerned Africa Scholars (ACAS); Campaign for America's Future; Center for International Policy; Center for Popular Democracy Action; Coalition on Human Needs; Columban Center for Advocacy and Outreach; Columbia Center on Sustainable Investment; Consumer Action; Consumer Federation of America; Corporate Accountability Lab; CREDO Action; Demand Progress; Economic Policy Institute.

Environmental Investigation Agency; Fair Share; First Amendment Media Group; Foundation Earth; Friends of the Earth; Fund for Constitutional Government; Greenpeace USA; Health Care for America Now; Heartland Initiative; Institute for Policy Studies—Program on Inequality and the Common Good; Institute on Taxation and Economic Policy; International Campaign for Responsible Technology; iSolon.org; MomsRising; National Employment Law Project; National Organization for Women (NOW); New Rules for Global Finance; Patriotic Millionaires; People Demanding Action; Project Expedite Justice.

Project on Organizing, Development, Education, and Research (PODER); Public Citizen; Responsible Sourcing Network; Responsible Wealth; Responsive to Our Community II, LLC; RootsAction.org; Stand Up America; Sustentia; Take On Wall Street; Tax Justice Network; Tax Justice Network USA; Tax March; Trailblazers PAC; United for a Fair Economy; U.S.-Africa Network; U.S. Public Interest Research Group (U.S. PIRG); Voices for Progress; Win Without War; Working America.

Shareholders:

Avaron Asset Management; Bâtirente; Boston Common Asset Management; Candriam Investors Group; Capricorn Investment Group; Clean Yield Asset Management; CtW Investment Group; Domini Social Investment LLC; Dominican Sisters of Hope; Hermes Equity Ownership Services; Hexavest; Inflection Point Capital Management; Local Authority Pension Fund Forum; Magni Global Asset Management LLC; Maryknoll Sisters; Mercy Investment Services, Inc.; NorthStar Asset Management, Inc.; Oblate International Pastoral Investment Trust; Sisters of Charity, BVM; Sisters of Saint Joseph of Chestnut Hill, Philadelphia, PA.

Sisters of St. Dominic of Blauvelt, New York; Sisters of St. Francis of Philadelphia; Trillium Asset Management; Triodos Investment Advisory & Services BV; Ursuline Sisters of Tildonk, U.S. Province; Verka VK Kirchliche Vorsorge VVaG; Zevin Asset Management.

State Secretaries of State:

Delaware

Unions:

Alliance for Retired Americans; American Federation of Labor and Congress of Industrial Organizations (AFL–CIO); American Federation of State, County and Municipal Employees (AFCSME); American Federation of Teachers; Communications Workers of America (CWA); International Brotherhood of Teamsters; International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America, UAW; National Education Association; National Latino Farmers & Ranchers Trade Association; Service Employees International Union (SEIU).

ENDORSED CONCEPT

Anti-Human Trafficking:

3 Strands Global Foundation; Agape International Missions; Amirah, Inc.; Baptist Resource Network; Candle of Hope Foundation; Freedom Network USA; Shared Hope International; Youth Underground.

Business (Large):

BHP; Deloitte; International Chamber of Commerce; Philip Morris International; Rio Tinto; Siemens AG; Thomson Reuters.

Business (Financial Institutions):

BMO Capital Markets.

Business (Small):

77% of U.S. small business owners; O'Neill Electric (Portland; OR); Paperjam Press (Portland; OR); Popcorn Heaven (Waterloo; IA); Rivanna Natural Designs; Inc. (Charlottesville; VA).

Human Rights:

Better World Campaign; Center for Justice and Accountability; Center for Victims of Torture; Futures without Violence; Global Rights; Global Solutions; Physicians for Human Rights; Project on Middle East Democracy; United to End Genocide.

Law Enforcement:

National Sheriffs' Association.

National Security Officials:

2019 letter from bipartisan group of 61 national security experts; 2018 letter from bipartisan group of 3 dozen former national security leaders (military and civilian); David

Petraeus, GEN (Ret.) USA, former director of the Central Intelligence Agency; Ben Rhodes, former deputy national security adviser to President Barack Obama.

Scholars (Think Tanks):

Anders Aslund, Atlantic Council; David Mortlock, Atlantic Council; Josh Rudolph, Atlantic Council; William F. Wechsler, Atlantic Council; Clay Fuller, American Enterprise Institute; Michael Rubin, American Enterprise Institute; Norm Eisen, Brookings Institution; Aaron Klein, Brookings Institution; Jeff Hauser, Center for Economic and Policy Research; Jarrett Blanc, Carnegie Endowment for International Peace; Sarah Chayes, Carnegie Endowment for International Peace; Jake Sullivan, Carnegie Endowment for International Peace; Jodi Vittori, Carnegie Endowment for International Peace; Andrew Weiss, Carnegie Endowment for International Peace; Molly Elgin-Cossart, Center for American Progress; Diana Pilipenko, Center for American Progress; Trevor Sutton, Center for American Progress; Neil Bhatiya, Center for a New American Security; Ashley Feng, Center for a New American Security; Elizabeth Rosenberg, Center for a New American Security, Daleep Singh, Center for a New American Security; Heather Conley, Center for Strategic and International Studies. Matthew M. Taylor, Council on Foreign Relations; David Hamon, Economic Warfare Institute; David Asher, Foundation for Defense of Democracies; Yaya J. Fanusie, Foundation for Defense of Democracies; Eric Lorber, Foundation for Defense of Democracies; Emanuele Ottolenghi, Foundation for Defense of Democracies; Chip Poncy, Foundation for Defense of Democracies; Jonathan Schanzer, Foundation for Defense of Democracies; Juan C. Zarate, Foundation for Defense of Democracies; Jamie Fly, German Marshall Fund of the United States; Joshua Kirschenbaum, German Marshall Fund of the United States; Laura Rosenberger, German Marshall Fund of the United States; David Salvo, German Marshall Fund of the United States; Larry Diamond, Hoover Institution; Michael McFaul, Amb. (Ret.), Hoover Institution; Ben Judah, Hudson Institute; Nate Sibley, Hudson Institute; Richard Phillips, Institute on Taxation and Economic Policy; Michael Camilleri, Inter-American Dialogue; David J. Kramer, McCain Institute; Paul D. Hughes, COL (Ret.), USA, U.S. Institute of Peace.

Scholars (Universities):

Smriti Rao, Assumption College (MA); Daniel Nielson, Brigham Young University; Branko Milanovic, City University of New York; Martin Guzman, Columbia University; Matthew Murray, Columbia University; Jose Antonio Ocampo, Columbia University; Jeffrey D. Sachs, Columbia University; Joseph Stiglitz, Columbia University; Spencer J. Pack, Connecticut College; Lourdes Beneria, Cornell University; John Hoddinott, Cornell University; Ravi Kanbur, Cornell University; David Blanchflower, Dartmouth College; Mark Paul, Duke University; Michael J. Dziedzic, Col. (Ret.), USA, George Mason University; David M. Luna, George Mason University; Louise Shelley, George Mason University; Laurie Nisonoff, Hampshire College.

Matthew Stephenson, Harvard Law School; Dani Rodrik, Harvard University; June Zaccone, Hofstra University; Matteo M. Galizzi, London School of Economics (UK); John Hills, London School of Economics (UK); Simona Iammarino, London School of Economics (UK); Stephen Machin, London School of Economics (UK); Vassilis Monastiriotis, London School of Economics (UK); Cecilia Ann Winters, Manhattanville College (NY); Richard D. Wolff, New School University; Bilge Erten, Northeastern University; Mary C. King, Portland State University (OR); Angus Deaton, Princeton University; Kimberly A. Clausing, Reed College; Charles P. Rock, Rollins College (FL); Radhika Balakrishnan, Rutgers University; Aaron Pacitti, Siena College (NY); Smita Ramnarain, Siena College (NY).

Vanessa Bouché, Texas Christian University; Nora Lustig, Tulane University; Karen J. Finkenbinder, U.S. Army War College; Max G. Manwaring, COL (Ret.), USA, U.S. Army War College; Gabriel Zucman, University of California, Berkeley; Ha-Joon Chang, University of Cambridge (UK); Ilene Grabel, University of Denver; Tracy Mott, University of Denver; Arthur MacEwan, University of Massachusetts, Boston; Valpy Fitzgerald, University of Oxford (UK); Frances Stewart, University of Oxford (UK); Michael Carpenter, University of Pennsylvania; Dorene Isenberg, University of Redlands (CA); Mike Findley, University of Texas; Gunseli Berik, University of Utah; Al Campbell, University of Utah; Elaine McCrate, University of Vermont; Stephanie Seguino, University of Vermont; Thomas Pogge, Yale University.

State Attorneys General:

California, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, Mississippi, New Jersey, New Mexico, North Carolina, Northern Mariana Islands, Oregon, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virginia, Washington.

U.S. Administration Officials:

Department of Justice, Department of the Treasury, Federal Bureau of Investigation (FBI), Financial Crimes Enforcement Network (FinCEN), Immigration and Customs Enforcement (ICE), Office of the Comptroller of the Currency (OCC), Special Inspector General for Afghanistan Reconstruction (SIGAR).

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, this is a win-win for protecting our citizens, and like every national security issue, it should have strong bipartisan support. If you care about protecting American citizens, you should be supporting this bill.

□ 1245

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

Madam Speaker, I am willing to stipulate that almost everything my two friends have just said is absolutely true. Law enforcement absolutely supports this provision. Law enforcement absolutely believes pursuing criminals will be easier under this provision.

Now, it would also be easier if we allowed folks to kick in everybody's door, but we don't. Protecting civil liberties is about protecting American citizens.

I am not even here today arguing that we have to include the amendment for the bill to go to the President's desk. I am here arguing that civil liberties deserve a conversation.

Madam Speaker, we did not come in until noon today. We are not going to burn the midnight oil tonight. We did two small bills last week, in its entirety, coming out of the Rules Committee.

We have the bandwidth to talk about civil liberties. It does not advantage us to pretend that folks who care about civil liberties are somehow a threat to democracy. People who care about civil liberties are the ones who have always protected democracy.

Whenever bad things happen in this country, the pendulum automatically swings in favor of protection of the group against the protection of the civil liberties of the individual.

It happened after 9/11. It happened after Pearl Harbor. It happens time and time again in this country.

What was asked in the Rules Committee is that we take 5 minutes. That is not a figure of speech, Madam Speaker. It is actually 5 minutes that was requested to make the case on the floor that civil liberties were not being appropriately protected in this bill and that we could do better. The answer from the majority was, no, it is not worth 5 minutes.

I stipulate that what my friends have said about the value of this legislation is absolutely true. So, when I offered the amendment that said let's do a cost-benefit analysis to document the truth of that, I expected the answer to be yes. The answer wasn't just no. The answer was, no, we don't even have the ability to do a cost-benefit analysis of this legislation.

Madam Speaker, that is just nonsense. It is nonsense.

I was asking for 5 minutes—literally, 300 seconds—to talk about whether or not American citizens were going to get the value out of this bill that was being suggested. The answer was, no, we don't have 300 seconds to spend talking about it.

I would argue 300 seconds isn't enough. Three hundred seconds isn't enough to talk about civil liberties. Three hundred seconds isn't enough to talk about taxpayer responsibilities. But that was the ask, and that ask was declined.

I can't come to the House floor with many of the rules that I am assigned to carry, Madam Speaker, and make this request because I don't have partners like the two partners that I have today.

You may not have noticed it, Madam Speaker, and you are kind if you tell me that you didn't, but I am the least educated person on this House floor when it comes to this bill. I am the only one who doesn't sit on the committee.

I am, today, down here discussing this with two Members who have dedicated their careers to the improvement of the financial services system in America, and I respect the time and effort they have committed to it. I respect their counsel.

I don't believe these two individuals are threatened by 300 more seconds of debate on any issue. They know what they believe. They know why they believe it. They know why they believe what they believe is good for America, as do Members with opposing opinions.

I can't ask, if we are down here talking about a tax bill, to have an open rule on a Ways and Means bill because that gets more complicated. I can't

ask, if we are down here on a Judiciary bill, to have an open rule on a Judiciary bill because that gets more complicated.

What I have today, Madam Speaker, are two Members who have worked in a collaborative, bipartisan way to produce the very best bill they could out of their committee. I am asking for an opportunity for the other several hundred Members of this institution to have a voice in the debate.

Just so that we are clear on what my ask is, Madam Speaker, to make all the amendments in order—all the amendments—to allow for the free and open debate that I am asking for, it would have taken 1,200 more seconds, 20 minutes.

If the majority could have found, in its wisdom, 20 more minutes, every Member of this body could have been heard on an issue that you have heard the subject matter experts testify to how important it is.

We have gotten out of the habit of listening to one another. We have gotten out of the habit of trusting one another. I don't argue that either one of those things has happened without cause and effect. There is a reason we are in the box that we are in. We have to find narrowly tailored pieces of legislation to begin to reverse that cycle. This is one of those narrowly tailored provisions.

It modifies one part—one part—of what the Bank Secrecy Act tried to achieve. The Bank Secrecy Act was brought to the floor under a completely open rule with all voices to be heard. Now, we can't find 20 minutes to have a full-throated debate on this. If we defeat the previous question, I am going to amend the rule.

Madam Speaker, I ask unanimous consent to include the text of my amendment in the RECORD immediately prior to the vote on the previous question.

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

There was no objection.

Mr. WOODALL. It says: Upon adoption of this resolution, the Committees on the Judiciary, Ways and Means, Financial Services, Oversight and Reform, Foreign Affairs, and the Permanent Select Committee on Intelligence shall suspend pursuing matters referred to by the Speaker in her announcement of September 24, 2019, until such a time as a bill implementing the United States-Mexico-Canada Agreement becomes law.

That is a lot of text, Madam Speaker, and I am going to yield to one of my colleagues on the Rules Committee and a learned member of the Judiciary Committee to talk about it. But what it says, in effect, is that we have real legislative priorities that are not being met.

We didn't find the 20 minutes for a full-throated debate here. We are not finding the bandwidth to work on a trade deal, the single best trade deal done in my lifetime, a trade deal supported by the leadership in this House, the leadership in the Senate, and by the White House, a trade deal that is going to make real differences to men and women across this country, in your district and in mine.

It says let's stop the nonsense, let's stop the partisanship, and let's focus on some things that every single citizen in this country cares about. Let's prioritize that, and perhaps, in doing so, we will build some trust.

Madam Speaker, I yield 4 minutes to the gentlewoman from Arizona (Mrs. LESKO), my friend from the Rules Committee, to discuss this amendment in detail.

Mrs. LESKO. Madam Speaker, I thank my good friend from Georgia for yielding me the time to speak on this critical issue for my district, for the State of Arizona, and for the country.

First, before I get into the previous question amendment, I would like to note that, on the underlying bill, the ACLU, the Due Process Institute, and FreedomWorks all oppose the underlying bill because of civil rights protections they are worried about being lost.

I represent Arizona's Eighth Congressional District, and I regularly speak to my constituents. My district overwhelmingly opposes impeachment. They believe it is a waste of time. They believe that Congress should be tackling real issues, and I believe many Americans across the country feel the same way. They are like, what is Congress doing? Why don't you get anything done?

But Democrats have chosen to ignore the people they came to Congress to represent. They chose, instead, to prioritize impeachment. Instead of advancing legislation to make our Nation safer or to better the lives of our families, my Democratic colleagues have perpetuated a witch hunt to undo the 2016 election and to influence the 2020 election.

One of the key legislative items that my Democratic colleagues have sacrificed is the USMCA, the United States-Mexico-Canada Agreement.

I have met with numerous Arizona businesses that have told me, over and over and over again, the importance of the USMCA. I have told them that I support it. I have told them I want this to pass in Congress. But as we all know, it hasn't moved. It hasn't been heard.

My State of Arizona depends on trade with Canada and Mexico. Over 228,000 Arizona jobs are supported by U.S. trade with Canada and Mexico, and Arizona exports over $9 billion in goods and services to Canada and Mexico. We supply them with agricultural products, engines and turbines, and over $1 billion a year in metal ores.

The USMCA would support this trade through numerous key provisions. For example, new customs and trade rules will cut red tape and make it easier for small businesses to participate in trade.

It also protects American innovation by modernizing rules related to intellectual property. It also encourages greater market access for America's farmers.

America and Arizona stand to benefit from passage of the USMCA, but we are not doing the USMCA because our Speaker will not put it on the floor for a vote.

I ask the Democrats to put their constituents ahead of partisan politics and consider the USMCA immediately. I join my friend and Rules Committee colleague in urging Members to vote ''no'' on the rule and ''no'' on the previous question so that we can prioritize what is really important to America.

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

To my friends Mrs. LESKO and Mr. WOODALL from the Rules Committee, first, I remind my friend from Arizona that we are actually working on legislation that is bipartisan in nature and something that is tremendously serious that has to be addressed.

Again, I would quote from the CNBC article of October 17, where it talked about these two cronies of Rudy Giuliani: ''Parnas and Fruman face other charges in the indictment, which alleges they created a shell company and then used it to donate to political committees, including a pro-Trump super-PAC, while concealing that they were the ones making the donations.''

So here we have, on the political side, the reason for this particular bill.

There is a 36-story skyscraper in Midtown Manhattan at 650 Fifth Avenue, and I am reciting from an op-ed in The Washington Post, dated September 20, 2019: ''It is home to a Nike flagship store and previously housed the corporate offices of Starwood Hotels & Resorts. It was also secretly owned by the Iranian Government for almost 20 years. By running its ownership stake in the building through an anonymous front company, the Iranian regime took advantage of the fact that firms in the United States are not legally required to disclose who ultimately profits from and controls them.''

It goes on to say: ''The story of 650 Fifth Avenue is not anomalous. The United States has become one of the world's leading destinations for hiding and legitimizing stolen wealth.''

The purpose of this legislation, bipartisan in nature, is something that is very serious, and I appreciate the gentlewoman for having been so persevering to get this done, working with law enforcement, working with Republicans throughout.

In fact, one of the major cosponsors, or somebody with whom Mrs. MALONEY worked, was Mr. LUETKEMEYER, a senior member of the Republican Party on the Financial Services Committee, to come up with language that was acceptable not only to him but 11 or 10 other Republicans on the committee.

I would remind my friend Mr. WOODALL that, in connection with civil

liberties that he was just talking about, Mr. DAVIDSON raised his concern. He has on a number of occasions, and I have been there working with him on that subject. But he was defeated.

This bill contains many civil rights and privacy components. It protects the privacy of any beneficial ownership. It ensures that law enforcement agencies requesting beneficial ownership information from the Financial Crimes Enforcement Network have an existing investigatory basis for its requests so that there is already something going on.

□ 1300

There is an audit trail to make sure that that information is not being disclosed improperly, and there are penalties against the agencies if, in fact, there are improper disclosures.

Now, I would also say—and I would remind my friend, and we talked about this last night at Rules—that when people get together and they operate under a corporation or a limited liability company, they are drawing on law to say: We want to operate this group, and we want to have protection from liability. We are going to operate as a corporation. We want the State to protect us—State of Colorado, State of Arizona—to protect us against us being personally liable, individually liable.

All we are asking is stuff that you would put down on a normal bank account, which is the names of the individuals, their date of birth, their address, and identifying numbers; and, if they are from another country, we demand their passport numbers.

This is not terribly intrusive. This is just basic information to make sure that we don't have bad actors and scoundrels and people who would like to undermine our Nation having phony bank accounts or shell companies owning skyscrapers in New York. So this is serious stuff.

I have shared with the chairwoman concerns over time, and she has actually worked—not actually. She has worked with me to address concerns that I particularly have in saying that, before anybody is penalized for not disclosing information, they had to do it willfully or knowingly, and that negligence is not a basis for any kind of an action and that there are waivers if somebody had just made a mistake.

So I just want to, again, thank the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for working with Democrats and Republicans and all sorts of groups across the country to come up with something that balances the need for real national security and law enforcement measures with privacy.

We have allowed five amendments. Mr. DAVIDSON, who, I am sure, will address some of his concerns when he brings up one of his amendments, is going to be entitled to speak. And if people don't like the bill, they can vote against it.

My guess is it is going to get a strong bipartisan vote. I hope it does so that we can send it.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, you and I don't get to be down here on the rule together very often, and so I feel like I have got a fresh ear in you.

My friend from Colorado, he and I discuss these matters all the time, so I understand his tone. It is as if I am saying this bill has no merit because, very often, we are down here and I am saying exactly that.

This is a very different day that we are down here, and I want to say it again if I haven't said it loud enough. The chairwoman has worked incredibly hard to build a partnership on this issue. This bill came out of committee with broad bipartisan support.

Madam Speaker, I don't believe I have handled a rule this year that has had the partisan divide erased and had folks collaborate to make a bill better. All I am asking for is, because we have such a wonderful work product, that we go ahead and let every voice be heard.

In the same way that the gentleman from Colorado is used to me saying a bill has no merit whatsoever, he is used to defending silencing voices. It rolled off his tongue very easily: Oh, Mr. DAVIDSON, he gets to offer another amendment. We don't need his other ideas.

Well, for Pete's sake, he is a gentleman who serves on the Financial Services Committee. He has expertise that you and I do not have. He has a voice that needs to be heard on this floor. It was going to take 300 seconds for him to share it, and the answer was: No, no time for you.

We are better than that. We don't always have the bills to demonstrate it; and what I am saying today is that we have a good, solid work product that addresses a concern that we all agree on. Why can't we make the time to make it better?

They took that time in the Financial Services Committee, both in the two amendments they considered during the markup and in all the off-the-record discussions that have gone on behind closed doors, which are what really make bills better.

I am just asking for the opportunity to get out of the habit of making excuses for why we don't want to hear from our friends and colleagues in this Chamber and getting back into the habit of recognizing not just the merit of their voice, but the responsibility we have to hear their voice.

My friend from Colorado says, if you don't like this bill, just vote ''no.'' Well, there is some good stuff in this bill.

My response would be: If you don't like the amendments I am going to offer, just vote ''no.'' But he used the power of the Rules Committee to silence those voices. We won't even have votes on those amendments.

We have developed bad habits here as legislators. We don't always have the right leaders to lead us out of the corner in which we have strapped ourselves. We have the right leaders today on that side of the aisle, Madam Speaker, and that is why I am asking my colleagues—they wouldn't do it ordinarily, but I am asking my colleagues to defeat the previous question so that we can amend the rule.

And, even better, defeat the rule so we can go back up, have every voice heard, come back to this Chamber, take a few extra minutes, perfect this bill, and then do exactly what the chairwoman wants done and exactly what my friend from Colorado wants done, and that is to send this bill out of this Chamber not with a perfunctory party-line bipartisan vote, but with a full-throated, hearty bipartisan endorsement that says we are speaking with one voice on an issue that is important from corner to corner of this institution.

Madam Speaker, I had hoped that other learned voices would join me today. I find myself alone, and I would say to my friend from Colorado, I am prepared to close if he is.

Mr. PERLMUTTER. Madam Speaker, I was going to say to my friend: That sounded like that was your closing. Should we just take it as that?

Mr. WOODALL. Given that I did not hear either an ''amen'' or ''attaboy,'' I am thinking of saying it one more time in hopes that the response is different.

Mr. PERLMUTTER. Madam Speaker, I don't have any other speakers.

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

I want to say this as sincerely as I can. I know my colleagues believe me to be sincere.

We bring a lot of bills to this floor where no effort was made whatsoever to include disparate voices, where the party line, and the party line alone, was the primary consideration. Madam Speaker, that has been a flawed habit when both Republican leaders have sat in that chair and when Democratic leaders have sat in that chair.

That is not the bill we have before us today. The bill we have before us today, I have got a Republican from Georgia serving on the Financial Services Committee; I have got a Democrat from Georgia serving on the Financial Services Committee; and, truth be told, as often as not, they vote the same way on the Financial Services Committee.

I can always tell when good legislation is coming out, because they are not voting with a Republican or Democratic agenda in mind; they are voting with the service of their constituents in Georgia in the forefront of their mind, and they vote side by side and move arm in arm.

We don't always get that opportunity. And so, when we have it today, what a shame it is to waste it and not try to get back in the habit of doing a better job of hearing voices, defeating

those that need to be defeated, supporting those that need to be supported, and letting the Chamber work its will.

The National Federation of Independent Business, NFIB, as we all know it, represents mom-and-pop shops across this country. They don't represent mom-and-pop businesses because they think that big businesses are bad. They represent mom-and-pop businesses because they think mom-and-pop businesses are good.

This bill creates a new burden on those small businesses. That is undisputed. The question is: Is the burden worth it or not?

We won't get to hear amendments on civil liberties to decide if it is worth it or not; we won't get to hear amendments on cost-benefit analysis to decide if it is worth it or not. And that is a shame. That is a shame.

But when we have respected Members in this institution, respected policy shops outside of this institution saying, ''Hey, I just want to have my concerns heard by the full House,'' I think it is incumbent upon us to try to find some time to get that done.

I am not encouraging folks to defeat the underlying bill. I am encouraging folks to work with me to perfect the underlying bill so that we can move it forward collaboratively.

Defeat the previous question. Defeat the rule. Take this opportunity to do what all good institutions do.

Madam Speaker, we need good leaders, and we need good followers. We have got the good leaders on the other side of the aisle today to get back in the habit of making every voice heard. What we need are some good followers to defeat this rule and give them a chance to do exactly that.

Madam Speaker, I thank my friend from Colorado for yielding. I thank the chairwoman for her leadership on the issue.

I yield back the balance of my time.

Mr. PERLMUTTER. Madam Speaker, I yield myself such time as I may consume to close.

I always enjoy debating with my friend from Georgia on these rules matters, and, quite frankly, he has heaped a lot of praise on this particular piece of legislation, which it deserves. It has gone through the crucible of a lot of meetings and compromise and work with a lot of different groups.

So I want to thank my colleagues for joining me here today to speak on the rule and the Corporate Transparency Act of 2019.

Law enforcement needs to have the tools necessary to shed light on the true beneficial owners of shell companies in order to do their jobs and root out illicit financial activity. They need to be able to find out if Russians, Iranians, North Koreans, ISIS, al-Qaida, or criminal cartels may be engaging in questionable activity, and this legislation will help law enforcement do exactly that. It will also make the first major reforms to the Bank Secrecy Act and our anti-money laundering laws since 2001.

These issues enjoy broad support from the law enforcement community, like the Fraternal Order of Police and the National District Attorneys Association, as well as human rights groups, anti-human trafficking organizations, banks and credit unions of all sizes, and many more.

These are bipartisan issues we have been working on in the Financial Services Committee, and I urge all my colleagues to vote for the bill. I encourage a ''yes'' vote on the rule and the previous question.

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

AMENDMENT TO HOUSE RESOLUTION 646

At the end of the resolution, add the following:

SEC. 2 Upon adoption of this resolution, the Committees on the Judiciary, Way and Means, Financial Services, Oversight and Reform, and Foreign Affairs and the Permanent Select Committee on Intelligence shall suspend pursuing matters referred to by the Speaker in her announcement of September 24, 2019, until such time as a bill implementing the United States-Mexico-Canada Trade Agreement becomes law.

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 228, nays 194, not voting 9, as follows:

[Roll No. 571]

YEAS—228

Adams
Aguilar
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NAYS—194

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)

Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—9

Allred
Bishop (NC)
Cole
Collins (GA)
Gabbard
McEachin
Peters
Takano
Timmons

□ 1342

Messrs. BABIN and RICE of South Carolina changed their vote from ''yea'' to ''nay.''

Mr. VAN DREW and Mrs. HAYES changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Ms. UNDERWOOD). The question is on the resolution.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 195, not voting 9, as follows:

[Roll No. 572]

YEAS—227

Adams
Aguilar
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NAYS—195

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—9

Allred
Bishop (NC)
Collins (GA)
Gabbard
McEachin
Peters
Serrano
Takano
Timmons

□ 1350

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ALLRED. Madam Speaker, as I was back home in Dallas, Texas in light of the tornado and storm, I submit the following vote explanation. Had I been present, I would have voted "yea" on rollcall No. 571, and "yea" on rollcall No. 572.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE DEMOCRATIC REPUBLIC OF THE CONGO—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 116–75)

The SPEAKER pro tempore (Mr. CARSON of Indiana) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To The Congress of The United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo declared in Executive Order 13413 of October 27, 2006, is to continue in effect beyond October 27, 2019.

The situation in or in relation to the Democratic Republic of the Congo, which has been marked by widespread violence and atrocities that continue to threaten regional stability, continues to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13413 with respect to the situation in or in relation to the Democratic Republic of the Congo.

DONALD J. TRUMP.
THE WHITE HOUSE, *October 22, 2019*.

CORPORATE TRANSPARENCY ACT OF 2019

GENERAL LEAVE

Ms. WATERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 2513 and to insert extraneous material thereon.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 646 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2513.

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

□ 1355

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2513) to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, and for other purposes, with Ms. UNDERWOOD in the chair.

The Clerk read the title of the bill.

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

General debate shall be confined to the bill and amendments specified in House Resolution 646 and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services.

The gentlewoman from California (Ms. WATERS) and the gentleman from North Carolina (Mr. MCHENRY) each will control 30 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise in support of H.R. 2513, the Corporate Transparency Act of 2019, a bill introduced by Representative CAROLYN B. MALONEY of New York.

H.R. 2513 closes significant loopholes in the law that are commonly abused by bad actors and will make it harder for terrorists, traffickers, corrupt officials, and other criminals to hide, launder, move, and use their money.

Today, anyone can create a company without providing any information about the company's actual owners. This ability to remain anonymous gives criminals and terrorists unimpeded, hidden access to our banking and commercial systems.

It also makes it more difficult for law enforcement and even our banks, which have a duty to know their customers and evaluate risk, to detect illicit activity.

For example, unbeknownst to authorities for years, the skyscraper at 650 Fifth Avenue in New York City was owned by Iranian-controlled entities through shell companies. The Corporate Transparency Act closes these loopholes by requiring firms which do not already report ownership, for example through public SEC filings, to share this information with the Financial Crimes Enforcement Network, FinCEN.

This beneficial ownership database created by the bill will be accessible only by FinCEN-approved law enforcement agencies and by financial institutions, with customer consent, to fulfill requirements to identify their beneficial owners. Unapproved sharing of this information would be subject to criminal penalties, as would lying on or intentional omission of beneficial ownership information. For most firms, which have only one or two owners, this process would require only a few lines of data. But for law enforcement agencies, the additional information will have great benefit, as their investigations will no longer be stymied by anonymous shell companies.

The bill has also been broadened to include the entirety of H.R. 2514, the Coordinating Oversight, Upgrading and Innovating Technology, and Examiner Reform Act of 2019, the COUNTER Act, a bill introduced by Representative EMANUEL CLEAVER. The COUNTER Act closes loopholes in the Bank Secrecy Act, the key law aimed at countering money laundering, terrorist financing, and other criminal uses of the banking system.

□ 1400

For example, the bill requires the identification of owners behind high-risk commercial real estate transactions and transactions involving arts and antiquities, which are often used by criminals to launder money.

The COUNTER Act examines Chinese and Russian money laundering, an issue that is seen in opioid and methamphetamine production, as well as human and wildlife trafficking.

The bill also creates a national strategy to fight trade-based money laundering, which is considered the most pernicious but hard-to-detect form of money laundering.

Mrs. MALONEY and Mr. CLEAVER's bill also works to lower the compliance burden on financial institutions, most of which are community banks, by establishing several tools to allow for more targeted sharing of BSA-AML-related information.

The bill makes modest increases to the currency transaction reporting limit and studies ways to reduce the costs associated with researching and writing suspicious activity reports.

The bill also creates a new privacy and civil liberties officer, as well as an innovation officer in each of the Federal financial regulators.

Importantly, the bill imposes new penalties on financial institutions and personnel that violate the law and creates a whistleblower program to encourage and protect those who identify such bad acts.

H.R. 2513, as amended, has the strong support of financial institutions. It is also supported by NGOs like the AFL–CIO, Global Witness, Oxfam America, Friends of the Earth U.S., Jubilee USA Network, and the Small Business Majority, all of which are members of the transparency-focused FACT Coalition. It is widely supported by law enforcement organizations such as the Fraternal Order of Police, the National District Attorneys Association, and the Federal Law Enforcement Officers Association. In addition, this legislation is supported by the Department of the Treasury and the Federal Bureau of Investigation.

I commend Congresswoman MALONEY and Congressman CLEAVER for their very hard work on the legislation, as well as their collaboration to put together a comprehensive bill to reform how this country fights against illicit finance.

I urge passage of H.R. 2513, and I reserve the balance of my time.

Mr. MCHENRY. Mr. Chairman, I yield myself such time as I may consume. I am opposed to H.R. 2513, and I want to begin by outlining my opposition.

This bill before us is a new small business mandate on the smallest businesses in America. The bill before us today requires some of the smallest businesses in America, those with fewer than 20 employees and those with less than $5 million in receipts, to file annually a list of all of their owners with the Financial Crimes Enforcement Network, or FinCEN.

For those who are watching on C–SPAN, I have a trivia question for them, Mr. Chairman. I bet most of them have never heard of FinCEN. I bet those in the House office buildings, Mr. Chairman, have not heard of FinCEN. It is a little-known agency even here in Washington that deals with financial crimes, in the Treasury Department.

Imagine you are a small business owner. You are getting a notice from the Financial Crimes Enforcement Network mandating that you disclose the owners of your entity. This would be the first consumer-facing intelligence bureau that we would have in the Federal Government.

This bill would require small business owners and small business investors to submit their personal information to a new Federal database without adequate privacy protections. This new Federal database will be accessible to law enforcement without a warrant and without a subpoena, a disturbing violation of due process, in my view.

This has the fewest civil liberties protections of any Federal intelligence

bureau database. It is a lower standard of accountability than what Congress provides in the PATRIOT Act, which largely targets foreign actors.

According to the National Federation of Independent Business, this bill would also add more than $5.7 billion in new regulatory costs for America's small businesses.

Supporters of the bill are calling for these changes without any direct evidence to justify the mandate. There is plenty of anecdote, but no data.

For several months leading up to the committee's consideration of this bill, I sought data from the intelligence bureau called FinCEN and from the Treasury Department, along with the Department of Justice, to better understand the need for this legislation. They provided none. They gave anecdotes of very scary stories to try to compel me as a legislator to vote for what is a very specific threshold in law and a very specific new small business mandate.

I refuse to legislate based off of anecdotes. I would like to have hard data. My questions have not been answered by FinCEN, the Treasury Department, or the Department of Justice.

We have no information on how beneficial ownership information will be protected, in addition to that. We do not have information on how the privacy of small businesses will be preserved. In fact, we have an amendment here considered on the House floor that could further expose their data to the public, so even that determination is not in stone now with the bill before us.

We don't have information on how many law enforcement agencies will have access to the database, how many financial institutions will have access to the database, or what threshold for amount of sales and the number of employees will yield the most effective outcome.

In the bill, we have $5 million of revenue and under, and 20 employees and under. We have no data to back up that that is the right threshold for either the dollar amount or the number of employees.

We will have stories, and we will have Members come to the House floor telling us stories of bad actors, but that is anecdote. That is not data to provide for this threshold.

If we are going to have such an encroachment on America's personally identifiable information of small businesses across this country, shouldn't we have solid data? I believe so.

I believe we have a number of issues that need to be dealt with to make this bill sustainable and provide protections for civil liberties. I believe that combating illicit finance is a nonpartisan issue that all Members want to address. Our actions must be thoughtful and data-driven.

For example, in committee, we came together in support of H.R. 2514, the COUNTER Act, introduced by the gentleman from Missouri (Mr. CLEAVER) and the gentleman from Ohio (Mr. STIVERS). H.R. 2514 is a compilation of bipartisan policies that modernize and reform the Bank Secrecy Act and anti-money laundering regimes. It balances security and privacy. I think we have a nice bipartisan bill that was reported out of the committee without a dissenting vote. It provides the Treasury Department and other Federal agencies with the resources they need to help catch bad actors.

There have been years of work in the production of that bill that is wrapped up in this larger bill. I am disappointed that the COUNTER Act is not being considered as a standalone bill, instead being swept into this bill. Because I believe as a standalone bill, we could get that bill through the House, through the Senate, and signed by the President into law this year. I think it is unfortunate that we are not considering that as a standalone measure.

I thank my colleagues on the other side of the aisle for listening to some of our concerns on the Republican side of the aisle. We will have some Republican Members who vote for this bill. I, however, will not.

The encroachment on the question of civil liberties, the lack of separation of powers, the lack of the use of a subpoena, and the lack of regulatory relief for those who are collecting this data, both in terms of small businesses and financial institutions, has not been fixed nor dealt with.

In particular, the Rules Committee last night rejected amendments that would require law enforcement to obtain a subpoena before accessing—I am sorry, during committee, there was a rejection of a subpoena in our discussions, and then last night, the Rules Committee rejected my amendment that would provide greater certainty for small businesses and for community banks by repealing the customer due diligence rule, which requires financial institutions to collect similar data that is being required in this bill.

I believe that issue still merits a more thoughtful solution that doesn't treat legitimate small businesses as collateral damage, like the current bill does.

Mr. Chair, I am opposed to the bill, and I reserve the balance of my time.

Ms. WATERS. Mr. Chair, I yield 5 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the sponsor of the bill and chair of the Subcommittee on Investor Protection, Entrepreneurship, and Capital Markets.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I thank the gentlewoman for yielding and for her leadership on the Financial Services Committee and on this bill.

Mr. Chair, I rise in support of H.R. 2513, the Corporate Transparency Act. This bill would crack down on the illicit use of anonymous shell companies. This is one of the most pressing national security problems that we face as a country because anonymous shell companies are the vehicle of choice for money launderers, criminals, and terrorists.

The reason they are so popular is because they cannot be traced back to their true owners. Shell companies allow criminals and terrorists to move money around in the United States financial system and finance their operations freely and legally.

Unfortunately, we know that the U.S. is one of the easiest places in the entire world to set up an anonymous shell company. The reason why these shell companies are anonymous is because States do not require companies to name their true beneficial owners, the individuals who are collecting the profits and who outright own the company.

As any FBI agent or prosecutor will tell you, far too many of their investigations hit a dead-end at an anonymous shell company. They know there is illegal money, yet they can't pursue and stop it.

Because they can't find out who the real owner of that shell company is, they can't follow the money past the shell company, past this pile of cash that they know is financing illegal activity. The trail goes cold, and the investigation is stopped dead in its tracks.

Treasury actually conducted a pilot program a couple of years ago when they collected beneficial ownership information for real estate transactions in Manhattan and Miami over a 6-month period. The results were stunning.

Treasury found that about 30 percent of the transactions reported in those 6 months involved a beneficial owner or purchaser representative that had previously been the subject of a suspicious activity report. In other words, these were potentially suspicious people buying these properties. And this was after the Treasury Department had announced to the world through the press that they would be collecting beneficial ownership information in these two cities for 6 months, so this didn't even capture the money launderers who simply avoided those two cities for that 6-month period.

Our bill would fix this problem by requiring companies to disclose their true beneficial owners to the Financial Crimes Enforcement Network, or FinCEN, at the time the company is formed. This information would only be available to law enforcement and to financial institutions so they can comply with their know-your-customer rules.

This bill would plug a huge hole in our national security defenses and would be a massive benefit to law enforcement.

We have a very large coalition supporting the bill. We have the support of 127 NGOs. All of the law enforcement groups in our Nation support this bill, all of the banking trade associations, the credit union trade associations, human rights groups, antitrafficking groups, State secretaries of state, and

most of the real estate industry, and many more because law enforcement has said that enacting this bill will make our residents and our country safer.

I want to specifically thank the FACT Coalition, Global Witness, and Global Financial Integrity for their support. I want to thank the Bank Policy Institute, which has been a strong supporter from the beginning. And I want to thank my personal staff, especially Ben Harney.

□ 1415

I also want to thank my Republican partners on this bill, most notably PETER KING from New York and BLAINE LUETKEMEYER from Missouri. They have been both fantastic to work with, and I believe the changes that they negotiated in good faith on this bill have made it an even better bill.

The two people I want to thank the most are Congresswoman WATERS, who has been a steadfast supporter of this bill for years, and Congressman CLEAVER, who has worked so hard on the COUNTER Act, which has been added to this bill. His leadership on the anti-money laundering reforms in the COUNTER Act have been indispensable.

Mr. Chairman, this bill will make our country safer, and I urge a strong ''yes'' vote for this bill.

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

Mr. Chairman, I would like to commend the chair of the Investor Protection, Entrepreneurship, and Capital Markets Subcommittee, Mrs. MALONEY, for the work that she has put into this bill. She has been willing to address many concerns from Republicans about her legislation, though we are not able to come to final terms between her and me; but, as she knows and as I have stated clearly, it is for lack of data from the Treasury Department and from FinCEN itself, and those issues still remain.

It is not because of a lack of good will on her behalf or her staff's behalf, but an enormous amount of frustration we have from one of our intelligence bureaus that is not complying with reasonable oversight from Congress.

So I want to commend Mrs. MALONEY for her work that she put into this important piece of legislation, and I do wish that we were able to come to terms on the details in the finer points of this bill.

Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky (Mr. BARR), who is the Oversight and Investigations Subcommittee ranking member.

Mr. BARR. Mr. Chairman, I thank my friend from North Carolina for yielding.

Mr. Chairman, I rise today in opposition to H.R. 2513, the Corporate Transparency Act. I do so regrettably.

While I agree with the objective of the bill to help law enforcement crack down on the financing of illegal operations, this bill's solution places undue burdens on small businesses and presents unacceptable due process concerns for millions of small business owners whose sensitive personally identifiable information will be collected and stored in a new Federal database accessible without a warrant or a Federal subpoena.

I want to thank my friend, the sponsor of this bill, for her good faith attempt to streamline beneficial ownership reporting. I agree with her that we need to do more to combat terrorist financing, money laundering, drug trafficking, and other national security threats. I am sympathetic, also, to the needs of law enforcement to identify the financing sources of illicit operations and shut them down.

That said, the bill before us today seeks to achieve these ends unnecessarily on the backs of America's small businesses. The bill would create additional regulatory reporting requirements for existing and newly created small businesses. These businesses do not have the compliance resources comparable to larger firms. This reporting requirement will take a toll on their productivity and their bottom line.

According to the U.S. Small Business Administration, 95 percent of new firms begin with fewer than 20 employees and, thus, would most likely be subject to the reporting and compliance burdens of this bill. Accounting for this growth and conservative estimates of the time and expenses associated with completing the paperwork required by the bill, the National Federation of Independent Business forecasts that the bill would cost America's small businesses $5.7 billion over 10 years and result in 131 million new hours of paperwork. These are dollars that companies could spend on making new investments or hiring new staff and time they could spend on building their businesses.

H.R. 2513 would require small business owners or officers to report personally identifiable information such as name, Social Security number, and driver's license number to a newly created Federal Government database operated by FinCEN. Law enforcement can access this database without due process, and the sensitive personal information contained in it is subject to the ever-growing threat of malicious cybercriminals.

Even with all the new requirements and privacy concerns created by this bill, it still does not fully address the root issue with current beneficial ownership reporting rules. The supposed justification of the bill is to ease the burden on financial institutions associated with implementing FinCEN's customer due diligence rule. However, H.R. 2513 fails to repeal and replace the CDD rule, and the rule will continue to coexist with the additional regulatory burdens on small businesses created by the bill.

Finally, the bill falls short if the goal is to relieve financial institutions of burdensome reporting requirements that do not materially contribute to countering money laundering and illicit finance. That is because it fails to make inflation-adjusted changes to the thresholds for filing suspicious activity reports and currency transaction reports.

While I recognize the need to combat financing of illicit operations, this bill attempts to do so by placing unjustified reporting requirements on our small businesses that could cost them time and money and hinder their growth.

The Acting CHAIR (Mr. CUELLAR). The time of the gentleman has expired.

Mr. MCHENRY. Mr. Chairman, I yield the gentleman from Kentucky an additional 30 seconds.

Mr. BARR. So, to conclude and to summarize, Mr. Chairman, we can and should update our AML/BSA laws, and we can and should give FinCEN and law enforcement better visibility into the beneficial ownership information of firms vulnerable to money laundering and illicit finance, but this is the wrong solution. I am hopeful that the concerns of Main Street small businesses can be addressed if this bill moves to the U.S. Senate.

Ms. WATERS. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. FOSTER), who is the chair on the Task Force on Artificial Intelligence.

Mr. FOSTER. Mr. Chairman, I thank the chairwoman for yielding, and I thank my friend from New York, Chairwoman MALONEY, for her leadership on this issue.

Mr. Chairman, I rise in support of H.R. 2513, which would help to end the abuse of anonymous shell companies. These entities have a well-documented history of being used to hide money in a wide variety of crimes, including sanctions evasion, terrorist financing, human trafficking, drug trafficking, illegal arms dealing, tax evasion, and corruption. Anonymous shell corporations are also being subverted by criminals in ever-evolving schemes involving emerging digital technologies.

One of the many hats that I wear is being a co-chair of the Blockchain Caucus. Just in the past week, I have had disquieting updates from officials from the FBI and FinCEN about trends in the abuse of cryptocurrencies for nefarious purposes.

What was clear from these briefings is that the use of anonymous shell companies has greatly inhibited the ability of law enforcement to go after criminals who use cryptocurrency to engage in illicit financing. The use of anonymous shell companies also makes it extremely difficult to uncover abusive trading practices in unregulated crypto exchanges.

In short, criminals and law enforcement officers are engaged in a very sophisticated cat-and-mouse game in which law enforcement is always playing catch-up. Passing the Corporate Transparency Act will give law enforcement officers a significant new

tool that could potentially lead them to taking down more of the bad guys.

Let us not forget, the use of the beneficial ownership registries is not some wild-eyed, crazy concept where the U.S. would be going out on a limb. This is an area where the U.S. is significantly behind other developed nations.

The Financial Action Task Force, a respected intergovernmental policymaking body established by the G7 countries in 2016, gave the U.S. a failing grade for its efforts to prevent the laundering of criminal proceeds by shell companies. According to FATF's report, the U.S. has not done enough to rein in corporate secrecy, which presents serious gaps in law enforcement efforts, leaving our financial system vulnerable to dirty money.

They were blunt. We were scored as noncompliant—the lowest possible score—on our ability to determine the true owners of shell companies. That is simply unacceptable.

I would like to think that the U.S. should be a standard setter amongst nations when it comes to things like anti-money laundering enforcement. The current status quo, however, woefully fails to measure up to our lofty goals. We need to do better, and that is why I support the commonsense measures put forth in H.R. 2513.

Mr. Chairman, I thank Congresswoman MALONEY for her determined and dogged leadership on this issue for many years, and I urge a ''yes'' vote on H.R. 2513.

Mr. MCHENRY. Mr. Chairman, I yield 4 minutes to the gentleman from Little Rock, Arkansas (Mr. HILL).

Mr. HILL of Arkansas. Mr. Chairman, I thank the ranking member.

I am grateful for the opportunity to come to the floor and talk about H.R. 2513, the Corporate Transparency Act.

I want to thank my good friend from New York (Mrs. CAROLYN B. MALONEY) for her leadership in this area for well over a decade, her hard work, and her determination on improving our anti-money laundering and Bank Secrecy Act rules.

I appreciate the chair of the committee and her work as well.

The legislation addresses how we might combat illicit finance activities by appropriately strengthening the collection of beneficial ownership information.

Now, Mr. Chairman, a beneficial owner is a person who enjoys the benefits of ownership even though the title to some form of property is in another name. We have long debated in Congress the best way for this information to be collected. Let's be clear here. It is being collected by our financial services industry under our know-your-customer rules.

The ability to set up legal entities without accurate beneficial ownership information, however, has long represented a key vulnerability in the U.S. financial system.

As I say, all U.S. banks, brokerage firms, and financial services companies have a know-your-customer obligation to collect ownership information and, importantly, collect beneficial ownership information. This was further defined in May 2008 by a FinCEN rule.

But not all shell companies are established for malicious purposes. Owners might create one temporarily to finance a company that has not yet started operations or to proceed with an acquisition in coming years. But in this instance, they would have no employees and no revenue, so the structure would look like a shell company, but it would be otherwise legal.

It is true, though, there are too many instances of anonymous shell companies serving as a vehicle for ill-intended activities, including money laundering and terrorist financing. The anti-money laundering system and the sanctions system, both independently and in tandem, are more important than ever before, as we have seen in recent debates.

For well over a decade, Congresswoman MALONEY, author of the legislation, has been leading and working hard to pass a bill that would enhance our AML regime, including on beneficial ownership. She and I agree, as do all the Members of this House, Mr. Chair, that it is vital to U.S. national security to have a vigorous and good AML/BSA system.

However, I cannot support the legislation as currently written. In my view, H.R. 2513 places a significant burden on small business and, in my view, unnecessarily. The rules have been outlined here.

I believe there is a better path forward, which is why I have long supported aligning tax filing with the collection of beneficial ownership information. Small businesses are already familiar with filing taxes.

A small business already files their taxes, which includes disclosing their owners, their capital, and their business structure. On their returns, they declare domestic and foreign aspects of their business—all subject to common existing processes and parameters, all subject to privacy, and all subject to existing penalties for failure to accurately report.

I think we can all agree that closing off access to illicit finance is laudable, necessary, and appropriate; and I expect that we can agree that the collection of accurate beneficial ownership information is a step in the right direction. I would just like to see us get there without subjecting small businesses to new, unnecessarily complicated reporting with the burden of exceedingly severe penalties for failure to comply.

Mr. Chairman, I hope that we can reach a simple compromise that sees stronger collection without jeopardizing small business.

□ 1430

Ms. WATERS. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri (Mr. CLEAVER), who is the sponsor of the COUNTER Act which is part of this bill. He is also the chair of the Subcommittee on National Security, International Development and Monetary Policy.

Mr. CLEAVER. Mr. Speaker, I thank the chairwoman for her work in this area, and for allowing those of us who are interested in this legislation to play a major role.

As many of my colleagues are aware, national security is one of the most pressing matters facing the United States of America and the world. I am excited for the opportunities that this moment presents to address these issues head on.

Our most profound responsibility as Members of Congress is to preserve America's national security and the United States' global position as an international leader in free and fair markets.

Since the last major anti-money laundering reforms of 2001, the national security threats that face our country have evolved profoundly and significantly, and frighteningly. Cyber and technological attacks have risen to the top of our most recent worldwide threat assessment as a paramount national security risk.

Underground online trafficking now allows for simplified avenues to transport illicit material across the Nation and around the globe, and cryptocurrencies now allow for streamlined means to fund criminal organizations. With virtual currency, dark web marketplaces and illicit technologies expanding to threaten citizens safety and hard-earned savings, it is critically important, Mr. Speaker, that our federal agencies evolve to meet and conquer these new challenges.

The COUNTER Act will do just that. This legislation will empower the Treasury Department to protect our national security and explicitly safeguard our financial systems through the Bank Secrecy Act.

It codifies a voluntary information-sharing program between law enforcement, financial institutions, and the Treasury Department, better ensuring the capture of illicit activities.

It balances national security and personal privacy by requiring Treasury and financial regulators to create the position of civil liberty and privacy officer. This officer will ensure that policies being developed and implemented are not intruding or undermining citizens' constitutional rights.

While the bill will close a number of loopholes that have allowed for financial crimes to be committed, it will also pull us into the 21st century by positioning the United States to face tomorrow's challenges.

The bill encourages financial regulators to work with companies to implement innovative approaches to meet the requirements in complying with existing law and encourages the use of innovative pilot programs.

Financial regulators will establish an innovation lab that will provide outreach to law enforcement, financial institutions, and others, to coordinate on

innovative and new technologies, ensuring they comply with existing law while fostering the implementation of new technologies. An innovation council will also be created, represented by the directors from each innovation lab, who will coordinate on active Bank Secrecy Act compliance.

It is imperative that we modernize our efforts to combat financial crimes because our adversaries will continue to modernize. I am happy that this bill is coming before us, the COUNTER Act, as an amendment to Congresswoman MALONEY's bill, the Corporate Transparency Act, which I know she and her team have worked very hard to produce.

The straightforward bill, Mr. Speaker, provides needed visibility by requiring companies and the United States to disclose the financial beneficiary in order to prevent criminals and wrongdoers from exploiting their status as a company.

Mr. Speaker, these are critical proposals. I urge my colleagues to support this legislation, and I thank Chairwoman WATERS.

Mr. MCHENRY. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. STIVERS), the ranking member of Subcommittee on Housing, Community Development and Insurance.

Mr. STIVERS. Mr. Speaker, I rise in opposition to H.R. 2513, although I do want to acknowledge that the sponsor has worked hard and in good faith to try to make the bill work, and I think the bill is well-intended.

There are two primary reasons why I oppose the legislation:

Number 1, it imposes an undue burden on small business, and;

Number 2, it doesn't adequately protect personally identifiable information of millions of Americans from cyberattacks.

First, it imposes a new burden on millions of small businesses, our constituents, who aren't aware we are having this debate today. In fact, most of them don't even know what FinCen is, but they will be forced to provide sensitive personal information to FinCen, an agency almost nobody knows, and failure to do so could lead to up to 3 years of imprisonment.

I feel the bill was well-intended, though, because I know that shell companies are used by criminals to move illicit money through our financial system. But there is a better way to address the problem. In committee, the gentleman from Arkansas (Mr. HILL), my colleague, offered an amendment that would transfer the information collected under this bill from FinCen to the IRS as part of the annual tax filing process. That approach will impose less burden on our constituents, the small businesses that create jobs in this country.

But a bigger obstacle would be here on the Hill, because it would result in shared jurisdiction with the Ways and Means Committee, so that ''good idea'' couldn't work because of jurisdictional lines.

Second, my issue is this agency, FinCen, will be the repository of a lot of data from millions of Americans with personally identifiable information. It is Cybersecurity Awareness Month; yet, there is not enough adequate protections in this bill to ensure that private data is secure from cyberattacks.

For these reasons, I can't vote for the bill, but I do want to congratulate the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), my colleague, and sponsor of this bill, for her hard work in trying to make the bill work.

Finally, I want to thank and recognize my colleague, Representative CLEAVER, whose bill, the COUNTER Act, H.R. 2514, was rolled into this bill. Representative CLEAVER worked with Republicans and Democrats to ensure our anti-money laundering and Bank Secrecy Act regime was reformed in a bipartisan way that makes our national security stronger.

I want to thank him and congratulate him on that work. And if that bill was a standalone bill, I think it would pass this institution nearly unanimously, if not unanimously. Again, unfortunately, I have to oppose H.R. 2513.

Ms. WATERS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. LAWSON).

Mr. LAWSON of Florida. Mr. Speaker, I thank the chairwoman for yielding me time.

Mr. Speaker, I rise to support H.R. 2513, the Corporate Transparency Act.

The bill would close loopholes that bad actors have taken advantage of in order to aid terrorist organizations, corrupt officials, and other criminal enterprises. Specifically, this bill requires that those who form corporations must disclose who the true beneficial owners are in order to thwart hidden criminal activity.

Instilling these measures in place will benefit consumers and small businesses by preventing unfair contracting practices, including false billing, fraudulent certifications, and defrauding taxpayers.

In addition, this bill will help to curb and prevent human trafficking, which is very prevalent now, by eliminating anonymous companies who hide the identities of criminals engaged in trafficking enterprises masked by a legitimate business structure.

According to a study by the University of Texas, among over 100 countries studied, the United States ranked the easiest place for suspicious individuals to incorporate an anonymous company.

Further, according to a 2017 GAO study, it found that GAO was unable to identify ownership information for about one-third of the GSA's high security leases.

Mr. Speaker, the Corporate Transparency Act will fix these issues and provide much-needed transparency into the corporate governing structure. I encourage my colleagues on both sides to support this bill.

Mr. MCHENRY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri (Mrs. WAGNER), the ranking member of the Subcommittee on Diversity and Inclusion, and the vice ranking member of the Committee on Financial Services.

Mrs. WAGNER. Mr. Speaker, I thank the gentleman from North Carolina (Mr. MCHENRY), ranking member, for yielding.

Mr. Speaker, I rise today in support of H.R. 2513, the Corporate Transparency Act. I thank my friend, CAROLYN MALONEY, for her tremendous work to fight trafficking and expose criminals who make money for exploitation; and my friend and colleague, BLAINE LUETKEMEYER, the ranking member of the Subcommittee on Consumer Protection and Financial Institutions for all his work on this issue of beneficial ownership.

I agree with my colleagues that we should not place unnecessary requirements on small businesses, and I believe that this legislation strikes the right balance.

It helps hardworking law enforcement officials expose traffickers who are laundering money through shell companies without placing onerous mandates on small businesses.

Human trafficking is an incredibly lucrative industry, with profits estimated at $150 billion a year. America lags behind our peers in other countries in collecting the beneficial ownership information that helps us to go after these anonymous companies that are exploiting the most vulnerable in our society.

Mr. Speaker, my amendment further simplifies the reporting process, and prevents identity theft and fraud. It creates a fast-tracked process for beneficial ownership where any citizen who is a frequent investor can be preverified. I am glad to see my amendment included in this underlying bill today.

Mr. Speaker, I urge my colleagues to join me in voting ''yes'' so that Congress can finally close the loopholes that allow criminals to rapidly move money and conceal illicit profits in the U.S. banking process.

Ms. WATERS. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. CASTEN).

Mr. CASTEN of Illinois. Mr. Speaker, I rise in support of H.R. 2513. As a member of the Committee on Financial Services, I have witnessed firsthand Representative MALONEY's commitment to advancing this important piece of legislation, and I am so glad that we are discussing it on the floor today.

Sunlight is the best disinfectant. The need for sunlight is especially urgent today as it relates to the involvement of foreign bad actors in our economy and our political process. We have, all of us here, taken an oath to support and defend the Constitution of the United States against all enemies, foreign and domestic, but regardless of whether you take that oath, I would submit to you that all patriotic Americans feel that obligation. I certainly

do, and this bill is a furtherance of that oath.

Before I got here, I was a CEO of an LLC. In fact, I was the CEO of a lot of LLCs. I couldn't even tell you how many LLCs I was the CEO of. And the reason is, because like a lot of modern companies, we set up a corporate structure to have a nested set of LLCs that could isolate liabilities to be matched to different rounds of investors in our company.

Now, that is a great feature of LLCs, but as is so often the case, a strength is also a weakness. It is a weakness because if it allows us to hide investors who want to use our financial system in a nefarious way—like to launder money—they can take advantage of that strength.

And that is why this bill is so necessary. Because companies like mine already collect the data. Because FinCen data is already classified as FISMA high, which is the highest level of cybersecurity for government agencies. So the argument that data of all filers is not protected is simply not true. But ultimately, because sunlight is the best disinfectant, and because we are in a moment when too many powerful people are seeking to hide their sources of capital, putting the trust in our government and financial system at risk.

This is the right bill for business. It is the right bill for our financial system. And it is the right bill for our country.

Mr. MCHENRY. Mr. Speaker, I yield 2 minutes to the gentleman from Troy, Ohio (Mr. DAVIDSON).

Mr. DAVIDSON of Ohio. Mr. Speaker, I thank my colleagues for the important reforms that have been included in this bill, very thoughtfully, to reform our Bank Secrecy Act.

The United States puts heavy burdens on banks to know their customers, to protect our country and our financial system, and to make it easier for the folks in law enforcement, and, frankly, all layers of national security to defend America.

It is an important way that our sanctions regime works. It is an important way that we detect and prosecute crime. And it has worked very successfully for years in the current form.

The biggest complaint is often that we required too much of banks. And so that led to this consumer due diligence rule that FinCen put out that put an extra burden on banks, some would say a redundant burden on banks, to report the beneficial ownership of their companies.

And so that created this provision that is now blended into a single bill rather than a standalone bill that was known as the Corporate Transparency Act. This is a horrible solution to a real problem. And the solution is horrible because it presumes that everyone that would own a company that has fewer than 20 employees is somehow part of an illicit finance scheme in America. The smallest, least-sophisticated businesses are now required to report annually and more frequently if they change the composition of the beneficial owners.

This is a violation of civil liberties and constitutional rights that our body should take seriously. Historically, that has been something that has united the parties.

□ 1445

When Congress did the reforms to the PATRIOT Act and the Foreign Intelligence Surveillance Act, they put these provisions in place with great hesitation because it created a big database and collected a great deal of information.

This data would not be subject to subpoena or control. It is a horrible solution to a real problem, and I urge greater consideration of alternatives in opposition to this bill.

Mr. MCHENRY. May I inquire of the Chair the time remaining.

The Acting CHAIR. The gentleman from North Carolina has 7½ minutes remaining. The gentlewoman from California has 8½ minutes remaining.

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

Ms. WATERS. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, the United States is vulnerable. According to a 2017 report by the Government Accountability Office, ''GAO was unable to identify ownership information for about one-third of GSA's 1,406 high-security leases as of March 2016 because ownership information was not readily available for all buildings.''

This finding was a leading factor in Congress voting to adopt a provision in the fiscal year 2018 National Defense Authorization Act for the Department of Defense to collect beneficial ownership information for all high-security office space it leases.

As a matter of fact, there is more information required to obtain a library card. According to a 2019 Global Financial Integrity analysis, ''The Library Card Project: The Ease of Forming Anonymous Companies in the United States,'' in all 50 States and the District of Columbia, ''more personal information is needed to obtain a library card than to establish a legal entity that can be used to facilitate tax evasion, money laundering, fraud, and corruption.''

The British model: The United Kingdom has a beneficial ownership directory, and an analysis found that the average number of owners per business in the U.K. is 1.13. Eighty-eight percent had two or fewer owners. The most common number of owners is one. More than 99 percent of businesses listed less than six owners.

According to the U.S. Small Business Administration, approximately 78 percent of all businesses in the U.S. are nonemployer firms, meaning there is only one person in the enterprise. This suggests that the experience in the U.S. would be similar to that in the U.K.

Mr. Chair, I would like to share with you that this legislation has tremendous support, for example, from Main Street Alliance, a network of over 30,000 small businesses; American Bankers Association; Bank Policy Institute; Mid-Size Bank Coalition of America; National Foreign Trade Council; Consumer Bankers Association; Financial Services Forum; Bankers Association for Finance and Trade; American Land Title Association; National Association of Realtors; One; FACT Coalition, a collection of 100-plus NGOs, including AFL–CIO, Global Witness, Oxfam America, Friends of the Earth U.S., Jubilee USA Network, Public Citizen, and Small Business Majority.

We could go on and on and on, but I think it is important to know that members of the Financial Services Committee, Representatives Maloney, Luetkemeyer, and Cleaver, have worked in good faith, along with the Department of the Treasury, nonprofit groups, and the financial services sector, to find consensus to close a massive loophole in our anti-money laundering framework.

The resulting pieces of legislation to modernize the anti-money laundering processes and to create a secure financial ownership registry of legal entities held at the Financial Crimes Enforcement Network at the Department of the Treasury represent the best path forward to provide law enforcement with needed information to pursue money criminals looking to exploit our financial system.

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

Mr. MCHENRY. Mr. Chair, I include in the RECORD a letter from the National Federation of Independent Businesses in opposition to this bill and a letter dated October 18, 2019, in opposition to the bill.

NFIB,
Washington, DC, October 21, 2019.

DEAR REPRESENTATIVE: On behalf of NFIB, the nation's leading small business advocacy organization, I write in strong opposition to H.R. 2513, the Corporate Transparency Act of 2019. This bill saddles America's smallest businesses with 131.7 million new paperwork hours at a cost of $5.7 billion, and treats small business owners as criminals by threatening them with jail time and oppressive fines for paperwork violations. To make matters even worse, the legislation puts the personal information of small business owners at serious risk.

The Corporate Transparency Act of 2019 requires corporations and limited liability companies with 20 or fewer employees to file new reports with the Treasury Department's Financial Crimes Enforcement Network (FinCEN) regarding the personally identifiable information of businesses' beneficial owners and update that information every year. The legislation imposes its reporting mandates only on America's small businesses, those least equipped to handle new paperwork requirements. Moreover, the legislation makes it a federal crime to fail to provide completed and updated reports, with civil penalties of up to $10,000, criminal penalties of up to 3 years in prison, or both.

The nonpartisan Congressional Budget Office (CBO) agrees that this legislation would

impose a significant new regulatory burden on small businesses. The CBO wrote, ''Because of the high volume of businesses that must meet the new reporting requirements and the additional administrative burden to file a new report, CBO estimates that the total costs to comply with the mandate would be substantial.'' The Corporate Transparency Act would generate between 25 million to 30 million new reports annually.

NFIB members report that the burden of federal paperwork ranks in the top 20% of the problems they encounter as small business owners. While large businesses and financial institutions may have access to teams of lawyers, accountants, and compliance experts to gather beneficial ownership information and report it to the government, small business owners do not. Small business owners have difficulty affording accounting and legal experts to help them understand and comply with federal reporting requirements. And small business owners lack the time to track and gather information to fill out yet more forms for the government.

When NFIB surveyed its membership concerning beneficial ownership reporting in August 2018, 80% opposed the idea of Congress requiring small business owners to file paperwork with the Treasury Department each time they form or change ownership of a business.

The Corporate Transparency Act of 2019 raises serious privacy concerns for small businesses. This bill would allow federal, state, tribal, local, and even foreign law enforcement access to business owners' personally identifiable information, via the FinCEN database, without a subpoena or warrant. The potential for improper disclosure or misuse of private information increases as the number of people with access to the information increases.

The Corporate Transparency Act of 2019 establishes a first of its kind federal registry of small business owners. While this registry will not be publicly available initially, NFIB has serious concerns that this legislation would be a first step towards establishing a publicly accessible federal registry, which can be used to name and shame small business owners.

NFIB strongly opposes H.R. 2513, the Corporate Transparency Act of 2019 and will consider it a Key Vote for the 116th Congress.

Sincerely,

JUANITA D. DUGGAN,
President & CEO, NFIB.

OCTOBER 18, 2019.

DEAR REPRESENTATIVE: While we support the goal of preventing wrongdoers from exploiting United States corporations and limited liability companies (LLCs) for criminal gain, the undersigned organizations write to express our strong opposition to H.R. 2513, the Corporate Transparency Act of 2019.

The Corporate Transparency Act would impose burdensome, duplicative reporting burdens on millions of small businesses in the United States and threatens the privacy of law-abiding, legitimate small business owners.

The Financial Crimes Enforcement Network's (FinCEN) Customer Due Diligence (CDD) rule became applicable on May 11, 2018. The CDD rule requires financial institutions to collect the ''beneficial ownership'' information of legal entities with which they conduct commerce. This legislation would attempt to shift the reporting requirements from large banks—those best equipped to handle reporting requirements—to millions of small businesses—those least equipped to handle reporting requirements.

The reporting requirements in the legislation would not only be duplicative, they would also be burdensome. Under this legislation, millions of small businesses would be required to register personally identifiable information with FinCEN upon incorporation and file annual reports with FinCEN for the life of the business. Failure to comply with these reporting requirements would be a federal crime with civil penalties up to $10,000, criminal penalties up to 3 years in prison, or both.

The Congressional Budget Office wrote, ''Because of the high volume of businesses that must meet the new reporting requirements and the additional administrative burden to file a new report, CBO estimates that the total costs to comply with the mandate would be substantial.'' The Corporate Transparency Act would generate between 25 million to 30 million new reports annually.

This legislation contains a definition of ''beneficial ownership'' that expands upon the current CDD rule. The CDD rule requires disclosure of individuals with a 25 percent ownership interest in a business and an individual with significant responsibilities to control a business. The Corporate Transparency Act would expand that definition, requiring disclosure of any individual who ''receives substantial economic benefits from the assets of'' a small business. The legislation defers to regulators at the Department of Treasury to determine ''substantial economic benefits.''

In addition, this legislation would impose a ''look-through'' reporting requirement, necessitating small business owners to look through every layer of corporate and LLC affiliates to identify if any individuals associated with such entities are qualifying beneficial owners. Ownership of an entity by one or more other corporations or LLCs is common. Corporate and LLC shareholders would already have their own independent reporting obligation under this bill to disclose any beneficial owners, making this provision excessively burdensome.

The Corporate Transparency Act raises significant privacy concerns as the proposed FinCEN ''beneficial ownership'' database would contain the names, dates of birth, addresses, and unexpired drivers' license numbers or passport numbers of millions of small business owners. This information would be accessible upon request ''through appropriate protocols'' to any local, state, tribal, or federal law enforcement agency or to law enforcement agencies from other countries via requests by U.S. federal agencies. This type of regime presents unacceptable privacy risks.

The Corporate Transparency Act also introduces serious data breach and cybersecurity risks. Under the legislation, FinCEN would maintain a database of private information that could be hacked for nefarious reasons. As the 2015 breach of the Office of Personnel Management demonstrated, the federal government is not immune from cyber-attacks and harmful disclosure of information. In addition, millions of American companies would be required to maintain and distribute information about owners and investors in the company, thus creating another point of vulnerability for attack. This risk is particularly acute because the Corporate Transparency Act is focused only on small businesses and those entities are often the least equipped to fight off cyber intrusions.

While this letter does not enumerate every concern, it highlights fundamental problems the Corporate Transparency Act would cause for millions of small businesses in the United States.

Because of the new reporting requirements and privacy concerns, the undersigned organizations urge a no vote on H.R. 2513, the Corporate Transparency Act.

Sincerely,

Air Conditioning Contractors of America, American Business Conference, American Farm Bureau Federation, American Foundry Society, American Hotel and Lodging Association, American Rental Association, Asian American Hotel Owners Association, Associated Builders and Contractors, Associated General Contractors of America, Auto Care Association, Family Business Coalition, International Foodservice Distributors Association, International Franchise Association.

National Apartment Association, National Association for the Self-Employed, National Association of Home Builders, National Association of Wholesaler-Distributors, NFIB, National Grocers Association, National Lumber and Building Material Dealers Association, National Pest Management Association, National Restaurant Association, National Retail Federation, National Roofing Contractors Association.

National Small Business Association, National Tooling and Machining Association, Petroleum Equipment Institute, Petroleum Marketers Association of America, Policy and Taxation Group, Precision Machined Parts Association, Precision Metalforming Association, Service Station Dealers of America and Allied Trades, S-Corporation Association, Small Business & Entrepreneurship Council, Specialty Equipment Market Association, The Real Estate Roundtable, Tire Industry Association.

Mr. MCHENRY. Mr. Chair, I include in the RECORD an article on behalf of the Due Process Institute, the American Civil Liberties Union, and FreedomWorks in opposition to this bill.

[From the Due Process Institute, ACLU, and FreedomWorks]

NO BENEFIT TO A BENEFICIAL OWNERSHIP REPORTING SYSTEM THAT INCREASES AMERICA'S OVER-INCARCERATION PROBLEM AND FAILS TO ADEQUATELY PROTECT PRIVACY

H.R. 2513 would require people who form or already own businesses, particularly small businesses, to submit extensive personal, financial, and business-related information to the government's Financial Crimes Enforcement Network (FinCEN). Legislative efforts to stop international crime by trying to ''follow the money'' such as H.R. 2513 likely have the best intentions in mind. However, the Due Process Institute, the American Civil Liberties Union, and FreedomWorks have serious concerns with several provisions of the Corporate Transparency Act of 2019 and believe the House should vote no TODAY on H.R. 2513 until these issues are fully addressed.

In sum, the creation of at least 5 new federal crimes for first-time ''paperwork'' violations that are felony criminal offenses calling for prison time is a dramatic step in the wrong direction. No matter how well-intentioned, this bill bears no real relation to combatting terrorism or money laundering and instead eliminates a significant amount of personal and financial privacy. On that score, the bill fails to adequately address how all of the personal and financial information disclosed to, and collected by, the government will be used solely for legitimate purposes or specifically address how privacy interests will be protected.

KEY TERMS ARE TOO VAGUE

Importantly, numerous key terms and phrases in the bill are poorly defined. For example, the current definition of ''beneficial owner'' includes anyone who ''directly or indirectly'' exercises substantial control or receives substantial economic benefit from an

entity. What does it mean to indirectly control an entity? The bill does not explain. We also cannot look to current FinCEN regulations to divine meaning. The bill does not replicate current FinCEN definitions of beneficial ownership and broadens the current definition to include an individual that ''receives substantial economic benefits from the assets of a corporation.'' Again, the bill does not explain the term. This lack of clarity has very serious consequences when a bill creates at least 5 new federal criminal laws that do nothing but increase this nation's overreliance on criminalization as a cure for every problem. Vague or overly broad statutory text leaves people vulnerable to unfair criminal investigations and prosecutions.

COMPLEX CRIMINAL COMPLIANCE LAWS UNFAIRLY BURDEN SMALL BUSINESSES & NON-PROFITS

Furthermore, this bill exempts most large entities with the compliance teams necessary to help them navigate new and burdensome requirements. Determining what is to be reported, when, and by whom, in a complex regulatory scheme is difficult. Large corporations are exempt—leaving the reporting burdens solely to small or independent businessowners as well as many nonprofits. Compounding this problem, these new disclosure requirements would apply not only to newly formed entities but also to those that have already been in existence—yet a businessowner (even a first-time offender) who fails to comply with any aspect of the requirements could face a prison sentence, as might a non-profit organization that inadvertently fails to meet all of the requirements to qualify for an exemption in the bill. These kinds of requirements easily set traps for honest people trying to faithfully comply with complex laws, particularly owners who lack experience or significant funds and volunteer-based nonprofits also lacking in funds and expertise to retain sophisticated business lawyers who can help them.

BENEFICIAL OWNERSHIP INFORMATION WOULD LACK SUFFICIENT PRIVACY PROTECTION

The bill currently would permit beneficial ownership information to be shared with local, Tribal, State, or Federal law enforcement under nearly any circumstances where they may assert an existing investigatory basis and agree to abide by vague privacy standards. The receiving agency may then use that information, without meaningful limitation, for any other law enforcement, national security, or intelligence purpose. These standards are entirely too broad and leave far too much personal information vulnerable to disclosure. The bill should permit FinCEN to disclose beneficial ownership information only when presented with a warrant based on probable cause. Without a clear standard limiting information disclosure, there would be few if any limits on the sharing of this information. Search warrants based on probable cause are the standard for obtaining information in criminal investigations and it would be reasonable to require them in this context. Moreover, the bill contains inadequate safeguards for protecting against the improper disclosure of information or for appropriately limiting the use of the information disclosed. At a minimum, the bill should limit use of the information to the investigative purposes for which it was collected and require the deletion of information after it is no longer useful for its investigative purpose. And it fails to provide either.

The truth is: there are already hundreds of federal criminal laws on the books, along with a wide swath of powerful investigative tools and authorities, that the government can use to adequately address or prevent money laundering and this bill is an unnecessary step in the wrong direction.

We hope you share our bipartisan concerns and oppose this legislation when voting today unless serious amendments are made.

Mr. McHENRY. And, Mr. Chair, I include in the RECORD two newspaper pieces, or news articles, if you will, from The Wall Street Journal and from The Verge.

From The Verge, it says: ''FBI violated Americans' privacy by abusing access to NSA surveillance data, court rules.'' And the second, from The Wall Street Journal, says: ''FBI's Use of Surveillance Database Violated Americans' Privacy Rights, Court Found.'' These are two recent articles that have been published in the last 10 days.

[From The Verge, Oct. 8, 2019]

FBI VIOLATED AMERICANS' PRIVACY BY ABUSING ACCESS TO NSA SURVEILLANCE DATA, COURT RULES

(By Nick Statt)

FBI AGENTS MADE TENS OF THOUSANDS OF UNAUTHORIZED SEARCHES ON AMERICAN CITIZENS

The Federal Bureau of Investigation made tens of thousands of unauthorized searches related to US citizens between 2017 and 2018, a court ruled. The agency violated both the law that authorized the surveillance program they used and the Fourth Amendment of the US Constitution.

The ruling was made in October 2018 by the Foreign Intelligence Surveillance Court (FISC), a secret government court responsible for reviewing and authorizing searches of foreign individuals inside and outside the US. It was just made public today.

THE FBI MADE UNAUTHORIZED, WARRANTLESS ELECTRONIC SEARCHES ON AMERICAN CITIZENS

The program itself, called Section 702 and part of the broad and aggressive expansion of US spy programs in the years after 9/11, granted FBI agents the ability to search a database of electronic intelligence, including phone numbers, emails, and other identifying data. It's intended for use primarily by the National Security Agency.

There's a key limitation on Section 702: it can only be used to search for evidence of a crime or as part of an investigation into a foreign target. The idea is to monitor terrorism suspects and cyberthreats.

Yet the FBI vetted American sources using the database, according to The Wall Street Journal. The agents also used the database to search for information about themselves. Less amusingly, they also looked up friends, family, and coworkers. The court deemed this a clear violation of the Fourth Amendment, which protects against unreasonable search and seizure, because none of the searches of US citizens had proper warrants attached.

The FISC is responsible for evaluating the use of these spy tools in secret as part of the Foreign Intelligence Surveillance Act of 1978, which pushed these governmental deliberations behind closed doors under the guise of protecting national security. That's why this ruling went a full year before seeing the light of day.

It's public now because the government lost an appeal in a separate, secret appeals court, the WSJ says. The FBI must now create new oversight procedures and a compliance review team to protect against further surveillance abuse.

[From WSJ, October 8, 2019]

FBI'S USE OF SURVEILLANCE DATABASE VIOLATED AMERICANS' PRIVACY RIGHTS, COURT FOUND

(By Dustin Volz and Byron Tau)

U.S. DISCLOSES RULING LAST YEAR BY FOREIGN INTELLIGENCE SURVEILLANCE COURT THAT FBI'S DATA QUERIES OF U.S. CITIZENS WERE UNCONSTITUTIONAL

Washington—Some of the Federal Bureau of Investigation's electronic surveillance activities violated the constitutional privacy rights of Americans swept up in a controversial foreign intelligence program, a secretive surveillance court has ruled.

The ruling deals a rare rebuke to U.S. spying programs that have generally withstood legal challenge and review since they were dramatically expanded after the Sept. 11, 2001, attacks. The opinion resulted in the FBI agreeing to better safeguard privacy and apply new procedures, including recording how the database is searched to detect possible future compliance issues.

The intelligence community disclosed Tuesday that the Foreign Intelligence Surveillance Court last year found that the FBI's efforts to search data about Americans ensnared in a warrantless internet-surveillance program intended to target foreign suspects have violated the law authorizing the program, as well as the Constitution's Fourth Amendment protections against unreasonable searches. The issue was made public by the government only after it lost an appeal of the judgment earlier this year before another secret court.

The court concluded that in at least a handful of cases, the FBI had been improperly searching a database of raw intelligence for information on Americans—raising concerns about oversight of the program, which as a spy program operates in near total secrecy.

The October 2018 court ruling identifies improper searches of raw intelligence databases by the bureau in 2017 and 2018 that were deemed problematic in part because of their breadth, which sometimes involved queries related to thousands or tens of thousands of pieces of data, such as emails or telephone numbers. In one case, the ruling suggested, the FBI was using the intelligence information to vet its personnel and cooperating sources. Federal law requires that the database only be searched by the FBI as part of seeking evidence of a crime or for foreign intelligence information.

In other instances, the court ruled that the database had been improperly used by individuals. In one case, an FBI contractor ran a query of an intelligence database—searching information on himself, other FBI personnel and his relatives, the court revealed.

The Trump administration failed to make a persuasive argument that modifying the program to better protect the privacy of Americans would hinder the FBI's ability to address national security threats, wrote U.S. District Judge James Boasberg, who serves on the PISA Court, in the partially redacted 138-page opinion released Tuesday.

In one case central to the court's opinion, the FBI in March 2017 conducted a broad search for information related to more than 70,000 emails, phone numbers and other digital identifiers. The bureau appeared to be looking for data to conduct a security review of people with access to its buildings and computers—meaning the FBI was searching for data linked to its own employees.

Judge Boasberg wrote that the case demonstrated how a ''single improper decision or assessment'' resulted in a search of data belonging to a large number of individuals. He said the government had reported since April 2017 ''a large number of FBI queries that

were not reasonably likely to return foreign-intelligence information or evidence of a crime,'' the standard required for such searches.

''The court accordingly finds that the FBI's querying procedures and minimization procedures are not consistent with the requirements of the Fourth Amendment,'' Judge Boasberg concluded.

The legal fight over the FBI's use of the surveillance tool has played out in secret since the courts that adjudicate these issues under the Foreign Intelligence Surveillance Act of 1978 rarely publicize their work. It was resolved last month after the government created new procedures in the wake of losing an appeal to the U.S. Foreign Intelligence Surveillance Court of Review—a secret appeals court that is rarely consulted and seldom releases opinions publicly. That resolution cleared the way for the disclosure Tuesday.

Additionally, FBI Director Chris Wray ordered the creation of a compliance review team following the October decision, a bureau official said.

The program in question, known as Section 702 surveillance, has roots in the national-security tools set up by the George W. Bush administration following the Sept. 11, 2001, terrorist attacks. It was later enshrined in law by Congress to target the electronic communications of nonAmericans located overseas. The program is principally used by the National Security Agency to collect certain categories of foreign intelligence from international phone calls and emails about terrorism suspects, cyber threats and other security risks.

Information from that surveillance is often shared with relevant federal government agencies with the names of any U.S. persons redacted to protect their privacy, unless an agency requests that identities be unmasked.

Privacy advocates have long criticized the Section 702 law for allowing broad surveillance that can implicate Americans and doesn't require individualized warrants. U.S. intelligence officials have defended it as among the most valuable national-security tools at their disposal, even as intelligence agencies have acknowledged that some communications from Americans are swept up in the process.

The court documents released Tuesday reveal unprecedented detail about how communications from Americans were ensnared and searched by intelligence collection programs that U.S. officials have publicly said are aimed mainly at foreigners. They cast doubt on whether law-enforcement and intelligence agencies are carefully complying with privacy procedures Congress has mandated.

Sen. Ron Wyden (D., Ore.), a critic of U.S. surveillance programs, said the disclosure ''reveals serious failings in the FBI's backdoor searches, underscoring the need for the government to seek a warrant before searching through mountains of private data on Americans.''

President Trump signed into law a six-year renewal of the Section 702 program in early 2018. Changes to the law allowed the court to review the FBI's data handling ultimately led to the October ruling.

The surveillance court opinions are the latest setback for U.S. surveillance practices during the Trump administration. The NSA last year turned off a program that collects domestic phone metadata—the time and duration of a call but not its content—amid at least two compliance issues involving the overcollection of data the spy agency wasn't authorized to obtain.

The FBI has also been under intense political pressure from Mr. Trump and his allies, who allege that the bureau's surveillance of a Trump campaign associate was improper. That surveillance of the aide, Carter Page, fell under a different provision of the foreign intelligence law but has nevertheless sparked a major debate about the scope of the bureau's authorities.

CORRECTIONS & AMPLIFICATIONS

U.S District Judge James Boasberg's opinion on FBI surveillance was 138 pages long. An earlier version of this article incorrectly called it a 167-page opinion. (Oct. 8, 2019)

Mr. MCHENRY. Mr. Chair, I yield 2 minutes to the gentleman from Tennessee (Mr. JOHN W. ROSE), from Temperance Hall.

Mr. JOHN W. ROSE of Tennessee. Mr. Chair, I rise in opposition to H.R. 2513, the Corporate Transparency Act.

As a farmer and as someone who has started a small business from the ground up, I know firsthand the unnecessary burden government regulations can place on small business owners.

Unlike large corporations, America's 5 million small businesses do not have the manpower, time, or resources to comply with more undue regulatory burdens.

Furthermore, it is concerning that H.R. 2513 lacks provisions that would ensure our small business owners' privacy. Under H.R. 2513, small business owners, after submitting their personal information, cannot trust that it would be safe or protected. As offered, H.R. 2513 lacks the safeguards necessary to provide our small business owners the confidence that their personal information will be safe and protected, once submitted.

At a minimum, if Big Government demands personal information, it must protect that data.

In addition, H.R. 2513 is built around arbitrary thresholds. I have yet to see a convincing explanation for why the threshold is a maximum of 20 employees or $5 million in gross receipts.

Under this legislation, if small business owners are unable to submit the required personal information, they may face criminal penalties of $10,000 and 3 years in prison. That would kill any small business.

Let us not forget, small businesses are the heart and drivers of job creation in many rural communities, as is the case for many of the communities I proudly represent in Tennessee's Sixth District.

We cannot unleash innovation in our country when we continue to force Big Government on America's small farmers and business owners.

The esteemed ranking member from North Carolina and I urge our fellow Members to join us in voting against H.R. 2513, the latest rendition of burdensome regulations and personal privacy invasions.

Ms. WATERS. Mr. Chair, I yield 3 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) sponsor of the legislation, H.R. 2513.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, critics on the other side of the aisle have made wild claims about the bill costing small businesses millions of dollars. But in the U.K., where they already collect this information, the cost of compliance for the average small business was only about $200, and that is a one-time cost. To me, that is a very modest price to pay for national security.

Every law enforcement agency in this country is asking for this reform, in order to make us safer.

In the U.K., the median company had 1.1 owners, which means that the vast majority of small businesses only have one owner, so that these businesses only have to file one name.

We are asking for only four pieces of information, and it is basic: name, date of birth, current address, and driver's license.

Does that sound burdensome? For most small business owners, it would take less than 5 minutes to fill out the form.

According to studies, it was pointed out earlier, you have to disclose more information to get a library card than you need to disclose to create a corporation or an LLC. And you don't hear people complaining about filling out forms for library cards.

I think the idea that the disclosure would be unduly burdensome is simply and completely false.

The bill also goes out of its way to exempt every category of business that already discloses their beneficial owners, either to regulators or the public filings. This includes banks, credit unions, insurance companies, and investment advisers, brokers, utilities, and nonprofits.

The bill even exempts companies with more than 20 employees and over $5 million in revenues because, if you have 20 employees, you are actually generating a significant amount of revenues and you are, certainly, a real business and not a shell company that is being used to launder money.

In fact, in almost all the cases where law enforcement has uncovered a shell company that is being used for illicit purposes, the company had either zero employees or one employee. That is why we felt very comfortable exempting companies with more than 20 employees.

I think we have gone way out of our way to ensure that the bill is appropriately tailored and is not burdensome to small businesses.

I would like to repeat that, usually, national security bills are bipartisan, and I am proud that we had significant support in the vote from our friends on the other side of the aisle. I urge my colleagues on both sides of the aisle to support this important bill that will make our citizens safer, will help law enforcement do their jobs, and, therefore, will save lives in our country.

This is a serious bill. Most countries already have it, and we are way behind. We are the money laundering capital of the world. It is just plain common sense to protect our citizens.

Vote for national security, and vote for this bill.

Mr. MCHENRY. Mr. Chair, I am prepared to close, and I yield myself the remainder of my time.

Mr. Chair, this is a disappointing bill. According to the National Federation of Independent Businesses, this will create $5.7 billion in new regulatory costs for America's smallest businesses.

My friend and colleague just said one or two employees, but the bill before us today says 20 or fewer employees. Traditionally, Congress has exempted small businesses from onerous government regulation, and Congress, in its wisdom, has set a threshold of small businesses that is 50 and above for most regulations that are of national import.

This bill turns all that on its head. It turns it all on its head and says: No, no, no. We are going to have a special carve-out for all small businesses, $5 billion and under of revenue and 20 employees and fewer.

The whole mindset here is absolutely wrong. We are putting a new small business mandate on America's smallest businesses, and we have an intelligence bureau that is going to go out to the public and request information directly from the public.

We don't do that with NSA to look at your cell phone records. In fact, we require the NSA to go before a court in order to look at a cell phone database, and there is an enormous amount of litigation around that.

What we have here is a new Federal Government database by an intelligence bureau most people haven't heard of, and it is a mandate on small businesses.

There are no due process protections here. You don't have to go before a court in order to look at this. In fact, they can just peruse it at will.

You have no data security standards, so we don't even know if this will be held to the same standard of data breaches that have already occurred in our intelligence bureaus and for Federal employees, nor the same liability standards for Federal users as the private sector has to protect personally identifiable information.

Again, there is not regulatory relief. Our friends in the banks want this because they want to be relieved of the burden of collecting this information. I certainly understand that. But they are still going to have to collect that information.

There is no repeal of the underlying rule that requires the banks to collect that type of information in order to transact business with those small businesses and businesses of other sizes.

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So there is no regulatory relief, with few civil liberty protections. We don't have a cybersecurity standard in the database. And it is a new mandate on small businesses.

But if you are content with that, vote ''yes,'' and if you don't think that is sufficient, vote ''no.''

I am going to stand with the NFIB, the American Farm Bureau, the National Association of Home Builders, National Association of General Contractors of America, the National Retail Federation, the Real Estate Roundtable, and other organizations here in Washington, like the ACLU, Heritage Action for America, the FreedomWorks Foundation, and the American Civil Liberties Union, as I mentioned, but I want to mention them twice so that people hear that clearly.

There is bipartisan opposition to this, and so I encourage my colleagues to vote ''no'' against this new mandate. Stand with your small business folks, and we will come to a better compromise than what we have here before us today. Please vote ''no.''

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

Ms. WATERS. Mr. Chairman, I would like to inquire as to how much time I have left.

The Acting CHAIR. The gentlewoman from California has 1½ minutes remaining.

Ms. WATERS. Mr. Chair, I would like to thank Representatives MALONEY and CLEAVER for their work on these reforms.

I would like to just add that H.R. 2513 is an important, commonsense measure that stops criminals from being able to hide behind anonymous shell companies. It closes loopholes in the Bank Secrecy Act, increases penalties for those who break the law, and helps provide financial institutions with new tools to more easily and accurately fulfill their obligations under the law.

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

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

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendment in the nature of a substitute recommended by the Committee on Financial Services, printed in the bill, modified by the amendment printed in part A of House Report 116–247, shall be considered as adopted. The bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 2513

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DIVISION A—CORPORATE TRANSPARENCY ACT OF 2019

SECTION 1. SHORT TITLE.

(a) IN GENERAL.—This Act may be cited as the ''Corporate Transparency Act of 2019''.

(b) REFERENCES TO THIS ACT.—In this division—

(1) any reference to ''this Act'' shall be deemed a reference to ''this division''; and

(2) except as otherwise expressly provided, any reference to a section or other provision shall be deemed a reference to that section or other provision of this division.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Nearly 2,000,000 corporations and limited liability companies are being formed under the laws of the States each year.

(2) Very few States require information about the beneficial owners of the corporations and limited liability companies formed under their laws.

(3) A person forming a corporation or limited liability company within the United States typically provides less information at the time of incorporation than is needed to obtain a bank account or driver's license and typically does not name a single beneficial owner.

(4) Criminals have exploited State formation procedures to conceal their identities when forming corporations or limited liability companies in the United States, and have then used the newly created entities to commit crimes affecting interstate and international commerce such as terrorism, proliferation financing, drug and human trafficking, money laundering, tax evasion, counterfeiting, piracy, securities fraud, financial fraud, and acts of foreign corruption.

(5) Law enforcement efforts to investigate corporations and limited liability companies suspected of committing crimes have been impeded by the lack of available beneficial ownership information, as documented in reports and testimony by officials from the Department of Justice, the Department of Homeland Security, the Department of the Treasury, and the Government Accountability Office, and others.

(6) In July 2006, the leading international antimoney laundering standard-setting body, the Financial Action Task Force on Money Laundering (in this section referred to as the ''FATF''), of which the United States is a member, issued a report that criticizes the United States for failing to comply with a FATF standard on the need to collect beneficial ownership information and urged the United States to correct this deficiency by July 2008. In December 2016, FATF issued another evaluation of the United States, which found that little progress has been made over the last ten years to address this problem. It identified the ''lack of timely access to adequate, accurate and current beneficial ownership information'' as a fundamental gap in United States efforts to combat money laundering and terrorist finance.

(7) In response to the 2006 FATF report, the United States has urged the States to obtain beneficial ownership information for the corporations and limited liability companies formed under the laws of such States.

(8) In contrast to practices in the United States, all 28 countries in the European Union are required to have corporate registries that include beneficial ownership information.

(9) To reduce the vulnerability of the United States to wrongdoing by United States corporations and limited liability companies with hidden owners, to protect interstate and international commerce from criminals misusing United States corporations and limited liability companies, to strengthen law enforcement investigations of suspect corporations and limited liability companies, to set a clear, universal standard for State incorporation practices, and to bring the United States into compliance with international anti-money laundering standards, Federal legislation is needed to require the collection of beneficial ownership information for the corporations and limited liability companies formed under the laws of such States.

SEC. 3. TRANSPARENT INCORPORATION PRACTICES.

(a) IN GENERAL.—

(1) AMENDMENT TO THE BANK SECRECY ACT.—Chapter 53 of title 31, United States Code, is amended by inserting after section 5332 the following new section:

''§ 5333 Transparent incorporation practices

''(a) REPORTING REQUIREMENTS.—

''(1) BENEFICIAL OWNERSHIP REPORTING.—

''(A) IN GENERAL.—Each applicant to form a corporation or limited liability company under

the laws of a State or Indian Tribe shall file a report with FinCEN containing a list of the beneficial owners of the corporation or limited liability company that—

''(i) except as provided in paragraphs (3) and (4), and subject to paragraph (2), identifies each beneficial owner by—

''(I) full legal name;

''(II) date of birth;

''(III) current residential or business street address; and

''(IV) a unique identifying number from a non-expired passport issued by the United States, a non-expired personal identification card, or a non-expired driver's license issued by a State; and

''(ii) if the applicant is not a beneficial owner, also provides the identification information described in clause (i) relating to such applicant.

''(B) UPDATED INFORMATION.—Each corporation or limited liability company formed under the laws of a State or Indian Tribe shall—

''(i) submit to FinCEN an annual filing containing a list of—

''(I) the current beneficial owners of the corporation or limited liability company and the information described in subparagraph (A) for each such beneficial owner; and

''(II) any changes in the beneficial owners of the corporation or limited liability company during the previous year; and

''(ii) pursuant to any rule issued by the Secretary of the Treasury under subparagraph (C), update the list of the beneficial owners of the corporation or limited liability company within the time period prescribed by such rule.

''(C) RULEMAKING ON UPDATING INFORMATION.—Not later than 9 months after the completion of the study required under section 4(a)(1) of the Corporate Transparency Act of 2019, the Secretary of the Treasury shall consider the findings of such study and, if the Secretary determines it to be necessary or appropriate, issue a rule requiring corporations and limited liability companies to update the list of the beneficial owners of the corporation or limited liability company within a specified amount of time after the date of any change in the list of beneficial owners or the information required to be provided relating to each beneficial owner.

''(D) STATE NOTIFICATION.—Each State in which a corporation or limited liability company is being formed shall notify each applicant of the requirements listed in subparagraphs (A) and (B).

''(2) CERTAIN BENEFICIAL OWNERS.—If an applicant to form a corporation or limited liability company or a beneficial owner, or similar agent of a corporation or limited liability company who is required to provide identification information under this subsection, does not have a nonexpired passport issued by the United States, a nonexpired personal identification card, or a non-expired driver's license issued by a State, each such person shall provide to FinCEN the full legal name, current residential or business street address, a unique identifying number from a non-expired passport issued by a foreign government, and a legible and credible copy of the pages of a non-expired passport issued by the government of a foreign country bearing a photograph, date of birth, and unique identifying information for each beneficial owner, and each application described in paragraph (1)(A) and each update described in paragraph (1)(B) shall include a written certification by a person residing in the State or Indian country under the jurisdiction of the Indian Tribe forming the entity that the applicant, corporation, or limited liability company—

''(A) has obtained for each such beneficial owner, a current residential or business street address and a legible and credible copy of the pages of a non-expired passport issued by the government of a foreign country bearing a photograph, date of birth, and unique identifying information for the person;

''(B) has verified the full legal name, address, and identity of each such person;

''(C) will provide the information described in subparagraph (A) and the proof of verification described in subparagraph (B) upon request of FinCEN; and

''(D) will retain the information and proof of verification under this paragraph until the end of the 5-year period beginning on the date that the corporation or limited liability company terminates under the laws of the State or Indian Tribe.

''(3) EXEMPT ENTITIES.—

''(A) IN GENERAL.—With respect to an applicant to form a corporation or limited liability company under the laws of a State or Indian Tribe, if such entity is described in subparagraph (C) or (D) of subsection (d)(4) and will be exempt from the beneficial ownership disclosure requirements under this subsection, such applicant, or a prospective officer, director, or similar agent of the applicant, shall file a written certification with FinCEN—

''(i) identifying the specific provision of subsection (d)(4) under which the entity proposed to be formed would be exempt from the beneficial ownership disclosure requirements under paragraphs (1) and (2);

''(ii) stating that the entity proposed to be formed meets the requirements for an entity described under such provision of subsection (d)(4); and

''(iii) providing identification information for the applicant or prospective officer, director, or similar agent making the certification in the same manner as provided under paragraph (1) or (2).

''(B) EXISTING CORPORATIONS OR LIMITED LIABILITY COMPANIES.—On and after the date that is 2 years after the final regulations are issued to carry out this section, a corporation or limited liability company formed under the laws of the State or Indian Tribe before such date shall be subject to the requirements of this subsection unless an officer, director, or similar agent of the entity submits to FinCEN a written certification—

''(i) identifying the specific provision of subsection (d)(4) under which the entity is exempt from the requirements under paragraphs (1) and (2);

''(ii) stating that the entity meets the requirements for an entity described under such provision of subsection (d)(4); and

''(iii) providing identification information for the officer, director, or similar agent making the certification in the same manner as provided under paragraph (1) or (2).

''(C) EXEMPT ENTITIES HAVING OWNERSHIP INTEREST.—If an entity described in subparagraph (C) or (D) of subsection (d)(4) has or will have an ownership interest in a corporation or limited liability company formed or to be formed under the laws of a State or Indian Tribe, the applicant, corporation, or limited liability company in which the entity has or will have the ownership interest shall provide the information required under this subsection relating to the entity, except that the entity shall not be required to provide information regarding any natural person who has an ownership interest in, exercises substantial control over, or receives substantial economic benefits from the entity.

''(4) FINCEN ID NUMBERS.—

''(A) ISSUANCE OF FINCEN ID NUMBER.—

''(i) IN GENERAL.—FinCEN shall issue a FinCEN ID number to any individual who requests such a number and provides FinCEN with the information described under subclauses (I) through (IV) of paragraph (1)(A)(i).

''(ii) UPDATING OF INFORMATION.—An individual with a FinCEN ID number shall submit an annual filing with FinCEN updating any information described under subclauses (I) through (IV) of paragraph (1)(A)(i).

''(B) USE OF FINCEN ID NUMBER IN REPORTING REQUIREMENTS.—Any person required to report the information described under paragraph (1)(A)(i) with respect to an individual may instead report the FinCEN ID number of the individual.

''(C) TREATMENT OF INFORMATION SUBMITTED FOR FINCEN ID NUMBER.—For purposes of this section, any information submitted under subparagraph (A) shall be deemed to be beneficial ownership information.

''(5) RETENTION AND DISCLOSURE OF BENEFICIAL OWNERSHIP INFORMATION BY FINCEN.—

''(A) RETENTION OF INFORMATION.—Beneficial ownership information relating to each corporation or limited liability company formed under the laws of the State or Indian Tribe shall be maintained by FinCEN until the end of the 5-year period (or such other period of time as the Secretary of the Treasury may, by rule, determine) beginning on the date that the corporation or limited liability company terminates.

''(B) DISCLOSURE OF INFORMATION.—Beneficial ownership information reported to FinCEN pursuant to this section shall be provided by FinCEN only upon receipt of—

''(i) subject to subparagraph (C), a request, through appropriate protocols, by a local, Tribal, State, or Federal law enforcement agency;

''(ii) a request made by a Federal agency on behalf of a law enforcement agency of another country under an international treaty, agreement, or convention, or an order under section 3512 of title 18 or section 1782 of title 28; or

''(iii) a request made by a financial institution, with customer consent, as part of the institution's compliance with due diligence requirements imposed under the Bank Secrecy Act, the USA PATRIOT Act, or other applicable Federal, State, or Tribal law.

''(C) APPROPRIATE PROTOCOLS.—

''(i) PRIVACY.—The protocols described in subparagraph (B)(i) shall—

''(I) protect the privacy of any beneficial ownership information provided by FinCEN to a local, Tribal, State, or Federal law enforcement agency;

''(II) ensure that a local, Tribal, State, or Federal law enforcement agency requesting beneficial ownership information has an existing investigatory basis for requesting such information;

''(III) ensure that access to beneficial ownership information is limited to authorized users at a local, Tribal, State, or Federal law enforcement agency who have undergone appropriate training, and that the identity of such authorized users is verified through appropriate mechanisms, such as two-factor authentication;

''(IV) include an audit trail of requests for beneficial ownership information by a local, Tribal, State, or Federal law enforcement agency, including, as necessary, information concerning queries made by authorized users at a local, Tribal, State, or Federal law enforcement agency;

''(V) require that every local, Tribal, State, or Federal law enforcement agency that receives beneficial ownership information from FinCEN conducts an annual audit to verify that the beneficial ownership information received from FinCEN has been accessed and used appropriately, and consistent with this paragraph; and

''(VI) require FinCEN to conduct an annual audit of every local, Tribal, State, or Federal law enforcement agency that has received beneficial ownership information to ensure that such agency has requested beneficial ownership information, and has used any beneficial ownership information received from FinCEN, appropriately, and consistent with this paragraph.

''(ii) LIMITATION ON USE.—Beneficial ownership information provided to a local, Tribal, State, or Federal law enforcement agency under this paragraph may only be used for law enforcement, national security, or intelligence purposes.

''(b) NO BEARER SHARE CORPORATIONS OR LIMITED LIABILITY COMPANIES.—A corporation or limited liability company formed under the laws of a State or Indian Tribe may not issue a certificate in bearer form evidencing either a whole or fractional interest in the corporation or limited liability company.

''(c) PENALTIES.—

''(1) IN GENERAL.—It shall be unlawful for any person to affect interstate or foreign commerce by—

''(A) knowingly providing, or attempting to provide, false or fraudulent beneficial ownership information, including a false or fraudulent identifying photograph, to FinCEN in accordance with this section;

''(B) willfully failing to provide complete or updated beneficial ownership information to FinCEN in accordance with this section; or

''(C) knowingly disclosing the existence of a subpoena or other request for beneficial ownership information reported pursuant to this section, except—

''(i) to the extent necessary to fulfill the authorized request; or

''(ii) as authorized by the entity that issued the subpoena, or other request.

''(2) CIVIL AND CRIMINAL PENALTIES.—Any person who violates paragraph (1)—

''(A) shall be liable to the United States for a civil penalty of not more than $10,000; and

''(B) may be fined under title 18, United States Code, imprisoned for not more than 3 years, or both.

''(3) LIMITATION.—Any person who negligently violates paragraph (1) shall not be subject to civil or criminal penalties under paragraph (2).

''(4) WAIVER.—The Secretary of the Treasury may waive the penalty for violating paragraph (1) if the Secretary determines that the violation was due to reasonable cause and was not due to willful neglect.

''(5) CRIMINAL PENALTY FOR THE MISUSE OR UNAUTHORIZED DISCLOSURE OF BENEFICIAL OWNERSHIP INFORMATION.—The criminal penalties provided for under section 5322 shall apply to a violation of this section to the same extent as such criminal penalties apply to a violation described in section 5322, if the violation of this section consists of the misuse or unauthorized disclosure of beneficial ownership information.

''(d) DEFINITIONS.—For the purposes of this section:

''(1) APPLICANT.—The term 'applicant' means any natural person who files an application to form a corporation or limited liability company under the laws of a State or Indian Tribe.

''(2) BANK SECRECY ACT.—The term 'Bank Secrecy Act' means—

''(A) section 21 of the Federal Deposit Insurance Act;

''(B) chapter 2 of title I of Public Law 91–508; and

''(C) this subchapter.

''(3) BENEFICIAL OWNER.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'beneficial owner' means a natural person who, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise—

''(i) exercises substantial control over a corporation or limited liability company;

''(ii) owns 25 percent or more of the equity interests of a corporation or limited liability company; or

''(iii) receives substantial economic benefits from the assets of a corporation or limited liability company.

''(B) EXCEPTIONS.—The term 'beneficial owner' shall not include—

''(i) a minor child, as defined in the State or Indian Tribe in which the entity is formed;

''(ii) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

''(iii) a person acting solely as an employee of a corporation or limited liability company and whose control over or economic benefits from the corporation or limited liability company derives solely from the employment status of the person;

''(iv) a person whose only interest in a corporation or limited liability company is through a right of inheritance; or

''(v) a creditor of a corporation or limited liability company, unless the creditor also meets the requirements of subparagraph (A).

''(C) SUBSTANTIAL ECONOMIC BENEFITS DEFINED.—

''(i) IN GENERAL.—For purposes of subparagraph (A)(ii), a natural person receives substantial economic benefits from the assets of a corporation or limited liability company if the person has an entitlement to more than a specified percentage of the funds or assets of the corporation or limited liability company, which the Secretary of the Treasury shall, by rule, establish.

''(ii) RULEMAKING CRITERIA.—In establishing the percentage under clause (i), the Secretary of the Treasury shall seek to—

''(I) provide clarity to corporations and limited liability companies with respect to the identification and disclosure of a natural person who receives substantial economic benefits from the assets of a corporation or limited liability company; and

''(II) identify those natural persons who, as a result of the substantial economic benefits they receive from the assets of a corporation or limited liability company, exercise a dominant influence over such corporation or limited liability company.

''(4) CORPORATION; LIMITED LIABILITY COMPANY.—The terms 'corporation' and 'limited liability company'—

''(A) have the meanings given such terms under the laws of the applicable State or Indian Tribe;

''(B) include any non-United States entity eligible for registration or registered to do business as a corporation or limited liability company under the laws of the applicable State or Indian Tribe;

''(C) do not include any entity that is—

''(i) a business concern that is an issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l) or that is required to file reports under section 15(d) of that Act (15 U.S.C. 78o(d));

''(ii) a business concern constituted, sponsored, or chartered by a State or Indian Tribe, a political subdivision of a State or Indian Tribe, under an interstate compact between two or more States, by a department or agency of the United States, or under the laws of the United States;

''(iii) a depository institution (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813));

''(iv) a credit union (as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752));

''(v) a bank holding company (as defined in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841)) or a savings and loan holding company (as defined in section 10(a) of the Home Owners' Loan Act (12 U.S.C. 1467a(a));

''(vi) a broker or dealer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)) that is registered under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o);

''(vii) an exchange or clearing agency (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)) that is registered under section 6 or 17A of the Securities Exchange Act of 1934 (15 U.S.C. 78f and 78q–1);

''(viii) an investment company (as defined in section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a–3)) or an investment adviser (as defined in section 202(11) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2(11))), if the company or adviser is registered with the Securities and Exchange Commission, has filed an application for registration which has not been denied, under the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) or the Investment Adviser Act of 1940 (15 U.S.C. 80b–1 et seq.), or is an investment adviser described under section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(l));

''(ix) an insurance company (as defined in section 2 of the Investment Company Act of 1940 (15 U.S.C. 80a–2));

''(x) a registered entity (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)), or a futures commission merchant, introducing broker, commodity pool operator, or commodity trading advisor (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)) that is registered with the Commodity Futures Trading Commission;

''(xi) a public accounting firm registered in accordance with section 102 of the Sarbanes-Oxley Act (15 U.S.C. 7212) or an entity controlling, controlled by, or under common control of such a firm;

''(xii) a public utility that provides telecommunications service, electrical power, natural gas, or water and sewer services, within the United States;

''(xiii) a church, charity, nonprofit entity, or other organization that is described in section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code of 1986, that has not been denied tax exempt status, and that has filed the most recently due annual information return with the Internal Revenue Service, if required to file such a return;

''(xiv) a financial market utility designated by the Financial Stability Oversight Council under section 804 of the Dodd-Frank Wall Street Reform and Consumer Protection Act;

''(xv) an insurance producer (as defined in section 334 of the Gramm-Leach-Bliley Act);

''(xvi) any pooled investment vehicle that is operated or advised by a person described in clause (iii), (iv), (v), (vi), (viii), (ix), or (xi);''.

''(xvii) any business concern that—

''(I) employs more than 20 employees on a full-time basis in the United States;

''(II) files income tax returns in the United States demonstrating more than $5,000,000 in gross receipts or sales; and

''(III) has an operating presence at a physical office within the United States; or

''(xviii) any corporation or limited liability company formed and owned by an entity described in this clause or in clause (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii), (xiv), (xv), or (xvi); and

''(D) do not include any individual business concern or class of business concerns which the Secretary of the Treasury and the Attorney General of the United States have jointly determined, by rule of otherwise, to be exempt from the requirements of subsection (a), if the Secretary and the Attorney General jointly determine that requiring beneficial ownership information from the business concern would not serve the public interest and would not assist law enforcement efforts to detect, prevent, or prosecute terrorism, money laundering, tax evasion, or other misconduct.

''(5) FINCEN.—The term 'FinCEN' means the Financial Crimes Enforcement Network of the Department of the Treasury.

''(6) INDIAN COUNTRY.—The term 'Indian country' has the meaning given that term in section 1151 of title 18.

''(7) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given that term under section 102 of the Federally Recognized Indian Tribe List Act of 1994.

''(8) PERSONAL IDENTIFICATION CARD.—The term 'personal identification card' means an identification document issued by a State, Indian Tribe, or local government to an individual solely for the purpose of identification of that individual.

''(9) STATE.—The term 'State' means any State, commonwealth, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, or the United States Virgin Islands.''.

(2) RULEMAKING.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall issue regulations to carry out this Act and the amendments made by this

Act, including, to the extent necessary, to clarify the definitions in section 5333(d) of title 31, United States Code.

(B) REVISION OF FINAL RULE.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall revise the final rule titled ''Customer Due Diligence Requirements for Financial Institutions'' (May 11, 2016; 81 Fed. Reg. 29397) to—

(i) bring the rule into conformance with this Act and the amendments made by this Act;

(ii) account for financial institutions' access to comprehensive beneficial ownership information filed by corporations and limited liability companies, under threat of civil and criminal penalties, under this Act and the amendments made by this Act; and

(iii) reduce any burdens on financial institutions that are, in light of the enactment of this Act and the amendments made by this Act, unnecessary or duplicative.

(3) CONFORMING AMENDMENTS.—Title 31, United States Code, is amended—

(A) in section 5321(a)—

(i) in paragraph (1), by striking ''sections 5314 and 5315'' each place it appears and inserting ''sections 5314, 5315, and 5333''; and

(ii) in paragraph (6), by inserting ''(except section 5333)'' after ''subchapter'' each place it appears; and

(B) in section 5322, by striking ''section 5315 or 5324'' each place it appears and inserting ''section 5315, 5324, or 5333''.

(4) TABLE OF CONTENTS.—The table of contents of chapter 53 of title 31, United States Code, is amended by inserting after the item relating to section 5332 the following:

''5333. Transparent incorporation practices.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $20,000,000 for each of fiscal years 2020 and 2021 to the Financial Crimes Enforcement Network to carry out this Act and the amendments made by this Act.

(c) FEDERAL CONTRACTORS.—Not later than the first day of the first full fiscal year beginning at least 1 year after the date of the enactment of this Act, the Administrator for Federal Procurement Policy shall revise the Federal Acquisition Regulation maintained under section 1303(a)(1) of title 41, United States Code, to require any contractor or subcontractor who is subject to the requirement to disclose beneficial ownership information under section 5333 of title 31, United States Code, to provide the information required to be disclosed under such section to the Federal Government as part of any bid or proposal for a contract with a value threshold in excess of the simplified acquisition threshold under section 134 of title 41, United States Code.

SEC. 4. STUDIES AND REPORTS.

(a) UPDATING OF BENEFICIAL OWNERSHIP INFORMATION.—

(1) STUDY.—The Secretary of the Treasury, in consultation with the Attorney General of the United States, shall conduct a study to evaluate—

(A) the necessity of a requirement for corporations and limited liability companies to update the list of their beneficial owners within a specified amount of time after the date of any change in the list of beneficial owners or the information required to be provided relating to each beneficial owner, taking into account the annual filings required under section 5333(a)(1)(B)(i) of title 31, United States Code, and the information contained in such annual filings; and

(B) the burden that a requirement to update the list of beneficial owners within a specified period of time after a change in such list of beneficial owners would impose on corporations and limited liability companies.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall submit a report on the study required under paragraph (1) to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate

(3) PUBLIC COMMENT.—The Secretary of the Treasury shall seek and consider public input, comments, and data in order to conduct the study required under subparagraph paragraph (1).

(b) OTHER LEGAL ENTITIES.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to the Congress a report—

(1) identifying each State or Indian Tribe that has procedures that enable persons to form or register under the laws of the State or Indian Tribe partnerships, trusts, or other legal entities, and the nature of those procedures;

(2) identifying each State or Indian Tribe that requires persons seeking to form or register partnerships, trusts, or other legal entities under the laws of the State or Indian Tribe to provide information about the beneficial owners (as that term is defined in section 5333(d)(1) of title 31, United States Code, as added by this Act) or beneficiaries of such entities, and the nature of the required information;

(3) evaluating whether the lack of available beneficial ownership information for partnerships, trusts, or other legal entities—

(A) raises concerns about the involvement of such entities in terrorism, money laundering, tax evasion, securities fraud, or other misconduct;

(B) has impeded investigations into entities suspected of such misconduct; and

(C) increases the costs to financial institutions of complying with due diligence requirements imposed under the Bank Secrecy Act, the USA PATRIOT Act, or other applicable Federal, State, or Tribal law; and

(4) evaluating whether the failure of the United States to require beneficial ownership information for partnerships and trusts formed or registered in the United States has elicited international criticism and what steps, if any, the United States has taken or is planning to take in response.

(c) EFFECTIVENESS OF INCORPORATION PRACTICES.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to the Congress a report assessing the effectiveness of incorporation practices implemented under this Act and the amendments made by this Act in—

(1) providing law enforcement agencies with prompt access to reliable, useful, and complete beneficial ownership information; and

(2) strengthening the capability of law enforcement agencies to combat incorporation abuses, civil and criminal misconduct, and detect, prevent, or punish terrorism, money laundering, tax evasion, or other misconduct.

SEC. 5. DEFINITIONS.

In this Act, the terms ''Bank Secrecy Act'', ''beneficial owner'', ''corporation'', and ''limited liability company'' have the meaning given those terms, respectively, under section 5333(d) of title 31, United States Code.

DIVISION B—COUNTER ACT OF 2019

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Coordinating Oversight, Upgrading and Innovating Technology, and Examiner Reform Act of 2019'' or the ''COUNTER Act of 2019''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

DIVISION B—COUNTER ACT OF 2019

Sec. 1. Short title; table of contents.
Sec. 2. Bank Secrecy Act definition.

TITLE I—STRENGTHENING TREASURY

Sec. 101. Improving the definition and purpose of the Bank Secrecy Act.
Sec. 102. Special hiring authority.
Sec. 103. Civil Liberties and Privacy Officer.
Sec. 104. Civil Liberties and Privacy Council.
Sec. 105. International coordination.
Sec. 106. Treasury Attachés Program.
Sec. 107. Increasing technical assistance for international cooperation.
Sec. 108. FinCEN Domestic Liaisons.
Sec. 109. FinCEN Exchange.
Sec. 110. Study and strategy on trade-based money laundering.
Sec. 111. Study and strategy on de-risking.
Sec. 112. AML examination authority delegation study.
Sec. 113. Study and strategy on Chinese money laundering.

TITLE J—IMPROVING AML/CFT OVERSIGHT

Sec. 201. Pilot program on sharing of suspicious activity reports within a financial group.
Sec. 202. Sharing of compliance resources.
Sec. 203. GAO Study on feedback loops.
Sec. 204. FinCEN study on BSA value.
Sec. 205. Sharing of threat pattern and trend information.
Sec. 206. Modernization and upgrading whistleblower protections.
Sec. 207. Certain violators barred from serving on boards of United States financial institutions.
Sec. 208. Additional damages for repeat Bank Secrecy Act violators.
Sec. 209. Justice annual report on deferred and non-prosecution agreements.
Sec. 210. Return of profits and bonuses.
Sec. 211. Application of Bank Secrecy Act to dealers in antiquities.
Sec. 212. Geographic targeting order.
Sec. 213. Study and revisions to currency transaction reports and suspicious activity reports.
Sec. 214. Streamlining requirements for currency transaction reports and suspicious activity reports.

TITLE K—MODERNIZING THE AML SYSTEM

Sec. 301. Encouraging innovation in BSA compliance.
Sec. 302. Innovation Labs.
Sec. 303. Innovation Council.
Sec. 304. Testing methods rulemaking.
Sec. 305. FinCEN study on use of emerging technologies.
Sec. 306. Discretionary surplus funds.

(c) REFERENCES TO THIS ACT.—In this division—

(1) any reference to ''this Act'' shall be deemed a reference to ''this division''; and

(2) except as otherwise expressly provided, any reference to a section or other provision shall be deemed a reference to that section or other provision of this division.

SEC. 2. BANK SECRECY ACT DEFINITION.

Section 5312(a) of title 31, United States Code, is amended by adding at the end the following:

''(7) BANK SECRECY ACT.—The term 'Bank Secrecy act' means—

''(A) section 21 of the Federal Deposit Insurance Act;

''(B) chapter 2 of title I of Public Law 91–508; and

''(C) this subchapter.''.

TITLE I—STRENGTHENING TREASURY

SEC. 101. IMPROVING THE DEFINITION AND PURPOSE OF THE BANK SECRECY ACT.

Section 5311 of title 31, United States Code, is amended—

(1) by inserting ''to protect our national security, to safeguard the integrity of the international financial system, and'' before ''to require''; and

(2) by inserting ''to law enforcement and'' before ''in criminal''.

SEC. 102. SPECIAL HIRING AUTHORITY.

(a) IN GENERAL.—Section 310 of title 31, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (g); and

(2) by inserting after subsection (c) the following:

''(d) SPECIAL HIRING AUTHORITY.—

''(1) IN GENERAL.—The Secretary of the Treasury may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, candidates directly to positions in the competitive service (as defined in section 2102 of that title) in FinCEN.

''(2) PRIMARY RESPONSIBILITIES.—The primary responsibility of candidates appointed pursuant to paragraph (1) shall be to provide substantive support in support of the duties described in subparagraphs (A), (B), (E), and (F) of subsection (b)(2).''.

(b) REPORT.—Not later than 360 days after the date of enactment of this Act, and every year thereafter for 7 years, the Director of the Financial Crimes Enforcement Network shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that includes—

(1) the number of new employees hired since the preceding report through the authorities described under section 310(d) of title 31, United States Code, along with position titles and associated pay grades for such hires; and

(2) a copy of any Federal Government survey of staff perspectives at the Office of Terrorism and Financial Intelligence, including findings regarding the Office and the Financial Crimes Enforcement Network from the most recently administered Federal Employee Viewpoint Survey.

SEC. 103. CIVIL LIBERTIES AND PRIVACY OFFICER.

(a) APPOINTMENT OF OFFICERS.—Not later than the end of the 3-month period beginning on the date of enactment of this Act, a Civil Liberties and Privacy Officer shall be appointed, from among individuals who are attorneys with expertise in data privacy laws—

(1) within each Federal functional regulator, by the head of the Federal functional regulator;

(2) within the Financial Crimes Enforcement Network, by the Secretary of the Treasury; and

(3) within the Internal Revenue Service Small Business and Self-Employed Tax Center, by the Secretary of the Treasury.

(b) DUTIES.—Each Civil Liberties and Privacy Officer shall, with respect to the applicable regulator, Network, or Center within which the Officer is located—

(1) be consulted each time Bank Secrecy Act or anti-money laundering regulations affecting civil liberties or privacy are developed or reviewed;

(2) be consulted on information-sharing programs, including those that provide access to personally identifiable information;

(3) ensure coordination and clarity between anti-money laundering, civil liberties, and privacy regulations;

(4) contribute to the evaluation and regulation of new technologies that may strengthen data privacy and the protection of personally identifiable information collected by each Federal functional regulator; and

(5) develop metrics of program success.

(c) DEFINITIONS.—For purposes of this section:

(1) BANK SECRECY ACT.—The term ''Bank Secrecy Act'' has the meaning given that term under section 5312 of title 31, United States Code.

(2) FEDERAL FUNCTIONAL REGULATOR.—The term ''Federal functional regulator'' means the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Securities and Exchange Commission, and the Commodity Futures Trading Commission.

SEC. 104. CIVIL LIBERTIES AND PRIVACY COUNCIL.

(a) ESTABLISHMENT.—There is established the Civil Liberties and Privacy Council (hereinafter in this section referred to as the ''Council''), which shall consist of the Civil Liberties and Privacy Officers appointed pursuant to section 103.

(b) CHAIR.—The Director of the Financial Crimes Enforcement Network shall serve as the Chair of the Council.

(c) DUTY.—The members of the Council shall coordinate on activities related to their duties as Civil Liberties Privacy Officers, but may not supplant the individual agency determinations on civil liberties and privacy.

(d) MEETINGS.—The meetings of the Council—

(1) shall be at the call of the Chair, but in no case may the Council meet less than quarterly;

(2) may include open and partially closed sessions, as determined necessary by the Council; and

(3) shall include participation by public and private entities and law enforcement agencies.

(e) REPORT.—The Chair of the Council shall issue an annual report to the Congress on the program and policy activities, including the success of programs as measured by metrics of program success developed pursuant to section 103(b)(5), of the Council during the previous year and any legislative recommendations that the Council may have.

(f) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

SEC. 105. INTERNATIONAL COORDINATION.

(a) IN GENERAL.—The Secretary of the Treasury shall work with the Secretary's foreign counterparts, including through the Financial Action Task Force, the International Monetary Fund, the World Bank, the Egmont Group of Financial Intelligence Units, the Organisation for Economic Co-operation and Development, and the United Nations, to promote stronger anti-money laundering frameworks and enforcement of anti-money laundering laws.

(b) COOPERATION GOAL.—In carrying out subsection (a), the Secretary of the Treasury may work directly with foreign counterparts and other organizations where the goal of cooperation can best be met.

(c) INTERNATIONAL MONETARY FUND.—

(1) SUPPORT FOR CAPACITY OF THE INTERNATIONAL MONETARY FUND TO PREVENT MONEY LAUNDERING AND FINANCING OF TERRORISM.—Title XVI of the International Financial Institutions Act (22 U.S.C. 262p et seq.) is amended by adding at the end the following:

''SEC. 1629. SUPPORT FOR CAPACITY OF THE INTERNATIONAL MONETARY FUND TO PREVENT MONEY LAUNDERING AND FINANCING OF TERRORISM.

''The Secretary of the Treasury shall instruct the United States Executive Director at the International Monetary Fund to support the increased use of the administrative budget of the Fund for technical assistance that strengthens the capacity of Fund members to prevent money laundering and the financing of terrorism.''.

(2) NATIONAL ADVISORY COUNCIL REPORT TO CONGRESS.—The Chairman of the National Advisory Council on International Monetary and Financial Policies shall include in the report required by section 1701 of the International Financial Institutions Act (22 U.S.C. 262r) a description of—

(A) the activities of the International Monetary Fund in the most recently completed fiscal year to provide technical assistance that strengthens the capacity of Fund members to prevent money laundering and the financing of terrorism, and the effectiveness of the assistance; and

(B) the efficacy of efforts by the United States to support such technical assistance through the use of the Fund's administrative budget, and the level of such support.

(3) SUNSET.—Effective on the date that is the end of the 4-year period beginning on the date of enactment of this Act, section 1629 of the International Financial Institutions Act, as added by paragraph (1), is repealed.

SEC. 106. TREASURY ATTACHÉS PROGRAM.

(a) IN GENERAL.—Title 31, United States Code, is amended by inserting after section 315 the following:

''§ 316. Treasury Attachés Program

''(a) IN GENERAL.—There is established the Treasury Attachés Program, under which the Secretary of the Treasury shall appoint employees of the Department of the Treasury, after nomination by the Director of the Financial Crimes Enforcement Network ('FinCEN'), as a Treasury attaché, who shall—

''(1) be knowledgeable about the Bank Secrecy Act and anti-money laundering issues;

''(2) be co-located in a United States embassy;

''(3) perform outreach with respect to Bank Secrecy Act and anti-money laundering issues;

''(4) establish and maintain relationships with foreign counterparts, including employees of ministries of finance, central banks, and other relevant official entities;

''(5) conduct outreach to local and foreign financial institutions and other commercial actors, including—

''(A) information exchanges through FinCEN and FinCEN programs; and

''(B) soliciting buy-in and cooperation for the implementation of—

''(i) United States and multilateral sanctions; and

''(ii) international standards on anti-money laundering and the countering of the financing of terrorism; and

''(6) perform such other actions as the Secretary determines appropriate.

''(b) NUMBER OF ATTACHÉS.—The number of Treasury attachés appointed under this section at any one time shall be not fewer than 6 more employees than the number of employees of the Department of the Treasury serving as Treasury attachés on March 1, 2019.

''(c) COMPENSATION.—Each Treasury attaché appointed under this section and located at a United States embassy shall receive compensation at the higher of—

''(1) the rate of compensation provided to a Foreign Service officer at a comparable career level serving at the same embassy; or

''(2) the rate of compensation the Treasury attaché would otherwise have received, absent the application of this subsection.

''(d) BANK SECRECY ACT DEFINED.—In this section, the term 'Bank Secrecy Act' has the meaning given that term under section 5312.''.

(b) CLERICAL AMENDMENT.—The table of contents for chapter 3 of title 31, United States Code, is amended by inserting after the item relating to section 315 the following:

''316. Treasury Attachés Program.''.

SEC. 107. INCREASING TECHNICAL ASSISTANCE FOR INTERNATIONAL COOPERATION.

(a) IN GENERAL.—There is authorized to be appropriated for each of fiscal years 2020 through 2024 to the Secretary of the Treasury for purposes of providing technical assistance that promotes compliance with international standards and best practices, including in particular those aimed at the establishment of effective anti-money laundering and countering the financing of terrorism regimes, in an amount equal to twice the amount authorized for such purpose for fiscal year 2019.

(b) ACTIVITY AND EVALUATION REPORT.—Not later than 360 days after enactment of this Act, and every year thereafter for five years, the Secretary of the Treasury shall issue a report to the Congress on the assistance (as described under subsection (a)) of the Office of Technical Assistance of the Department of the Treasury containing—

(1) a narrative detailing the strategic goals of the Office in the previous year, with an explanation of how technical assistance provided in the previous year advances the goals;

(2) a description of technical assistance provided by the Office in the previous year, including the objectives and delivery methods of the assistance;

(3) a list of beneficiaries and providers (other than Office staff) of the technical assistance;

(4) a description of how technical assistance provided by the Office complements, duplicates, or otherwise affects or is affected by technical assistance provided by the international financial institutions (as defined under section 1701(c) of the International Financial Institutions Act); and

(5) a copy of any Federal Government survey of staff perspectives at the Office of Technical Assistance, including any findings regarding the Office from the most recently administered Federal Employee Viewpoint Survey.

SEC. 108. FINCEN DOMESTIC LIAISONS.

Section 310 of title 31, United States Code, as amended by section 102, is further amended by inserting after subsection (d) the following:

''(e) FINCEN DOMESTIC LIAISONS.—

''(1) IN GENERAL.—The Director of FinCEN shall appoint at least 6 senior FinCEN employees as FinCEN Domestic Liaisons, who shall—

''(A) each be assigned to focus on a specific region of the United States;

''(B) be located at an office in such region (or co-located at an office of the Board of Governors of the Federal Reserve System in such region); and

''(C) perform outreach to BSA officers at financial institutions (including non-bank financial institutions) and persons who are not financial institutions, especially with respect to actions taken by FinCEN that require specific actions by, or have specific effects on, such institutions or persons, as determined by the Director.

''(2) DEFINITIONS.—In this subsection:

''(A) BSA OFFICER.—The term 'BSA officer' means an employee of a financial institution whose primary job responsibility involves compliance with the Bank Secrecy Act, as such term is defined under section 5312.

''(B) FINANCIAL INSTITUTION.—The term 'financial institution' has the meaning given that term under section 5312.''.

SEC. 109. FINCEN EXCHANGE.

Section 310 of title 31, United States Code, as amended by section 108, is further amended by inserting after subsection (e) the following:

''(f) FINCEN EXCHANGE.—

''(1) ESTABLISHMENT.—The FinCEN Exchange is hereby established within FinCEN, which shall consist of the FinCEN Exchange program of FinCEN in existence on the day before the date of enactment of this paragraph.

''(2) PURPOSE.—The FinCEN Exchange shall facilitate a voluntary public-private information sharing partnership among law enforcement, financial institutions, and FinCEN to—

''(A) effectively and efficiently combat money laundering, terrorism financing, organized crime, and other financial crimes;

''(B) protect the financial system from illicit use; and

''(C) promote national security.

''(3) REPORT.—

''(A) IN GENERAL.—Not later than one year after the date of enactment of this subsection, and annually thereafter for the next five years, the Secretary of the Treasury shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing—

''(i) an analysis of the efforts undertaken by the FinCEN Exchange and the results of such efforts;

''(ii) an analysis of the extent and effectiveness of the FinCEN Exchange, including any benefits realized by law enforcement from partnership with financial institutions; and

''(iii) any legislative, administrative, or other recommendations the Secretary may have to strengthen FinCEN Exchange efforts.

''(B) CLASSIFIED ANNEX.—Each report under subparagraph (A) may include a classified annex.

''(4) INFORMATION SHARING REQUIREMENT.—Information shared pursuant to this subsection shall be shared in compliance with all other applicable Federal laws and regulations.

''(5) RULE OF CONSTRUCTION.—Nothing under this subsection may be construed to create new information sharing authorities related to the Bank Secrecy Act (as such term is defined under section 5312 of title 31, United States Code).

''(6) FINANCIAL INSTITUTION DEFINED.—In this subsection, the term 'financial institution' has the meaning given that term under section 5312.''.

SEC. 110. STUDY AND STRATEGY ON TRADE-BASED MONEY LAUNDERING.

(a) STUDY.—The Secretary of the Treasury shall carry out a study, in consultation with appropriate private sector stakeholders and Federal departments and agencies, on trade-based money laundering.

(b) REPORT.—Not later than the end of the 1-year period beginning on the date of the enactment of this Act, the Secretary shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) proposed strategies to combat trade-based money laundering.

(c) CLASSIFIED ANNEX.—The report required under this section may include a classified annex.

(d) CONTRACTING AUTHORITY.—The Secretary may contract with a private third-party to carry out the study required under this section. The authority of the Secretary to enter into contracts under this subsection shall be in effect for each fiscal year only to the extent and in the amounts as are provided in advance in appropriations Acts.

SEC. 111. STUDY AND STRATEGY ON DE-RISKING.

(a) REVIEW.—The Secretary of the Treasury, in consultation with appropriate private sector stakeholders, examiners, and the Federal functional regulators (as defined under section 103) and other relevant stakeholders, shall undertake a formal review of—

(1) any adverse consequences of financial institutions de-risking entire categories of relationships, including charities, embassy accounts, money services businesses (as defined under section 1010.100(ff) of title 31, Code of Federal Regulations) and their agents, countries, international and domestic regions, and respondent banks;

(2) the reasons why financial institutions are engaging in de-risking;

(3) the association with and effects of de-risking on money laundering and financial crime actors and activities;

(4) the most appropriate ways to promote financial inclusion, particularly with respect to developing countries, while maintaining compliance with the Bank Secrecy Act, including an assessment of policy options to—

(A) more effectively tailor Federal actions and penalties to the size of foreign financial institutions and any capacity limitations of foreign governments; and

(B) reduce compliance costs that may lead to the adverse consequences described in paragraph (1);

(5) formal and informal feedback provided by examiners that may have led to de-risking;

(6) the relationship between resources dedicated to compliance and overall sophistication of compliance efforts at entities that may be experiencing de-risking versus those that have not experienced de-risking; and

(7) any best practices from the private sector that facilitate correspondent bank relationships.

(b) DE-RISKING STRATEGY.—The Secretary shall develop a strategy to reduce de-risking and adverse consequences related to de-risking.

(c) REPORT.—Not later than the end of the 1-year period beginning on the date of the enactment of this Act, the Secretary, in consultation with the Federal functional regulators and other relevant stakeholders, shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) the strategy developed pursuant to subsection (b).

(d) DEFINITIONS.—In this section:

(1) DE-RISKING.—The term ''de-risking'' means the wholesale closing of accounts or limiting of financial services for a category of customer due to unsubstantiated risk as it relates to compliance with the Bank Secrecy Act.

(2) BSA TERMS.—The terms ''Bank Secrecy Act'' and ''financial institution'' have the meaning given those terms, respectively, under section 5312 off title 31, United States Code.

SEC. 112. AML EXAMINATION AUTHORITY DELEGATION STUDY.

(a) STUDY.—The Secretary of the Treasury shall carry out a study on the Secretary's delegation of examination authority under the Bank Secrecy Act, including—

(1) an evaluation of the efficacy of the delegation, especially with respect to the mission of the Bank Secrecy Act;

(2) whether the delegated agencies have appropriate resources to perform their delegated responsibilities; and

(3) whether the examiners in delegated agencies have sufficient training and support to perform their responsibilities.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary of the Treasury shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) recommendations to improve the efficacy of delegation authority, including the potential for de-delegation of any or all such authority where it may be appropriate.

(c) BANK SECRECY ACT DEFINED.—The term ''Bank Secrecy Act'' has the meaning given that term under section 5312 off title 31, United States Code.

SEC. 113. STUDY AND STRATEGY ON CHINESE MONEY LAUNDERING.

(a) STUDY.—The Secretary of the Treasury shall carry out a study on the extent and effect of Chinese money laundering activities in the United States, including territories and possessions of the United States, and worldwide.

(b) STRATEGY TO COMBAT CHINESE MONEY LAUNDERING.—Upon the completion of the study required under subsection (a), the Secretary shall, in consultation with such other Federal departments and agencies as the Secretary determines appropriate, develop a strategy to combat Chinese money laundering activities.

(c) REPORT.—Not later than the end of the 1-year period beginning on the date of enactment of this Act, the Secretary of the Treasury shall issue a report to Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) the strategy developed under subsection (b).

TITLE J—IMPROVING AML/CFT OVERSIGHT

SEC. 201. PILOT PROGRAM ON SHARING OF SUSPICIOUS ACTIVITY REPORTS WITHIN A FINANCIAL GROUP.

(a) IN GENERAL.—

(1) SHARING WITH FOREIGN BRANCHES AND AFFILIATES.—Section 5318(g) of title 31, United States Code, is amended by adding at the end the following:

''(5) PILOT PROGRAM ON SHARING WITH FOREIGN BRANCHES, SUBSIDIARIES, AND AFFILIATES.—

''(A) IN GENERAL.—The Secretary of the Treasury shall issue rules establishing the pilot

program described under subparagraph (B), subject to such controls and restrictions as the Director of the Financial Crimes Enforcement Network determines appropriate, including controls and restrictions regarding participation by financial institutions and jurisdictions in the pilot program. In prescribing such rules, the Secretary shall ensure that the sharing of information described under such subparagraph (B) is subject to appropriate standards and requirements regarding data security and the confidentiality of personally identifiable information.

''(B) PILOT PROGRAM DESCRIBED.—The pilot program required under this paragraph shall—

''(i) permit a financial institution with a reporting obligation under this subsection to share reports (and information on such reports) under this subsection with the institution's foreign branches, subsidiaries, and affiliates for the purpose of combating illicit finance risks, notwithstanding any other provision of law except subparagraphs (A) and (C);

''(ii) terminate on the date that is five years after the date of enactment of this paragraph, except that the Secretary may extend the pilot program for up to two years upon submitting a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that includes—

''(I) a certification that the extension is in the national interest of the United States, with a detailed explanation of the reasons therefor;

''(II) an evaluation of the usefulness of the pilot program, including a detailed analysis of any illicit activity identified or prevented as a result of the program; and

''(III) a detailed legislative proposal providing for a long-term extension of the pilot program activities, including expected budgetary resources for the activities, if the Secretary determines that a long-term extension is appropriate.

''(C) PROHIBITION INVOLVING CERTAIN JURISDICTIONS.—In issuing the regulations required under subparagraph (A), the Secretary may not permit a financial institution to share information on reports under this subsection with a foreign branch, subsidiary, or affiliate located in—

''(i) the People's Republic of China;

''(ii) the Russian Federation; or

''(iii) a jurisdiction that—

''(I) is subject to countermeasures imposed by the Federal Government;

''(II) is a state sponsor of terrorism; or

''(III) the Secretary has determined cannot reasonably protect the privacy and confidentiality of such information or would otherwise use such information in a manner that is not consistent with the national interest of the United States.

''(D) IMPLEMENTATION UPDATES.—Not later than 360 days after the date rules are issued under subparagraph (A), and annually thereafter for three years, the Secretary, or the Secretary's designee, shall brief the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on—

''(i) the degree of any information sharing permitted under the pilot program, and a description of criteria used by the Secretary to evaluate the appropriateness of the information sharing;

''(ii) the effectiveness of the pilot program in identifying or preventing the violation of a United States law or regulation, and mechanisms that may improve such effectiveness; and

''(iii) any recommendations to amend the design of the pilot program.

''(E) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as limiting the Secretary's authority under provisions of law other than this paragraph to establish other permissible purposes or methods for a financial institution sharing reports (and information on such reports) under this subsection with the institution's foreign headquarters or with other branches of the same institution.

''(F) NOTICE OF USE OF OTHER AUTHORITY.—If the Secretary, pursuant to any authority other than that provided under this paragraph, permits a financial institution to share information on reports under this subsection with a foreign branch, subsidiary, or affiliate located in a foreign jurisdiction, the Secretary shall notify the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of such permission and the applicable foreign jurisdiction.

''(6) TREATMENT OF FOREIGN JURISDICTION-ORIGINATED REPORTS.—A report received by a financial institution from a foreign affiliate with respect to a suspicious transaction relevant to a possible violation of law or regulation shall be subject to the same confidentiality requirements provided under this subsection for a report of a suspicious transaction described under paragraph (1).''.

(2) NOTIFICATION PROHIBITIONS.—Section 5318(g)(2)(A) of title 31, United States Code, is amended—

(A) in clause (i), by inserting after ''transaction has been reported'' the following: ''or otherwise reveal any information that would reveal that the transaction has been reported''; and

(B) in clause (ii), by inserting after ''transaction has been reported,'' the following: ''or otherwise reveal any information that would reveal that the transaction has been reported,''.

(b) RULEMAKING.—Not later than the end of the 360-day period beginning on the date of enactment of this Act, the Secretary of the Treasury shall issue regulations to carry out the amendments made by this section.

SEC. 202. SHARING OF COMPLIANCE RESOURCES.

(a) IN GENERAL.—Section 5318 of title 31, United States Code, is amended by adding at the end the following:

''(o) SHARING OF COMPLIANCE RESOURCES.—

''(1) SHARING PERMITTED.—Two or more financial institutions may enter into collaborative arrangements in order to more efficiently comply with the requirements of this subchapter.

''(2) OUTREACH.—The Secretary of the Treasury and the appropriate supervising agencies shall carry out an outreach program to provide financial institutions with information, including best practices, with respect to the sharing of resources described under paragraph (1).''.

(b) RULE OF CONSTRUCTION.—The amendment made by subsection (a) may not be construed to require financial institutions to share resources.

SEC. 203. GAO STUDY ON FEEDBACK LOOPS.

(a) STUDY.—The Comptroller General of the United States shall carry out a study on—

(1) best practices within the United States Government for providing feedback (''feedback loop'') to relevant parties (including regulated private entities) on the usage and usefulness of personally identifiable information (''PII''), sensitive-but-unclassified (''SBU'') data, or similar information provided by such parties to Government users of such information and data (including law enforcement or regulators); and

(2) any practices or standards inside or outside the United States for providing feedback through sensitive information and public-private partnership information sharing efforts, specifically related to efforts to combat money laundering and other forms of illicit finance.

(b) REPORT.—Not later than the end of the 18-month period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) with respect to each of paragraphs (1) and (2) of subsection (a), any best practices or significant concerns identified by the Comptroller General, and their applicability to public-private partnerships and feedback loops with respect to U.S. efforts to combat money laundering and other forms of illicit finance; and

(3) recommendations to reduce or eliminate any unnecessary Government collection of the information described under subsection (a)(1).

SEC. 204. FINCEN STUDY ON BSA VALUE.

(a) STUDY.—The Director of the Financial Crimes Enforcement Network shall carry out a study on Bank Secrecy Act value.

(b) REPORT.—Not later than the end of the 30-day period beginning on the date the study under subsection (a) is completed, the Director shall issue a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate containing all findings and determinations made in carrying out the study required under this section.

(c) CLASSIFIED ANNEX.—The report required under this section may include a classified annex, if the Director determines it appropriate.

(d) BANK SECRECY ACT DEFINED.—For purposes of this section, the term ''Bank Secrecy Act'' has the meaning given that term under section 5312 of title 31, United States Code.

SEC. 205. SHARING OF THREAT PATTERN AND TREND INFORMATION.

Section 5318(g) of title 31, United States Code, as amended by section 201(a)(1), is further amended by adding at the end the following:

''(7) SHARING OF THREAT PATTERN AND TREND INFORMATION.—

''(A) SAR ACTIVITY REVIEW.—The Director of the Financial Crimes Enforcement Network shall restart publication of the 'SAR Activity Review – Trends, Tips & Issues', on not less than a semi-annual basis, to provide meaningful information about the preparation, use, and value of reports filed under this subsection by financial institutions, as well as other reports filed by financial institutions under the Bank Secrecy Act.

''(B) INCLUSION OF TYPOLOGIES.—In each publication described under subparagraph (A), the Director shall provide financial institutions with typologies, including data that can be adapted in algorithms (including for artificial intelligence and machine learning programs) where appropriate, on emerging money laundering and counter terror financing threat patterns and trends.

''(C) TYPOLOGY DEFINED.—For purposes of this paragraph, the term 'typology' means the various techniques used to launder money or finance terrorism.''.

SEC. 206. MODERNIZATION AND UPGRADING WHISTLEBLOWER PROTECTIONS.

(a) REWARDS.—Section 5323(d) of title 31, United States Code, is amended to read as follows:

''(d) SOURCE OF REWARDS.—For the purposes of paying a reward under this section, the Secretary may, subject to amounts made available in advance by appropriation Acts, use criminal fine, civil penalty, or forfeiture amounts recovered based on the original information with respect to which the reward is being paid.''.

(b) WHISTLEBLOWER INCENTIVES.—

Chapter 53 of title 31, United States Code, is amended—

(1) by inserting after section 5323 the following:

''§ 5323A. Whistleblower incentives

''(a) DEFINITIONS.—In this section:

''(1) COVERED JUDICIAL OR ADMINISTRATIVE ACTION.—The term 'covered judicial or administrative action' means any judicial or administrative action brought by FinCEN under the Bank Secrecy Act that results in monetary sanctions exceeding $1,000,000.

''(2) FINCEN.—The term 'FinCEN' means the Financial Crimes Enforcement Network.

''(3) MONETARY SANCTIONS.—The term 'monetary sanctions', when used with respect to any judicial or administrative action, means—

''(A) any monies, including penalties, disgorgement, and interest, ordered to be paid; and

''(B) any monies deposited into a disgorgement fund as a result of such action or any settlement of such action.

''(4) ORIGINAL INFORMATION.—The term 'original information' means information that—

''(A) is derived from the independent knowledge or analysis of a whistleblower;

''(B) is not known to FinCEN from any other source, unless the whistleblower is the original source of the information; and

''(C) is not exclusively derived from an allegation made in a judicial or administrative hearing, in a governmental report, hearing, audit, or investigation, or from the news media, unless the whistleblower is a source of the information.

''(5) RELATED ACTION.—The term 'related action', when used with respect to any judicial or administrative action brought by FinCEN, means any judicial or administrative action that is based upon original information provided by a whistleblower that led to the successful enforcement of the action.

''(6) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

''(7) WHISTLEBLOWER.—The term 'whistleblower' means any individual who provides, or 2 or more individuals acting jointly who provide, information relating to a violation of laws enforced by FinCEN, in a manner established, by rule or regulation, by FinCEN.

''(b) AWARDS.—

''(1) IN GENERAL.—In any covered judicial or administrative action, or related action, the Secretary, under such rules as the Secretary may issue and subject to subsection (c), shall pay an award or awards to 1 or more whistleblowers who voluntarily provided original information to FinCEN that led to the successful enforcement of the covered judicial or administrative action, or related action, in an aggregate amount equal to not more than 30 percent, in total, of what has been collected of the monetary sanctions imposed in the action.

''(2) SOURCE OF AWARDS.—For the purposes of paying any award under paragraph (1), the Secretary may, subject to amounts made available in advance by appropriation Acts, use monetary sanction amounts recovered based on the original information with respect to which the award is being paid.

''(c) DETERMINATION OF AMOUNT OF AWARD; DENIAL OF AWARD.—

''(1) DETERMINATION OF AMOUNT OF AWARD.—

''(A) DISCRETION.—The determination of the amount of an award made under subsection (b) shall be in the discretion of the Secretary.

''(B) CRITERIA.—In responding to a disclosure and determining the amount of an award made, FinCEN staff shall meet with the whistleblower to discuss evidence disclosed and rebuttals to the disclosure, and shall take into consideration—

''(i) the significance of the information provided by the whistleblower to the success of the covered judicial or administrative action;

''(ii) the degree of assistance provided by the whistleblower and any legal representative of the whistleblower in a covered judicial or administrative action;

''(iii) the mission of FinCEN in deterring violations of the law by making awards to whistleblowers who provide information that lead to the successful enforcement of such laws; and

''(iv) such additional relevant factors as the Secretary may establish by rule.

''(2) DENIAL OF AWARD.—No award under subsection (b) shall be made—

''(A) to any whistleblower who is, or was at the time the whistleblower acquired the original information submitted to FinCEN, a member, officer, or employee of—

''(i) an appropriate regulatory agency;

''(ii) the Department of Justice;

''(iii) a self-regulatory organization; or

''(iv) a law enforcement organization;

''(B) to any whistleblower who is convicted of a criminal violation, or who the Secretary has a reasonable basis to believe committed a criminal violation, related to the judicial or administrative action for which the whistleblower otherwise could receive an award under this section;

''(C) to any whistleblower who gains the information through the performance of an audit of financial statements required under the Bank Secrecy Act and for whom such submission would be contrary to its requirements; or

''(D) to any whistleblower who fails to submit information to FinCEN in such form as the Secretary may, by rule, require.

''(3) STATEMENT OF REASONS.—For any decision granting or denying an award, the Secretary shall provide to the whistleblower a statement of reasons that includes findings of fact and conclusions of law for all material issues.

''(d) REPRESENTATION.—

''(1) PERMITTED REPRESENTATION.—Any whistleblower who makes a claim for an award under subsection (b) may be represented by counsel.

''(2) REQUIRED REPRESENTATION.—

''(A) IN GENERAL.—Any whistleblower who anonymously makes a claim for an award under subsection (b) shall be represented by counsel if the whistleblower anonymously submits the information upon which the claim is based.

''(B) DISCLOSURE OF IDENTITY.—Prior to the payment of an award, a whistleblower shall disclose their identity and provide such other information as the Secretary may require, directly or through counsel for the whistleblower.

''(e) APPEALS.—Any determination made under this section, including whether, to whom, or in what amount to make awards, shall be in the discretion of the Secretary. Any such determination, except the determination of the amount of an award if the award was made in accordance with subsection (b), may be appealed to the appropriate court of appeals of the United States not more than 30 days after the determination is issued by the Secretary. The court shall review the determination made by the Secretary in accordance with section 706 of title 5.

''(f) EMPLOYEE PROTECTIONS.—The Secretary of the Treasury shall issue regulations protecting a whistleblower from retaliation, which shall be as close as practicable to the employee protections provided for under section 1057 of the Consumer Financial Protection Act of 2010.''; and

(2) in the table of contents for such chapter, by inserting after the item relating to section 5323 the following new item:

''5323A. Whistleblower incentives.''.

SEC. 207. CERTAIN VIOLATORS BARRED FROM SERVING ON BOARDS OF UNITED STATES FINANCIAL INSTITUTIONS.

Section 5321 of title 31, United States Code, is amended by adding at the end the following:

''(f) CERTAIN VIOLATORS BARRED FROM SERVING ON BOARDS OF UNITED STATES FINANCIAL INSTITUTIONS.—

''(1) IN GENERAL.—An individual found to have committed an egregious violation of a provision of (or rule issued under) the Bank Secrecy Act shall be barred from serving on the board of directors of a United States financial institution for a 10-year period beginning on the date of such finding.

''(2) EGREGIOUS VIOLATION DEFINED.—With respect to an individual, the term 'egregious violation' means—

''(A) a felony criminal violation for which the individual was convicted; and

''(B) a civil violation where the individual willfully committed such violation and the violation facilitated money laundering or the financing of terrorism.''.

SEC. 208. ADDITIONAL DAMAGES FOR REPEAT BANK SECRECY ACT VIOLATORS.

(a) IN GENERAL.—Section 5321 of title 31, United States Code, as amended by section 208, is further amended by adding at the end the following:

''(g) ADDITIONAL DAMAGES FOR REPEAT VIOLATORS.—In addition to any other fines permitted by this section and section 5322, with respect to a person who has previously been convicted of a criminal provision of (or rule issued under) the Bank Secrecy Act or who has admitted, as part of a deferred- or non-prosecution agreement, to having previously committed a violation of a criminal provision of (or rule issued under) the Bank Secrecy Act, the Secretary may impose an additional civil penalty against such person for each additional such violation in an amount equal to up three times the profit gained or loss avoided by such person as a result of the violation.''.

(b) PROSPECTIVE APPLICATION OF AMENDMENT.—For purposes of determining whether a person has committed a previous violation under section 5321(g) of title 31, United States Code, such determination shall only include violations occurring after the date of enactment of this Act.

SEC. 209. JUSTICE ANNUAL REPORT ON DEFERRED AND NON-PROSECUTION AGREEMENTS.

(a) ANNUAL REPORT.—The Attorney General shall issue an annual report, every year for the five years beginning on the date of enactment of this Act, to the Committees on Financial Services and the Judiciary of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and the Judiciary of the Senate containing—

(1) a list of deferred prosecution agreements and non-prosecution agreements that the Attorney General has entered into during the previous year with any person with respect to a violation or suspected violation of the Bank Secrecy Act;

(2) the justification for entering into each such agreement;

(3) the list of factors that were taken into account in determining that the Attorney General should enter into each such agreement; and

(4) the extent of coordination the Attorney General conducted with the Financial Crimes Enforcement Network prior to entering into each such agreement.

(b) CLASSIFIED ANNEX.—Each report under subsection (a) may include a classified annex.

(c) BANK SECRECY ACT DEFINED.—For purposes of this section, the term ''Bank Secrecy Act'' has the meaning given that term under section 5312 of title 31, United States Code.

SEC. 210. RETURN OF PROFITS AND BONUSES.

(a) IN GENERAL.—Section 5322 of title 31, United States Code, is amended by adding at the end the following:

''(e) RETURN OF PROFITS AND BONUSES.—A person convicted of violating a provision of (or rule issued under) the Bank Secrecy Act shall—

''(1) in addition to any other fine under this section, be fined in an amount equal to the profit gained by such person by reason of such violation, as determined by the court; and

''(2) if such person is an individual who was a partner, director, officer, or employee of a financial institution at the time the violation occurred, repay to such financial institution any bonus paid to such individual during the Federal fiscal year in which the violation occurred or the Federal fiscal year after which the violation occurred.''.

(b) RULE OF CONSTRUCTION.—The amendment made by subsection (a) may not be construed to prohibit a financial institution from requiring the repayment of a bonus paid to a partner, director, officer, or employee if the financial institution determines that the partner, director, officer, or employee engaged in unethical, but non-criminal, activities.

SEC. 211. APPLICATION OF BANK SECRECY ACT TO DEALERS IN ANTIQUITIES.

(a) IN GENERAL.—Section 5312(a)(2) of title 31, United States Code, is amended—

(1) in subparagraph (Y), by striking ''or'' at the end;

(2) by redesignating subparagraph (Z) as subparagraph (AA); and

(3) by inserting after subsection (Y) the following:

''(Z) a person trading or acting as an intermediary in the trade of antiquities, including an advisor, consultant or any other person who engages as a business in the solicitation of the sale of antiquities; or''.

(b) STUDY ON THE FACILITATION OF MONEY LAUNDERING AND TERROR FINANCE THROUGH THE TRADE OF WORKS OF ART OR ANTIQUITIES.—

(1) STUDY.—The Secretary of the Treasury, in coordination with Federal Bureau of Investigation, the Attorney General, and Homeland Security Investigations, shall perform a study on the facilitation of money laundering and terror finance through the trade of works of art or antiquities, including an analysis of—

(A) the extent to which the facilitation of money laundering and terror finance through the trade of works of art or antiquities may enter or affect the financial system of the United States, including any qualitative data or statistics;

(B) whether thresholds and definitions should apply in determining which entities to regulate;

(C) an evaluation of which markets, by size, entity type, domestic or international geographical locations, or otherwise, should be subject to regulations, but only to the extent such markets are not already required to report on the trade of works of art or antiquities to the Federal Government;

(D) an evaluation of whether certain exemptions should apply; and

(E) any other points of study or analysis the Secretary determines necessary or appropriate.

(2) REPORT.—Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury shall issue a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate containing all findings and determinations made in carrying out the study required under paragraph (1).

(c) RULEMAKING.—Not later than the end of the 180-day period beginning on the date the Secretary issues the report required under subsection (b)(2), the Secretary shall issue regulations to carry out the amendments made by subsection (a).

SEC. 212. GEOGRAPHIC TARGETING ORDER.

The Secretary of the Treasury shall issue a geographic targeting order, similar to the order issued by the Financial Crimes Enforcement Network on November 15, 2018, that—

(1) applies to commercial real estate to the same extent, with the exception of having the same thresholds, as the order issued by FinCEN on November 15, 2018, applies to residential real estate; and

(2) establishes a specific threshold for commercial real estate.

SEC. 213. STUDY AND REVISIONS TO CURRENCY TRANSACTION REPORTS AND SUSPICIOUS ACTIVITY REPORTS.

(a) CURRENCY TRANSACTION REPORTS.—

(1) CTR INDEXED FOR INFLATION.—

(A) IN GENERAL.—Every 5 years after the date of enactment of this Act, the Secretary of the Treasury shall revise regulations issued with respect to section 5313 of title 31, United States Code, to update each $10,000 threshold amount in such regulation to reflect the change in the Consumer Price Index for All Urban Consumers published by the Department of Labor, rounded to the nearest $100. For purposes of calculating the change described in the previous sentence, the Secretary shall use $10,000 as the base amount and the date of enactment of this Act as the base date.

(B) EXCEPTION.—Notwithstanding subparagraph (A), the Secretary may make appropriate adjustments to the threshold amounts described under subparagraph (A) in high-risk areas (e.g., High Intensity Financial Crime Areas or HIFCAs), if the Secretary has demonstrable evidence that shows a threshold raise would increase serious crimes, such as trafficking, or endanger national security.

(2) GAO CTR STUDY.—

(A) STUDY.—The Comptroller General of the United States shall carry out a study of currency transaction reports. Such study shall include—

(i) a review (carried out in consultation with the Secretary of the Treasury, the Financial Crimes Enforcement Network, the United States Attorney General, the State Attorneys General, and State, Tribal, and local law enforcement) of the effectiveness of the current currency transaction reporting regime;

(ii) an analysis of the importance of currency transaction reports to law enforcement; and

(iii) an analysis of the effects of raising the currency transaction report threshold.

(B) REPORT.—Not later than the end of the 1-year period beginning on the date of enactment of this Act, the Comptroller General shall issue a report to the Secretary of the Treasury and the Congress containing—

(i) all findings and determinations made in carrying out the study required under subparagraph (A); and

(ii) recommendations for improving the current currency transaction reporting regime.

(b) MODIFIED SARS STUDY AND DESIGN.—

(1) STUDY.—The Director of the Financial Crimes Enforcement Network shall carry out a study, in consultation with industry stakeholders (including money services businesses, community banks, and credit unions), regulators, and law enforcement, of the design of a modified suspicious activity report form for certain customers and activities. Such study shall include—

(A) an examination of appropriate optimal SARs thresholds to determine the level at which a modified SARs form could be employed;

(B) an evaluation of which customers or transactions would be appropriate for a modified SAR, including—

(i) seasoned business customers;

(ii) financial technology (Fintech) firms;

(iii) structuring transactions; and

(iv) any other customer or transaction that may be appropriate for a modified SAR; and

(C) an analysis of the most effective methods to reduce the regulatory burden imposed on financial institutions in complying with the Bank Secrecy Act, including an analysis of the effect of—

(i) modifying thresholds;

(ii) shortening forms;

(iii) combining Bank Secrecy Act forms;

(iv) filing reports in periodic batches; and

(v) any other method that may reduce the regulatory burden.

(2) STUDY CONSIDERATIONS.—In carrying out the study required under paragraph (1), the Director shall seek to balance law enforcement priorities, regulatory burdens experienced by financial institutions, and the requirement for reports to have a ''high degree of usefulness to law enforcement'' under the Bank Secrecy Act.

(3) REPORT.—Not later than the end of the 1-year period beginning on the date of enactment of this Act, the Director shall issue a report to Congress containing—

(A) all findings and determinations made in carrying out the study required under subsection (a); and

(B) sample designs of modified SARs forms based on the study results.

(4) CONTRACTING AUTHORITY.—The Director may contract with a private third-party to carry out the study required under this subsection. The authority of the Director to enter into contracts under this paragraph shall be in effect for each fiscal year only to the extent and in the amounts as are provided in advance in appropriations Acts.

(c) DEFINITIONS.—For purposes of this section:

(1) BANK SECRECY ACT.—The term ''Bank Secrecy Act'' has the meaning given that term under section 5312 of title 31, United States Code.

(2) REGULATORY BURDEN.—The term ''regulatory burden'' means the man-hours to complete filings, cost of data collection and analysis, and other considerations of chapter 35 of title 44, United States Code (commonly referred to as the Paperwork Reduction Act).

(3) SAR; SUSPICIOUS ACTIVITY REPORT.—The term ''SAR'' and ''suspicious activity report'' mean a report of a suspicious transaction under section 5318(g) of title 31, United States Code.

(4) SEASONED BUSINESS CUSTOMER.—The term ''seasoned business customer'', shall have such meaning as the Secretary of the Treasury shall prescribe, which shall include any person that—

(A) is incorporated or organized under the laws of the United States or any State, or is registered as, licensed by, or otherwise eligible to do business within the United States, a State, or political subdivision of a State;

(B) has maintained an account with a financial institution for a length of time as determined by the Secretary; and

(C) meet such other requirements as the Secretary may determine necessary or appropriate.

SEC. 214. STREAMLINING REQUIREMENTS FOR CURRENCY TRANSACTION REPORTS AND SUSPICIOUS ACTIVITY REPORTS.

(a) REVIEW.—The Secretary of the Treasury (in consultation with Federal law enforcement agencies, the Director of National Intelligence, and the Federal functional regulators and in consultation with other relevant stakeholders) shall undertake a formal review of the current financial institution reporting requirements under the Bank Secrecy Act and its implementing regulations and propose changes to further reduce regulatory burdens, and ensure that the information provided is of a ''high degree of usefulness'' to law enforcement, as set forth under section 5311 of title 31, United States Code.

(b) CONTENTS.—The review required under subsection (a) shall include a study of—

(1) whether the timeframe for filing a suspicious activity report should be increased from 30 days;

(2) whether or not currency transaction report and suspicious activity report thresholds should be tied to inflation or otherwise periodically be adjusted;

(3) whether the circumstances under which a financial institution determines whether to file a ''continuing suspicious activity report'', or the processes followed by a financial institution in determining whether to file a ''continuing suspicious activity report'' (or both) can be narrowed;

(4) analyzing the fields designated as ''critical'' on the suspicious activity report form and whether the number of fields should be reduced;

(5) the increased use of exemption provisions to reduce currency transaction reports that are of little or no value to law enforcement efforts;

(6) the current financial institution reporting requirements under the Bank Secrecy Act and its implementing regulations and guidance; and

(7) such other items as the Secretary determines appropriate.

(c) REPORT.—Not later than the end of the one year period beginning on the date of the enactment of this Act, the Secretary of the Treasury, in consultation with law enforcement and persons subject to Bank Secrecy Act requirements, shall issue a report to the Congress containing all findings and determinations made in carrying out the review required under subsection (a).

(d) DEFINITIONS.—For purposes of this section:

(1) FEDERAL FUNCTIONAL REGULATOR.—The term ''Federal functional regulator'' has the meaning given that term under section 103.

(2) OTHER TERMS.—The terms ''Bank Secrecy Act'' and ''financial institution'' have the meaning given those terms, respectively, under section 5312 of title 31, United States Code.

TITLE K—MODERNIZING THE AML SYSTEM

SEC. 301. ENCOURAGING INNOVATION IN BSA COMPLIANCE.

Section 5318 of title 31, United States Code, as amended by section 202, is further amended by adding at the end the following:

''(p) ENCOURAGING INNOVATION IN COMPLIANCE.—

''(1) IN GENERAL.—The Federal functional regulators shall encourage financial institutions to consider, evaluate, and, where appropriate, responsibly implement innovative approaches to meet the requirements of this subchapter, including through the use of innovation pilot programs.

''(2) EXEMPTIVE RELIEF.—The Secretary, pursuant to subsection (a), may provide exemptions from the requirements of this subchapter if the Secretary determines such exemptions are necessary to facilitate the testing and potential use of new technologies and other innovations.

''(3) RULE OF CONSTRUCTION.—This subsection may not be construed to require financial institutions to consider, evaluate, or implement innovative approaches to meet the requirements of the Bank Secrecy Act.

''(4) FEDERAL FUNCTIONAL REGULATOR DEFINED.—In this subsection, the term 'Federal functional regulator' means the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Securities and Exchange Commission, and the Commodity Futures Trading Commission.''.

SEC. 302. INNOVATION LABS.

(a) IN GENERAL.—Subchapter II of chapter 53 of title 31, United States Code, is amended by adding at the end the following:

''§5333. Innovation Labs

''(a) ESTABLISHMENT.—There is established within the Department of the Treasury and each Federal functional regulator an Innovation Lab.

''(b) DIRECTOR.—The head of each Innovation Lab shall be a Director, to be appointed by the Secretary of the Treasury or the head of the Federal functional regulator, as applicable.

''(c) DUTIES.—The duties of the Innovation Lab shall be—

''(1) to provide outreach to law enforcement agencies, financial institutions, and other persons (including vendors and technology companies) with respect to innovation and new technologies that may be used to comply with the requirements of the Bank Secrecy Act;

''(2) to support the implementation of responsible innovation and new technology, in a manner that complies with the requirements of the Bank Secrecy Act;

''(3) to explore opportunities for public-private partnerships; and

''(4) to develop metrics of success.

''(d) FINCEN LAB.—The Innovation Lab established under subsection (a) within the Department of the Treasury shall be a lab within the Financial Crimes Enforcement Network.

''(e) FEDERAL FUNCTIONAL REGULATOR DEFINED.—In this subsection, the term 'Federal functional regulator' means the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Securities and Exchange Commission, and the Commodity Futures Trading Commission.''.

(b) CLERICAL AMENDMENT.—The table of contents for subchapter II of chapter 53 of title 31, United States Code, is amended by adding at the end the following:

''5333. Innovation Labs.''.

SEC. 303. INNOVATION COUNCIL.

(a) IN GENERAL.—Subchapter II of chapter 53 of Title 31, United States Code, as amended by section 302, is further amended by adding at the end the following:

''§5334. Innovation Council

''(a) ESTABLISHMENT.—There is established the Innovation Council (hereinafter in this section referred to as the 'Council'), which shall consist of each Director of an Innovation Lab established under section 5334 and the Director of the Financial Crimes Enforcement Network.

''(b) CHAIR.—The Director of the Innovation Lab of the Department of the Treasury shall serve as the Chair of the Council.

''(c) DUTY.—The members of the Council shall coordinate on activities related to innovation under the Bank Secrecy Act, but may not supplant individual agency determinations on innovation.

''(d) MEETINGS.—The meetings of the Council—

''(1) shall be at the call of the Chair, but in no case may the Council meet less than semi-annually;

''(2) may include open and closed sessions, as determined necessary by the Council; and

''(3) shall include participation by public and private entities and law enforcement agencies.

''(e) REPORT.—The Council shall issue an annual report, for each of the 7 years beginning on the date of enactment of this section, to the Secretary of the Treasury on the activities of the Council during the previous year, including the success of programs as measured by metrics of success developed pursuant to section 5334(c)(4), and any regulatory or legislative recommendations that the Council may have.''.

(b) CLERICAL AMENDMENT.—The table of contents for subchapter II of chapter 53 of title 31, United States Code, is amended by adding the end the following:

''5334. Innovation Council.''.

SEC. 304. TESTING METHODS RULEMAKING.

(a) IN GENERAL.—Section 5318 of title 31, United States Code, as amended by section 301, is further amended by adding at the end the following:

''(q) TESTING.—

''(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the head of each agency to which the Secretary has delegated duties or powers under subsection (a), shall issue a rule to specify—

''(A) with respect to technology and related technology-internal processes ('new technology') designed to facilitate compliance with the Bank Secrecy Act requirements, the standards by which financial institutions are to test new technology; and

''(B) in what instances or under what circumstance and criteria a financial institution may replace or terminate legacy technology and processes for any examinable technology or process without the replacement or termination being determined an examination deficiency.

''(2) STANDARDS.—The standards described under paragraph (1) may include—

''(A) an emphasis on using innovative approaches, such as machine learning, rather than rules-based systems;

''(B) risk-based back-testing of the regime to facilitate calibration of relevant systems;

''(C) requirements for appropriate data privacy and security; and

''(D) a requirement that the algorithms used by the regime be disclosed to the Financial Crimes Enforcement Network, upon request.

''(3) CONFIDENTIALITY OF ALGORITHMS.—If a financial institution or any director, officer, employee, or agent of any financial institution, voluntarily or pursuant to this subsection or any other authority, discloses the institution's algorithms to a Government agency, such algorithms and any materials associated with the creation of such algorithms shall be considered confidential and not subject to public disclosure.''.

(b) UPDATE OF MANUAL.—The Financial Institutions Examination Council shall ensure—

(1) that any manual prepared by the Council is updated to reflect the rulemaking required by the amendment made by subsection (a); and

(2) that financial institutions are not penalized for the decisions based on such rulemaking to replace or terminate technology used for compliance with the Bank Secrecy Act (as defined under section 5312 of title 31, United States Code) or other anti-money laundering laws.

SEC. 305. FINCEN STUDY ON USE OF EMERGING TECHNOLOGIES.

(a) STUDY.—

(1) IN GENERAL.—The Director of the Financial Crimes Enforcement Network (''FinCEN'') shall carry out a study on—

(A) the status of implementation and internal use of emerging technologies, including artificial intelligence (''AI''), digital identity technologies, blockchain technologies, and other innovative technologies within FinCEN;

(B) whether AI, digital identity technologies, blockchain technologies, and other innovative technologies can be further leveraged to make FinCEN's data analysis more efficient and effective; and

(C) how FinCEN could better utilize AI, digital identity technologies, blockchain technologies, and other innovative technologies to more actively analyze and disseminate the information it collects and stores to provide investigative leads to Federal, State, Tribal, and local law enforcement, and other Federal agencies (collective, ''Agencies''), and better support its ongoing investigations when referring a case to the Agencies.

(2) INCLUSION OF GTO DATA.—The study required under this subsection shall include data collected through the Geographic Targeting Orders (''GTO'') program.

(3) CONSULTATION.—In conducting the study required under this subsection, FinCEN shall consult with the Directors of the Innovations Labs established in section 302.

(b) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the Director shall issue a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) with respect to each of subparagraphs (A), (B) and (C) of subsection (a)(1), any best practices or significant concerns identified by the Director, and their applicability to AI, digital identity technologies, blockchain technologies, and other innovative technologies with respect to U.S. efforts to combat money laundering and other forms of illicit finance; and

(3) any policy recommendations that could facilitate and improve communication and coordination between the private sector, FinCEN, and Agencies through the implementation of innovative approaches, in order to meet their Bank Secrecy Act (as defined under section 5312 of title 31, United States Code) and anti-money laundering compliance obligations.

SEC. 306. DISCRETIONARY SURPLUS FUNDS.

(a) IN GENERAL.—Section 7(a)(3)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(3)(A)) is amended by striking ''$6,825,000,000'' and inserting ''$6,798,000,000''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on September 30, 2029.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 116–247. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not

be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BURGESS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 116–247.

Mr. BURGESS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, after line 8, insert the following:

(d) ANNUAL REPORT ON BENEFICIAL OWNERSHIP INFORMATION.—

(1) REPORT.—The Secretary of the Treasury shall issue an annual report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate with respect to the beneficial ownership information collected pursuant to section 5333 of title 31, United States Code, that contains—

(A) aggregate data on the number of beneficial owners per reporting corporation or limited liability company;

(B) the industries or type of business of each reporting corporation or limited liability company; and

(C) the locations of the beneficial owners.

(2) PRIVACY.—In issuing reports under paragraph (1), the Secretary shall not reveal the identities of beneficial owners or names of the reporting corporations or limited liability companies.

The Acting CHAIR. Pursuant to House Resolution 646, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Mr. Chairman, amendment No. 1 to H.R. 2513 requires an annual report to Congress of anonymized, aggregate data on the number of beneficial owners per reporting corporation or limited liability company, the industry of each reporting corporation or limited liability company, and the location of the beneficial owners.

One of the greatest beneficiaries of the crisis on our southern border has been the cartels and coyotes. They charge from $6,000 to $10,000 to smuggle people into our country who do not have legal documentation.

Despite the danger, these individuals borrow money from normal banks in their home country. Their family members put up collateral—their farms, their houses—to pay these cartels and coyotes. If the individual makes it into the United States, they will send remittances home through the same legitimate financial transaction to pay back those family loans.

Throughout this process, the coyotes and cartels are making a significant amount of money off of these very vulnerable individuals. While many of them likely deal mostly in cash, the possibility exists that they are using shell companies to store or move this illicit money.

Providing data to Congress on how many beneficial owners are behind a company, the industries of the reporting companies, and the locations of the beneficial owners will help identify trends and patterns that could aid in the fight to combat money laundering and the financing of human trafficking.

We should not be facilitating coyotes and cartels to take advantage of desperate people. Providing this aggregate, anonymized data to Congress will provide some transparency on the networks behind the illicit financing of human and drug smuggling and other nefarious financial activities.

I urge the support of this amendment, and I reserve the balance of my time.

Ms. WATERS. Mr. Chair, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. WATERS. Mr. Chairman, the Burgess amendment would require an annual report to Congress that examines the aggregated submissions to the beneficial ownership database, thus providing a snapshot of the size, type, and location of reporting entities.

I agree that an examination of this data will be helpful to FinCEN as it contemplates rulemakings and to Congress should we consider future refinements of the law. So I would encourage Members to support the amendment.

I reserve the balance of my time.

Mr. BURGESS. Mr. Chairman, I urge support of the amendment, and I yield back the balance of my time.

Ms. WATERS. Mr. Chairman, I yield the balance of my time to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the sponsor of this important legislation.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, I support this amendment, which would simply require Treasury to submit an annual report to Congress with basic statistics on the beneficial ownership information that is filed under the bill.

This is very similar to a recent report that the U.K. conducted, that they started collecting beneficial information. The U.K.'s report was very helpful because it highlighted that the vast majority of companies have only one beneficial owner, which makes compliance with the bill extremely easy.

I think that the data that Treasury would be required to report to Congress under this amendment would be helpful in case we decide that we need to tweak the bill in the future to address any unforeseeable future issues that arise.

So I want to thank the gentleman from Texas for offering the amendment. I think it is a very good idea, and I urge my colleagues to support it and to support the underlying bill, which will increase national security for our country.

Ms. WATERS. Mr. Chairman, 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. WATERS. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MR. HILL OF ARKANSAS

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 116–247.

Mr. HILL of Arkansas. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, after line 19, insert the following:

''(D) ACCESS PROCEDURES.—FinCEN shall establish stringent procedures for the protection and proper use of beneficial ownership information disclosed pursuant to subparagraph (B), including procedures to ensure such information is not being inappropriately accessed or misused by law enforcement agencies.

''(E) REPORT TO CONGRESS.—FinCEN shall issue an annual report to Congress stating—

''(i) the number of times law enforcement agencies and financial institutions have accessed beneficial ownership information pursuant to subparagraph (B);

''(ii) the number of times beneficial ownership information reported to FinCEN pursuant to this section was inappropriately accessed, and by whom; and

''(iii) the number of times beneficial ownership information was disclosed under subparagraph (B) pursuant to a subpoena.''.

The Acting CHAIR. Pursuant to House Resolution 646, the gentleman from Arkansas (Mr. HILL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. HILL of Arkansas. Mr. Chair, I want to again thank my friend from New York for her hard work on crafting this legislation. While we have had differences along the way, it is critical that we strengthen our national security and AML BSA system and strengthen the transparency of beneficial ownership.

As I have previously discussed, I am concerned with several aspects of the bill, and I am offering this amendment which I believe will help improve its overall purpose.

When we heard testimony, a retired FBI agent testified to our committee acknowledging that law enforcement wants this data, this new database at FinCEN to search, essentially, without a warrant or a subpoena.

My amendment would require the Financial Crimes Enforcement Network to develop stringent procedures around the beneficial ownership database pertaining to who and how it has been accessed.

Per the bill's requirements, many businesses will be providing this information into a repository that will contain sensitive information. Who can access and how they can access it should

have clearer guidelines and ensure that this information is not being inappropriately accessed.

Additionally, the amendment requires FinCEN to report to Congress, annually, the number of times law enforcement, banks, or other parties access the database, how many times it was inappropriately accessed, and the number of subpoenas obtained to gain access to the database. This will ensure that Congress maintains oversight of the database and that banks or law enforcement are not abusing this new system.

Our committee has heard hours of testimony about Federal Government data breaches over these years: OPM, the SEC, IRS, CFPB. As such, we have to make sure this information is as secure as possible.

As previously mentioned, this information is highly sensitive and should remain extremely confidential to the extent possible. As policymakers, we have an obligation to our constituents to ensure that we uphold their privacy, and this amendment will better help us achieve that goal.

I urge my colleagues to support this commonsense amendment. It is good for businesses, good for our bankers and lawmakers, and, ultimately, good for our citizens.

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

Ms. WATERS. Mr. Chair, I claim the time in opposition, although I do not oppose.

The Acting CHAIR. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. WATERS. Mr. Chairman, the Hill amendment requires FinCEN to develop protocols governing how law enforcement and others can access the beneficial ownership database.

Today, in order for law enforcement to access FinCEN's Bank Secrecy Act database, they must comply with a stringent process requiring assessment, training, and review.

H.R. 2513 also includes protocols governing access to the new beneficial ownership database, including creating an audit trail of the law enforcement agencies that access the data.

Mr. HILL's amendment would provide an added measure of protection, reinforcing the importance of clear procedures to ensure that such information is not inappropriately accessed or misused by law enforcement agencies. I will vote in support of this amendment.

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

Mr. HILL of Arkansas. Mr. Chairman, may I ask how much time I have remaining.

The Acting CHAIR. The gentleman from Arkansas has 2½ minutes remaining.

Mr. HILL of Arkansas. I yield such time as he may consume to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Chair, I appreciate my colleague for yielding.

I do believe, notwithstanding the lack of warrant or subpoena, the gentleman's amendment gives us greater confidence that the agency and law enforcement officials will be using this database more appropriately. I think this is a necessary amendment for this bill to move forward, though we still have greater issues to contend with.

I appreciate the gentleman working in such a constructive way and bipartisan way.

Ms. WATERS. Mr. Chairman, I yield the balance of my time to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the sponsor of this important legislation.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I support this amendment, and I would like to thank Mr. HILL for offering it.

This amendment would require FinCEN to establish stringent procedures to ensure the beneficial ownership information isn't being inappropriately accessed or misused by law enforcement agencies.

I believe the underlying bill already addresses these issues—certainly, it was the intent to protect against unauthorized access and misuse of beneficial ownership information—but I am not opposed to making that language even more explicit.

His amendment would also require FinCEN to submit an annual report to Congress detailing the number of times beneficial ownership information was accessed, either by law enforcement or by financial institutions.

□ 1515

I think this information would be very helpful because it would tell us how useful the information is to both law enforcement and financial institutions. So while Mr. HILL and I have had disagreements over this bill, I think this amendment is a helpful addition to the bill, and I want to thank him for offering it.

I urge my colleagues to support it and the underlying bill.

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

Mr. HILL of Arkansas. Mr. Chairman, I want to thank my friend from New York for her working with me on this amendment. I thank her for accepting it. And I want to thank the Chair of the full committee for its report.

I want to just close and emphasize that under the law as drafted today there are about 10,000 law-enforcement qualified people that can access that database. That is a lot of people, Mr. Chair, that have access to this database that we are concerned about in making sure that it is maintained in a very confidential manner.

I appreciate the consideration of the amendment, and I appreciate its adoption. Mr. Chairman, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. BROWN OF MARYLAND

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 116–247.

Mr. BROWN of Maryland. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, line 8, after "training," insert the following: "and refresher training no less than every two years,".

The Acting CHAIR. Pursuant to House Resolution 646, the gentleman from Maryland (Mr. BROWN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. BROWN of Maryland. Mr. Chair, I yield myself such time as I may consume.

I want to thank my colleague from California, the chairwoman of the committee, Chairwoman WATERS, for her leadership on the Financial Services Committee. And I want to recognize the hard work of my colleague and friend from New York, Chairwoman CAROLYN B. MALONEY, on the underlying bill. I also want to thank you, Representative MALONEY, for inviting me last Congress to visit several European countries to explore and better understand how those countries address the problems that this bill seeks to address.

Currently, no state requires companies to provide the identities of their true beneficial owners. This lack of oversight and transparency makes it easy for criminals, dictators, and kleptocrats to launder money, hide their illicit activities, and invade law enforcement through anonymous shell companies.

These anonymous shell companies can be used for everything from funding terrorist organizations, supporting human traffickers, and helping corrupt foreign leaders evade sanctions and threaten our national security. These so-called companies have no employees, no physical offices but are established simply to access our banking system.

The 2016 Panama Papers leak exposed just how powerful and corrupt these anonymous shell companies are. And the United States is the only advanced economy in the world that doesn't already require this disclosure. To combat this, this bill requires corporations to disclose their beneficial owners at the time the company is formed. This is a commonsense requirement, considering you often need more documentation to get a library card than to start a company or an LLC.

This bill provides much needed transparency without being burdensome on legitimate businesses. The bill also protects the privacy of Americans by ensuring law enforcement officials at the State and Federal level with access

to this new information are properly trained, have an existing investigatory basis before searching, and maintain an audit log.

Mr. Chair, my amendment strengthens and builds upon these protections. It requires law enforcement officials tasked with handling a beneficial owner's personal information to go through retraining at a minimum of every 2 years. This will ensure they are keeping up with the latest rules, systems, and processes and will lower the risk of misuse or improper disclosure.

The retraining is critical to ensuring that our law enforcement officials, at all levels of government, are undertaking best practices when handling sensitive information during their investigations. Together we can finally tackle the issues surrounding shell companies and their opaque beneficial ownership structure and give law enforcement the tools they need to track the money that threatens our national security.

I strongly encourage my colleagues to support the underlying bill and my amendment. I yield back the balance of my time

Mr. McHENRY. Mr. Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

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

There was no objection.

Mr. McHENRY. The gentleman's amendment would ensure that law enforcement professionals who access the beneficial ownership's database understand the importance of protecting the privacy of beneficial owners. I think this is a necessary and proper addition to the bill. I think this highlights the fact that we don't have the basic due process rights or constitutional protections that we have under the FISA court or under the Patriot Act.

The Wall Street Journal recently reported that the FISA ''court concluded that in at least a handful of cases, the FBI had been improperly searching a database of raw intelligence for information on Americans—raising concerns about oversight of the program.''

This refresher training is an important step to ensure individuals who have access to highly sensitive and private information of millions of Americans are properly trained. Authorized users should only be able to access information for officially sanctioned uses.

I thank the gentleman for offering this amendment. And while this amendment is not a sufficient replacement for a warrant or subpoena, it recognizes that law enforcement must know how to handle personal information and the need to protect that information. I urge its adoption.

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

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

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. LEVIN OF MICHIGAN

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 116–247.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, I rise as the designee of the gentleman from Michigan (Mr. LEVIN) to offer amendment No. 4.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, after line 19, insert the following:

''(D) DISCLOSURE OF NON-PII DATA.—Notwithstanding subparagraph (B), FinCEN may issue guidance and otherwise make materials available to financial institutions and the public using beneficial ownership information reported pursuant to this section if such information is aggregated in a manner that removes all personally identifiable information. For purposes of this subparagraph, 'personally identifiable information' includes information that would allow for the identification of a particular corporation or limited liability company.''.

The Acting CHAIR. Pursuant to House Resolution 646, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, this amendment is a clarifying amendment. It would clarify that FinCEN can actually use the beneficial ownership information it is collecting under the bill. This was always our intent, but we were concerned that because FinCEN technically isn't a law enforcement agency, their authority to use the information under the bill might be unclear.

Mr. LEVIN's amendment fixes this by explicitly stating that FinCEN can use the information to issue public advisories and to share the information with financial institutions in order to improve compliance with their know-your-customer rules. However, FinCEN would only be able to disclose the information in an aggregated format so that it protects the disclosure of personally identifiable information.

I want to thank Mr. LEVIN for working closely with my office and with the committee on this amendment. I urge my colleagues to support the amendment and the underlying bill, and I reserve the balance of my time.

Mr. McHENRY. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The Gentleman from North Carolina is recognized for 5 minutes.

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

Mr. Chairman, this amendment exposes the very problem I have with this new governmental database. We put enormous protections into the collection of foreigners into our database and intelligence bureaus. We have granted rights to special courts and that is for information that is less specific than the information that will be a part of this beneficial owner or ownership database of America's small businesses. The amendment here says that basically you redact the specific personally identifiable information of the beneficial owners of the small business.

Now, it doesn't have provision for small areas. Let's say that you are from my hometown or you are from the town I lived in for nearly a decade, a small town that only has a handful of businesses, and so, you aggregate the data, but you can still expose people to enormous amounts of unwanted targeting.

It also exposes to me the additional issues that we have with another government database, that a future Congress could then take this data and make it public or some congressional investigator could just want this for partisan political reasons and try to seek it out of the executive branch.

This amendment highlights to me the grave concerns I have with a mass collection of this type of data, no matter how justified the anecdotes are from law enforcement.

The amendment specifically allows FinCEN to ''issue guidance and otherwise make materials available to financial institutions and the public using beneficial ownership information.'' That is deeply problematic, and I do not believe appropriate protections are in place for an amendment like this to be made reasonable. I think if you have civil liberties concerns, I would say that this amendment highlights the very civil liberties concerns you would have with the new Federal Government database.

I would like to ask the bill's sponsor, though he is not here, about the intent of creating this type of information, but he is not here. I don't think this is a wise amendment. I think it should be rejected for a number of different counts. I would urge my colleagues to vote ''no,'' and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I have no further speakers, and I yield back the balance of my time.

Mr. McHENRY. Mr. Chairman, I yield myself the balance of my time. I include in the RECORD a letter in opposition to this very amendment from the National Federation of Independent Business opposing this amendment.

[From NFIB]

HOUSE MAKES LAST MINUTE BAIT-AND-SWITCH ON CORPORATE TRANSPARENCY ACT

In advance of today's vote, an amendment filed last night shows the true motivations of those pushing the Corporate Transparency Act of 2019 (H.R. 2513).

Despite months of rhetoric about protecting the privacy of small business owners, this last-minute amendment would allow the Treasury Department's Financial Crimes Enforcement Network to make public the individual names, addresses, birth dates, and even the driver's license numbers of small business owners. This is a complete reversal of what promoters of this bill have been saying over the last several months.

Purportedly about national security, in reality, this bill shifts a burden from big

banks, something they said today is merely "a client pain point," to small businesses who simply cannot absorb an additional 131.7 million hours of paperwork over the first 10 years at a cost of $5.7 billion. And, with the last-minute amendment, it allows for the creation a public registry.

"Supporters of this bill have revealed their cards today," said Brad Close, NFIB's Senior Vice President, Public Policy. "This amendment confirms one of small business owners' greatest fears—that the true intention of those pushing this bill is to establish a public registry of every small business owner—something that can be used to shame law-abiding small business owners for free speech activities or political purposes. This is a serious breach of the privacy and first amendment rights, and we urge members of the United States House of Representatives to defeat this amendment today."

The amendment filed last night would prohibit FinCEN from making public the names of specific businesses but would not prohibit FinCEN from listing the names of business owners or the personally identifiable information of business owners such as home addresses.

This morning, The Hill published an op-ed by NFIB President and CEO Juanita D. Duggan on the significant risks and penalties the Corporate Transparency Act imposes on small business owners. This followed on the heels of an announcement by NFIB of a coalition of 38 business groups, including NFIB, who joined together in strong oppositior of this legislation.

To read more on NFIB's efforts to protect small business privacy, visit https://nfib.com/protectprivacy.

Mr. MCHENRY. Mr. Chair, again, I would highlight that the civil liberties concerns here are enormous. When you do minimal redaction of specific personally identifiable information, you could still expose data in certain jurisdictions of small business owners in a way that I don't think is warranted, nor do I think the bill's sponsor would like to seek, and I think this is deeply problematic.

I would urge my colleagues to look at the contents of this amendment and then to think through the concerns that they would have if it were their information exposed in a minimally redacted way. I don't think they would be quite comfortable with it.

Now, think of asking every small business owner in your district to submit this information to another Federal database and then explain to them that they will minimally redact their information, maybe not their name, maybe their address, right, and then otherwise the explanation of their business would be exposed to the public.

I don't think it is a smart way to go here. I don't think this is the way we should be legislating. I do think it outlines the underlying concerns I have with this type of database, in not being required to get a subpoena in order to access it. And then an amendment that says that we are going to basically, I don't know, outline in Cherryville, North Carolina, every small business ownership structure in our little town or in Denver, North Carolina, which is an unincorporated area that I live in, likewise, taking a small population with a few small businesses and exposing the ownership structure of small businesses.

I don't think this is a smart amendment. I don't think it is what we should be intending as Members of Congress, and I think both folks on the left and the right and in the middle can look at this and think this is not the way to go. So I urge you to vote against this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

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

Mr. MCHENRY. Mr. 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 New York will be postponed.

□ 1530

AMENDMENT NO. 5 OFFERED BY MR. DAVIDSON OF OHIO

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 116–247.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 1 through 5 and insert the following:

SECTION 1. TERMINATION OF CDD RULE.

The final rule of the Department of the Treasury titled "Customer Due Diligence Requirements for Financial Institutions" (published May 11, 2016; 81 Fed. Reg. 29397) shall have no force or effect.

SEC. 2. FINCEN STUDY.

(a) STUDY.—FinCEN shall carry out a study that shall include—

(1) a review of all existing data collected by the Department of the Treasury (including the Internal Revenue Service), by State Secretaries of State, by financial institutions due to current statutory and regulatory mandates (excluding the CDD rule), or by other Federal Government entities, that in whole or in part would allow FinCEN to discern the beneficial owners of companies operating in the United States financial system;

(2) recommendations for the sharing of information described under paragraph (1) with FinCEN along with proposed safeguards for protecting personally identifiable information from unauthorized access, including by Federal intelligence and law enforcement officials, as well as internal risk control mechanisms for prevention of unauthorized access through a cyber breach; and

(3) an estimation of the cost of the compliance burden for the CDD rule.

(b) REPORT.—Not later than September 30, 2019, FinCEN shall issue a report to the Congress containing all findings and determinations made in carrying out the study required under subsection (a).

(c) DEFINITIONS.—For purposes of this section:

(1) CDD RULE.—The term "CDD rule" means the final rule of the Department of the Treasury described under section 1.

(2) FINANCIAL INSTITUTION.—The term "financial institution" has the meaning given that tem under section 5312 of title 31, United States Code.

(3) FINCEN.—The term "FinCEN" means the Financial Crimes Enforcement Network.

The Acting CHAIR. Pursuant to House Resolution 646, the gentleman from Ohio (Mr. DAVIDSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. DAVIDSON of Ohio. Mr. Chairman, today, I offer an amendment to address the serious flaws within the underlying bill.

Under the guise of tracking money laundering, this bill imposes a crushing paperwork burden squarely targeted at small business owners. It creates a massive new Federal Government database containing the addresses of innocent American citizens and will do nothing to track down criminals.

Under the Obama administration, FinCEN issued regulations that banks collect the beneficial ownership information of these businesses. The regulations have proven so confusing, burdensome, and unnecessary that banks have sought relief from these regulations.

This bill effectively shifts the reporting burden onto mom-and-pop businesses that have never even heard of FinCEN.

The bill adopts a different definition of beneficial ownership that is even more confusing and vague than the one used by Treasury's rules, which has already puzzled regulators and banks for years.

According to the Congressional Budget Office, the bill would generate 25 to 30 million new filings every year. Failure to comply could result in jail time up to 3 years, thousands of dollars in fines, compromise of private information, and more.

The bill also raises serious privacy concerns by creating yet another database that is effectively the first-of-its-kind Federal registry of small businesses and small business ownership. It contains no subpoena or warrant-type restrictions for Federal law enforcement to access.

In the era of naming and shaming of companies and owners for political purposes, and findings that Federal law enforcement have abused their existing authorities in accessing section 702 FISA data, this bill should give serious pause about how we as Members of Congress protect civil liberties for American citizens.

My amendment would simply strike the underlying bill's burdensome mandate, nullify the Obama-era regulations on banks, and instead require FinCEN to go back to the drawing board by reviewing how already existing Federal datasets from banking know-your-customer and anti-money laundering rules can assist law enforcement in determining the beneficial owners of businesses.

As my colleague FRENCH HILL has offered, the IRS already contains all of this information.

Lastly, I would say that if we are going to criminalize private ownership of businesses, why not do that in the beginning rather than criminalize failure to report to an agency that doesn't exist.

All of these questions have failed to be addressed directly by the executive branch, and they are blown through with the way this bill addresses the problem.

This type of information already exists. We do not need another Federal database prone to be abused or a crushing mandate that will harm law-abiding Americans and be ignored by criminals.

Mr. Chair, I urge support for my amendment and opposition to the bill without it.

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

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

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chair, I firmly oppose the Davidson amendment because it would gut the bill.

After years of working to ensure that criminals, terrorists, and enemies of the United States can no longer use loopholes to cloak their dangerous acts from law enforcement, this amendment heedlessly tries to jettison this significant layer of defense.

If the amendment is adopted, there would be no requirement to share the identities of the beneficial owners of corporations and LLCs that currently do not make such disclosures.

If adopted, there would be no ability for law enforcement to get information that it needs to unmask the wrongdoers who abuse State laws to hide their global criminal activities.

To make things worse, the amendment would repeal the FinCEN customer due diligence, or CDD, rule, which currently requires banks to identify and verify the beneficial ownership of corporate customers. It prevents criminals, kleptocrats, and others looking to hide ill-gotten proceeds from accessing the financial system anonymously.

The Director of FinCEN said that the CDD rule is ''but one critical step toward closing this national security gap. The second critical step . . . is collecting beneficial ownership information at the corporate formation stage.''

An outright and immediate repeal of this rule endangers the financial system by leaving a dangerous new gap in information about bank customers while the implementation of H.R. 2513 gears up.

The safer approach, and one supported by the financial institutions, is to require the Treasury to remove identified redundancies after the database becomes operational. This is precisely what H.R. 2513 already does.

Mr. Chairman, the AFL–CIO, Oxfam, the FACT Coalition, FBI, Treasury, DOJ, FinCEN, as well as the Fraternal Order of Police, the Federal Law Enforcement Officers Association, and most State attorneys general have urged Congress to pass H.R. 2513 to develop a Federal beneficial ownership database.

The Davidson amendment would undermine this effort before it can begin.

Mr. Chair, I urge my colleagues to vote ''no'' on this amendment, and I reserve the balance of my time.

Mr. DAVIDSON of Ohio. Mr. Chairman, may I inquire as to the balance of my time.

The Acting CHAIR. The gentleman from Ohio has 2 minutes remaining.

Mr. MCHENRY. Will the gentleman yield?

Mr. DAVIDSON of Ohio. I yield to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Chair, I appreciate my colleague for yielding.

I think this highlights the very fact that this bill provides no regulatory relief for financial institutions to collect information under the customer due diligence rule. It highlights the nature of this obligation, especially on small businesses, and the paperwork burden on small businesses and, on top of that, the paperwork burden on financial institutions to collect enormous amounts of information.

The very nature of this amendment highlights the missing elements of the underlying bill.

Mr. Chair, I appreciate my colleague for yielding.

Mr. DAVIDSON of Ohio. Mr. Chairman, I yield myself the balance of my time to close.

In closing, I would simply say that this would presume that criminals are somehow going to cease their criminal activity, all because they have to file a report.

The reality is this is going to criminalize business ownership, violate the civil liberties of business owners across America, and make them vulnerable to further abuse by criminals.

Mr. Chair, I urge support for this amendment and opposition to the underlying bill without its adoption.

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

Ms. WATERS. Mr. Chair, I yield the balance of my time to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the sponsor of this important legislation.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, I thank the chairwoman for yielding.

Mr. Chair, I strongly oppose this amendment, which would completely gut the bill and would dramatically weaken our national security.

Right now, the only protection we have in place against bad actors using anonymous shell companies to launder their money through the U.S. is FinCEN's customer due diligence rule, which requires financial institutions to find out the beneficial owners of the corporations and the entities that open accounts with them.

The FinCEN rule, which is very important, is still only half a measure. When FinCEN passed the rule, they explicitly said that Congress still needed to pass the bill that is before us today.

Mr. DAVIDSON's amendment would not only delete the underlying bill but would also repeal the FinCEN rule. In other words, it is worse than the status quo and practically invites criminals and money launderers to use the U.S. financial system.

Mr. Chair, this is a deeply irresponsible amendment, and I strongly urge my colleagues to oppose it and to support the underlying bill.

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

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

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

Ms. WATERS. Mr. 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 Ohio will be postponed.

Ms. WATERS. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PAPPAS) having assumed the chair, Mr. CUELLAR, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2513) to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

The House will resume proceedings on postponed questions at a later time.

RODCHENKOV ANTI-DOPING ACT OF 2019

Ms. JACKSON LEE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 835) to impose criminal sanctions on certain persons involved in

international doping fraud conspiracies, to provide restitution for victims of such conspiracies, and to require sharing of information with the United States Anti-Doping Agency to assist its fight against doping, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 835

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Rodchenkov Anti-Doping Act of 2019''.

SEC. 2. DEFINITIONS.

(1) ANTI-DOPING ORGANIZATION.—The term ''anti-doping organization'' has the meaning given the term in Article 2 of the Convention.

(2) ATHLETE.—The term ''athlete'' has the meaning given the term in Article 2 of the Convention.

(3) CODE.—The term ''Code'' means the World Anti-Doping Code most recently adopted by WADA on March 5, 2003.

(4) CONVENTION.—The term ''Convention'' means the United Nations Educational, Scientific, and Cultural Organization International Convention Against Doping in Sport done at Paris October 19, 2005, and ratified by the United States in 2008.

(5) MAJOR INTERNATIONAL SPORT COMPETITION.—The term ''Major International Sport Competition''—

(A) means a competition—

(i) in which 1 or more United States athletes and 3 or more athletes from other countries participate;

(ii) that is governed by the anti-doping rules and principles of the Code; and

(iii) in which—

(I) the competition organizer or sanctioning body receives sponsorship or other financial support from an organization doing business in the United States; or

(II) the competition organizer or sanctioning body receives compensation for the right to broadcast the competition in the United States; and

(B) includes a competition that is a single event or a competition that consists of a series of events held at different times which, when combined, qualify an athlete or team for an award or other recognition.

(6) PERSON.—The term ''person'' means any individual, partnership, corporation, association, or other entity.

(7) PROHIBITED METHOD.—The term ''prohibited method'' has the meaning given the term in Article 2 of the Convention.

(8) PROHIBITED SUBSTANCE.—The term ''prohibited substance'' has the meaning given the term in Article 2 of the Convention.

(9) SCHEME IN COMMERCE.—The term ''scheme in commerce'' means any scheme effectuated in whole or in part through the use in interstate or foreign commerce of any facility for transportation or communication.

(10) USADA.—The term ''USADA'' means the United States Anti-Doping Agency.

(11) WADA.—The term ''WADA'' means the World Anti-Doping Agency.

SEC. 3. MAJOR INTERNATIONAL DOPING FRAUD CONSPIRACIES.

(a) IN GENERAL.—It shall be unlawful for any person, other than an athlete, to knowingly carry into effect, attempt to carry into effect, or conspire with any other person to carry into effect a scheme in commerce to influence by use of a prohibited substance or prohibited method any major international sports competition.

(b) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over an offense under this section.

SEC. 4. CRIMINAL PENALTIES AND STATUTE OF LIMITATIONS.

(a) IN GENERAL.—

(1) CRIMINAL PENALTY.—Whoever violates section 3 shall be sentenced to a term of imprisonment for not more than 10 years, fined $250,000 if the person is an individual or $1,000,000 if the defendant is other than an individual, or both.

(2) FORFEITURE.—Any property real or personal, tangible or intangible, may be seized and criminally forfeited to the United States if that property—

(A) is used or intended to be used, in any manner, to commit or facilitate a violation of section 3; or

(B) constitutes or is traceable to the proceeds taken, obtained, or retained in connection with or as a result of a violation of section 3.

(b) LIMITATION ON PROSECUTION.—

(1) IN GENERAL.—No person shall be prosecuted, tried, or punished for violation of section 3 unless the indictment is returned or the information is filed within 10 years after the date on which the offense was completed.

(2) TOLLING.—Upon application in the United States, filed before a return of an indictment, indicating that evidence of an offense under this chapter is in a foreign country, the district court before which a grand jury is impaneled to investigate the offense shall suspend the running of this statute of limitation for the offense if the court finds by a preponderance of the evidence that an official request has been made for such evidence and that it reasonably appears, or reasonably appeared at the time the request was made, that such evidence is, or was, in such foreign country.

SEC. 5. RESTITUTION.

Section 3663A of title 18, United States Code, is amended in subsection (c)—

(1) in paragraph (1)(A)—

(A) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively; and

(B) by inserting after clause (ii) the following:

''(iii) an offense described in section 3 of the Rodchenkov Anti-Doping Act of 2019;''; and

(2) in paragraph (3), in the matter preceding subparagraph (A), by inserting ''or (iii)'' after ''paragraph (1)(A)(ii)''.

SEC. 6. COORDINATION AND SHARING OF INFORMATION WITH USADA.

Except as otherwise prohibited by law and except in cases in which the integrity of a criminal investigation would be affected, in furtherance of the obligation of the United States under Article 7 of the Convention, the Department of Justice, the Department of Homeland Security, and the Food and Drug Administration shall coordinate with USADA with regard to any investigation related to a potential violation of section 3 of this Act, to include sharing with USADA all information in the possession of the Department of Justice, the Department of Homeland Security, or the Food and Drug Administration which may be relevant to any such potential violation.

SEC. 7. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, and the amendments made by this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

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

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I thank all of my sponsors, but I particularly thank Dr. BURGESS, who I will mention again, who joined me more than a year ago to move forward on a bill that we hope will give fairness to all the wonderful young athletes around the world.

H.R. 835, the Rodchenkov Anti-Doping Act of 2019, would strengthen the integrity of international sports competitions by imposing criminal sanctions on certain persons involved in international doping fraud conspiracies. It would also provide restitution for victims of such conspiracies and would require coordination and sharing of information with the United States Anti-Doping Agency to assist its fight against doping.

Mr. Speaker, I include in the RECORD an article from The New York Times regarding manipulated drug tests.

RUSSIAN DOPING CHIEF SAYS THOUSANDS OF DRUG TESTS WERE MANIPULATED

[From the New York Times, Oct. 14, 2019]

(By Tariq Panja)

COLORADO SPRINGS.—Russia made thousands of changes to the drug-test results of an unspecified number of its athletes, the head of the country's own antidoping agency said this week, confirming the suspicions of global officials who are considering severe penalties against Russian sports programs.

The official, Yuri Ganus, the director general of the Russian antidoping agency, suggested in an interview at a conference in Colorado that the data had been concealed or altered to protect the reputations and positions of former star athletes who now have roles in government or who function as senior sports administrators in Russia.

His comments went farther than his previous remarks about possible Russian manipulation of doping results, and they could complicate the country's efforts to avoid new punishments from global antidoping officials. Russian was already barred from international sporting events, including the 2018 Winter Olympics, after the discovery of a broad, state-sponsored doping program in 2015.

In less than two weeks, a committee at the World Anti-Doping Agency will decide whether to press for more serious bans against Russian sports federations. Russia faces possible expulsion from international sports—a return to the pariah status that followed the 2015 discovery—if its authorities

cannot provide an explanation for missing or manipulated test results in a database that Russia turned over to WADA.

Russia's promise to deliver that database of thousands of athlete records was a key factor in WADA's decision to lift a suspension of the country's antidoping agency in late 2018. That determination, criticized by athletes and other antidoping officials at the time, ended a three-year suspension that had been imposed after the discovery of one of the most audacious and sophisticated cheating schemes in history, a conspiracy that corrupted a number of major international sporting events, including several Olympics.

Ganus, 55, said Sunday that he believed only individuals with access to some of Russia's most powerful institutions could have been able to manipulate the data, which WADA investigators crosschecked against a separate set provided by a whistle-blower in 2017.

''In this case, you have to understand what has to be the power which will receive access,'' Ganus said.

Ganus said he had spoken out to ensure that current and future generations of Russian athletes do not suffer because of the actions of others.

But his outspokenness has come as a surprise to some, given the risks whistle-blowers with information related to the case appear to face. Two other Russian antidoping officials with ties to the scandal—including one of Ganus's predecessors—have died under suspicious circumstances in recent years, and Ganus said he believed the Russian authorities were monitoring his electronic communications and his phone calls, as well as conducting surveillance near his home.

''It's really dangerous for me,'' he said. But Ganus said he was driven to complete what he described as ''the mission'' to assure that a new generation of Russian athletes could return, untainted, to international sports.

''Russia is a high level sports country, but those people who are responsible to solve this situation for many years chose the wrong way, the wrong approach,'' he said.

There is a suspicion in sporting circles that Russia has allowed Ganus to speak out publicly so that he can separate the work of his agency, which has drawn praise from WADA for changes it has made, from that of the state authorities that control the Moscow laboratory where the athletes' data was stored. The government still considers that lab a crime scene under the control of state officials, not of domestic antidoping regulators.

''Certainly if he's speaking truth to power, maybe he's going to defect sometime soon or it's a strategic move,'' Travis Tygart, the head of the United States Anti-Doping Agency, said of Ganus. ''I think the real issue is: Can the WADA system hold the national antidoping system responsible for something that the minister's office is ultimately responsible for?''

By lifting its ban on Russia last year before the country had complied with two remaining provisions of its so-called road map to reinstatement—namely, providing the athletes' data to WADA and acknowledging that Russia's doping program was state-controlled—WADA effectively freed the authorities who control the lab from the need to follow the terms of that agreement. Those officials might not fall under WADA's jurisdiction, as the Russian antidoping agency, known as Rusada, does.

''When they let them out of that road map, it put a lot of pressure on their ability under the new rules to hold Russia's state minister's office and sport community responsible through their authority over the national antidoping organization,'' Tygart said. ''That's what's going to come to a head. And let's hope it does:'

Last month, the English lawyer Jonathan Taylor, who leads the WADA committee overseeing Russian compliance, said the country would need to ''pull a rabbit out of the hat'' to provide a credible explanation for anomalies in the data extracted from the Moscow lab.

Taylor's committee will convene, probably by phone, on Oct. 23 to decide whether to recommend to WADA's executive board that Russia be designated ''noncompliant:'' If the board agrees, a case most likely will be fast-tracked to the international Court of Arbitration for Sport for a final ruling.

In the past, individual sports had the power to decide whether to punish countries for doping offenses. But rules adopted in April 2018 mean a negative ruling for Russia at the arbitration court could trigger an automatic suspension for the country across a wide range of sports and federations bound by the WADA code. Under such a ban, Russian teams and athletes would be ineligible to compete in international sporting events, and the country would be barred from hosting them, until the WADA suspension was lifted.

That could lead to Russia's missing out on next summer's Olympics in Tokyo, and even put at risk its national soccer team's participation in qualification matches for the 2022 World Cup in Qatar.

[From the New York Times, June 12, 2018]

U.S. LAWMAKERS SEEK TO CRIMINALIZE DOPING IN GLOBAL COMPETITIONS

(By Rebecca R. Ruiz)

United States lawmakers took a step on Tuesday toward criminalizing doping in international sports, introducing a bill in the House that would attach prison time to the use, manufacturing or distribution of performance-enhancing drugs in global competitions.

The legislation, inspired by the Russian doping scandal, would echo the Foreign Corrupt Practices Act, which makes it illegal to bribe foreign officials to gain a business advantage. The statute would be the first of its kind with global reach, empowering American prosecutors to act on doping violations abroad, and to file fraud charges of a different variety than those the Justice Department brought against top international soccer officials in 2015.

Although American leagues like Major League Baseball would not be affected by the legislation, which would apply only to competitions among countries, it could apply to a league's athletes when they participate in global events like the Ryder Cup, the Davis Cup or the World Baseball Classic.

The law would establish America's jurisdiction over international sports events, even those outside of the United States, if they include at least three other nations, with at least four American athletes participating or two American companies acting as sponsors. It would also enhance the ability of cheated athletes and corporate sponsors to seek damages, expanding the window of time during which civil lawsuits could be filed.

To justify the United States' broader jurisdiction over global competitions, the House bill invokes the United States' contribution to the World Anti-Doping Agency, the global regulator of drugs in sports. At $2.3 million, the United States' annual contribution is the single largest of any nation. ''Doping fraud in major international competitions also effectively defrauds the United States:' the bill states.

The lawmakers behind the bill were instrumental in the creation of the 2012 Magnitsky Act, which gave the government the right to freeze financial assets and impose visa restrictions on Russian nationals accused of serious human rights violations and corruption. On Tuesday, the lawmakers framed their interest in sports fraud around international relations and broader networks of crime that can accompany cheating.

''Doping fraud is a crime in which big money, state assets and transnational criminals gain advantage and honest athletes and companies are defrauded;' said Sheila Jackson Lee, Democrat of Texas, who introduced the legislation on Tuesday. ''This practice, some of it state-sanctioned, has the ability to undermine international relations, and is often connected to more nefarious actions by state actors?'

Along with Ms. Jackson Lee, the bill was sponsored by two other congressional representatives, Michael C. Burgess, Republican of Texas, and Gwen Moore, Democrat of Wisconsin.

It was put forward just as Russia prepares to host soccer's World Cup, which starts Thursday. That sporting event will be the nation's biggest since the 2014 Sochi Olympics, where one of the most elaborate doping ploys in history took place.

The bill, the Rodchenkov Anti-Doping Act, takes its name from Dr. Grigory Rodchenkov, the chemist who ran Russia's antidoping laboratory for 10 years before he spoke out about the state-sponsored cheating he had helped carry out—most notoriously in Sochi. At those Games, Dr. Rodchenkov said, he concealed widespread drug use among Russia's top Olympians by tampering with more than 100 urine samples with the help of Russia's Federal Security Service.

Investigations commissioned by international sports regulators confirmed his account and concluded that Russia had cheated across competitions and years, tainting the performance of more than 1,000 athletes. In early 2017, American intelligence officials concluded that Russia's meddling in the 2016 American election had been, in part, a form of retribution for the Olympic doping scandal, whose disclosures Russian officials blamed on the United States.

Nations including Germany, France, Italy, Kenya and Spain have established criminal penalties for sports doping perpetrated within their borders. Russia, too, passed a law in 2017 that made it a crime to assist or coerce doping, though no known charges have been brought under that law to date.

Under the proposed American law, criminal penalties for offenders would include a prison term of up to five years as well as fines that could stretch to $250,000 for individuals and $1 million for organizations.

''We could have real change if people think they could actually go to jail for this,'' said Jim Walden, a lawyer for Dr. Rodchenkov, who met with the lawmakers as they considered the issue in recent months. ''I think it will have a meaningful impact on coaches and athletes if they realize they might not be able to travel outside of their country for fear of being arrested?'

The legislation also authorizes civil actions for doping fraud, giving athletes who may have been cheated in competitions—as well as corporations acting as sponsors—the right to sue in federal court to recover damages from people who may have defrauded competitions.

Ms. Jackson Lee cited the American runner Alysia Montaño, who placed fifth in the 800 meters at the 2012 Summer Olympics. Two Russian women who placed first and third in that race were later disqualified for doping, elevating Ms. Montaño years later. ''She had rightfully finished third, which would have earned her a bronze medal:' Ms. Jackson Lee said, noting the financial benefits and sponsorships Ms. Montaño could have captured.

The bill would establish a window of seven years for criminal actions and 10 years for civil lawsuits. It also seeks to protect whistle-blowers from retaliation, making it illegal to take ''adverse action'' against a person because he or she has disclosed information about doping fraud.

Dr. Rodchenkov, who has lived in the United States since fall 2015, has been criminally charged in Russia after he publicly deconstructed the cheating he said he carried out on orders from a state minister.

''While he was complicit in Russia's past bad acts, Dr. Rodchenkov regrets his past role in Russia's state-run doping program and seeks to atone for it by aiding the effort to clean up international sports and to curb the corruption rampant in Russia,'' Ms. Jackson Lee said, calling Tuesday's bill ''an important step to stemming the tide of Russian corruption in sport and restoring confidence in international competition.''

Ms. JACKSON LEE. Mr. Speaker, I introduced this bill, as I said, with Mr. BURGESS of Texas because the widespread use of performance-enhancing substances had come to light in recent years, harming athletes and fans alike.

Clean U.S. athletes and sports organizations that participate in these competitions, as well as their U.S. sponsors, are denied their due recognition and economic rewards. Young people who have worked all of their lives for this miraculous and important time in their lives and their fans lose when the legitimacy and integrity of the competition they enjoy are debased.

□ 1545

In recent years, there have been numerous allegations and instances of doping by professional and amateur athletes. The Summer and Winter Olympic Games, in particular, have been plagued with doping scandals, which has left an indelible stain on the reputation of those major international sports events.

The infamous Russian doping scandal during the 2014 Sochi Winter Olympics is one notable example of the corruption and fraud that has damaged the integrity of sports competitions. After the Sochi games, whistleblowers Yuliya Stepanova, a former Russian track star, and her husband, Vitaly Stepanov, a former employee at the Russian Anti-Doping Agency, exposed the Russian Government's vast state-sponsored doping system, which subsequently led to further revelations by Dr. Grigory Rodchenkov, the chemist who ran the Russian anti-doping laboratory.

Mr. Speaker, they simply could not take it anymore. Mr. Rodchenkov became a whistleblower and exposed the dozens of Russian athletes participating in the Sochi games, including 15 medal winners, who were part of a state-run doping program.

In addition, Dr. Rodchenkov revealed that with the help of Russian intelligence—I want our Members to hear that again—Russian intelligence—the laboratory switched steroid-tainted urine of the Russian national team with clean samples, evading positive detection. It was an intelligence catastrophe, using that community to undermine the healthy work and the healthy commitment and participation of athletes all around the world.

The ineffective response from international organizations with oversight responsibilities, such as the World Anti-Doping Agency, the Court of Arbitration for Sport, and the International Olympic Committee has only emboldened the Russian Government.

Although Russia has denied its involvement, evidence shows that it operated a systematic state-sponsored doping program and cover-up scheme.

Russia has cheated and defrauded all Olympic athletes, including its own and the general public, and has degraded the meaning and purpose of the games. Unfortunately, because the orchestrators of the Russian doping scandal operated with the blessing of the Russian Government, and because there is no legal mechanism in the United States to bring them to justice, they all escaped punishment for their actions. But imagine the hurt of all of these young athletes, in all of the countries, who worked so hard all of their life.

Currently, there is no Federal statute that provides explicit, comprehensive protection against doping conspiracies in international sports competitions, and the actions are crying out for relief. The Federal statutory protections that currently exist are limited, and criminalize activities, such as conspiracies to commit wire and mail fraud, bribery, kickbacks, and money laundering.

This legislation that we have introduced would fill that gap by establishing appropriate criminal penalties and civil penalties for international doping fraud. In addition to imposing criminal penalties on the conspirators, the bill would authorize private civil actions for doping fraud, which would give athletes and corporate sponsors the right to sue in Federal court to recover damages from individuals who may have defrauded competitions.

We thought it was extremely important to cover our corporate sponsors. They willingly and enthusiastically help these young athletes, particularly these amateur athletes who have no other sources of income. They provide our international competition the support to have these athletes travel and provide other necessities so that they can compete without worry.

This bill will provide justice to clean U.S. athletes, such as Olympic runner Alysia Montano, skeleton racer Katie Uhlaender, bobsledder Steve Holcomb, and many other champions who pursue excellence over glory. They have been denied medals that were rightfully theirs and cheated out of lucrative opportunities such as sponsorships. Most importantly, they have been deprived of the pride of seeing their country's flag being raised on the Olympic podium, an emotional moment that was stolen from them.

In the case of Mr. Holcomb, his bobsled team's bronze medal was upgraded to silver in the spring of 2019 after the Russian teams were disqualified for doping offenses during the 2014 Sochi games. Tragically, Mr. Holcomb was not here to see it, having died in 2017.

This bill also would provide much-needed protection and support for brave whistleblowers, such as Dr. Rodchenkov, who appeared here in the United States before the Helsinki Commission, and the Stepanovs, who have exposed major international doping fraud conspiracies, all at considerable personal risk and sacrifice. They should be honored. The exposure of this criminal activity would not have occurred without the courage and strength of these individuals, and this legislation would not have the very strong basis upon which it is written.

Accordingly, I support H.R. 835, and I ask my colleagues to do so.

Mr. Speaker, the proliferation of legal performance-enhancing drugs (''PEDs'') in sports damages the integrity of competition and defrauds individuals and corporate entities who participate in sporting competitions, including clean U.S. athletes and U.S. corporate sponsors.

However, due to the efforts of gallant whistleblowers, the complex inner workings of large-scale doping schemes are public knowledge.

In 2016, Dr. Grigory Rodchenkov exposed the Russian state-sponsored doping scandal during the 2014 Sochi Olympics, which teams were disqualified for doping offenses during the 2014 Sochi Games.

Tragically, Mr. Holcomb was not here to see it, having died in 2017.

The Rodchenkov Act comes at a crucial time for the international fight against doping in sports and is supported by the U.S. Helsinki Commission.

On October 14, 2019, the New York Times reported that, as suspected, Russia made thousands of changes to the drug-test results of an unspecified number of its athletes, the head of the country's own antidoping agency said this week, confirming the suspicions of global officials who are considering severe penalties against Russian sports programs.

The Russian doping fraud scandal shook the very foundations of the global anti-doping system and the problem shows no signs of stopping.

The ultimate victims of doping fraud are clean athletes, who want nothing more than to compete on a level playing field.

There are countless examples of U.S. athletes who have been defrauded by international doping fraud conspiracies.

These athletes are deprived of Olympic glory and denied their rightful prize money and sponsorships.

The Rodchenkov Act is fully compatible with the UNESCO Convention Against Doping in Sport and the World Anti-Doping Code, greatly enhances the fight against doping by creating additional legal tools to help guard against the type of behavior discovered in the Russian doping scandal.

By criminalizing international doping conspiracies, the Rodchenkov Act provides law enforcement with a greater ability to investigate and pursue, and ultimately hold accountable, doping fraud perpetrators.

In addition, this act will provide doping whistleblowers the same protections that are given

to whistleblowers of other serious crimes, and are all acutely aware of the current importance of protecting whistleblowers.

This legislation is not only vital, but it is fully consistent with international law.

I urge my colleagues on both sides of the aisle to support this legislation.

Mr. Speaker, we all have an interest in ensuring that our country and our athletes are not defrauded in international sports competitions. This bipartisan bill would fill an unfortunate gap with regard to the U.S. law enforcement to hold accountable those who engage in such fraud. It would also serve as a deterrent to those considering engaging in doping fraud conspiracies, and would provide a mechanism to gain visibility into a wider net of international corrupt practices that are connected to doping fraud.

I urge my colleagues to support this commonsense measure.

Mr. Speaker, H.R. 835, the "Rodchenkov Anti-Doping Act of 2019," would strengthen the integrity of international sports competitions by imposing criminal sanctions on certain persons involved in international doping fraud conspiracies. It would also provide restitution for victims of such conspiracies, and would require coordination and sharing of information with the United States Anti-Doping Agency to assist its fight against doping.

I introduced this bill along with Mr. BURGESS of Texas, because the widespread use of performance enhancing substances has come to light in recent years, harming athletes and fans alike. Clean U.S. athletes and sports organizations who participate in these competitions, as well as their U.S. sponsors, are denied their due recognition and economic rewards. And their fans lose when the legitimacy and integrity of the competitions they enjoy are debased.

In recent years, there have been numerous allegations and instances of doping by professional and amateur athletes. The summer and winter Olympic Games, in particular, have been plagued with doping scandals, which has left an indelible stain on the reputation of these major international sports events.

The infamous Russian doping scandal during the 2014 Sochi Winter Olympics is one notable example of the corruption and fraud that has damaged the integrity of sports competitions. After the Sochi Games, whistleblowers Yuliya Stepanova, a former Russian track star, and her husband Vitaly Stepanov, a former employee at the Russian Anti-Doping Agency, exposed the Russian Government's vast state-sponsored doping system, which subsequently led to further revelations by Dr. Grigory Rodchenkov, the chemist who ran the Russian anti-doping laboratory.

Dr. Rodchenkov became a whistleblower and exposed the dozens of Russian athletes participating in the Sochi Games, including 15 medal winners, who were part of a state-run doping program. In addition, Dr. Rodchenkov revealed that with the help of Russian intelligence, the laboratory switched steroid-tainted urine of the Russian national team with clean samples, evading positive detection.

The ineffective response from international organizations with oversight responsibilities, such as the World Anti-Doping Agency, the Court of Arbitration for Sport, and the International Olympic Committee, has only emboldened the Russian Government. Although Russia has denied its involvement, evidence shows that it operated a systematic, state-sponsored doping program and cover-up scheme.

Russia has cheated and defrauded all the Olympic athletes, including its own, and the general public, and has degraded the meaning and purpose of the Games. Unfortunately, because the orchestrators of the Russian doping scandal operated with the blessing of the Russian government, and because there is no legal mechanism in the United States to bring them to justice, they all escaped punishment for their actions.

Currently, there is no federal statute that provides explicit comprehensive protection against doping conspiracies in international sports competitions. The federal statutory protections that currently exist are limited, and criminalize activities such as conspiracies to commit wire and mail fraud, bribery, kickbacks, and money laundering.

This legislation would fill that gap by establishing appropriate criminal penalties and civil remedies for international doping fraud. In addition to imposing criminal penalties on the conspirators, the bill would authorize private civil actions for doping fraud, which would give athletes and corporate sponsors the right to sue in federal court to recover damages from individuals who may have defrauded competitions.

This bill would provide justice to clean U.S. athletes, such as Olympic runner Alysia Montario, skeleton racer Katie Uhlaender, bobsledder Steve Holcomb, and many other champions who pursue excellence over glory. They have been denied medals that were rightfully theirs and cheated out of lucrative opportunities, such as sponsorships. Most importantly, they have been deprived of the pride of seeing their country's flag being raised on the Olympic podium an emotional moment that was stolen from them.

In the case of Mr. Holcomb, his bobsled team's bronze medals were upgraded to silver in the spring of 2019, after the Russian teams were disqualified for doping offenses during the 2014 Sochi Games. Tragically, Mr. Holcomb was not here to see it, having died in 2017.

This bill also would also provide much-needed protection and support for brave whistleblowers, such as Dr. Rodchenkov and the Stepanovas, who have exposed major international doping fraud conspiracies at considerable personal risk and sacrifice. The exposure of this criminal activity would not have occurred without the courage and strength of these individuals.

Accordingly, I support H.R. 835.

Mr. Speaker, we all have an interest in ensuring that our country and our athletes are not defrauded in international sports competitions. This bipartisan bill would fill an unfortunate gap with regard to the U.S. law enforcement to hold accountable those who engage in such fraud. It would also serve as a deterrent to those considering engaging in doping fraud conspiracies, and would provide a mechanism to gain visibility into a wider net of international corrupt practices that are connected to doping fraud.

I urge my colleagues to support this commonsense measure.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 18, 2019.

Hon. FRANK PALLONE, Jr.,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: I am writing to you concerning H.R. 835, the "Rodchenkov Anti-Doping Act of 2019."

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Energy and Commerce. I acknowledge that your Committee will not formally consider H.R. 835 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in H.R. 835 which fall within your Committee's Rule X jurisdiction.

I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

JERROLD NADLER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, October 18, 2019.

Hon. JERROLD NADLER,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN NADLER: I am writing to you concerning H.R. 835, the "Rodchenkov Anti-Doping Act of 2019," which was additionally referred to the Committee on Energy and Commerce. Certain provisions in the bill fall within the jurisdiction of the Committee on Energy and Commerce. In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, the Committee on Energy and Commerce agrees to waive formal consideration of the bill.

The Committee takes this action with the mutual understanding that it is not waiving any jurisdictional claim over this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. I further request that you support my request to name members of the Committee on Energy and Commerce to any conference committee to consider such provisions.

Finally, I would appreciate a response to this letter confirming this understanding and your inclusion of that response into the Congressional Record during floor consideration of H.R. 835.

Sincerely,

FRANK PALLONE, JR,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 18, 2019.

Hon. FRANK PALLONE, Jr.,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: I am writing to acknowledge your letter dated October 18, 2019 responding to our request to your Committee that it waive any jurisdictional claims over the matters contained in H.R. 835, the "Rodchenkow Anti-Doping Act of 2019," that fall within your Committee's Rule X jurisdiction. The Committee on the Judiciary confirms our mutual understanding that your Committee does not waive any jurisdiction over the subject matter contained in this or similar legislation,

and your Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues within your Committee's jurisdiction.

I will ensure that this exchange of letters is included in the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

JERROLD NADLER,
Chairman.

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

Mr. Speaker, I thank the gentlewoman from Texas for her leadership on this issue, and I thank the members of the committee for their hard work.

Mr. Speaker, amateur and professional sports are an essential part of American society. We spend over $50 billion each year on sporting events. Billions more in revenue are generated from advertising, athlete endorsements, and broadcast rights of thousands of sporting events each year. The impact of sports in the United States is over half a trillion dollars, and the effects on local, State, national, and global economies are considerable.

In other words, there is a great deal at stake. The integrity of leagues, coaches, athletes, and their sponsors is critical. Governments around the world sponsor their athletes in amateur sports, most notably in the Olympics. Scandals over the past 20 years involving doping and the use of performance-enhancing drugs have tarnished the reputations of players and coaches, and especially clean athletes who follow the rules and do not use prohibited drugs and substances.

The widespread doping by Russian athletes at the 2014 Winter Olympics led to Russia being banned from the 2018 Winter Olympics. Subsequent investigation revealed a massive government-sponsored doping program where a Russian drug testing laboratory director used a three-drug cocktail of anabolic steroids to boost the performance of Russian athletes. Even more distressing, Russian intelligence operatives switched the steroid-tainted urine samples of the Russian athletes with clean samples. In the end, 43 Olympic medals were stripped from Russia for doping violations.

Federal law already contains penalties for kickbacks, bribery, corruption, foreign corrupt practices, and related crimes. However, it does not criminalize fraud through doping in international sport competitions, nor does it provide protections for the victims of doping fraud, such as athletes and whistleblowers.

H.R. 835 would enhance America's jurisdiction over international sports and help ensure the integrity of athletes and coaches in the Olympics and similar competitions.

Doping fraud conspiracies harm clean athletes and their coaches and cosponsors. They also defraud those who pay to watch sporting events and set an extremely poor example for our youth. It is time for the United States to join several European nations and add another means by which criminals engaged in doping fraud can be held accountable for their actions and no longer tarnish the honor and image of clean athletes.

This bill is a unique example of bipartisan efforts. I am encouraged by the ability of Members and staff from both sides of the aisle to craft legislation which will help root out fraud and corruption in international sports.

As the lead sponsor of several other bipartisan pieces of legislation, I look forward to finding more common ground for the benefit of the American people. I am pleased to support this bill, and I urge my colleagues to support it, as well.

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

Ms. JACKSON LEE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. CLINE. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Texas (Mr. BURGESS).

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

Mr. Speaker, I rise today in support of H.R. 835, the Rodchenkov Anti-Doping Act, a bill that was introduced with Ms. JACKSON LEE to combat international doping schemes.

The bill is named after Dr. Grigory Rodchenkov, the former head of Russia's anti-doping agency lab that blew the whistle on the massive, state-run doping scheme that led the International Olympic Committee to suspend Russia from the 2018 Winter Olympics.

From 2011 to 2015, over 1,000 Russian athletes in 30 sports benefited from an illegal program executed by numerous Russian state agencies at the direction of Russian President Putin.

Another whistleblower, Yuliya Stepanova, revealed information that led to the formation of an independent commission at the World Anti-Doping Agency that investigated finding a deeply-rooted culture of cheating that existed in Russia. We heard from Ms. Stepanova and the lawyer for Dr. Rodchenkov during the Helsinki Commission hearing in July of 2018. Also present was Katie Uhlaender, who had been defrauded and cheated out of an Olympic medal as a result of the Russian doping scheme. No athlete should be subjected to doping, either through a state-run program or as a clean competitor.

In 2015, the Russian Anti-Doping Agency entered into a Roadmap to Code Compliance agreement with the World Anti-Doping Agency involving 31 criteria for the Russian agency to be reinstated. Russia's agreement to deliver additional drug-test lab samples is one of the reasons the World Anti-Doping Agency agreed to reinstate the Russian Anti-Doping Agency in 2018.

But, just last week, the current head of the Russian Anti-Doping Agency said thousands of changes were made to those drug-test results. The World Anti-Doping Agency had only been able to verify the authenticity of a portion of the provided samples, and these statements confirmed that Russia is still intent on cheating in international sport competitions. The World Anti-Doping Agency is currently considering how to respond, including possibly designating Russia as noncompliant and suspending Russian athletes from international sport competitions until that country is again designated as compliant.

But the doping program goes beyond just harming clean athletes. President Putin views this type of illegal scheme as a geopolitical tool to characterize the West as unfair and oppressive. One year ago, the United States Department of Justice indicted seven Russian military intelligence officials for a cyberattack on the United States and other international organizations because they exposed Russia's state-run doping scheme and for protecting the whistleblowers, namely Dr. Rodchenkov.

The Rodchenkov Anti-Doping Act would combat this type of illegal doping scheme and limit Russia's sphere of influence as they seek to undermine Western values around the world. This bill will criminalize knowingly facilitating a doping scheme in a major international sport competition where United States athletes are competing, and the competition organizer receives sponsorship or financial support from a U.S. entity. The bill also allows U.S. citizens to pursue civil action against deceptive competition and provides protection for whistleblowers.

The Rodchenkov Anti-Doping Act will ensure that athletes' rights are respected, whistleblowers are protected, and criminals are brought to justice. The bill will restore the integrity of international sport competition and uphold the rule of law around the world.

Mr. Speaker, I urge my colleagues to support the bill.

Ms. JACKSON LEE. Mr. Speaker, I have no further speakers, and I continue to reserve the balance of my time.

Mr. CLINE. Mr. Speaker, in closing, again, I would say that this is an important bill designed to restore integrity to international sport competition. Right now, you only need to look outside in the Nation's Capital to see that World Series fear has hit our Nation's Capital. As we all watch with enthusiasm, we are reminded of the noble goals and noble values inherent in sport and competition and look to preserve those goals and values with the passage of this legislation.

Mr. Speaker, I urge its passage, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman from Virginia for his kind remarks and support. And I thank Dr. BURGESS, as well, for his involvement and commitment to this

legislation. I also thank the chairman and ranking member of the Judiciary Committee for really helping us move this bill very quickly. I thank the staffs of both the majority and the minority who have worked so very hard on moving this bill forward. And I acknowledge, in particular, the staff on the Subcommittee on Crime, Terrorism, and Homeland Security for their particular help and leadership on this.

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Mr. Speaker, I am glad that we are talking about healthy sports and the recognition and the acceptance, if you will, of those who worked so long and so hard, many from their earlier years, to be Olympians, to play baseball, basketball, football, track, and the many sports that come under the Olympic mandate.

This bill, in particular, I wish to remind our colleagues, again, provides relief, but we really hope it is a deterrent and works to move other nations, the European Union, to be able to establish these kinds of responses to doping.

This act establishes criminal penalties for participating in a scheme in commerce to influence a major international sports competition through prohibitive substances or methods. It also provides restitution to victims of such conspiracy, athletes in particular, many of whom have suffered great losses because of this fraud.

It protects whistleblowers from retaliation by criminalizing participation in international doping fraud conspiracies. Whistleblowers will be included under existing witness protection laws.

It establishes coordination and sharing information with the U.S. Anti-Doping Agency to establish a matrix, if you will, a format.

I want to say that we all have an interest in ensuring our country and our athletes are not defrauded in international sports competitions. This bipartisan bill would fill an unfortunate gap with regard to U.S. law enforcement to hold accountable those who engage in such fraud.

It would also serve as a deterrent to those considering engaging in doping-fraud conspiracies and would provide a mechanism to gain visibility in a wider net of international corrupt practices that are connected to doping fraud.

I leave my colleagues with the very visual that so many of us, if we were not able to be at the Olympics, watched as our athletes were able to stand under our flag, the emotion of that moment, the emotion of the athletes, the emotion of those watching, the excitement of standing in honor of your Nation and representing your Nation. Anyone who has talked to an Olympian knows that that is one of their greatest honors. Let's give them that honor fair and square, if you will.

Since we believe in fairness and squareness in all of our athletic endeavors here in the United States, I certainly will end, as my friend commented here on the floor, I will end with the healthiness and the upstanding of the World Series and those who will play in it.

I will take the opportunity at this time to say: Go Astros.

I urge my colleagues to support the underlying, commonsense measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON LEE) that the House suspend the rules and pass the bill, H.R. 835, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

COPYRIGHT ALTERNATIVE IN SMALL-CLAIMS ENFORCEMENT ACT OF 2019

Mr. JEFFRIES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2426) to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2426

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Copyright Alternative in Small-Claims Enforcement Act of 2019'' or the ''CASE Act of 2019''.

SEC. 2. COPYRIGHT SMALL CLAIMS.

(a) IN GENERAL.—Title 17, United States Code, is amended by adding at the end the following:

''CHAPTER 15—COPYRIGHT SMALL CLAIMS

''Sec.
''1501. Definitions.
''1502. Copyright Claims Board.
''1503. Authority and duties of the Copyright Claims Board.
''1504. Nature of proceedings.
''1505. Registration requirement.
''1506. Conduct of proceedings.
''1507. Effect of proceeding.
''1508. Review and confirmation by district court.
''1509. Relationship to other district court actions.
''1510. Implementation by Copyright Office.
''1511. Funding.

''§ 1501. Definitions

''In this chapter—

''(1) the term 'party'—

''(A) means a party; and

''(B) includes the attorney of a party, as applicable;

''(2) the term 'claimant' means the real party in interest that commences a proceeding before the Copyright Claims Board under section 1506(e), pursuant to a permissible claim of infringement brought under section 1504(c)(1), noninfringement brought under section 1504(c)(2), or misrepresentation brought under section 1504(c)(3);

''(3) the term 'counterclaimant' means a respondent in a proceeding before the Copyright Claims Board that—

''(A) asserts a permissible counterclaim under section 1504(c)(4) against the claimant in the proceeding; and

''(B) is the real party in interest with respect to the counterclaim described in subparagraph (A); and

''(4) the term 'respondent' means any person against whom a proceeding is brought before the Copyright Claims Board under section 1506(e), pursuant to a permissible claim of infringement brought under section 1504(c)(1), noninfringement brought under section 1504(c)(2), or misrepresentation brought under section 1504(c)(3).

''§ 1502. Copyright Claims Board

''(a) IN GENERAL.—There is established in the Copyright Office the Copyright Claims Board, which shall serve as an alternative forum in which parties may voluntarily seek to resolve certain copyright claims regarding any category of copyrighted work, as provided in this chapter.

''(b) OFFICERS AND STAFF.—

''(1) COPYRIGHT CLAIMS OFFICERS.—The Register of Copyrights shall recommend 3 full-time Copyright Claims Officers to serve on the Copyright Claims Board in accordance with paragraph (3)(A). The Officers shall be appointed by the Librarian of Congress to such positions after consultation with the Register of Copyrights.

''(2) COPYRIGHT CLAIMS ATTORNEYS.—The Register of Copyrights shall hire not fewer than 2 full-time Copyright Claims Attorneys to assist in the administration of the Copyright Claims Board.

''(3) QUALIFICATIONS.—

''(A) COPYRIGHT CLAIMS OFFICERS.—

''(i) IN GENERAL.—Each Copyright Claims Officer shall be an attorney who has not fewer than 7 years of legal experience.

''(ii) EXPERIENCE.—Two of the Copyright Claims Officers shall have—

''(I) substantial experience in the evaluation, litigation, or adjudication of copyright infringement claims; and

''(II) between those 2 Officers, have represented or presided over a diversity of copyright interests, including those of both owners and users of copyrighted works.

''(iii) ALTERNATIVE DISPUTE RESOLUTION.—The Copyright Claims Officer not described in clause (ii) shall have substantial familiarity with copyright law and experience in the field of alternative dispute resolution, including the resolution of litigation matters through that method of resolution.

''(B) COPYRIGHT CLAIMS ATTORNEYS.—Each Copyright Claims Attorney shall be an attorney who has not fewer than 3 years of substantial experience in copyright law.

''(4) COMPENSATION.—

''(A) COPYRIGHT CLAIMS OFFICERS.—

''(i) DEFINITION.—In this subparagraph, the term 'senior level employee of the Federal Government' means an employee, other than an employee in the Senior Executive Service, the position of whom is classified above GS–15 of the General Schedule.

''(ii) PAY RANGE.—Each Copyright Claims Officer shall be compensated at a rate of pay that is not less than the minimum, and not more than the maximum, rate of pay payable for senior level employees of the Federal Government, including locality pay, as applicable.

''(B) COPYRIGHT CLAIMS ATTORNEYS.—Each Copyright Claims Attorney shall be compensated at a rate of pay that is not more than the maximum rate of pay payable for level 10 of GS–15 of the General Schedule, including locality pay, as applicable.

''(5) TERMS.—

''(A) IN GENERAL.—Subject to subparagraph (B), a Copyright Claims Officer shall serve for a renewable term of 6 years.

''(B) INITIAL TERMS.—The terms for the first Copyright Claims Officers appointed under this chapter shall be as follows:

''(i) The first such Copyright Claims Officer appointed shall be appointed for a term of 4 years.

''(ii) The second Copyright Claims Officer appointed shall be appointed for a term of 5 years.

''(iii) The third Copyright Claims Officer appointed shall be appointed for a term of 6 years.

''(6) VACANCIES AND INCAPACITY.—

''(A) VACANCY.—

''(i) IN GENERAL.—If a vacancy occurs in the position of a Copyright Claims Officer, the Librarian of Congress shall, upon the recommendation of and in consultation with the Register of Copyrights, act expeditiously to appoint a Copyright Claims Officer for that position.

''(ii) VACANCY BEFORE EXPIRATION.—An individual appointed to fill a vacancy occurring before the expiration of the term for which the predecessor of the individual was appointed shall be appointed to serve a 6-year term.

''(B) INCAPACITY.—If a Copyright Claims Officer is temporarily unable to perform the duties of the Officer, the Librarian of Congress shall, upon recommendation of and in consultation with the Register of Copyrights, act expeditiously to appoint an interim Copyright Claims Officer to perform such duties during the period of such incapacity.

''(7) SANCTION OR REMOVAL.—Subject to section 1503(b), the Librarian of Congress may sanction or remove a Copyright Claims Officer.

''(8) ADMINISTRATIVE SUPPORT.—The Register of Copyrights shall provide the Copyright Claims Officers and Copyright Claims Attorneys with necessary administrative support, including technological facilities, to carry out the duties of the Officers and Attorneys under this chapter.

''(9) LOCATION OF COPYRIGHT CLAIMS BOARD.—The offices and facilities of the Copyright Claims Officers and Copyright Claims Attorneys shall be located at the Copyright Office.

''§ 1503. Authority and duties of the Copyright Claims Board

''(a) FUNCTIONS.—

''(1) COPYRIGHT CLAIMS OFFICERS.—Subject to the provisions of this chapter and applicable regulations, the functions of the Copyright Claims Officers shall be as follows:

''(A) To render determinations on the civil copyright claims, counterclaims, and defenses that may be brought before the Officers under this chapter.

''(B) To ensure that claims, counterclaims, and defenses are properly asserted and otherwise appropriate for resolution by the Copyright Claims Board.

''(C) To manage the proceedings before the Officers and render rulings pertaining to the consideration of claims, counterclaims, and defenses, including with respect to scheduling, discovery, evidentiary, and other matters.

''(D) To request, from participants and nonparticipants in a proceeding, the production of information and documents relevant to the resolution of a claim, counterclaim, or defense.

''(E) To conduct hearings and conferences.

''(F) To facilitate the settlement by the parties of claims and counterclaims.

''(G)(i) To award monetary relief; and

''(ii) to include in the determinations of the Officers a requirement that certain activities under section 1504(e)(2) cease or be mitigated, if the party to undertake the applicable measure has so agreed.

''(H) To provide information to the public concerning the procedures and requirements of the Copyright Claims Board.

''(I) To maintain records of the proceedings before the Officers, certify official records of such proceedings as needed, and, as provided in section 1506(t), make the records in such proceedings available to the public.

''(J) To carry out such other duties as are set forth in this chapter.

''(K) When not engaged in performing the duties of the Officers set forth in this chapter, to perform such other duties as may be assigned by the Register of Copyrights.

''(2) COPYRIGHT CLAIMS ATTORNEYS.—Subject to the provisions of this chapter and applicable regulations, the functions of the Copyright Claims Attorneys shall be as follows:

''(A) To provide assistance to the Copyright Claims Officers in the administration of the duties of those Officers under this chapter.

''(B) To provide assistance to members of the public with respect to the procedures and requirements of the Copyright Claims Board.

''(C) To provide information to potential claimants contemplating bringing a permissible action before the Copyright Claims Board about obtaining a subpoena under section 512(h) for the sole purpose of identifying a potential respondent in such an action.

''(D) When not engaged in performing the duties of the Attorneys set forth in this chapter, to perform such other duties as may be assigned by the Register of Copyrights.

''(b) INDEPENDENCE IN DETERMINATIONS.—

''(1) IN GENERAL.—The Copyright Claims Board shall render the determinations of the Board in individual proceedings independently on the basis of the records in the proceedings before it and in accordance with the provisions of this title, judicial precedent, and applicable regulations of the Register of Copyrights.

''(2) CONSULTATION.—The Copyright Claims Officers and Copyright Claims Attorneys—

''(A) may consult with the Register of Copyrights on general issues of law; and

''(B) subject to section 1506(x), may not consult with the Register of Copyrights with respect to—

''(i) the facts of any particular matter pending before the Officers and the Attorneys; or

''(ii) the application of law to the facts described in clause (i).

''(3) PERFORMANCE APPRAISALS.—Notwithstanding any other provision of law or any regulation or policy of the Library of Congress or Register of Copyrights, any performance appraisal of a Copyright Claims Officer or Copyright Claims Attorney may not consider the substantive result of any individual determination reached by the Copyright Claims Board as a basis for appraisal except to the extent that result may relate to any actual or alleged violation of an ethical standard of conduct.

''(c) DIRECTION BY REGISTER.—Subject to subsection (b), the Copyright Claims Officers and Copyright Claims Attorneys shall, in the administration of their duties, be under the general direction of the Register of Copyrights.

''(d) INCONSISTENT DUTIES BARRED.—A Copyright Claims Officer or Copyright Claims Attorney may not undertake any duty that conflicts with the duties of the Officer or Attorney in connection with the Copyright Claims Board.

''(e) RECUSAL.—A Copyright Claims Officer or Copyright Claims Attorney shall recuse himself or herself from participation in any proceeding with respect to which the Copyright Claims Officer or Copyright Claims Attorney, as the case may be, has reason to believe that he or she has a conflict of interest.

''(f) EX PARTE COMMUNICATIONS.—Except as may otherwise be permitted by applicable law, any party to a proceeding before the Copyright Claims Board shall refrain from ex parte communications with the Copyright Claims Officers and the Register of Copyrights concerning the substance of any active or pending proceeding before the Copyright Claims Board.

''(g) JUDICIAL REVIEW.—Actions of the Copyright Claims Officers and Register of Copyrights under this chapter in connection with the rendering of any determination are subject to judicial review as provided under section 1508(c) and not under chapter 7 of title 5.

''§ 1504. Nature of proceedings

''(a) VOLUNTARY PARTICIPATION.—Participation in a Copyright Claims Board proceeding shall be on a voluntary basis in accordance with this chapter and the right of any party to instead pursue a claim, counterclaim, or defense in a district court of the United States, any other court, or any other forum, and to seek a jury trial, shall be preserved. The rights, remedies, and limitations under this section may not be waived except in accordance with this chapter.

''(b) STATUTE OF LIMITATIONS.—

''(1) IN GENERAL.—A proceeding may not be maintained before the Copyright Claims Board unless the proceeding is commenced, in accordance with section 1506(e), before the Copyright Claims Board within 3 years after the claim accrued.

''(2) TOLLING.—Subject to section 1507(a), a proceeding commenced before the Copyright Claims Board shall toll the time permitted under section 507(b) for the commencement of an action on the same claim in a district court of the United States during the period in which the proceeding is pending.

''(c) PERMISSIBLE CLAIMS, COUNTERCLAIMS, AND DEFENSES.—The Copyright Claims Board may render determinations with respect to the following claims, counterclaims, and defenses, subject to such further limitations and requirements, including with respect to particular classes of works, as may be set forth in regulations established by the Register of Copyrights:

''(1) A claim for infringement of an exclusive right in a copyrighted work provided under section 106 by the legal or beneficial owner of the exclusive right at the time of the infringement for which the claimant seeks damages, if any, within the limitations set forth in subsection (e)(1).

''(2) A claim for a declaration of noninfringement of an exclusive right in a copyrighted work provided under section 106, consistent with section 2201 of title 28.

''(3) A claim under section 512(f) for misrepresentation in connection with a notification of claimed infringement or a counter notification seeking to replace removed or disabled material, except that any remedies relating to such a claim in a proceeding before the Copyright Claims Board shall be limited to those available under this chapter.

''(4) A counterclaim that is asserted solely against the claimant in a proceeding—

''(A) pursuant to which the counterclaimant seeks damages, if any, within the limitations set forth in subsection (e)(1); and

''(B) that—

''(i) arises under section 106 or section 512(f) and out of the same transaction or occurrence that is the subject of a claim of infringement brought under paragraph (1), a claim of noninfringement brought under paragraph (2), or a claim of misrepresentation brought under paragraph (3); or

''(ii) arises under an agreement pertaining to the same transaction or occurrence that is the subject of a claim of infringement

brought under paragraph (1), if the agreement could affect the relief awarded to the claimant.

''(5) A legal or equitable defense under this title or otherwise available under law, in response to a claim or counterclaim asserted under this subsection.

''(6) A single claim or multiple claims permitted under paragraph (1), (2), or (3) by one or more claimants against one or more respondents, but only if all claims asserted in any one proceeding arise out of the same allegedly infringing activity or continuous course of infringing activities and do not, in the aggregate, result in the recovery of such claim or claims for damages that exceed the limitations under subsection (e)(1).

''(d) EXCLUDED CLAIMS.—The following claims and counterclaims are not subject to determination by the Copyright Claims Board:

''(1) A claim or counterclaim that is not a permissible claim or counterclaim under subsection (c).

''(2) A claim or counterclaim that has been finally adjudicated by a court of competent jurisdiction or that is pending before a court of competent jurisdiction, unless that court has granted a stay to permit that claim or counterclaim to proceed before the Copyright Claims Board.

''(3) A claim or counterclaim by or against a Federal or State governmental entity.

''(4) A claim or counterclaim asserted against a person or entity residing outside of the United States, except in a case in which the person or entity initiated the proceeding before the Copyright Claims Board and is subject to counterclaims under this chapter.

''(e) PERMISSIBLE REMEDIES.—

''(1) MONETARY RECOVERY.—

''(A) ACTUAL DAMAGES, PROFITS, AND STATUTORY DAMAGES FOR INFRINGEMENT.—With respect to a claim or counterclaim for infringement of copyright, and subject to the limitation on total monetary recovery under subparagraph (D), the Copyright Claims Board may award either of the following:

''(i) Actual damages and profits determined in accordance with section 504(b), with that award taking into consideration, in appropriate cases, whether the infringing party has agreed to cease or mitigate the infringing activity under paragraph (2).

''(ii) Statutory damages, which shall be determined in accordance with section 504(c), subject to the following conditions:

''(I) With respect to works timely registered under section 412, so that the works are eligible for an award of statutory damages in accordance with that section, the statutory damages may not exceed $15,000 for each work infringed.

''(II) With respect to works not timely registered under section 412, but eligible for an award of statutory damages under this section, statutory damages may not exceed $7,500 per work infringed, or a total of $15,000 in any 1 proceeding.

''(III) The Copyright Claims Board may not make any finding that, or consider whether, the infringement was committed willfully in making an award of statutory damages.

''(IV) The Copyright Claims Board may consider, as an additional factor in awarding statutory damages, whether the infringer has agreed to cease or mitigate the infringing activity under paragraph (2).

''(B) ELECTION OF DAMAGES.—With respect to a claim or counterclaim of infringement, at any time before final determination is rendered, and notwithstanding the schedule established by the Copyright Claims Board under section 1506(k), the claimant or counterclaimant shall elect—

''(i) to recover actual damages and profits or statutory damages under subparagraph (A); or

''(ii) not to recover damages.

''(C) DAMAGES FOR OTHER CLAIMS.—Damages for claims and counterclaims other than infringement claims, such as those brought under section 512(f), shall be subject to the limitation under subparagraph (D).

''(D) LIMITATION ON TOTAL MONETARY RECOVERY.—Notwithstanding any other provision of law, a party that pursues any one or more claims or counterclaims in any single proceeding before the Copyright Claims Board may not seek or recover in that proceeding a total monetary recovery that exceeds the sum of $30,000, exclusive of any attorneys' fees and costs that may be awarded under section 1506(y)(2).

''(2) AGREEMENT TO CEASE CERTAIN ACTIVITY.—In a determination of the Copyright Claims Board, the Board shall include a requirement to cease conduct if, in the proceeding relating to the determination—

''(A) a party agrees—

''(i) to cease activity that is found to be infringing, including removing or disabling access to, or destroying, infringing materials; or

''(ii) to cease sending a takedown notice or counter notice under section 512 to the other party regarding the conduct at issue before the Board if that notice or counter notice was found to be a knowing material misrepresentation under section 512(f); and

''(B) the agreement described in subparagraph (A) is reflected in the record for the proceeding.

''(3) ATTORNEYS' FEES AND COSTS.—Notwithstanding any other provision of law, except in the case of bad faith conduct as provided in section 1506(y)(2), the parties to proceedings before the Copyright Claims Board shall bear their own attorneys' fees and costs.

''(f) JOINT AND SEVERAL LIABILITY.—Parties to a proceeding before the Copyright Claims Board may be found jointly and severally liable if all such parties and relevant claims or counterclaims arise from the same activity or activities.

''(g) PERMISSIBLE NUMBER OF CASES.—The Register of Copyrights may establish regulations relating to the permitted number of proceedings each year by the same claimant under this chapter, in the interests of justice and the administration of the Copyright Claims Board.

''§ 1505. Registration requirement

''(a) APPLICATION OR CERTIFICATE.—A claim or counterclaim alleging infringement of an exclusive right in a copyrighted work may not be asserted before the Copyright Claims Board unless—

''(1) the legal or beneficial owner of the copyright has first delivered a completed application, a deposit, and the required fee for registration of the copyright to the Copyright Office; and

''(2) a registration certificate has either been issued or has not been refused.

''(b) CERTIFICATE OF REGISTRATION.—Notwithstanding any other provision of law, a claimant or counterclaimant in a proceeding before the Copyright Claims Board shall be eligible to recover actual damages and profits or statutory damages under this chapter for infringement of a work if the requirements of subsection (a) have been met, except that—

''(1) the Copyright Claims Board may not render a determination in the proceeding until—

''(A) a registration certificate with respect to the work has been issued by the Copyright Office, submitted to the Copyright Claims Board, and made available to the other parties to the proceeding; and

''(B) the other parties to the proceeding have been provided an opportunity to address the registration certificate;

''(2) if the proceeding may not proceed further because a registration certificate for the work is pending, the proceeding shall be held in abeyance pending submission of the certificate to the Copyright Claims Board, except that, if the proceeding is held in abeyance for more than 1 year, the Copyright Claims Board may, upon providing written notice to the parties to the proceeding, and 30 days to the parties to respond to the notice, dismiss the proceeding without prejudice; and

''(3) if the Copyright Claims Board receives notice that registration with respect to the work has been refused, the proceeding shall be dismissed without prejudice.

''(c) PRESUMPTION.—In a case in which a registration certificate shows that registration with respect to a work was issued not later than 5 years after the date of the first publication of the work, the presumption under section 410(c) shall apply in a proceeding before the Copyright Claims Board, in addition to relevant principles of law under this title.

''(d) REGULATIONS.—In order to ensure that actions before the Copyright Claims Board proceed in a timely manner, the Register of Copyrights shall establish regulations allowing the Copyright Office to make a decision, on an expedited basis, to issue or deny copyright registration for an unregistered work that is at issue before the Board.

''§ 1506. Conduct of proceedings

''(a) IN GENERAL.—

''(1) APPLICABLE LAW.—Proceedings of the Copyright Claims Board shall be conducted in accordance with this chapter and regulations established by the Register of Copyrights under this chapter, in addition to relevant principles of law under this title.

''(2) CONFLICTING PRECEDENT.—If it appears that there may be conflicting judicial precedent on an issue of substantive copyright law that cannot be reconciled, the Copyright Claims Board shall follow the law of the Federal jurisdiction in which the action could have been brought if filed in a district court of the United States, or, if the action could have been brought in more than 1 such jurisdiction, the jurisdiction that the Copyright Claims Board determines has the most significant ties to the parties and conduct at issue.

''(b) RECORD.—The Copyright Claims Board shall maintain records documenting the proceedings before the Board.

''(c) CENTRALIZED PROCESS.—Proceedings before the Copyright Claims Board shall—

''(1) be conducted at the offices of the Copyright Claims Board without the requirement of in-person appearances by parties or others; and

''(2) take place by means of written submissions, hearings, and conferences carried out through internet-based applications and other telecommunications facilities, except that, in cases in which physical or other nontestimonial evidence material to a proceeding cannot be furnished to the Copyright Claims Board through available telecommunications facilities, the Copyright Claims Board may make alternative arrangements for the submission of such evidence that do not prejudice any other party to the proceeding.

''(d) REPRESENTATION.—A party to a proceeding before the Copyright Claims Board may be, but is not required to be, represented by—

''(1) an attorney; or

''(2) a law student who is qualified under applicable law governing representation by law students of parties in legal proceedings and who provides such representation on a pro bono basis.

''(e) COMMENCEMENT OF PROCEEDING.—In order to commence a proceeding under this

chapter, a claimant shall, subject to such additional requirements as may be prescribed in regulations established by the Register of Copyrights, file a claim with the Copyright Claims Board, that—

''(1) includes a statement of material facts in support of the claim;

''(2) is certified under subsection (y)(1); and

''(3) is accompanied by a filing fee in such amount as may be prescribed in regulations established by the Register of Copyrights.

''(f) REVIEW OF CLAIMS AND COUNTERCLAIMS.—

''(1) CLAIMS.—Upon the filing of a claim under subsection (e), the claim shall be reviewed by a Copyright Claims Attorney to ensure that the claim complies with this chapter and applicable regulations, subject to the following:

''(A) If the claim is found to comply, the claimant shall be notified regarding that compliance and instructed to proceed with service of the claim under subsection (g).

''(B) If the claim is found not to comply, the claimant shall be notified that the claim is deficient and be permitted to file an amended claim not later than 30 days after the date on which the claimant receives the notice, without the requirement of an additional filing fee. If the claimant files a compliant claim within that 30-day period, the claimant shall be so notified and be instructed to proceed with service of the claim. If the claim is refiled within that 30-day period and still fails to comply, the claimant shall again be notified that the claim is deficient and shall be provided a second opportunity to amend the claim within 30 days after the date of that second notice, without the requirement of an additional filing fee. If the claim is refiled again within that second 30-day period and is compliant, the claimant shall be so notified and shall be instructed to proceed with service of the claim, but if the claim still fails to comply, upon confirmation of such noncompliance by a Copyright Claims Officer, the proceeding shall be dismissed without prejudice. The Copyright Claims Board shall also dismiss without prejudice any proceeding in which a compliant claim is not filed within the applicable 30-day period.

''(C)(i) Subject to clause (ii), for purposes of this paragraph, a claim against an online service provider for infringement by reason of the storage of or referral or linking to infringing material that may be subject to the limitations on liability set forth in subsection (b), (c), or (d) of section 512 shall be considered noncompliant unless the claimant affirms in the statement required under subsection (e)(1) of this section that the claimant has previously notified the service provider of the claimed infringement in accordance with subsection (b)(2)(E), (c)(3), or (d)(3) of section 512, as applicable, and the service provider failed to remove or disable access to the material expeditiously upon the provision of such notice.

''(ii) If a claim is found to be noncompliant under clause (i), the Copyright Claims Board shall provide the claimant with information concerning the service of such a notice under the applicable provision of section 512.

''(2) COUNTERCLAIMS.—Upon the filing and service of a counterclaim, the counterclaim shall be reviewed by a Copyright Claims Attorney to ensure that the counterclaim complies with the provisions of this chapter and applicable regulations. If the counterclaim is found not to comply, the counterclaimant and the other parties to the proceeding shall be notified that the counterclaim is deficient, and the counterclaimant shall be permitted to file and serve an amended counterclaim within 30 days after the date of such notice. If the counterclaimant files and serves a compliant counterclaim within that 30-day period, the counterclaimant and such other parties shall be so notified. If the counterclaim is refiled and served within that 30-day period but still fails to comply, the counterclaimant and such other parties shall again be notified that the counterclaim is deficient, and the counterclaimant shall be provided a second opportunity to amend the counterclaim within 30 days after the date of the second notice. If the counterclaim is refiled and served again within that second 30-day period and is compliant, the counterclaimant and such other parties shall be so notified, but if the counterclaim still fails to comply, upon confirmation of such noncompliance by a Copyright Claims Officer, the counterclaim, but not the proceeding, shall be dismissed without prejudice.

''(3) DISMISSAL FOR UNSUITABILITY.—The Copyright Claims Board shall dismiss a claim or counterclaim without prejudice if, upon reviewing the claim or counterclaim, or at any other time in the proceeding, the Copyright Claims Board concludes that the claim or counterclaim is unsuitable for determination by the Copyright Claims Board, including on account of any of the following:

''(A) The failure to join a necessary party.

''(B) The lack of an essential witness, evidence, or expert testimony.

''(C) The determination of a relevant issue of law or fact that could exceed either the number of proceedings the Copyright Claims Board could reasonably administer or the subject matter competence of the Copyright Claims Board.

''(g) SERVICE OF NOTICE AND CLAIMS.—In order to proceed with a claim against a respondent, a claimant shall, within 90 days after receiving notification under subsection (f) to proceed with service, file with the Copyright Claims Board proof of service on the respondent. In order to effectuate service on a respondent, the claimant shall cause notice of the proceeding and a copy of the claim to be served on the respondent, either by personal service or pursuant to a waiver of personal service, as prescribed in regulations established by the Register of Copyrights. Such regulations shall include the following requirements:

''(1) The notice of the proceeding shall adhere to a prescribed form and shall set forth the nature of the Copyright Claims Board and proceeding, the right of the respondent to opt out, and the consequences of opting out and not opting out, including a prominent statement that, by not opting out within 60 days after receiving the notice, the respondent—

''(A) loses the opportunity to have the dispute decided by a court created under article III of the Constitution of the United States; and

''(B) waives the right to a jury trial regarding the dispute.

''(2) The copy of the claim served on the respondent shall be the same as the claim that was filed with the Copyright Claims Board.

''(3) Personal service of a notice and claim may be effected by an individual who is not a party to the proceeding and is older than 18 years of age.

''(4) An individual, other than a minor or incompetent individual, may be served by—

''(A) complying with State law for serving a summons in an action brought in courts of general jurisdiction in the State where service is made;

''(B) delivering a copy of the notice and claim to the individual personally;

''(C) leaving a copy of the notice and claim at the individual's dwelling or usual place of abode with someone of suitable age and discretion who resides there; or

''(D) delivering a copy of the notice and claim to an agent designated by the respondent to receive service of process or, if not so designated, an agent authorized by appointment or by law to receive service of process.

''(5)(A) A corporation, partnership, or unincorporated association that is subject to suit in courts of general jurisdiction under a common name shall be served by delivering a copy of the notice and claim to its service agent. If such service agent has not been designated, service shall be accomplished—

''(i) by complying with State law for serving a summons in an action brought in courts of general jurisdiction in the State where service is made; or

''(ii) by delivering a copy of the notice and claim to an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process in an action brought in courts of general jurisdiction in the State where service is made and, if the agent is one authorized by statute and the statute so requires, by also mailing a copy of the notice and claim to the respondent.

''(B) A corporation, partnership or unincorporated association that is subject to suit in courts of general jurisdiction under a common name may elect to designate a service agent to receive notice of a claim against it before the Copyright Claims Board by complying with requirements that the Register of Copyrights shall establish by regulation. The Register of Copyrights shall maintain a current directory of service agents that is available to the public for inspection, including through the internet, and may require such corporations, partnerships, and unincorporated associations designating such service agents to pay a fee to cover the costs of maintaining the directory.

''(6) In order to request a waiver of personal service, the claimant may notify a respondent, by first class mail or by other reasonable means, that a proceeding has been commenced, such notice to be made in accordance with regulations established by the Register of Copyrights, subject to the following:

''(A) Any such request shall be in writing, shall be addressed to the respondent, and shall be accompanied by a prescribed notice of the proceeding, a copy of the claim as filed with the Copyright Claims Board, a prescribed form for waiver of personal service, and a prepaid or other means of returning the form without cost.

''(B) The request shall state the date on which the request is sent, and shall provide the respondent a period of 30 days, beginning on the date on which the request is sent, to return the waiver form signed by the respondent. The signed waiver form shall, for purposes of this subsection, constitute acceptance and proof of service as of the date on which the waiver is signed.

''(7)(A) A respondent's waiver of personal service shall not constitute a waiver of the respondent's right to opt out of the proceeding.

''(B) A respondent who timely waives personal service under paragraph (6) and does not opt out of the proceeding shall be permitted a period of 30 days, in addition to the period otherwise permitted under the applicable procedures of the Copyright Claims Board, to submit a substantive response to the claim, including any defenses and counterclaims.

''(8) A minor or an incompetent individual may only be served by complying with State law for serving a summons or like process on such an individual in an action brought in the courts of general jurisdiction of the State where service is made.

''(9) Service of a claim and waiver of personal service may only be effected within the United States.

''(h) NOTIFICATION BY COPYRIGHT CLAIMS BOARD.—The Register of Copyrights shall establish regulations providing for a written notification to be sent by, or on behalf of, the Copyright Claims Board to notify the respondent of a pending proceeding against the respondent, as set forth in those regulations, which shall—

''(1) include information concerning the respondent's right to opt out of the proceeding, the consequences of opting out and not opting out, and a prominent statement that, by not opting out within 60 days after the date of service under subsection (g), the respondent loses the opportunity to have the dispute decided by a court created under article III of the Constitution of the United States and waives the right to a jury trial regarding the dispute; and

''(2) be in addition to, and separate and apart from, the notice requirements under subsection (g).

''(i) OPT-OUT PROCEDURE.—Upon being properly served with a notice and claim, a respondent who chooses to opt out of the proceeding shall have a period of 60 days, beginning on the date of service, in which to provide written notice of such choice to the Copyright Claims Board, in accordance with regulations established by the Register of Copyrights. If proof of service has been filed by the claimant and the respondent does not submit an opt-out notice to the Copyright Claims Board within that 60-day period, the proceeding shall be deemed an active proceeding and the respondent shall be bound by the determination in the proceeding to the extent provided under section 1507(a). If the respondent opts out of the proceeding during that 60-day period, the proceeding shall be dismissed without prejudice, except that, in exceptional circumstances and upon written notice to the claimant, the Copyright Claims Board may extend that 60-day period in the interests of justice.

''(j) SERVICE OF OTHER DOCUMENTS.—Documents submitted or relied upon in a proceeding, other than the notice and claim, shall be served in accordance with regulations established by the Register of Copyrights.

''(k) SCHEDULING.—Upon confirmation that a proceeding has become an active proceeding, the Copyright Claims Board shall issue a schedule for the future conduct of the proceeding. The schedule shall not specify a time that a claimant or counterclaimant is required make an election of damages that is inconsistent with section 1504(e). A schedule issued by the Copyright Claims Board may be amended by the Copyright Claims Board in the interests of justice.

''(l) CONFERENCES.—One or more Copyright Claims Officers may hold a conference to address case management or discovery issues in a proceeding, which shall be noted upon the record of the proceeding and may be recorded or transcribed.

''(m) PARTY SUBMISSIONS.—A proceeding of the Copyright Claims Board may not include any formal motion practice, except that, subject to applicable regulations and procedures of the Copyright Claims Board—

''(1) the parties to the proceeding may make requests to the Copyright Claims Board to address case management and discovery matters, and submit responses thereto; and

''(2) the Copyright Claims Board may request or permit parties to make submissions addressing relevant questions of fact or law, or other matters, including matters raised sua sponte by the Copyright Claims Officers, and offer responses thereto.

''(n) DISCOVERY.—Discovery in a proceeding shall be limited to the production of relevant information and documents, written interrogatories, and written requests for admission, as provided in regulations established by the Register of Copyrights, except that—

''(1) upon the request of a party, and for good cause shown, the Copyright Claims Board may approve additional relevant discovery, on a limited basis, in particular matters, and may request specific information and documents from participants in the proceeding and voluntary submissions from nonparticipants, consistent with the interests of justice;

''(2) upon the request of a party, and for good cause shown, the Copyright Claims Board may issue a protective order to limit the disclosure of documents or testimony that contain confidential information; and

''(3) after providing notice and an opportunity to respond, and upon good cause shown, the Copyright Claims Board may apply an adverse inference with respect to disputed facts against a party who has failed to timely provide discovery materials in response to a proper request for materials that could be relevant to such facts.

''(o) EVIDENCE.—The Copyright Claims Board may consider the following types of evidence in a proceeding, and such evidence may be admitted without application of formal rules of evidence:

''(1) Documentary and other nontestimonial evidence that is relevant to the claims, counterclaims, or defenses in the proceeding.

''(2) Testimonial evidence, submitted under penalty of perjury in written form or in accordance with subsection (p), limited to statements of the parties and nonexpert witnesses, that is relevant to the claims, counterclaims, and defenses in a proceeding, except that, in exceptional cases, expert witness testimony or other types of testimony may be permitted by the Copyright Claims Board for good cause shown.

''(p) HEARINGS.—The Copyright Claims Board may conduct a hearing to receive oral presentations on issues of fact or law from parties and witnesses to a proceeding, including oral testimony, subject to the following:

''(1) Any such hearing shall be attended by not fewer than two of the Copyright Claims Officers.

''(2) The hearing shall be noted upon the record of the proceeding and, subject to paragraph (3), may be recorded or transcribed as deemed necessary by the Copyright Claims Board.

''(3) A recording or transcript of the hearing shall be made available to any Copyright Claims Officer who is not in attendance.

''(q) VOLUNTARY DISMISSAL.—

''(1) BY CLAIMANT.—Upon the written request of a claimant that is received before a respondent files a response to the claim in a proceeding, the Copyright Claims Board shall dismiss the proceeding, or a claim or respondent, as requested, without prejudice.

''(2) BY COUNTERCLAIMANT.—Upon written request of a counterclaimant that is received before a claimant files a response to the counterclaim, the Copyright Claims Board shall dismiss the counterclaim, such dismissal to be without prejudice.

''(3) CLASS ACTIONS.—Any party in an active proceeding before the Copyright Claims Board who receives notice of a pending or putative class action, arising out of the same transaction or occurrence, in which that party is a class member may request in writing dismissal of the proceeding before the Board. Upon notice to all claimants and counterclaimants, the Copyright Claims Board shall dismiss the proceeding without prejudice.

''(r) SETTLEMENT.—

''(1) IN GENERAL.—At any time in an active proceeding, some or all of the parties may—

''(A) jointly request a conference with a Copyright Claims Officer for the purpose of facilitating settlement discussions; or

''(B) submit to the Copyright Claims Board an agreement providing for settlement and dismissal of some or all of the claims and counterclaims in the proceeding.

''(2) ADDITIONAL REQUEST.—A submission under paragraph (1)(B) may include a request that the Copyright Claims Board adopt some or all of the terms of the parties' settlement in a final determination in the proceeding.

''(s) FACTUAL FINDINGS.—Subject to subsection (n)(3), the Copyright Claims Board shall make factual findings based upon a preponderance of the evidence.

''(t) DETERMINATIONS.—

''(1) NATURE AND CONTENTS.—A determination rendered by the Copyright Claims Board in a proceeding shall—

''(A) be reached by a majority of the Copyright Claims Board;

''(B) be in writing, and include an explanation of the factual and legal basis of the determination;

''(C) set forth any terms by which a respondent or counterclaim respondent has agreed to cease infringing activity under section 1504(e)(2);

''(D) to the extent requested under subsection (r)(2), set forth the terms of any settlement agreed to under subsection (r)(1); and

''(E) include a clear statement of all damages and other relief awarded, including under subparagraphs (C) and (D).

''(2) DISSENT.—A Copyright Claims Officer who dissents from a decision contained in a determination under paragraph (1) may append a statement setting forth the grounds for that dissent.

''(3) PUBLICATION.—Each final determination of the Copyright Claims Board shall be made available on a publicly accessible website. The Register shall establish regulations with respect to the publication of other records and information relating to such determinations, including the redaction of records to protect confidential information that is the subject of a protective order under subsection (n)(2).

''(4) FREEDOM OF INFORMATION ACT.—All information relating to proceedings of the Copyright Claims Board under this title is exempt from disclosure to the public under section 552(b)(3) of title 5, except for determinations, records, and information published under paragraph (3).

''(u) RESPONDENT'S DEFAULT.—If a proceeding has been deemed an active proceeding but the respondent has failed to appear or has ceased participating in the proceeding, as demonstrated by the respondent's failure, without justifiable cause, to meet one or more deadlines or requirements set forth in the schedule adopted by the Copyright Claims Board under subsection (k), the Copyright Claims Board may enter a default determination, including the dismissal of any counterclaim asserted by the respondent, as follows and in accordance with such other requirements as the Register of Copyrights may establish by regulation:

''(1) The Copyright Claims Board shall require the claimant to submit relevant evidence and other information in support of the claimant's claim and any asserted damages and, upon review of such evidence and any other requested submissions from the claimant, shall determine whether the materials so submitted are sufficient to support a finding in favor of the claimant under applicable law and, if so, the appropriate relief and damages, if any, to be awarded.

''(2) If the Copyright Claims Board makes an affirmative determination under paragraph (1), the Copyright Claims Board shall prepare a proposed default determination,

and shall provide written notice to the respondent at all addresses, including email addresses, reflected in the records of the proceeding before the Copyright Claims Board, of the pendency of a default determination by the Copyright Claims Board and of the legal significance of such determination. Such notice shall be accompanied by the proposed default determination and shall provide that the respondent has a period of 30 days, beginning on the date of the notice, to submit any evidence or other information in opposition to the proposed default determination.

''(3) If the respondent responds to the notice provided under paragraph (2) within the 30-day period provided in such paragraph, the Copyright Claims Board shall consider respondent's submissions and, after allowing the other parties to address such submissions, maintain, or amend its proposed determination as appropriate, and the resulting determination shall not be a default determination.

''(4) If the respondent fails to respond to the notice provided under paragraph (2), the Copyright Claims Board shall proceed to issue the default determination as a final determination. Thereafter, the respondent may only challenge such determination to the extent permitted under section 1508(c), except that, before any additional proceedings are initiated under section 1508, the Copyright Claims Board may, in the interests of justice, vacate the default determination.

''(v) CLAIMANT'S FAILURE TO PROCEED.—

''(1) FAILURE TO COMPLETE SERVICE.—If a claimant fails to complete service on a respondent within the 90-day period required under subsection (g), the Copyright Claims Board shall dismiss that respondent from the proceeding without prejudice. If a claimant fails to complete service on all respondents within that 90-day period, the Copyright Claims Board shall dismiss the proceeding without prejudice.

''(2) FAILURE TO PROSECUTE.—If a claimant fails to proceed in an active proceeding, as demonstrated by the claimant's failure, without justifiable cause, to meet one or more deadlines or requirements set forth in the schedule adopted by the Copyright Claims Board under subsection (k), the Copyright Claims Board may, upon providing written notice to the claimant and a period of 30 days, beginning on the date of the notice, to respond to the notice, and after considering any such response, issue a determination dismissing the claimants' claims, which shall include an award of attorneys' fees and costs, if appropriate, under subsection (y)(2). Thereafter, the claimant may only challenge such determination to the extent permitted under section 1508(c), except that, before any additional proceedings are initiated under section 1508, the Copyright Claims Board may, in the interests of justice, vacate the determination of dismissal.

''(w) REQUEST FOR RECONSIDERATION.—A party may, within 30 days after the date on which the Copyright Claims Board issues a final determination in a proceeding under this chapter, submit a written request for reconsideration of, or an amendment to, such determination if the party identifies a clear error of law or fact material to the outcome, or a technical mistake. After providing the other parties an opportunity to address such request, the Copyright Claims Board shall either deny the request or issue an amended final determination.

''(x) REVIEW BY REGISTER.—If the Copyright Claims Board denies a party a request for reconsideration of a final determination under subsection (w), that party may, within 30 days after the date of such denial, request review of the final determination by the Register of Copyrights in accordance with regulations established by the Register. Such request shall be accompanied by a reasonable filing fee, as provided in such regulations. The review by the Register shall be limited to consideration of whether the Copyright Claims Board abused its discretion in denying reconsideration of the determination. After providing the other parties an opportunity to address the request, the Register shall either deny the request for review, or remand the proceeding to the Copyright Claims Board for reconsideration of issues specified in the remand and for issuance of an amended final determination. Such amended final determination shall not be subject to further consideration or review, other than under section 1508(c).

''(y) CONDUCT OF PARTIES AND ATTORNEYS.—

''(1) CERTIFICATION.—The Register of Copyrights shall establish regulations requiring certification of the accuracy and truthfulness of statements made by participants in proceedings before the Copyright Claims Board.

''(2) BAD FAITH CONDUCT.—Notwithstanding any other provision of law, in any proceeding in which a determination is rendered and it is established that a party pursued a claim, counterclaim, or defense for a harassing or other improper purpose, or without a reasonable basis in law or fact, then, unless inconsistent with the interests of justice, the Copyright Claims Board shall in such determination award reasonable costs and attorneys' fees to any adversely affected party of in an amount of not more than $5,000, except that—

''(A) if an adversely affected party appeared pro se in the proceeding, the award to that party shall be for costs only, in an amount of not more than $2,500; and

''(B) in extraordinary circumstances, such as where a party has demonstrated a pattern or practice of bad faith conduct as described in this paragraph, the Copyright Claims Board may, in the interests of justice, award costs and attorneys' fees in excess of the limitations under this paragraph.

''(3) ADDITIONAL PENALTY.—If the Board finds that on more than one occasion within a 12-month period a party pursued a claim, counterclaim, or defense before the Copyright Claims Board for a harassing or other improper purpose, or without a reasonable basis in law or fact, that party shall be barred from initiating a claim before the Copyright Claims Board under this chapter for a period of 12 months beginning on the date on which the Board makes such a finding. Any proceeding commenced by that party that is still pending before the Board when such a finding is made shall be dismissed without prejudice, except that if a proceeding has been deemed active under subsection (i), the proceeding shall be dismissed under this paragraph only if the respondent provides written consent thereto.

''(z) REGULATIONS FOR SMALLER CLAIMS.—The Register of Copyrights shall establish regulations to provide for the consideration and determination, by at least one Copyright Claims Officer, of any claim under this chapter in which total damages sought do not exceed $5,000 (exclusive of attorneys' fees and costs) that are otherwise consistent with this chapter. A determination issued under this subsection shall have the same effect as a determination issued by the entire Copyright Claims Board.

''§ 1507. Effect of proceeding

''(a) DETERMINATION.—Subject to the reconsideration and review processes provided under subsections (w) and (x) of section 1506 and section 1508(c), the issuance of a final determination by the Copyright Claims Board in a proceeding, including a default determination or determination based on a failure to prosecute, shall, solely with respect to the parties to such determination, preclude relitigation before any court or tribunal, or before the Copyright Claims Board, of the claims and counterclaims asserted and finally determined by the Board, and may be relied upon for such purpose in a future action or proceeding arising from the same specific activity or activities, subject to the following:

''(1) A determination of the Copyright Claims Board shall not preclude litigation or relitigation as between the same or different parties before any court or tribunal, or the Copyright Claims Board, of the same or similar issues of fact or law in connection with claims or counterclaims not asserted or not finally determined by the Copyright Claims Board.

''(2) A determination of ownership of a copyrighted work for purposes of resolving a matter before the Copyright Claims Board may not be relied upon, and shall not have any preclusive effect, in any other action or proceeding before any court or tribunal, including the Copyright Claims Board.

''(3) Except to the extent permitted under this subsection and section 1508, any determination of the Copyright Claims Board may not be cited or relied upon as legal precedent in any other action or proceeding before any court or tribunal, including the Copyright Claims Board.

''(b) CLASS ACTIONS NOT AFFECTED.—

''(1) IN GENERAL.—A proceeding before the Copyright Claims Board shall not have any effect on a class action proceeding in a district court of the United States, and section 1509(a) shall not apply to a class action proceeding in a district court of the United States.

''(2) NOTICE OF CLASS ACTION.—Any party to an active proceeding before the Copyright Claims Board who receives notice of a pending class action, arising out of the same transaction or occurrence as the proceeding before the Copyright Claims Board, in which the party is a class member shall either—

''(A) opt out of the class action, in accordance with regulations established by the Register of Copyrights; or

''(B) seek dismissal under section 1506(q)(3) of the proceeding before the Copyright Claims Board.

''(c) OTHER MATERIALS IN PROCEEDING.—Except as permitted under this section and section 1508, a submission or statement of a party or witness made in connection with a proceeding before the Copyright Claims Board, including a proceeding that is dismissed, may not be cited or relied upon in, or serve as the basis of, any action or proceeding concerning rights or limitations on rights under this title before any court or tribunal, including the Copyright Claims Board.

''(d) APPLICABILITY OF SECTION 512(g).—A claim or counterclaim before the Copyright Claims Board that is brought under subsection (c)(1) or (c)(4) of section 1504, or brought under subsection (c)(6) of section 1504 and that relates to a claim under subsection (c)(1) or (c)(4) of such section, qualifies as an action seeking an order to restrain a subscriber from engaging in infringing activity under section 512(g)(2)(C) if—

''(1) notice of the commencement of the Copyright Claims Board proceeding is provided by the claimant to the service provider's designated agent before the service provider replaces the material following receipt of a counter notification under section 512(g); and

''(2) the claim brought alleges infringement of the material identified in the notification of claimed infringement under section 512(c)(1)(C).

''(e) FAILURE TO ASSERT COUNTERCLAIM.—The failure or inability to assert a counterclaim in a proceeding before the Copyright Claims Board shall not preclude the assertion of that counterclaim in a subsequent court action or proceeding before the Copyright Claims Board.

''(f) OPT-OUT OR DISMISSAL OF PARTY.—If a party has timely opted out of a proceeding under section 1506(i) or is dismissed from a proceeding before the Copyright Claims Board issues a final determination in the proceeding, the determination shall not be binding upon and shall have no preclusive effect with respect to that party.

''§ 1508. Review and confirmation by district court

''(a) IN GENERAL.—In any proceeding in which a party has failed to pay damages, or has failed otherwise to comply with the relief, awarded in a final determination of the Copyright Claims Board, including a default determination or a determination based on a failure to prosecute, the aggrieved party may, not later than 1 year after the date on which the final determination is issued, any reconsideration by the Copyright Claims Board or review by the Register of Copyrights is resolved, or an amended final determination is issued, whichever occurs last, apply to the United States District Court for the District of Columbia or any other appropriate district court of the United States for an order confirming the relief awarded in the final determination and reducing such award to judgment. The court shall grant such order and direct entry of judgment unless the determination is or has been vacated, modified, or corrected under subsection (c). If the United States District Court for the District of Columbia or other district court of the United States, as the case may be, issues an order confirming the relief awarded by the Copyright Claims Board, the court shall impose on the party who failed to pay damages or otherwise comply with the relief, the reasonable expenses required to secure such order, including attorneys' fees, that were incurred by the aggrieved party.

''(b) FILING PROCEDURES.—

''(1) APPLICATION TO CONFIRM DETERMINATION.—Notice of the application under subsection (a) for confirmation of a determination of the Copyright Claims Board and entry of judgment shall be provided to all parties to the proceeding before the Copyright Claims Board that resulted in the determination, in accordance with the procedures applicable to service of a motion in the district court of the United States where the application is made.

''(2) CONTENTS OF APPLICATION.—The application shall include the following:

''(A) A certified copy of the final or amended final determination of the Copyright Claims Board, as reflected in the records of the Copyright Claims Board, following any process of reconsideration or review by the Register of Copyrights, to be confirmed and rendered to judgment.

''(B) A declaration by the applicant, under penalty of perjury—

''(i) that the copy is a true and correct copy of such determination;

''(ii) stating the date it was issued;

''(iii) stating the basis for the challenge under subsection (c)(1); and

''(iv) stating whether the applicant is aware of any other proceedings before the court concerning the same determination of the Copyright Claims Board.

''(c) CHALLENGES TO THE DETERMINATION.—

''(1) BASES FOR CHALLENGE.—Not later than 90 days after the date on which Copyright Claims Board issues a final or amended final determination in a proceeding, or not later than 90 days after the date on which the Register of Copyrights completes any process of reconsideration or review of the determination, whichever occurs later, a party may seek a court order vacating, modifying, or correcting the determination of the Copyright Claims Board in the following cases:

''(A) If the determination was issued as a result of fraud, corruption, misrepresentation, or other misconduct.

''(B) If the Copyright Claims Board exceeded its authority or failed to render a final determination concerning the subject matter at issue.

''(C) In the case of a default determination or determination based on a failure to prosecute, if it is established that the default or failure was due to excusable neglect.

''(2) PROCEDURE TO CHALLENGE.—

''(A) NOTICE OF APPLICATION.—Notice of the application to challenge a determination of the Copyright Claims Board shall be provided to all parties to the proceeding before the Copyright Claims Board, in accordance with the procedures applicable to service of a motion in the court where the application is made.

''(B) STAYING OF PROCEEDINGS.—For purposes of an application under this subsection, any judge who is authorized to issue an order to stay the proceedings in an any other action brought in the same court may issue an order, to be served with the notice of application, staying proceedings to enforce the award while the challenge is pending.

''§ 1509. Relationship to other district court actions

''(a) STAY OF DISTRICT COURT PROCEEDINGS.—Subject to section 1507(b), a district court of the United States shall issue a stay of proceedings or such other relief as the court determines appropriate with respect to any claim brought before the court that is already the subject of a pending or active proceeding before the Copyright Claims Board.

''(b) ALTERNATIVE DISPUTE RESOLUTION PROCESS.—A proceeding before the Copyright Claims Board under this chapter shall qualify as an alternative dispute resolution process under section 651 of title 28 for purposes of referral of eligible cases by district courts of the United States upon the consent of the parties.

''§ 1510. Implementation by Copyright Office

''(a) REGULATIONS.—

''(1) IMPLEMENTATION GENERALLY.—The Register of Copyrights shall establish regulations to carry out this chapter. Such regulations shall include the fees prescribed under subsections (e) and (x) of section 1506. The authority to issue such fees shall not limit the authority of the Register of Copyrights to establish fees for services under section 708. All fees received by the Copyright Office in connection with the activities under this chapter shall be deposited by the Register of Copyrights and credited to the appropriations for necessary expenses of the Office in accordance with section 708(d). In establishing regulations under this subsection, the Register of Copyrights shall provide for the efficient administration of the Copyright Claims Board, and for the ability of the Copyright Claims Board to timely complete proceedings instituted under this chapter, including by implementing mechanisms to prevent harassing or improper use of the Copyright Claims Board by any party.

''(2) LIMITS ON MONETARY RELIEF.—

''(A) IN GENERAL.—Subject to subparagraph (B), not earlier than 3 years after the date on which Copyright Claims Board issues the first determination of the Copyright Claims Board, the Register of Copyrights may, in order to further the goals of the Copyright Claims Board, conduct a rulemaking to adjust the limits on monetary recovery or attorneys' fees and costs that may be awarded under this chapter.

''(B) EFFECTIVE DATE OF ADJUSTMENT.—Any rule under subparagraph (A) that makes an adjustment shall take effect at the end of the 120-day period beginning on the date on which the Register of Copyrights submits the rule to Congress and only if Congress does not, during that 120-day period, enact a law that provides in substance that Congress does not approve the rule.

''(b) NECESSARY FACILITIES.—Subject to applicable law, the Register of Copyrights may retain outside vendors to establish internet-based, teleconferencing, and other facilities required to operate the Copyright Claims Board.

''(c) FEES.—Any filing fees, including the fee to commence a proceeding under section 1506(e), shall be prescribed in regulations established by the Register of Copyrights. The sum total of such filing fees shall be in an amount of at least $100, may not exceed the cost of filing an action in a district court of the United States, and shall be fixed in amounts that further the goals of the Copyright Claims Board.

''§ 1511. Funding

''There are authorized to be appropriated such sums as may be necessary to pay the costs incurred by the Copyright Office under this chapter that are not covered by fees collected for services rendered under this chapter, including the costs of establishing and maintaining the Copyright Claims Board and its facilities.''.

(b) CLERICAL AMENDMENT.—The table of chapters for title 17, United States Code, is amended by adding after the item relating to chapter 14 the following:

''15. Copyright Small Claims .... 1501''.

SEC. 3. IMPLEMENTATION.

Not later 1 year after the date of enactment of this Act, the Copyright Claims Board established under section 1502 of title 17, United States Code, as added by section 2 of this Act, shall begin operations.

SEC. 4. STUDY.

Not later than 3 years after the date on which Copyright Claims Board issues the first determination of the Copyright Claims Board under chapter 15 of title 17, United States Code, as added by section 2 of this Act, the Register of Copyrights shall conduct, and report to Congress on, a study that addresses the following:

(1) The use and efficacy of the Copyright Claims Board in resolving copyright claims, including the number of proceedings the Copyright Claims Board could reasonably administer.

(2) Whether adjustments to the authority of the Copyright Claims Board are necessary or advisable, including with respect to—

(A) eligible claims, such as claims under section 1202 of title 17, United States Code; and

(B) works and applicable damages limitations.

(3) Whether greater allowance should be made to permit awards of attorneys' fees and costs to prevailing parties, including potential limitations on such awards.

(4) Potential mechanisms to assist copyright owners with small claims in ascertaining the identity and location of unknown online infringers.

(5) Whether the Copyright Claims Board should be expanded to offer mediation or other nonbinding alternative dispute resolution services to interested parties.

(6) Such other matters as the Register of Copyrights believes may be pertinent concerning the Copyright Claims Board.

SEC. 5. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such

provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act and the amendments made by this Act, and the application of the provision or the amendment to any other person or circumstance, shall not be affected.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. JEFFRIES) and the gentleman from Virginia (Mr. CLINE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. JEFFRIES. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, today, we will vote on H.R. 2426, the Copyright Alternative in Small-Claims Enforcement Act, otherwise known as the CASE Act, a bill that will allow creators to protect their copyrighted work under law.

Copyright infringement is not a victimless crime. Photographers, illustrators, visual artists, authors, songwriters, and musicians all rely upon their protected works to put food on the table, clothing on their backs, and support their families. When their copyrighted work is used unlawfully or pirated, that is the functional equivalent of a burglary.

But small creators victimized by infringement often find themselves in a tough spot. They have a right to enforce their work under copyright law but are often unable to do so in a practical sense.

On the one hand, you have the notice and takedown process that can be inefficient, cumbersome, and, as many small creators will tell you, often pointless. On the other hand, there is the Article III Federal court system that can be expensive, time-consuming, and often out of reach for many working-class and middle-class creators.

For instance, the average cost of litigating an infringement case in Federal court is approximately $350,000, but the total amount of damages that can be awarded, for instance, in a CASE Act-eligible matter cannot exceed $30,000. In that instance, the cost of litigating a case could be more than 10 times the damages that are at issue.

According to a survey by the American Bar Association, which supports this legislation, most lawyers will not take infringement cases with damages at or lower than $30,000. As a result, many petitioners are functionally unable to vindicate their rights under law. In other words, these creators are given a right without a remedy.

The CASE Act will provide a viable alternative. This legislation would establish a voluntary forum for small copyright claims housed within the Copyright Office. Disputes would be heard by a new entity called the Copyright Claims Board made up of intellectual property experts with experience representing both creators and the users of copyrighted material.

Unlike Federal court, the cases before the board will have limited damages. Parties would not have to appear in person and can proceed, if they choose, without an attorney.

These provisions address the significant burdens that currently exist, imposed by Federal court litigation, making this system more user-friendly for all, regardless of your side, but inclusive of working-class and middle-class members of the creative community.

Both sides must agree to participate in order for the small claims tribunal to have jurisdiction. It is a voluntary system where either side can opt out.

Simply put, the legislation allows for copyright disputes to be resolved in a fair, timely, and affordable manner.

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

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

Mr. Speaker, I thank the gentleman from New York for his leadership on this important issue.

The United States Constitution expressly calls for the protection of creative works in order to promote innovation and creativity. Under that lofty authority, Congress established the copyright system. As was the hope, copyright-intensive industries have become critical to our economy, reportedly contributing more than $1 trillion.

Unfortunately, in the system that we have today, many small businesses and individuals are unable to enforce their copyrights because they do not have deep enough pockets. It costs tens or hundreds of thousands of dollars to hire lawyers to litigate a copyright claim in Federal court.

Sadly, this forces individuals to stand idly by as thieves profit off of their work. Our Founding Fathers wouldn't want a copyright system that discourages creators. After all, they wanted to create a system that fosters the creation of artistic works. That is why so many members of the Judiciary Committee helped craft legislation to stop the theft of copyrighted works and so many Members of the House have joined in support of it.

H.R. 2426, the CASE Act, would establish a copyright small claims proceeding within the Copyright Office to provide a less expensive alternative to costly Federal court litigation.

The proceedings would be simple, conducted remotely, handled by a panel of copyright experts, and limited to straightforward cases of alleged copyright infringement.

Damage awards would be low, reaching a maximum of no greater than $15,000 per work, with a total award for a case capped at $30,000. Participation in such a small claims proceeding would be completely voluntary, and anyone falsely accused of infringement could simply opt out of the small claims proceeding.

The CASE Act includes a number of other safeguards to prevent abuse. The Copyright Office is authorized to limit the number of cases one person can file and will review the allegations for sufficiency before forwarding them to the accused infringer.

If an accuser files in bad faith, he or she would have to pay fees to the party falsely accused of infringement and be barred for 1 year.

Several other provisions of H.R. 2426 would protect against inadvertent default judgments. They include requirements that the accused infringer be physically served; the complaint warn the accused infringer of the ramifications of not responding; and the accused be given several notices and chances to respond to the allegations against them.

Most importantly, before a default judgment can be granted, the copyright owner must establish that their copyright was actually infringed by the accused.

The bill is intended to provide a streamlined, inexpensive alternative for parties to resolve small claims of copyright infringement outside of court. H.R. 2426 accomplishes all of these goals.

I am proud to join my colleagues—Congressman JEFFRIES, Ranking Member COLLINS, Chairman NADLER, MARTHA ROBY, HANK JOHNSON, JUDY CHU, TED LIEU, and BRIAN FITZPATRICK—to provide an important avenue of relief to the creators in our communities who provide such significant support to our local economies.

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

Mr. JEFFRIES. Mr. Speaker, let me first thank the distinguished gentleman from the Commonwealth of Virginia (Mr. CLINE) for his leadership as it relates to the CASE Act.

Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. NADLER), the distinguished chair of the House Judiciary Committee.

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

Mr. Speaker, I rise in strong support of H.R. 2426, the Copyright Alternative in Small-Claims Enforcement Act of 2019, or the CASE Act.

This important bipartisan legislation would establish a voluntary small claims court within the Copyright Office to hear copyright suits seeking $30,000 or less in total damages.

Today, many small creators, especially visual artists, are unable to protect their rights because the cost of pursuing an infringement claim in Federal court is far greater, as much as 10 times or more than the damages they could ever hope to receive. Few attorneys would take a case when such limited damages are at stake because they would not likely recoup their costs.

It is a fundamental principle of the American legal system that a right must have a remedy. But if it costs $250,000 to recover a few thousand dollars from someone who has infringed your copyright, then what remedy do you really have?

The CASE Act would provide important protections for the many independent creators who are currently unable to protect their work in Federal court. It would establish a small claims board within the Copyright Office to resolve infringement claims seeking $30,000 or less in total damages, with claims officers appointed by the Librarian of Congress.

The proceedings are designed to be less expensive and much easier to navigate, even without an attorney, than Federal court. And they would enable parties to represent themselves or to seek pro bono assistance from law students.

The board would conduct its proceedings entirely by telephone and the internet, and no one would need to travel to a hearing or a courthouse.

The bill caps damages at no more than $15,000 per work infringed, and no more than $30,000 total. The board would work with the parties to settle their claims.

Importantly, the proceedings would be voluntary. Plaintiffs can decide whether this is the proper forum to file their claim, and defendants may opt out of the process if they prefer to have their case heard by a Federal judge.

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The sponsor of this legislation, the gentleman from New York (Mr. JEFFRIES), has worked tirelessly to ensure that this legislation includes revisions and suggestions from many Members and stakeholders. The revisions include various heightened due process protections and provisions intended to reduce potential abuse of the system, all of which has made a good bill even better.

For far too long, it has been virtually impossible for small creators to vindicate their right to a just measure of damages from infringers. Today we have an opportunity to take an important step in helping independent photographers, filmmakers, graphic designers, and other creators to protect their work.

I would like to thank Mr. JEFFRIES and Ranking Member COLLINS for their outstanding leadership on the CASE Act.

I would also like to thank the Copyright Office, which conducted an exhaustive study on the issue and whose recommendations form the basis for the bill.

In addition, I appreciate the support of colleagues on both sides of the aisle, including the gentlewoman from California (Ms. JUDY CHU), who has introduced similar legislation in previous Congresses and who has been tireless in her work to protect creators' rights.

Mr. Speaker, I am proud to be a cosponsor of this important legislation, and I urge my colleagues to support the bill.

Mr. CLINE. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, I thank the gentleman again for his leadership on this issue, and I thank the chairman for his remarks.

Again, this bill is a purely optional system and allows anyone who doesn't wish to participate to opt out. The Copyright Office considered this feature in its report back in 2013 and highlighted significant shortcomings of an opt-in approach, including concerns that such a system would fail to capture infringers who choose to ignore a claim of infringement and/or fail to return an affirmative written response regarding agreement to participate in the system, as is currently the case.

The opt-out system provided in the CASE Act does not change the voluntary nature of the small claims process it creates. In fact, it is simple, and respondents would be made aware of their right to opt out as well as the consequences of opting out and not opting out, which would be prominently stated and explained in the notice they receive.

Again, Mr. Speaker, I would say that this is a bipartisan initiative. I would just add several different Members on both sides participated. I want to thank all of them for their hard work. I want to thank the staff for their hard work, as well.

This will go a long way toward furthering the protection of creative works as our Founders intended in the U.S. Constitution.

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

Mr. JEFFRIES. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, the CASE Act is the product of more than 10 years of careful study by this House and the United States Copyright Office.

As Chairman NADLER indicated, I want to thank the Copyright Office for the work that they have done in laying the foundation for the CASE Act.

Once again, I urge my colleagues to support this legislation so that creators, authors, musicians, and users finally have a forum for small copyright claims where they can meaningfully assert their rights and defenses.

This bill has support through cosponsorship of more than 150 Members of this House on both sides of the aisle, and I thank each and every one of them.

The bill is endorsed by dozens of groups, including the American Bar Association, AFL–CIO, the NAACP, the Copyright Alliance, the United States Chamber of Commerce, the Association of American Publishers, the Authors Guild, CreativeFuture, Nashville Songwriters, National Press Photographers, the Recording Academy, the Latin American Recording Academy, the Songwriters Guild of America, the Institute for Intellectual Property and Social Justice, the Songwriters of North America, as well as SAG-AFTRA, and many, many more. I would like to thank all of them for their advocacy and for their effort.

Article I, Section 8, Clause 8 of the United States Constitution gives Congress the power to create a robust intellectual property system in order to, in the words of the Framers of the Constitution, "promote the progress of science and useful arts."

The Founders recognized that society would benefit if we incentivize and protect creativity and innovation. In doing so, the creative community will continue to share their creative brilliance with the American people and the world and experience some benefit from the fruits of their labor.

Times have changed since the provisions of Article I, Section 8, Clause 8 were first written into the Constitution in 1787, but the constitutional principle remains the same, and that is what the CASE Act is all about.

I would like to thank the many cosponsors of this legislation, including my good friend, Judiciary Committee Ranking Member DOUG COLLINS; the Judiciary Committee chair for his tremendous leadership, JERRY NADLER; Courts, Intellectual Property, and the Internet Subcommittee Chairman Hank Johnson; Courts, Intellectual Property, and the Internet Subcommittee Ranking Member MARTHA ROBY; TED LIEU; BEN CLINE; JUDY CHU; BRIAN FITZPATRICK; and many, many others.

On the Senate side, I am grateful for the leadership of Senators JOHN KENNEDY, DICK DURBIN, THOM TILLIS, and MAZIE HIRONO, who are original cosponsors of the Senate companion to this legislation, which is making its way through that Chamber as well.

In the last Congress, we came together, Democrats and Republicans, progressives and conservatives, the left and the right, to pass the historic Music Modernization Act that was signed into law by President Donald Trump, illustrating that we can come together. In this instance, I am grateful that the same coalition has come back together in support of the working-class and middle-class creative community.

Mr. Speaker, I urge all of my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CARSON of Indiana). The question is on the motion offered by the gentleman from New York (Mr. JEFFRIES) that the House suspend the rules and pass the bill, H.R. 2426, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

NATIONAL POW/MIA FLAG ACT

Mr. COHEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 693) to amend title 36, United States Code, to require that the POW/MIA flag be displayed on all days that the flag of the United States is displayed on certain Federal property.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 693

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National POW/MIA Flag Act''.

SEC. 2. DAYS ON WHICH THE POW/MIA FLAG IS DISPLAYED ON CERTAIN FEDERAL PROPERTY.

Section 902 of title 36, United States Code, is amended by striking subsection (c) and inserting the following:

''(c) DAYS FOR FLAG DISPLAY.—For the purposes of this section, POW/MIA flag display days are all days on which the flag of the United States is displayed.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Virginia (Mr. CLINE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. COHEN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of S. 693, the National POW/MIA Flag Act. This bill would effectively require that the National League of Families POW/MIA flag be flown every day at certain specified locations.

Under current law, the flag must be displayed on six designated days: Armed Forces Day, Memorial Day, Flag Day, Independence Day, National POW/MIA Recognition Day, and Veterans Day. In addition, the flag must be flown at the World War II Memorial, Korean War Veterans Memorial, Vietnam Veterans Memorial, Veterans Affairs medical centers, and post offices on every day the United States flag is displayed.

Current law requires that the POW/MIA flag be displayed on these designated days at the Capitol; the White House; the World War II, Korean War Veterans, and Vietnam Veterans Memorials; each national cemetery; the buildings containing offices of the Secretaries of State, Defense, and Veterans Affairs, and the Director of the Selective Service System; each major military installation; each Veterans Affairs medical center; and each post office.

This bill simply strikes the provision designating days for display of the POW/MIA flag from current law and replaces it with the mandate that the POW/MIA flag be flown on all days on which the United States flag is displayed.

Enacting this bill into law would be an appropriate tribute to all those who have served our Nation in uniform, and especially those who made the sacrifice of being held prisoner by our Nation's enemies in wartime and for those who remain missing as a result of hostile action.

The POW/MIA flag not only reminds every American of these individuals' sacrifices, but also acts as a symbol of the Nation's commitment to achieve, as the statute says, ''the fullest possible accounting of Americans who, having been prisoners of war or missing in action, still remain unaccounted for.''

I will look at this flag in future years and think of Sam Johnson, a great Member of this House, and John McCain, a great American, an honest American, and a great leader.

I applaud Senator ELIZABETH WARREN for introducing this bill which passed the Senate by unanimous consent.

I also congratulate Representative CHRIS PAPPAS, who introduced an identical bill in the House and has worked tirelessly to shepherd this legislation through House passage. I thank him for his hard work and leadership on this meaningful measure that recognizes these heroes.

Mr. Speaker, I urge the House to pass this bill and the President to sign it into law, and I reserve the balance of my time.

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

Mr. Speaker, I thank the gentleman from Tennessee for his leadership on this issue. I also want to thank Congressman PAPPAS for his introduction of an identical bill in the House.

Many Americans may not be aware that more than 82,000 Americans are listed as prisoners of war, missing in action, or otherwise unaccounted for as a result of engagement in military conflicts. Displaying the POW/MIA flag alongside the American flag invites everyone to reflect on that somber number and appreciate the sacrifices people have made for the freest country on the planet.

S. 693 would require the POW/MIA flag to be displayed whenever the American flag is displayed on Federal properties, including the U.S. Capitol, the White House, the World War II Memorial, the Korean War Veterans Memorial, the Vietnam Veterans Memorial, every national cemetery and major military installation as designated by the Secretary of Defense, and every U.S. post office.

I look forward to passage of this bipartisan bill and to seeing the POW/MIA flag fly along with the Stars and Stripes to remind us that freedom comes at a cost and we owe more than we know to the brave men and women who gave their lives and their liberty for their fellow Americans.

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

Mr. COHEN. Mr. Speaker, I yield 3 minutes to the gentleman from New Hampshire (Mr. PAPPAS), who is the author.

Mr. PAPPAS. Mr. Speaker, I thank the gentleman for yielding, and I thank him for his words.

As well, I thank Mr. CLINE for his words in support of this legislation.

Mr. Speaker, I rise in support of S. 693, the National POW/MIA Flag Act.

In May, I had the privilege of visiting America's longest running POW/MIA vigil, in my district, in Meredith, New Hampshire. There, on the shores of Lake Winnipesaukee, participants have been gathering every Thursday evening for more than 30 years to honor and remember servicemembers listed as prisoners of war, missing in action, or otherwise unaccounted for.

It doesn't matter if it is a night in the depths of a frigid winter or a sweltering summer, every vigil brings out a strong community of veterans, family members, and supporters who call on all of us to remember these heroes. Vigils like these happen all across this great country to ensure no servicemember's sacrifice is forgotten.

Flying over these vigils with the Stars and Stripes is the POW/MIA flag. This flag was conceived in the early 1970s during the Vietnam war by family members who awaited the return of their loved ones. It was adopted by Congress ''as the symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing, and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation.''

□ 1630

It has become an enduring national symbol of POW/MIAs from conflicts throughout our history.

That is why I was proud to introduce this bipartisan companion legislation in the House, along with my colleague, Representative BERGMAN, which would display the POW/MIA flag alongside the American flag at all Federal buildings, memorials, and all national cemeteries throughout the year.

Under current law, the POW/MIA flag is required to be displayed by the Federal Government only 6 days per year. This flag is representative of profound courage and sacrifice, and it is only right that those who served their country honorably but never returned home, are remembered appropriately at our Federal buildings, cemeteries, and memorials.

This bipartisan legislation passed the Senate unanimously, and it is endorsed by Rolling Thunder; the National League of POW/MIA Families; the Veterans of Foreign Wars; the American Legion; the National Alliance of Families for the Return of America's Missing Servicemen; and American Ex-Prisoners of War.

It is fitting that this bill has garnered such a strong show of support. I urge my colleagues to pass this legislation, to continue working with a sense of common purpose when it comes to supporting our servicemembers, military families, and veterans.

Members of Congress display this flag in front of our Washington and district offices because we believe we must honor the more than 81,000 servicemembers our government says are missing or unaccounted for since World War II.

Let's ensure these displays happen across Federal properties throughout the year. Let's ensure the words emblazoned on the POW/MIA flag continue to communicate our support and commitment for our Nation's heroes and their families. You are not forgotten.

Mr. CLINE. Mr. Speaker, again, I commend those who have pursued the introduction and passage of this important legislation. And along with the comments of my colleague from New Hampshire, ''they will never be forgotten,'' we will continue to fly the POW/MIA flag alongside the American flag.

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

Mr. COHEN. Mr. Speaker, as the gentleman from Virginia (Mr. CLINE) said, this is a straightforward bill that rightly requires that the flag be flown effectively every day at certain locations at great significance to our country and to our Armed Forces and veterans.

It is an appropriate way to honor all those who served, and particularly, those who have been held prisoners and who remain missing because of their service to our Nation in wartime. Therefore, I urge prompt passage of S. 693.

Mr. Speaker, I thank the gentleman from New Hampshire (Mr. PAPPAS) for his work on the bill, and Senator WARREN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, S. 693.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PREVENTING ANIMAL CRUELTY AND TORTURE ACT

Mr. DEUTCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 724) to revise section 48 of title 18, United States Code, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 724

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Preventing Animal Cruelty and Torture Act'' or the ''PACT Act''.

SEC. 2. REVISION OF SECTION 48.

(a) IN GENERAL.—Section 48 of title 18, United States Code, is amended to read as follows:

''§ 48. Animal crushing

''(a) OFFENSES.—

''(1) CRUSHING.—It shall be unlawful for any person to purposely engage in animal crushing in or affecting interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

''(2) CREATION OF ANIMAL CRUSH VIDEOS.—It shall be unlawful for any person to knowingly create an animal crush video, if—

''(A) the person intends or has reason to know that the animal crush video will be distributed in, or using a means or facility of, interstate or foreign commerce; or

''(B) the animal crush video is distributed in, or using a means or facility of, interstate or foreign commerce.

''(3) DISTRIBUTION OF ANIMAL CRUSH VIDEOS.—It shall be unlawful for any person to knowingly sell, market, advertise, exchange, or distribute an animal crush video in, or using a means or facility of, interstate or foreign commerce.

''(b) EXTRATERRITORIAL APPLICATION.—This section applies to the knowing sale, marketing, advertising, exchange, distribution, or creation of an animal crush video outside of the United States, if—

''(1) the person engaging in such conduct intends or has reason to know that the animal crush video will be transported into the United States or its territories or possessions; or

''(2) the animal crush video is transported into the United States or its territories or possessions.

''(c) PENALTIES.—Whoever violates this section shall be fined under this title, imprisoned for not more than 7 years, or both.

''(d) EXCEPTIONS.—

''(1) IN GENERAL.—This section does not apply with regard to any conduct, or a visual depiction of that conduct, that is—

''(A) a customary and normal veterinary, agricultural husbandry, or other animal management practice;

''(B) the slaughter of animals for food;

''(C) hunting, trapping, fishing, a sporting activity not otherwise prohibited by Federal law, predator control, or pest control;

''(D) medical or scientific research;

''(E) necessary to protect the life or property of a person; or

''(F) performed as part of euthanizing an animal.

''(2) GOOD-FAITH DISTRIBUTION.—This section does not apply to the good-faith distribution of an animal crush video to—

''(A) a law enforcement agency; or

''(B) a third party for the sole purpose of analysis to determine if referral to a law enforcement agency is appropriate.

''(3) UNINTENTIONAL CONDUCT.—This section does not apply to unintentional conduct that injures or kills an animal.

''(4) CONSISTENCY WITH RFRA.—This section shall be enforced in a manner that is consistent with section 3 of the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb–1).

''(e) NO PREEMPTION.—Nothing in this section shall be construed to preempt the law of any State or local subdivision thereof to protect animals.

''(f) DEFINITIONS.—In this section—

''(1) the term 'animal crushing' means actual conduct in which one or more living non-human mammals, birds, reptiles, or amphibians is purposely crushed, burned, drowned, suffocated, impaled, or otherwise subjected to serious bodily injury (as defined in section 1365 and including conduct that, if committed against a person and in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242);

''(2) the term 'animal crush video' means any photograph, motion-picture film, video or digital recording, or electronic image that—

''(A) depicts animal crushing; and

''(B) is obscene; and

''(3) the term 'euthanizing an animal' means the humane destruction of an animal accomplished by a method that—

''(A) produces rapid unconsciousness and subsequent death without evidence of pain or distress; or

''(B) uses anesthesia produced by an agent that causes painless loss of consciousness and subsequent death.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 3 of title 18, United States Code, is amended by striking the item relating to section 48 and inserting the following:

''48. Animal crushing.''.

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, and the amendments made by this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. DEUTCH) and the gentleman from Pennsylvania (Mr. RESCHENTHALER) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. DEUTCH. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 724, the Preventing Animal Cruelty and Torture Act, or the PACT Act.

I give special thanks to the gentleman from Florida (Mr. BUCHANAN), my colleague. He is a longstanding friend of animals in Congress, and I am thrilled that he agreed to introduce this bill with me to create a Federal law punishing those who abuse animals.

I also would like to acknowledge Congressman HOLDING and the hard work by groups like the Humane Society and Humane Rescue Alliance, who have helped collect 290 bipartisan cosponsors for this bill. There are so many groups and people from across the country who have supported this

bill—people like Lisa Vanderpump, who added her passion and commitment to animals to our effort, and groups who rescue animals, literally, in every corner of our country every single day.

I would also acknowledge and thank one person in particular, Mr. Speaker—a high school student, one who is so committed to helping animals, caring for animals, that when she learned about the PACT Act, she started an online petition hoping to collect a few thousand signatures. That petition urging Congress to pass this bill gathered over 729,000 signers. And I am thrilled that that young activist, Sydney Helfand, is with us in the gallery today.

Now, of all the divisive issues here in Washington, the PACT Act is one on which we can all agree, we must make animal abuse a Federal crime. This bill has received so much bipartisan support, because Americans care about animal welfare. We form deep relationships with our companion animals and are rightfully outraged by cases of animal abuse. Animal rights activities stand up for living things that do not have a voice. That is what the PACT Act does.

Americans expect their law enforcement agencies to crack down on this horrific violence against animals, and law enforcement officers agree, which is why the PACT Act has been endorsed by the Fraternal Order of Police, the National Sheriffs' Association, the Association of Prosecuting Attorneys, and local law enforcement agencies across the country. They have asked for this Federal law to bolster their efforts to target animal abusers, because they understand the direct link between animal abuse and violent crimes. This link is why the FBI now collects data on acts of cruelty against animals for their criminal database, right alongside felony crimes like assault and homicide.

When I first came to Congress, one of the first bills I voted on was the Animal Crush Video Prohibition Act, a bill that passed nearly unanimously and that it made it a crime to create or distribute animal crush videos, which depict horrific acts against animals.

This bill today takes the next logical step and criminalizes those acts underlying that crime as well.

The Senate passed the PACT Act by unanimous consent in the last two Congresses, and I am proud the House is finally doing its part to pass this important legislation. Today, anyone who inflicts serious bodily injury on animals will be committing an act for which they should be condemned. When the PACT Act passes, they will also be violating Federal law.

Mr. Speaker, I urge my colleagues to support the PACT Act, and I reserve the balance of my time.

The SPEAKER pro tempore. The Chair would remind Members to avoid referencing occupants of the gallery.

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

Mr. Speaker, I rise in support of H.R. 724, the bipartisan Preventing Animal Cruelty and Torture Act, or the PACT Act, introduced by Representative TED DEUTCH and VERN BUCHANAN.

In 2017, Pennsylvania passed Libre's Law, which increased penalties for animal abuse. I was honored to help push that legislation over the finish line in the Pennsylvania State Senate. I am proud to once again help pass legislation that will better protect our Nation's animals.

In 2010, Congress passed the Animal Crush Video Prohibition Act to address the trade in obscene videos of live animals being crushed, burned, or subjected to other forms of heinous cruelty. While this was an important first step, the law only bans the trade in video depictions of cruelty, not the underlying act of cruelty itself.

The PACT Act addresses this gap by prohibiting the underlying acts of animal cruelty that occur on Federal property or affect interstate commerce, regardless of whether a video is produced.

As a former district judge, I served on the frontlines of our judicial system. I witnessed firsthand the connection between animal cruelty and violence toward people. In fact, the FBI recently recognized that addressing animal cruelty is critical to protecting our communities.

The PACT Act would give Federal law enforcement and prosecutors the tools they need to combat extreme animal cruelty. This bill would give the FBI the authority to act against animal cruelty that is discovered while investigating another interstate crime, such as drug smuggling or human trafficking.

The PACT Act would not interfere with enforcement of State laws related to felony animal cruelty provisions. The legislation focuses solely on extreme acts of animal cruelty and exempts normal agriculture and hunting practices.

The PACT Act is endorsed by the National Sheriffs' Association, the Fraternal Order of Police, and the Association of Prosecuting Attorneys, as well as more than 100 law enforcement agencies.

And in the Senate, the PACT Act is sponsored by my good friend, Pennsylvania Senator PAT TOOMEY, and it passed in both the 114th and the 115th Congresses by unanimous consent. In the House, it currently has more than 300 bipartisan cosponsors.

Mr. Speaker, I urge my colleagues to support the PACT Act so we can better protect our Nation's animals from abuse and torture. I reserve the balance of my time.

Mr. DEUTCH. Mr. Speaker, I yield 2 minutes to the gentlewoman from Iowa (Mrs. AXNE).

Mrs. AXNE. Mr. Speaker, I thank Representatives DEUTCH and BUCHANAN for this bill. I am very excited to be able to vote for it today.

Mr. Speaker, I rise in support of the PACT Act, and am grateful for the support that it has. As a longtime animal lover and advocate, and somebody who worked to take care of the puppy mill issues that we have in my own State of Iowa, I know more than anybody that there is nothing like bringing animals to the forefront that brings people together.

This is absolutely a bipartisan issue. And while the Animal Crush Video Prohibition Act prohibits trade in obscene video depictions of live animals being tortured, as Representative DEUTCH said, the bill did nothing to prohibit the underlying conduct of the cruelty itself. This is what the PACT Act does.

It strengthens the animal crush video law by prohibiting animal cruelty, regardless of whether a video is produced. There is documented connection between animal cruelty and violence to people. In fact, studies show animal abusers are five times more likely to commit violent crimes against people, and it is linked to domestic violence, as well as child and elder abuse.

The PACT Act gives Federal law enforcement and prosecutors the tools they need to combat extreme animal cruelty and to protect our communities at the same time. Whether it is the veterinarian in my own State of Iowa—ranked 49th when it comes to animal welfare laws—who was recently arrested for debarking dogs by shoving rod-like objects into their vocal chambers without anesthesia, or whether it is in my neighboring State of Nebraska, where a man was recently accused of severely burning a cat by holding it under water, scalding hot water, across this country, people are torturing animals and it absolutely has to stop.

So tomorrow, on Make a Dog's Day, which is in support of encouraging dog adoption, let's do these companion animal friends of ours one better by a unanimous vote for the PACT Act today and put an end to the horrible acts of cruelty that should not be allowed in this country.

Mr. RESCHENTHALER. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK), my good friend.

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

Mr. Speaker, I join with my bipartisan colleagues here to proclaim that animal abuse is unacceptable and must end, which is why we are all proud to be supporters, and many of us, original cosponsors of the PACT Act because it strengthens Federal law regarding animal cruelty.

□ 1645

As was previously mentioned, the Animal Crush Video Act of 2010 banned the creation and distribution of these despicable videos. However, it did not make the actual animal abuse itself a crime.

The bipartisan PACT Act goes a step further and outlaws this malicious animal cruelty, regardless of the presence of video evidence.

Mr. Speaker, as a former FBI agent, my agency's profiling studies demonstrated how violence against animals is a precursor to human violence. That is why we are fighting aggressively against egregious animal cruelty and why it is so important.

Law enforcement, including the FOP, strongly supports this legislation because it provides another tool for them to use for animal abuse cases that might otherwise go unprosecuted.

More than 100 law enforcement agencies and organizations across our country have endorsed the PACT Act. We must come together and stand up for innocent, defenseless animals, which is why there are over 300—in fact, 301, to be exact—cosponsors, both Democrats and Republicans, on this bill.

I commend Senator TOOMEY, our colleague from Pennsylvania, for introducing the companion bill in the Senate. We must pass the PACT Act as soon as possible so that it can be signed into law, and we must make sure that this type of animal abuse no longer happens.

Together, we will end all types of animal cruelty and will continue to be a voice for the voiceless.

Mr. DEUTCH. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER), the chairman of the Congressional Animal Protection Caucus, an original cosponsor of the PACT Act, and a great voice for animals and animal rights.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy and his leadership on this issue.

Mr. Speaker, it is a breath of fresh air for us in these sort of, shall we say, troubled times in our Nation's Capital, when there is so much discord and disagreement, and it seems we can't really agree on fundamental facts: Is today Tuesday or Wednesday?

Animal welfare is one of those issues that brings people together on a bipartisan basis.

I am pleased that the bipartisan Congressional Animal Welfare Caucus has been involved in advancing this. Animal cruelty has been an area in which I have been involved since the beginning of my tenure in Congress. We fought, in farm bills, for years to try to advance protections against animal cruelty.

I am pleased that we are here today dealing with something where Congress has already acted to make these provisions illegal. But what we haven't done is make it illegal to depict these horrific crush videos.

It was horrifying, when we brought that legislation to the floor, for people to understand what some sick, sadistic people do in portraying these horrific acts of cruelty. What we find is that it is linked to larger issues.

People who abuse animals are often linked to horrific instances of violence against their family and community. It is dehumanizing to us all, as well as, of course, the cruelty that is involved there.

We need to enact this legislation to make the actual creation of the depiction of the animals being abused illegal.

For example, the PACT Act would allow for charges to be brought against a puppy mill operator who is drowning unwanted animals if he is engaged in interstate activity. It would take strides to protect our overall communities from violent crime.

I would hope that this would also signal more activity on the floor of this House because we have a range of legislation that is teed up and ready to go that has broad, bipartisan support.

I appreciate the fact that we are getting 290, or whatever the number is, but life is short. We ought to be able to move these items with broad, bipartisan support to the floor.

We shouldn't necessarily be here just renaming post offices on a Monday. I mean, these are substantive issues that matter to people. We ought to be moving them through. I think this is an important first step, and I am pleased to add my support to it.

Mr. DEUTCH. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. STEVENS).

Ms. STEVENS. Mr. Speaker, we are standing here today in support of the PACT Act, to make it a crime to commit abuse that has already been detected in videos or the videos that we have made illegal.

We need to render the acts illegal. We need to enforce detection. We need to support enforcement writ large. We need to stand up for the rights of animals and stand up against animal cruelty.

I come from the great State of Michigan, and this is something that I have heard from my residents from all corridors throughout my district.

We are home to great equine farms as well as other establishments that care for animals, and that is a message that we want to put forward. We want to stop animal abuse on the front end and also stop other forms of domestic abuse that may arise from it.

I led the Department of Justice appropriations process that directs the use of Department of Justice funds to enforce our Nation's animal cruelty laws. Today, with the PACT Act, we are realizing another important step in protecting the rights of animals and in stopping abuse before it starts.

Mr. RESCHENTHALER. Mr. Speaker, I urge my colleagues to vote ''yes'' on H.R. 724, the PACT Act, and I yield back the balance of my time.

Mr. DEUTCH. Mr. Speaker, we should do everything we can to prevent the torture of animals and take steps to hold accountable those who would engage in such horrific acts.

The PACT Act is a significant Federal measure to help put an end to the abuse of animals.

I am thankful to be on the House floor at this incredibly gratifying bipartisan moment, and I urge my colleagues to join me in supporting this bipartisan bill.

Finally, Mr. Speaker, I would like to acknowledge every companion animal that has brought love to my staff members since the PACT Act was first introduced. Those would be Thomas Jefferson, Desi, Stella, Dock, Bubba, Maple, Hazel, Cheech, Ollie, Frodo, Theo, Johnson Tiki, Tankford, Littleman, Natale, Enzo, Dino, Virgil, Rooney, Maybeline, Prudence, Peppermint, Nazca, Poseidon, Gus, Sansa, Tony, Dwyane Wade, and my dearly departed Jessie.

For all of them and for every animal who brings joy to everyone in this Chamber, let's do our part to prevent animal cruelty and torture, and let's pass the PACT Act.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. DEUTCH) that the House suspend the rules and pass the bill, H.R. 724, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DIVISIONAL REALIGNMENT FOR THE EASTERN DISTRICT OF ARKANSAS ACT OF 2019

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1123) to amend title 28, United States Code, to modify the composition of the eastern judicial district of Arkansas, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1123

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Divisional Realignment for the Eastern District of Arkansas Act of 2019''.

SEC. 2. REALIGNMENT OF THE EASTERN DISTRICT OF ARKANSAS.

Section 83(a) of title 28, United States Code, is amended to read as follows:

''Eastern District

''(a) The Eastern District comprises three divisions.

''(1) The Central Division comprises the counties of Cleburne, Cleveland, Conway, Dallas, Drew, Faulkner, Grant, Jefferson, Lincoln, Lonoke, Perry, Pope, Prairie, Pulaski, Saline, Stone, Van Buren, White, and Yell.

Court for the Central Division shall be held at Little Rock.

''(2) The Delta Division comprises the counties of Arkansas, Chicot, Crittenden, Desha, Lee, Monroe, Phillips, and St. Francis.

Court for the Delta Division shall be held at Helena.

''(3) The Northern Division comprises the counties of Clay, Craighead, Cross, Fulton, Greene, Independence, Izard, Jackson, Lawrence, Mississippi, Poinsett, Randolph, Sharp, and Woodruff.
Court for the Northern Division shall be held at Jonesboro.''.

SEC. 3. EFFECTIVE DATE.

This Act and the amendment made by this Act shall take effect on the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JOHNSON) and the gentleman from Pennsylvania (Mr. RESCHENTHALER) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JOHNSON of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1123, which would amend current law to reduce the number of operating divisions in the Eastern District of Arkansas from five to three.

This legislation, introduced by Congressman RICK CRAWFORD from Arkansas, has the support of every member of the Arkansas congressional delegation.

The bill was prompted by the closure in 2017 of the only Federal courthouses in two of the divisions. The three new divisions created by H.R. 1123 would align with the three remaining courthouses in that district. The new divisional lines are based on caseload history and travel times to the remaining courthouses.

As chairman of the Judiciary Committee's subcommittee with jurisdiction over the courts, it is a priority of mine to ensure that people across this Nation have ready access to the Federal judiciary.

In the context of a bill such as that under consideration here today, I mean that in a very literal sense, ensuring that jurisdictional lines are appropriately drawn so that those residing in their bounds are not unduly burdened by travel time to a courthouse. But this must be balanced against closing courthouses where resources are not being used efficiently.

I am satisfied that such a balance has been achieved here, given the support this bill has gotten from the Judicial Conference, the Judicial Council of the United States Court of Appeals for the Eighth Circuit, and the chief judge of the Eastern District of Arkansas.

Mr. Speaker, I am pleased to support this legislation and urge my colleagues to support it as well, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 1123, the Divisional Realignment for the Eastern District of Arkansas Act of 2019, introduced by my Republican colleague from Arkansas, Representative RICK CRAWFORD.

H.R. 1123 reduces the existing divisions in the Eastern District of Arkansas from five to three, limiting the burden caused by two courthouse closures. It allows the Eastern District of Arkansas to better balance its caseload, account for geographical differences, and align with the judicial work generated by correctional facilities.

H.R. 1123 is supported by the Judicial Conference, the Judicial Council of the United States Court of Appeals for the Eighth Circuit, the chief judge of the Eastern District of Arkansas, and all the members of the Arkansas delegation.

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

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

Mr. RESCHENTHALER. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. CRAWFORD), my good friend and the sponsor of this measure.

□ 1700

Mr. CRAWFORD. Mr. Speaker, I can tell you it won't take 2 minutes to say what I have to say.

I certainly want to thank each side of the aisle for supporting H.R. 1123, the Divisional Realignment for Eastern District of Arkansas Act of 2019.

I want to thank Chairman NADLER and Ranking Member COLLINS for marking up this important legislation.

Following the Federal Judiciary's efforts to reduce space, the Federal courthouses in Batesville and Pine Bluff, Arkansas, were closed. However, the Eastern District of Arkansas has been required to maintain the organizational divisions mandated by the statute.

This bill simply corrects that disparity and reduces divisions in the Eastern District from five to three, aligning divisions with remaining courthouses.

The new districts have been carefully designed to maximize access to justice, considering highway access, geography, and case load history. I encourage my colleagues to support this legislation.

Mr. JOHNSON of Georgia. Mr. Speaker, I reserve the balance of my time so that I can close.

Mr. RESCHENTHALER. Mr. Speaker, I have no further speakers, and I am prepared to close.

I would just like to say that, again, I urge my colleagues to vote ''yes'' on H.R. 1123, the Divisional Realignment for the Eastern District of Arkansas Act of 2019.

I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, H.R. 1123 is a straightforward bill that better aligns the divisions of the Eastern District of Arkansas with the current operations of that district, and so I urge my colleagues to support the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 1123.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4617, STOPPING HARMFUL INTERFERENCE IN ELECTIONS FOR A LASTING DEMOCRACY ACT

Mr. HASTINGS, from the Committee on Rules, submitted a privileged report (Rept. No. 116–253) on the resolution (H. Res. 650) providing for consideration of the bill (H.R. 4617) to amend the Federal Election Campaign Act of 1971 to clarify the obligation to report acts of foreign election influence and require implementation of compliance and reporting systems by Federal campaigns to detect and report such acts, and for other purposes, which was referred to the House Calendar and ordered to be printed.

APPOINTMENT OF MEMBER TO BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 14 U.S.C. 1903(b), and the order of the House of January 3, 2019, of the following Member on the part of the House to the Board of Visitors to the United States Coast Guard Academy:

Mr. CUNNINGHAM, South Carolina.

GEORGIA SUPPORT ACT

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 598) to support the independence, sovereignty, and territorial integrity of Georgia, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 598

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Georgia Support Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. United States policy.
TITLE I—ASSISTANCE PROVISIONS
Sec. 101. United States-Georgia security assistance.
Sec. 102. United States cybersecurity cooperation with Georgia.
Sec. 103. Enhanced assistance to combat Russian disinformation and propaganda.
Sec. 104. Sense of Congress on free trade agreement with Georgia.
TITLE II—SANCTIONS PROVISIONS
Sec. 201. Imposition of sanctions on persons complicit in or responsible for serious human rights abuses, including right to life in Georgian regions of Abkhazia and Tskhinvali Region/South Ossetia occupied by Russia.
TITLE III—DETERMINATION OF BUDGETARY EFFECTS
Sec. 301. Determination of budgetary effects.

SEC. 2. UNITED STATES POLICY.

It is the policy of the United States to—

(1) support continued development of democratic values in Georgia, including free and fair elections, public sector transparency and accountability, the rule of law, and anticorruption efforts;

(2) support Georgia's sovereignty, independence, and territorial integrity within its internationally recognized borders;

(3) support the right of the people of Georgia to freely determine their future and make independent and sovereign choices on foreign and security policy, including regarding their country's relationship with other nations and international organizations, without interference, intimidation, or coercion by other countries;

(4) support Georgia's Euro-Atlantic and European integration;

(5) not recognize territorial changes effected by force, including the illegal invasions and occupations of Georgian regions of Abkhazia and Tskhinvali Region/South Ossetia by the Russian Federation;

(6) condemn ongoing detentions, kidnappings, and other human rights violations committed in the Georgian regions of Abkhazia and Tskhinvali Region/South Ossetia forcibly occupied by the Russian Federation, including the recent killings of Georgian citizens Archil Tatunashvili, Giga Otkhozoria, and Davit Basharuli; and

(7) support peaceful conflict resolution in Georgia, including by urging the Russian Federation to fully implement the European Union-mediated ceasefire agreement of August 12, 2008, and supporting the establishment of international security mechanisms in the Georgian regions of Abkhazia and Tskhinvali Region/South Ossetia and the safe and dignified return of internally displaced persons (IDPs) and refugees, all of which are important for lasting peace and security on the ground.

TITLE I—ASSISTANCE PROVISIONS

SEC. 101. UNITED STATES-GEORGIA SECURITY ASSISTANCE.

(a) FINDINGS.—Congress finds the following:

(1) In fiscal year 2018, the United States provided Georgia with $2,200,000 in assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to international military education and training) and $35,000,000 in assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing Program).

(2) Georgia has been a longstanding NATO-aspirant country.

(3) Georgia has contributed substantially to Euro-Atlantic peace and security through participation in the International Security Assistance Force (ISAF) and Resolute Support Missions in Afghanistan as one of the largest troop contributors.

(b) SENSE OF CONGRESS.—It is the sense of Congress that United States assistance to Georgia under chapter 5 of part II of the Foreign Assistance Act of 1961 and section 23 of the Arms Export Control Act should be increased.

(c) STATEMENT OF POLICY.—It shall be the policy of the United States, in consultation with Georgia, to enhance Georgia's deterrence, resilience, and self-defense, including through appropriate assistance to improve the capabilities of Georgia's armed forces.

(d) REVIEW OF SECURITY ASSISTANCE TO GEORGIA.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the heads of other appropriate United States departments and agencies, shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report reviewing United States security assistance to Georgia.

(2) COMPONENTS.—The report required under paragraph (1) shall include the following:

(A) A detailed review of all United States security assistance to Georgia from fiscal year 2008 to the date of the submission of such report.

(B) An assessment of threats to Georgian independence, sovereignty, and territorial integrity.

(C) An assessment of Georgia's capabilities to defend itself, including a five-year strategy to enhance Georgia's deterrence, resilience, and self-defense capabilities.

(3) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

SEC. 102. UNITED STATES CYBERSECURITY COOPERATION WITH GEORGIA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should take the following actions, commensurate with United States interests, to assist Georgia to improve its cybersecurity:

(1) Provide Georgia such support as may be necessary to secure government computer networks from malicious cyber intrusions, particularly such networks that defend the critical infrastructure of Georgia.

(2) Provide Georgia support in reducing reliance on Russian information and communications technology.

(3) Assist Georgia to build its capacity, expand cybersecurity information sharing, and cooperate on international cyberspace efforts.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on United States cybersecurity cooperation with Georgia. Such report shall also include information relating to the following:

(1) United States efforts to strengthen Georgia's ability to prevent, mitigate, and respond to cyber incidents, including through training, education, technical assistance, capacity building, and cybersecurity risk management strategies.

(2) The potential for new areas of collaboration and mutual assistance between the United States and Georgia to address shared cyber challenges, including cybercrime, critical infrastructure protection, and resilience against automated, distributed threats.

(3) NATO's efforts to help Georgia develop technical capabilities to counter cyber threats.

SEC. 103. ENHANCED ASSISTANCE TO COMBAT RUSSIAN DISINFORMATION AND PROPAGANDA.

(a) STATEMENT OF POLICY.—It shall be the policy of the United States to enhance the capabilities of Georgia to combat Russian disinformation and propaganda campaigns intended to undermine the sovereignty and democratic institutions of Georgia, while promoting the freedom of the press.

(b) REQUIRED STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the heads of other appropriate United States departments and agencies, shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report outlining a strategy to implement the policy described in subsection (a).

(2) COMPONENTS.—The report required under paragraph (1) shall include the following:

(A) A detailed assessment of Russian disinformation and propaganda efforts across all media platforms targeting Georgia.

(B) An assessment of Georgia's capabilities to deter and combat such Russian efforts and to support the freedom of the press.

(C) A detailed strategy coordinated across all relevant United States departments and agencies to enhance Georgia's capabilities to deter and combat such Russian efforts.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

SEC. 104. SENSE OF CONGRESS ON FREE TRADE AGREEMENT WITH GEORGIA.

It is the sense of Congress that the United States Trade Representative should make progress toward negotiations with Georgia to enter a bilateral free trade agreement with Georgia.

TITLE II—SANCTIONS PROVISIONS

SEC. 201. IMPOSITION OF SANCTIONS ON PERSONS COMPLICIT IN OR RESPONSIBLE FOR SERIOUS HUMAN RIGHTS ABUSES, INCLUDING RIGHT TO LIFE IN GEORGIAN REGIONS OF ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA OCCUPIED BY RUSSIA.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to a foreign person if the President determines, based on credible information, that such foreign person, on or after the date of the enactment of this Act—

(1) is responsible for, complicit in, or responsible for ordering, controlling, or otherwise directing the commission of any serious abuse of human rights in Georgian regions of Abkhazia and Tskhinvali Region/South Ossetia forcibly occupied by the Russian Federation;

(2) is knowingly materially assisting, sponsoring, or providing significant financial, material, or technological support for, or goods or services to, a foreign person described in paragraph (1); or

(3) is owned or controlled by a foreign person, or is acting on behalf of a foreign person, described in paragraph (1).

(b) SANCTIONS DESCRIBED.—The sanctions to be imposed with respect to a foreign person described in subsection (a) are the following:

(1) ASSET BLOCKING.—The President shall exercise all of the powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—

(A) INADMISSIBILITY TO THE UNITED STATES.—In the case of a person described in subsection (a) who is an individual, such person shall be—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—A person described in subsection (a) who is an individual shall be subject to the revocation of any visa or other entry documentation issued to such person regardless of when the visa or other entry documentation is or was issued. A revocation under this subparagraph shall take effect immediately and shall automatically cancel any other valid visa or entry documentation that is in the person's possession.

(C) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT OBJECTIVES.—Sanctions under subparagraph (A) shall not apply to an individual if admitting such individual into the United States would further important law enforcement objectives or is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States.

(c) WAIVER.—The President may waive the application of sanctions under subsection (b) with respect to a person if the President determines that such a waiver is important to the national interests of the United States.

(d) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out subsection (b)(1).

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out such subsection shall be subject to the penalties specified in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of such section.

(e) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(1) IN GENERAL.—The authorities and requirements to impose sanctions authorized under this Act shall not include the authority or requirement to impose sanctions on the importation of goods.

(2) GOOD DEFINED.—In this subsection, the term ''good'' means any article, natural or man-made substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(f) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act and at least once every 180 days thereafter for a period not to exceed two years, the President, in consultation with the Secretary of the Treasury, shall transmit to Congress a detailed report with respect to persons that have been determined to have engaged in activities described in subsection (a).

TITLE III—DETERMINATION OF BUDGETARY EFFECTS

SEC. 301. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from Illinois (Mr. KINZINGER) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 598.

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

There was no objection.

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

Mr. Speaker, I would like to start by thanking Mr. CONNOLLY and Mr. KINZINGER for authoring this excellent bill.

This measure comes before us at a crucial time. As President Trump takes a sledgehammer to our country's standing in the world, it falls to the Congress to uphold our relationships with our friends and partners. Strong alliances and partnerships make a stronger, safer America, and it is important for our national security to make sure that our friends can defend themselves against hostile adversaries. That is especially true for a country like Georgia, who is fighting President Putin's aggression every single day.

In 2008, Russia invaded and occupied parts of Georgia, flagrantly breaking international law and violating Georgia's sovereignty and territorial integrity. And now, over a decade later, Russia hasn't let up the assault on Georgia. Cyber attacks, disinformation campaigns, human rights violations—this is what the people of Georgia endure from Putin's regime all the time. So we must support Georgia's efforts to protect itself.

The Georgia Support Act calls on the U.S. to continue to support Georgia's democratic institutions, territorial integrity, and sovereignty. It also provides critical assistance for Georgia's struggle against Russian aggression, supporting efforts to boost cybersecurity and counter Russian disinformation. And it slaps sanctions on those responsible for human rights violations in the Russian-occupied Georgian regions of Abkhazia and South Ossetia.

We should be strengthening our relationship with Georgia and bringing it into the fold of the EU and NATO. This is a good bill that moves us in the right direction, showing that Congress stands with Georgia. I strongly support this measure, and I urge all Members to join me in doing so.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, October 21, 2019.

Hon. RICHARD E. NEAL,
Committee on Ways and Means,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN NEAL: I am writing to you concerning H.R. 598, the Georgia Support Act. I appreciate your willingness to work cooperatively on this legislation.

I acknowledge that provisions of the bill fall within the jurisdiction of the Committee on Ways and Means under House Rule X, and that your Committee will forgo action on H.R. 598 to expedite floor consideration. I further acknowledge that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill that fall within your jurisdiction. I will also support the appointment of Committee on Ways and Means conferees during any House-Senate conference convened on this legislation.

Lastly, I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. Thank you again for your cooperation regarding the legislation. I look forward to continuing to work with you as the measure moves through the legislative process.

Sincerely,

ELIOT L. ENGEL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, October 21, 2019.

Hon. ELIOT L. ENGEL,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR CHAIRMAN ENGEL: In recognition of the desire to expedite consideration of H.R. 598, the Georgia Support Act, the Committee on Ways and Means agrees to waive formal consideration of the bill as to provisions that fall within the rule X jurisdiction of the Committee on Ways and Means.

The Committee on Ways and Means takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation.

Finally, I would appreciate your response to this letter confirming this understanding and would ask that a copy of our exchange of letter on this matter be included in the Congressional Record during floor consideration of H.R. 598.

Sincerely,

RICHARD E. NEAL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, October 21, 2019.

Hon. JERROLD NADLER,
Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN NADLER: I am writing to you concerning H.R. 598, the Georgia Support

Act. I appreciate your willingness to work cooperatively on this legislation.

I acknowledge that provisions of the bill fall within the jurisdiction of the Committee on the Judiciary under House Rule X, and that your Committee will forgo action on H.R. 598 to expedite floor consideration. I further acknowledge that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill that fall within your jurisdiction. I will also support the appointment of Committee on the Judiciary conferees during any House-Senate conference convened on this legislation.

Lastly, I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. Thank you again for your cooperation regarding the legislation. I look forward to continuing to work with you as the measure moves through the legislative process.

Sincerely,

ELIOT L. ENGEL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 21, 2019.

Hon. ELIOT L. ENGEL,
Chairman, Committee on Foreign Affairs,
House of Representatives, Washington, DC.

DEAR CHAIRMAN ENGEL: This is to advise you that the Committee on the Judiciary has now had an opportunity to review the provisions in H.R. 598, the ''Georgia Support Act'' that fall within our Rule X jurisdiction. I appreciate your consulting with us on those provisions. The Judiciary Committee has no objection to your including them in the bill for consideration on the House floor, and to expedite that consideration is willing to forgo action on H.R. 598, with the understanding that we do not thereby waive any future jurisdictional claim over those provisions or their subject matters.

In the event a House-Senate conference on this or similar legislation is convened, the Judiciary Committee reserves the right to request an appropriate number of conferees to address any concerns with these or similar provisions that may arise in conference.

Please place this letter into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our committees.

Sincerely,

JERROLD NADLER,
Chairman.

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

Mr. Speaker, I rise today in support of H.R. 598, the Georgia Support Act. It is legislation I introduced with my colleague, Mr. CONNOLLY.

Georgia has been a strong ally to the United States, and ensuring their territorial sovereignty is essential to European security and American interests.

Since the Russian invasion in 2008, Georgia has been embroiled in a battle for its very right to exist due to Putin's flagrant aggression. For over a decade, Russia has illegally occupied the Georgian parts of Abkhazia and South Ossetia, which constitutes 20 percent of Georgia's territory.

Putin has constructed military bases, erected border fences across civilian farms, and restricted transit between the occupied regions and Georgia. The subsequent occupation has displaced thousands of ethnic Georgians. Those who refuse to leave their homes now face extreme human rights abuses. Furthermore, Russia continues to meddle in Georgia's political processes and seeks to sow discord and chaos among the population.

Our legislation reaffirms U.S. support for Georgia's independence, sovereignty, and territorial integrity, as well as the continued development of democratic values in Georgia. It also pushes for an increase in security assistance to Georgia, greater cybersecurity cooperation between our nations, and an enhancement of Georgia's ability to combat Russian disinformation campaigns.

Most importantly, this bill authorizes the President to impose sanctions on those individuals responsible for human rights abuses in those regions.

Passage of this legislation is an opportunity to show support for an ally that has been one of the greatest contributors to the U.S. mission in Afghanistan and one that has endured Putin's belligerence for over a decade.

By deepening U.S.-Georgia security cooperation, we send a strong message to Putin to think twice before interfering in Georgia again.

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

Mr. ENGEL. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. CONNOLLY), the author of this important bill.

Mr. CONNOLLY. Mr. Speaker, I want to start by saluting our distinguished chairman. Thank you so much to our chairman for bringing this bill to the floor and for managing it today.

He has just returned from an arduous trip. I have been on that trip. I know how tiring it can be and, frankly, even the personal danger one puts oneself in on that trip. I salute the chairman for his stamina and his commitment to American foreign policy, being here on the floor today. So I thank him and salute him and his able staff.

I also, of course, want to thank my co-chair of the Georgia Caucus and coauthor of H.R. 598, the Georgia Support Act, Mr. KINZINGER, who has been a wonderful partner and always willing to look at an issue thoughtfully and put himself sometimes at political risk in showing intestinal fortitude. I salute Mr. KINZINGER, too.

This legislation asserts the United States' continued support for the independence and sovereignty of Georgia. It supports Georgia's continued democratic development, including free and fair elections, and affirms U.S. opposition to Russian aggression in the region, which is not, as has been noted, theoretical.

Russian troops occupy Abkhazia and South Ossetia in Georgia. Russia has fomented unrest, aided separatist movements, and committed serious human rights violations, including ongoing detentions and killings.

Russian forces continue to harass civilian communities along the administrative boundary line and impede the right of the return of internally displaced persons, even moving that administrative boundary line arbitrarily.

Just a few weeks ago, tensions flared over a reported buildup of military equipment and personnel near the ABL, the administrative boundary line, in Russian-occupied South Ossetia.

H.R. 598 bolsters Georgia's territorial integrity by authorizing sanctions against those responsible for or complicit in human rights violations in these occupied territories.

As chairman of the U.S. delegation to the NATO Parliamentary Assembly, I am very pleased that the Georgia Support Act recognizes that Georgia has been a longstanding NATO-aspirant country and a contributor to NATO's troop levels.

I have traveled to Georgia three times in the last 3 years, including for the spring meeting of NATO's Parliamentary Assembly, and I believe that Georgia is a key partner for NATO's security. This act builds on previous efforts that Congress has undertaken to support Georgia's territorial integrity.

In the Countering America's Adversaries Through Sanctions Act, CAATSA, P.L. 115–44, we enshrined a nonrecognition policy for Russia's illegal occupation of Georgian territory.

In the 114th Congress, the House passed H.R. 660, which Judge Poe and I introduced, to express support for Georgia's full territorial integrity. The resolution was a clear and unequivocal statement in support of the sovereign territory of Georgia and reiterated the longstanding policy of the United States not to recognize territorial changes affected by force, as dictated by the Stimson Doctrine, going back to 1932, authored by then-Secretary of State Henry Stimson.

Just as the House of Representatives passed the Crimea Annexation Non-recognition Act, H.R. 596, earlier this year, the Georgia Support Act is another clear and unequivocal statement by this Congress on the issue of territorial sovereignty. This act expresses Congress' support for the vital U.S.-Georgia partnership, which is a strategically important relationship in a very critical part of the world.

I urge my colleagues to adopt this legislation.

Again, I thank the chairman for his distinguished leadership on this issue, and my partner, Mr. KINZINGER.

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

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. KEATING), the chairman of the Subcommittee on Europe, Eurasia, Energy, and the Environment.

Mr. KEATING. Mr. Speaker, I thank my colleague and chairman for yielding.

Georgia has a long and rich history as an important U.S. partner and a key player in the region. Unfortunately, Georgia most dramatically came onto

the world stage with news in 2008 that Russia had invaded and occupied regions within its territory. Since that time, Russia has continued to illegally occupy the regions of South Ossetia and Abkhazia.

Today, Georgia stands on the front lines of Russian aggression, along with Ukraine, and it is imperative that the United States assist Georgia in its effort to stand up against Russia—to address the humanitarian concerns in those areas, to fight against Russian disinformation, and to keep moving Georgia towards its goal of a strong and sovereign democracy.

I am proud that we are here today to continue to support the development of democratic values as well as the sovereignty, independence, and territorial integrity of the Republic of Georgia.

□ 1715

Georgia is a strong partner and friend to the United States, and I am proud that we are showing our support by moving this legislation forward today. I urge my colleagues to support the Georgia Support Act.

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

In closing, again, I want to thank Mr. CONNOLLY for his great work on this. I want to thank the chairman for bringing it to the floor and for his friendship and for the committees in this Congress that have steadfast support for our Georgian allies.

This was mentioned earlier, and it is worth re-noting, Georgia pound for pound has the strongest commitment to NATO and Afghanistan, and they are not even full NATO members. So that tells you the kind of people they are. They are a key strategic and democratic partner in a tumultuous region, and increased U.S. support is a significant step toward countering the global threat posed by Russia every day.

This bill passed in the 115th Congress in a bipartisan margin overwhelmingly, so I urge my colleagues to support this legislation yet again.

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

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume for the purpose of closing. This is a good, strong, bipartisan bill to support Georgia as it fends off Russian aggression. I thank my Foreign Affairs Committee colleagues, Mr. CONNOLLY and Mr. KINZINGER, for their work on this measure.

If you look back at history when the Soviet Union existed, Georgia was part of the Soviet Union and really felt the yoke of Russian aggression on their necks. When the Soviet Union broke up and Russia tried to influence all the surrounding countries, Georgia resisted with good cause, because Georgia does not want to be part of a country that makes them subservient.

So it really to me is so important for the United States to support Georgia. It is in a difficult neighborhood, right near Russia. It faces constant threats every day. As I and my colleagues have said, Russia is now occupying a large part of their territory, and it really should not be left to stand.

Personally, I have said this many times, I think that the West made a mistake back in 2008 when Georgia tried to become part of NATO and was turned down. I believe that both Georgia and Ukraine should be part of NATO. I think that is very important. And I think that is part of the reason why we see such Russian aggression in both Ukraine and Georgia.

So I hope all Members will join us in supporting the passage of this bill. The people of Georgia need to know that the United States Congress stands with them against Putin's aggression.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and pass the bill, H.R. 598, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CALLING ON THE GOVERNMENT OF THE RUSSIAN FEDERATION TO PROVIDE EVIDENCE OF WRONGDOING OR TO RELEASE UNITED STATES CITIZEN PAUL WHELAN

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 552) calling on the Government of the Russian Federation to provide evidence of wrongdoing or to release United States citizen Paul Whelan.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 552

Whereas United States citizen Paul Whelan is a resident of Novi, Michigan, and a United States Marine Corps veteran;

Whereas Paul Whelan traveled to Moscow for the wedding of a personal friend on December 22, 2018;

Whereas Russia's Federal Security Service arrested Paul Whelan at the Metropol Hotel in Moscow on December 28, 2018, and charged him with espionage;

Whereas Paul Whelan was imprisoned in Lefortovo Prison and continues to be held there more than eight months after his arrest;

Whereas the Federal Security Service has not provided any evidence of supposed wrongdoing;

Whereas a Moscow court has extended Paul Whelan's pre-trial detention multiple times without publicly presenting justification or evidence of wrongdoing;

Whereas officials from the United States Embassy in Moscow have routinely had their topics of discussion with Paul Whelan severely limited by the Federal Security Service;

Whereas even Paul Whelan's Federal Security Service-appointed lawyer, Vladimir Zherebenkov, said on May 24, 2019, "[The Federal Security Service] always roll[s] out what they have, but in this case, we've seen nothing concrete against Whelan in five months. That means there is nothing.";

Whereas the United States Ambassador to Russia, Jon Huntsman, responded on April 12, 2019, to a question about the detention of Paul Whelan, "If the Russians have evidence, they should bring it forward. We have seen nothing. If there was a case, I think the evidence would have been brought forward by now."; and

Whereas Secretary of State Mike Pompeo met with Russian Foreign Minister Sergey Lavrov on May 14, 2019, and urged him to ensure United States citizens are not unjustly held abroad: Now, therefore, be it

Resolved, That the House of Representatives—

(1) urges the Government of the Russian Federation to present credible evidence on the allegations against Paul Whelan or immediately release him from detention;

(2) urges the Government of the Russian Federation to provide unrestricted consular access to Paul Whelan while he remains in detention;

(3) urges the Government of the Russian Federation to ensure Paul Whelan is afforded due process and universally recognized human rights;

(4) encourages the President and the Secretary of State to continue to press the Government of the Russian Federation at every opportunity and urge the Russian Government to guarantee a fair and transparent judicial process without undue delay in accordance with its international legal obligation; and

(5) expresses sympathy to the family of Paul Whelan and expresses hope that their ordeal can soon be brought to an end.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from Illinois (Mr. KINZINGER) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 552.

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

There was no objection.

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

Mr. Speaker, as we stand here on the House floor, an American citizen is being wrongfully held in a Russian prison without trial, without any evidence of his supposed crime, denied his rights, suffering, deprived of the medical attention he so desperately needs.

This is how Vladimir Putin is treating Paul Whelan, a U.S. citizen who has been unjustly imprisoned in Russia for almost a year. There has been no evidence offered to show that Mr. Whelan has done anything wrong or anything to deserve this horrific imprisonment with no end in sight.

Paul's family in Michigan wants to see him returned home safely, and Congress must stand with them and demand justice.

H. Res. 552 sends a strong message from Congress. It calls on Russia to either offer up some legitimate evidence

that justifies why they have Mr. Whelan in prison or immediately release him and let him come home to his family in the United States.

We can't accept this current situation to go on any longer with Mr. Whelan languishing in his cell with no understanding of why he is being subjected to this horror.

Sadly, this injustice is what life is like in Putin's Russia. There is no independent judicial process. There are no rights for defendants. There is abuse, mistreatment, corruption. It is critical that we all keep this in mind. That is why it is so important for the United States to stand strong in condemning Putin and upholding our commitment to the rule of law.

I want to thank Ms. STEVENS for her hard work in offering this measure. As Mr. Whelan's congressional representative, she has been tirelessly pushing for Paul's release as has the entire Michigan delegation.

This is a good bipartisan measure I am pleased to support. I urge all Members to do the same.

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

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

Mr. Speaker, I rise today in support of H. Res. 552, which calls on the government of the Russian Federation to release Paul Whelan, an American citizen, from their custody or provide compelling evidence of his alleged wrongdoing.

On December 28, 2018, Paul Whelan traveled to Moscow to attend a friend's wedding when he was arrested on allegations of spying. Over the past 10 months, Mr. Whelan has maintained his innocence as he awaits trial, which is expected to start in January of 2020.

Mr. Whelan suffers from a chronically painful medical condition, which requires surgery. Unfortunately, this surgery was scheduled for shortly after his return from Moscow in January of 2019. Over the past 10 months, Mr. Whelan has been living in pain as he has declined to have the surgery in Russia.

This bipartisan, bicameral resolution calls for the Russian Federation to immediately release Paul Whelan from his unwarranted detainment. Further, it calls for due process and unrestricted access to consular services for Mr. Whelan.

I am proud to cosponsor this resolution, and I urge my colleagues to join me in supporting it.

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

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. STEVENS), the author of this important resolution

Ms. STEVENS. Mr. Speaker, I thank the gentleman for yielding. By bringing up my resolution today, H. Res. 552, we are making clear to the Russian Government and President Putin that Congress will not tolerate the indefinite detention of a U.S. citizen without evidence.

For nearly 10 months, my constituent, Paul Whelan of Novi, Michigan, has been held in a Moscow prison without adequate due process. Paul was detained last December and continues to be held in a horrifying prison.

We have repeatedly asked the Russian Government to provide Paul with a fair and transparent judicial process, to no avail. The State Department has been unwavering in their work on Paul's behalf, especially Ambassador Huntsman.

The Russian Government has not provided timely updates about Paul's case. They have not let him select his own attorney. And they have not provided unrestricted consular access. Next week will be Paul's fourth pretrial detention hearing. Enough is enough.

After many months in prison, Paul's health is deteriorating. Paul's family is wondering. Everyone is in the dark, but most especially Paul. It is long past time that we bring Paul home to his family and get him the medical care he needs.

This bipartisan resolution calls on the Russian Government to provide evidence of his wrongdoing or else release Paul immediately. This is our sense of Congress. It must be our sense of Congress, for we stand up for Americans abroad.

I thank my friend, Mr. WALBERG, for joining me and for the Michigan delegation. And I urge my colleagues on both sides of the aisle to pass this timely resolution.

Mr. KINZINGER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I rise today in support of H. Res. 552 and call on the Russian Government to provide evidence of wrongdoing or to release United States citizen Paul Whelan.

I thank my colleague Congresswoman HALEY STEVENS for her untiring work on this important issue. Paul Whelan is a veteran. He is a Michigan resident, who has been held in Russian captivity for nearly 10 months without charges. And I repeat, he has been held in Russian captivity for nearly 10 months without charges.

Throughout his entire time, Paul has not been given due process. He has had multiple pretrial hearings in which his detainment has repeatedly been extended without the production of any new or credible evidence. While in captivity he has been in need of serious medical attention, and his health has deteriorated. It is unacceptable for an American citizen to be detained for any length of time without charges and without proper medical care.

Paul's entire family, including his parents who live in my district in Manchester, Michigan, are deeply concerned about his health and safety, as they should be. I met with members of the Whelan family on many occasions, and they have been pillars of strength, but also have endured much agony.

We stand united today saying this is not a partisan issue. It is an American issue.

As Republicans and Democrats we are committed to raising awareness about Paul's case and advocating for his freedom. And we stand to send a strong and powerful message today by passing this resolution. I encourage my colleagues to stand together and pass this resolution and tell Russia it is wrong as to what they are doing.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. KEATING), the chairman of the Subcommittee on Europe, Eurasia, Energy, and the Environment.

Mr. KEATING. Mr. Speaker, I thank the chairman for yielding.

Nearly 10 months ago on December 28, 2018, the Government of the Russian Federation arrested U.S. citizen Paul Whelan. In those 10 months, the Russian Government has refused to provide any evidence to substantiate the espionage charges against Paul.

Instead, in those 10 months, the Russian Government has subjected Paul to physical and psychological pressure. In those 10 months, the Russian Government has repeatedly prevented Paul from speaking freely with the U.S. embassy or with his family; rights that are afforded to Russian prisoners here in the U.S.

In those 10 months, the Russian Government has denied Paul's request to be examined or treated by a private physician. And I say, Russian Government. I say government, because I believe the Russian people, particularly those that are speaking up and demonstrating for an open and democratic government there, they would be standing with us today.

□ 1730

For 10 months, the Russian Government has refused to respond to the concerns of the Governments of the United States, U.K., Canada, and Ireland.

For 10 months, Paul's continued detention has caused indescribable pain and torment not only for Paul but for his parents, his two brothers, and his sisters.

Ten months of injustice is 10 months too long.

In our committee, the Committee on Foreign Affairs, we look for areas of common ground to work with Russia, but actions like this, depriving a U.S. citizen of the most basic rights, makes that all the more difficult.

Mr. Speaker, on behalf of Paul, on behalf of his family, I hope all Members will join me in supporting H. Res. 552 and calling on the Government of Russia to allow a fair and transparent judicial process without delay, facilitate Paul's medical care, and allow for unrestricted visits with the U.S. Embassy.

Mr. Speaker, above all, I hope Members will all join with me in calling on the Government of Russia to release Paul and send him back home to his family.

Mr. KINZINGER. Mr. Speaker, if the gentleman has no further speakers, I am prepared to close.

Mr. ENGEL. Mr. Speaker, I have no further speakers.

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

Mr. Speaker, in closing, I thank Mr. Whelan's family for continuing to fight for his release and for bringing this matter to our attention.

He is a pawn. Russia quite clearly has a terrible track record of taking care of people, whether it is bombing hospitals in Syria intentionally or whether it is just abusing people in other parts of the world—Venezuela—or imprisoning Americans. It is obviously their track record.

Mr. Speaker, I urge my Democratic and Republican colleagues to support this resolution. I thank the chairman for bringing it up, the family for fighting, and everybody who spoke.

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

Mr. ENGEL. Mr. Speaker, I yield myself as much time as I may consume for the purpose of closing.

Mr. Speaker, I again thank Representative STEVENS for her hard work on this measure.

Paul Whelan, an American citizen, as my colleagues have mentioned, has endured mistreatment in a Russian prison without the Russian Government offering up any evidence that he has done anything wrong.

H. Res. 552 calls on the Russian Government to either provide some evidence of wrongdoing to explain Mr. Whelan's imprisonment or release Mr. Whelan immediately so he can come home to the United States and receive the proper medical treatment he so urgently needs. He and his family have suffered enough as part of Putin's political games.

Mr. Speaker, I thank my colleagues on both sides of the aisle for their strong support for this resolution. It is a good measure. I urge all Members to support it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the resolution, H. Res. 552.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS REGARDING THE EXECUTION-STYLE MURDERS OF UNITED STATES CITIZENS YLLI, AGRON, AND MEHMET BYTYQI IN THE REPUBLIC OF SERBIA IN JULY 1999

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 32) expressing the sense of Congress regarding the execution-style murders of United States citizens Ylli, Agron, and Mehmet Bytyqi in the Republic of Serbia in July 1999.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 32

Whereas brothers Ylli, Agron, and Mehmet Bytyqi were citizens of the United States, born in Chicago, Illinois, to ethnic Albanian parents from what is today the Republic of Kosovo, and who subsequently lived in Hampton Bays, New York;

Whereas the three Bytyqi brothers responded to the brutality of the conflict associated with Kosovo's separation from the Republic of Serbia and the Federal Republic of Yugoslavia of which Serbia was a constituent republic by joining the so-called ''Atlantic Brigade'' of the Kosovo Liberation Army in April 1999;

Whereas a Military-Technical Agreement between the Government of Yugoslavia and the North Atlantic Council came into effect on June 10, 1999, leading to a cessation of hostilities;

Whereas the Bytyqi brothers were arrested on June 23, 1999, by Serbian police within the Federal Republic of Yugoslavia when the brothers accidently crossed what was then an unmarked administrative border while escorting an ethnic Romani family who had been neighbors to safety outside Kosovo;

Whereas the Bytyqi brothers were jailed for 15 days for illegal entry into the Federal Republic of Yugoslavia in Prokuplje, Serbia, until a judge ordered their release on July 8, 1999;

Whereas instead of being released, the Bytyqi brothers were taken by a special operations unit of the Serbian Ministry of Internal Affairs to a training facility near Petrovo Selo, Serbia, where all three were executed;

Whereas at the time of their murders, Ylli was 25, Agron was 23, and Mehmet was 21 years of age;

Whereas Yugoslav President Slobodan Milosevic was removed from office on October 5, 2000, following massive demonstrations protesting his refusal to acknowledge and accept election results the month before;

Whereas in the following years, the political leadership of Serbia has worked to strengthen democratic institutions, to develop stronger adherence to the rule of law, and to ensure respect for human rights and fundamental freedoms, including as the Federal Republic of Yugoslavia evolved into a State Union of Serbia and Montenegro in February 2003, which itself dissolved when both republics proclaimed their respective independence in June 2006;

Whereas the United States Embassy in Belgrade, Serbia, was informed on July 17, 2001, that the bodies of Ylli, Agron, and Mehmet Bytyqi were found with their hands bound and gunshot wounds to the back of their heads, buried atop an earlier mass grave of approximately 70 bodies of murdered civilians from Kosovo;

Whereas Serbian authorities subsequently investigated but never charged those individuals who were part of the Ministry of Internal Affairs chain of command related to this crime, including former Minister of Internal Affairs Vlajko Stojilkovic, Assistant Minister and Chief of the Public Security Department Vlastimir Djordjevic, and special operations training camp commander Goran ''Guri'' Radosavljevic;

Whereas Vlajko Stojilkovic died of a self-inflicted gunshot wound in April 2002 prior to being transferred to the custody of the International Criminal Tribunal for the former Yugoslavia where he had been charged with crimes against humanity and violations of the laws or customs of war during the Kosovo conflict;

Whereas Vlastimir Djordjevic was arrested and transferred to the custody of the International Criminal Tribunal for the former Yugoslavia in June 2007, and sentenced in February 2011 to 27 years imprisonment (later reduced to 18 years) for crimes against humanity and violations of the laws or customs of war committed during the Kosovo conflict;

Whereas Goran ''Guri'' Radosavljevic is reported to reside in Serbia, working as director of a security consulting firm in Belgrade, and is a prominent member of the governing political party;

Whereas the Secretary of State designated Goran Radosavljevic of Serbia under section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 as ineligible for entry into the United States due to his involvement in gross violations of human rights;

Whereas two Serbian Ministry of Internal Affairs officers, Sretan Popovic and Milos Stojanovic, were charged in 2006 for crimes associated with their involvement in the detention and transport of the Bytyqi brothers from Prokuplje to Petrovo Selo, but acquitted in May 2012 with an appeals court confirming the verdict in March 2013;

Whereas the Serbian President Aleksandar Vucic promised several high ranking United States officials to deliver justice in the cases of the deaths of Ylli, Agron, and Mehmet Bytyqi;

Whereas no individual has ever been found guilty for the murders of Ylli, Agron, and Mehmet Bytyqi or of any other crimes associated with their deaths; and

Whereas no individual is currently facing criminal charges regarding the murder of the Bytyqi brothers despite many promises by Serbian officials to resolve the case: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) those individuals responsible for the murders in July 1999 of United States citizens Ylli, Agron, and Mehmet Bytyqi in Serbia should be brought to justice;

(2) it is reprehensible that no individual has ever been found guilty for executing the Bytyqi brothers, or of any other crimes associated with their deaths, and that no individual is even facing charges for these horrible crimes;

(3) the Government of Serbia and its relevant ministries and offices, including the Serbian War Crimes Prosecutor's Office, should make it a priority to investigate and prosecute as soon as possible those current or former officials believed to be responsible for their deaths, directly or indirectly;

(4) the United States should devote sufficient resources fully to assist and properly to monitor efforts by the Government of Serbia and its relevant ministries and offices to investigate and prosecute as soon as possible those individuals believed to be responsible for their deaths, directly or indirectly; and

(5) progress in resolving this case, or the lack thereof, should remain a significant factor determining the further development of relations between the United States and the Republic of Serbia.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

New York (Mr. ENGEL) and the gentleman from New York (Mr. ZELDIN) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. ENGEL).

GENERAL LEAVE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 32.

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

There was no objection.

Mr. ENGEL. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I want to start by thanking Mr. ZELDIN for authoring this resolution.

This measure is one particularly close to my heart. In my career in Congress, I have had long dealings with the Albanian community both in the Balkans and in America, so this one really hurts since I know the family of these three brothers who were murdered.

Ylli, Agron, and Mehmet Bytyqi were three brothers from New York State who were killed execution-style by Serbian officials after they mistakenly crossed the unmarked Serbia-Kosovo border. Their bodies were discovered with their hands bound behind their backs in a mass grave in 2001.

Serbian President Vucic promised me 3 years ago that his government would bring the murderers to justice, but this hasn't happened. In fact, there isn't even a serious criminal investigation underway. This is appalling.

Sadly, it is part of a pattern we see with Serbian war criminals responsible for crimes against the people of Kosovo.

The Bytyqi brothers are only the tip of the iceberg when it comes to post-conflict justice in Serbia. We had a hearing on the Foreign Affairs Committee several weeks ago about this very topic.

Approaching 3 years ago, the Belgrade-based Humanitarian Law Center released a dossier detailing the murder of nearly 1,000 Kosovars, killed by Serbs in Kosovo, then transported to Serbia, and dumped in a mass grave.

The U.S. Government has raised this atrocity with the Serbian war crimes prosecutor. But once again, no one has been held accountable, although I believe with all my heart that Serbian authorities know who is responsible for this.

Let's be clear, if Serbia wants to join the West and its institutions, they must deal with their past and prosecute those responsible for war crimes.

Mr. Speaker, I encourage our EU friends to hold Serbia to this standard when considering Serbia's candidacy.

Today's resolution makes it clear that Serbia must fully investigate the Bytyqi brothers' case and bring justice to the families of these murdered New Yorkers. Their family currently lives in New York in Mr. ZELDIN's district.

It also calls on the U.S. Government to encourage and assist a successful prosecution of this case.

Mr. Speaker, I strongly support this measure, and I again thank Mr. ZELDIN for his excellent work and partnership with me in trying to push the Serbian Government to find justice for these New Yorkers.

Mr. Speaker, I urge all Members to support this measure, and I reserve the balance of my time.

Mr. ZELDIN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in support of H. Con. Res. 32. I wish to start off by thanking the House Foreign Affairs Committee Chairman ELIOT ENGEL for his long-time passion and advocacy on this very important issue for my district, as well as GRACE MENG, who also has been supportive.

This execution-style murder of Ylli, 25 years old, Agron, 23 years old, and Mehmet Bytyqi, 21 years old, has greatly impacted my own district. These were three brothers born in the United States who resided in Hampton Bays, New York.

This year marks the 20th anniversary of the Bytyqi brothers' murder. In July 1999, these three brothers went overseas toward the end of the Kosovo war and were arrested by Serbian authorities for illegally entering the country when they accidentally crossed into Serbian-controlled territory.

The brothers were kidnapped, murdered, and dumped into a mass grave in Serbia by government officials still serving today.

Since taking office, I have been committed to helping the Bytyqi family receive the justice they have long deserved.

In February, Chairman ENGEL and I traveled to Munich to meet with Serbian President Vucic, where he once again promised to resolve the case of the Bytyqi brothers.

Despite many promises by Serbian officials to resolve the case of this state-sponsored murder, there has been no justice served.

This resolution notes that progress with this investigation should remain a significant factor that determines the further developments of U.S.-Serbian relations.

The Bytyqi brothers gave their lives to fight injustice. Now, we must return this favor and deliver justice for their family.

Mr. Speaker, I again thank Chairman ENGEL and lead Republican MCCAUL for their leadership and assistance on this issue.

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

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

Mr. ZELDIN. Mr. Speaker, I have no other speakers and am prepared to close.

Mr. Speaker, once again, I encourage all of my colleagues to support this important resolution.

For those in Serbia listening to today's floor debate, it is an important lesson that, 20 years later, we have not forgotten. We will not forget. We will continue to strongly encourage them to do the right thing. This issue is not going away if they wish it away. On a bipartisan basis, we will continue to advocate to fight this injustice.

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

Mr. ENGEL. Mr. Speaker, I yield myself as much time as I may consume for the purpose of closing.

Mr. Speaker, this is a good measure to seek justice for this senseless murder of three innocent American citizens, three innocent New Yorkers. We cannot allow this horrific crime to continue to go unpunished.

As Mr. ZELDIN mentioned, and others who we have worked with, we have raised this repeatedly with the Government of Serbia to no avail. They know exactly who killed these American citizens. They know what happened and why their bodies were dumped in a mass grave. They are withholding it.

It is unconscionable that these American citizens cannot get justice, that their families cannot get justice.

We will not stop. I know Mr. ZELDIN and I won't, and other people won't, until we get justice and answers as to who killed these American citizens, the Bytyqi brothers, who were born in the United States of America.

Mr. Speaker, I hope all Members will join me in supporting this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 32.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CORPORATE TRANSPARENCY ACT OF 2019

The SPEAKER pro tempore. Pursuant to House Resolution 646 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2513.

Will the gentleman from Illinois (Mr. QUIGLEY) kindly take the chair.

□ 1743

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2513) to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting,

preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, and for other purposes, with Mr. QUIGLEY (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 5, printed in part B of House Report 116–247, offered by the gentleman from Ohio (Mr. DAVIDSON) had been 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 116–247 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. BURGESS of Texas.

Amendment No. 4 by Mrs. CAROLYN B. MALONEY of New York.

Amendment No. 5 by Mr. DAVIDSON of Ohio.

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. BURGESS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. BURGESS) 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 vote was taken by electronic device, and there were—ayes 395, noes 23, not voting 19, as follows:

[Roll No. 573]

AYES—395

Abraham
Adams
Aderholt
Aguilar
Allen
Allred
Amodei
Armstrong
Arrington
Axne
Babin
Bacon
Baird
Balderson
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady
Brindisi
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Cunningham
Curtis
Davids (KS)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Dunn
Emmer
Engel
Escobar
Eshoo
Espaillat
Estes
Evans
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Flores
Fortenberry
Foxx (NC)
Frankel
Fudge
Fulcher
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Gianforte
Gibbs
Golden
Gomez
Gonzalez (OH)
González-Colón (PR)
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Griffith
Grijalva
Grothman
Guest
Guthrie
Haaland
Hagedorn
Harder (CA)
Harris
Hartzler
Hastings
Hayes
Heck
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (NY)
Hill (AR)
Hill (CA)
Himes
Holding
Hollingsworth
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Hudson
Huffman
Huizenga
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Joyce (OH)
Joyce (PA)
Kaptur
Katko
Keating
Keller
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (IA)
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Lesko
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marshall
Matsui
McAdams
McBath
McCarthy
McCaul
McClintock
McCollum
McGovern
McHenry
McKinley
McNerney
Meadows
Meeks
Meng
Meuser
Miller
Mitchell
Moolenaar
Morelle
Mucarsel-Powell
Mullin
Murphy (FL)
Murphy (NC)
Nadler
Napolitano
Neal
Neguse
Newhouse
Norcross
Norton
Nunes
O'Halleran
Ocasio-Cortez
Olson
Palazzo
Pallone
Palmer
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Perry
Peterson
Phillips
Pingree
Plaskett
Pocan
Porter
Posey
Pressley
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reschenthaler
Rice (NY)
Richmond
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose (NY)
Rose, John W.
Rouda
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sablan
San Nicolas
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Shimkus
Simpson
Sires
Slotkin
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Stevens
Stewart
Stivers
Suozzi
Swalwell (CA)
Taylor
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Underwood
Upton
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Waltz
Wasserman Schultz
Waters
Watkins
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yarmuth
Yoho
Young
Zeldin

NOES—23

Amash
Banks
Biggs
Brooks (AL)
Buck
Burchett
Cline
Cloud
Davidson (OH)
Duncan
Gaetz
Gohmert
Gooden
Gosar
Higgins (LA)
Massie
Mast
Mooney (WV)
Norman
Rice (SC)
Riggleman
Roy
Steube

NOT VOTING—19

Bishop (NC)
Collins (GA)
Foster
Gabbard
Gonzalez (TX)
Hunter
Jordan
McEachin
Moore
Moulton
Omar
Peters
Radewagen
Smith (MO)
Smith (NE)
Takano
Timmons
Walorski
Wilson (FL)

□ 1810

Messrs. RICE of South Carolina and GAETZ changed their vote from "aye" to "no."

Ms. ESHOO, Mr. MURPHY of North Carolina, Mses. FUDGE, WATERS, Messrs. GARAMENDI, CRENSHAW, Ms. McCOLLUM, Messrs. CUNNINGHAM, BUTTERFIELD, Ms. SCANLON, Mr. SWALWELL of California, Ms. WASSERMAN SCHULTZ, Mr. NEAL, and Ms. BASS changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. SMITH of Nebraska. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 573.

AMENDMENT NO. 4 OFFERED BY MRS. CAROLYN B. MALONEY OF NEW YORK

The Acting CHAIR (Mr. ESPAILLAT). The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) 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 235, noes 188, not voting 14, as follows:

[Roll No. 574]

AYES—235

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

DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fitzpatrick
Fletcher
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (NY)
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McGovern
McNerney
Meeks
Meng
Mitchell
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
Norton
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Perlmutter
Peterson
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rooney (FL)
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sablan
San Nicolas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Smith (NJ)
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NOES—188

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
González-Colón (PR)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Joyce (OH)
Joyce (PA)
Keller
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Slotkin
Smith (MO)
Smith (NE)
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young

NOT VOTING—14

Bishop (NC)
Collins (GA)
Davis, Rodney
Gabbard
Hunter
Jordan
McEachin
Payne
Peters
Radewagen
Smucker
Takano
Timmons
Zeldin

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1815

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. DAVIDSON OF OHIO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. DAVIDSON) 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 166, noes 258, not voting 13, as follows:

[Roll No. 575]

AYES—166

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Banks
Bergman
Biggs
Bilirakis
Bishop (UT)
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Comer
Conaway
Cook
Crawford
Cuellar
Curtis
Davidson (OH)
DesJarlais
Diaz-Balart
Duncan
Dunn
Estes
Ferguson
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
González-Colón (PR)
Gooden
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Higgins (LA)
Holding
Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Joyce (OH)
Joyce (PA)
Keller
Kelly (MS)
Kelly (PA)
King (IA)
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Marchant
Marshall
Massie
Mast
McCarthy
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (KY)
Rooney (FL)
Rose, John W.
Rouzer
Roy
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smucker
Spano
Stauber
Steube
Stewart
Taylor
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Walberg
Walden
Walker
Walorski
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young

NOES—258

Adams
Aguilar
Allred
Axne
Balderson
Barr
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crenshaw
Crist
Crow
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Emmer
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fitzpatrick
Fletcher
Foster
Frankel
Fudge
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Graves (GA)
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (AR)
Hill (CA)
Himes
Hollingsworth
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCaul
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
Norton
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne

Perlmutter	Schiff	Titus
Peterson	Schneider	Tlaib
Phillips	Schrader	Tonko
Pingree	Schrier	Torres (CA)
Pocan	Scott (VA)	Torres Small (NM)
Porter	Scott, David	Trahan
Pressley	Serrano	Trone
Price (NC)	Sewell (AL)	Underwood
Quigley	Shalala	Van Drew
Raskin	Sherman	Vargas
Rice (NY)	Sherrill	Veasey
Richmond	Sires	Vela
Rogers (AL)	Slotkin	Velázquez
Rose (NY)	Smith (NJ)	Visclosky
Rouda	Smith (WA)	Wagner
Roybal-Allard	Soto	Waltz
Ruiz	Spanberger	Wasserman Schultz
Ruppersberger	Speier	Waters
Rush	Stanton	Watson Coleman
Rutherford	Stefanik	Welch
Ryan	Steil	Wexton
Sablan	Stevens	Wild
San Nicolas	Stivers	Wilson (FL)
Sánchez	Suozzi	Yarmuth
Sarbanes	Swalwell (CA)	
Scanlon	Thompson (CA)	
Schakowsky	Thompson (MS)	

NOT VOTING—13

Bishop (NC)	Jordan	Takano
Carson (IN)	McEachin	Timmons
Collins (GA)	Peters	Zeldin
Gabbard	Plaskett	
Hice (GA)	Radewagen	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Ms. BLUNT ROCHESTER) (during the vote). There is 1 minute remaining.

□ 1824

Messrs. VEASEY and LYNCH changed their vote from ''aye'' to ''no.''

Mr. GONZALEZ of Ohio changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ESPAILLAT) having assumed the chair, Ms. BLUNT ROCHESTER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2513) to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, and for other purposes, and, pursuant to House Resolution 646, she reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

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

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

MOTION TO RECOMMIT

Mr. DAVIDSON of Ohio. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DAVIDSON of Ohio. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Davidson of Ohio moves to recommit the bill H.R. 2513 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 14, line 24, insert before the semicolon the following: '', but only if such request is accompanied by a court-issued subpoena''.

Page 15, line 6, insert before the semicolon the following: '', but only if such request is accompanied by a court-issued subpoena''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio is recognized for 5 minutes in support of his motion.

Mr. DAVIDSON of Ohio. Mr. Speaker, this motion to recommit is about defending freedom. Civil liberties have historically united this great body.

Do any of my colleagues, regardless of party affiliation, really want law enforcement to access the data of small business owners and farmers without cause and without a warrant or subpoena?

Surely, this bill's sponsor would like to see these provisions restored to the current version of the bill so that due process and privacy rights of everyday Americans are protected.

Let's reiterate what this bill, H.R. 2513, does. This bill subjects small business owners, the smallest, 20 or fewer employees, to criminal penalties up to $10,000 in fines or 3 years in prison.

This bill creates yet another Federal Government database containing personally identifiable information of private U.S. citizens. This one collects the addresses and driver's license numbers of owners of legal and legitimate business operations.

A little-known Federal agency, FinCen, and law enforcement will have unbridled access to the database, which has fewer protections than any other existing Federal surveillance programs.

This motion to recommit is a commonsense proposal to require a subpoena so that Federal law enforcement officials do not query the sensitive information of American citizens without cause. The majority should not be opposed to this motion. Treasury already requires similar reporting of beneficial ownership information by banks through the Customer Due Diligence rule, and under the CDD rule, law enforcement must obtain a subpoena.

In fact, the version of the Corporate Transparency Act introduced in the 115th Congress, sponsored by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), only allowed disclosure to federal law enforcement agencies if it had a subpoena, but this language has now been dropped from the bill.

I question why this iteration of the bill would remove the subpoena requirement and why Democratic leadership would reject this amendment when I offered it at the Rules Committee.

On October 8, the Foreign Intelligence Surveillance Court published its previously classified opinion detailing systemic abuses of the FISA program. Federal law enforcement officials at the FBI have improperly queried Section 702 FISA databases to spy on innocent Americans.

This abhorrent behavior violates the privacy rights of American citizens. Collectively, we must ensure that this database is safeguarded from any bad actor, including unauthorized access by Federal employees.

In light of these existing FISA abuses, it is imperative that Congress take steps to restore privacy protections for all Americans.

Starting with more robust safeguards in this bill is a great first step. After all, this bill will require the smallest businesses to file beneficial ownership information with FinCen, creating an estimated 30 to 40 million new filings each year. That is a really big database full of valuable information.

This motion to recommit ensures due process and gives farmers and small business owners confidence that their constitutionally protected right to privacy is not violated.

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

Mr. MALINOWSKI. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 5 minutes.

Mr. MALINOWSKI. Mr. Speaker, this is a rare moment in this House. We have a bipartisan bill, a bill that we have worked together, Republicans and Democrats in the House. We have worked together in the Senate. There is a companion piece of legislation; it has been praised by the Trump administration. We have a chance to do something tremendously good here, and the bill says something very simple: No one should be able to establish in the United States a shell company with completely secret ownership, secret even from law enforcement.

We are saying that we are not Panama. We are not the Cayman Islands. We are not some little island nation tax shelter that puts out a welcome mat for drug dealers and arms dealers and dictators hiding money from their people. We are the United States of America. We are a nation of laws that does not tolerate corruption at home and that fights corruption around the world.

Mr. Speaker, when I was running the Bureau of Democracy, Human Rights

and Labor at the State Department, I would often speak to dissidents fighting for freedom in countries like Russia. And I would say to them, What can we do to help you?

And they would say, You know what, we don't ask you to fight all of our battles for us, but just don't be complicit in what our dictatorship does to us.

And I would say, What do you mean "complicit?"

And they would say, You know what, because of the money that people like Putin and their oligarchs steal from us all goes into banks and real estate in America and in Europe, and they do it through shell companies.

And they were right. Under our current laws, anyone can set up an anonymously owned company to hide the proceeds of corruption or crime. Fentanyl dealers do it, terrorists do it, human traffickers do it, foreign dictators do it.

The wildly corrupt son of Equatorial Guinea's former president, for example, set up a shell company in the United States to launder millions of dollars in bribes from international logging companies.

Corrupt officials in Nigeria use shell companies to steal aid we sent them to fight Boko Haram.

Next time you are in New York City, check out 650 5th Avenue. You can go shopping in the Nike store, on the ground floor; get some shoes. You probably wouldn't realize that the building was owned for 20 years by the Government of Iran, once again using a shell company.

And let's be clear: Shell companies not only allow foreign bad actors to hide dirty money in the United States, they allow them to use that dirty money to corrupt our system. Yeah, I know it is illegal for foreigners to contribute to our campaigns, but if you launder your money through a front company with anonymous ownership, there is very little we can do to stop you.

Now, I am thrilled to hear my Republican colleagues say they are concerned about privacy and civil liberties. But this bill already has extraordinarily strong privacy protections. Law enforcement can only ask for access for this data if there is already an ongoing law enforcement investigation. The whole process is overseen by civil liberties and privacy officers at FinCen, and the information is so simple.

My name: TOM MALINOWSKI.

My address: 86 Washington Street, Rocky Hill, New Jersey, 08553.

My date of birth: 9/23/65.

My driver's license number is too long to read, but you know what, the government already has it.

What the government does not have is the names of the owners of companies that are set up here by foreign kleptocrats, drug lords, and criminals. Law enforcement should have access to that information.

So let me just close by reminding this House who is for this bill:

The National Association of Attorneys General.

The National District Attorneys Association.

The Fraternal Order of Police.

The Society of Former Special Agents of the FBI.

The U.S. Marshals Service Association.

The Small Business Majority.

The Main Street Alliance.

The American Sustainable Business Council.

The bankers' association of every single State that we represent in this body.

Virtually every major human rights and anticorruption group in the United States and around the world.

Please, join them. Join me. Join the bipartisan champions of this blow we are about to strike against corruption. Reject this MTR; support the bill.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. DAVIDSON of Ohio. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of H.R. 2513, if ordered, and the motion to suspend the rules and pass H.R. 2426.

The vote was taken by electronic device, and there were—ayes 197, noes 224, not voting 10, as follows:

[Roll No. 576]

AYES—197

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bishop (UT)
Bost
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Comer
Conaway
Cook
Crawford
Crenshaw
Cunningham
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Horn, Kendra S.
Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young

NOES—224

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill

Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NOT VOTING—10

Bilirakis
Bishop (NC)
Collins (GA)
Gabbard
McEachin
Peters
Swalwell (CA)
Takano
Timmons
Zeldin

□ 1844

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

Mr. DAVIDSON of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 249, nays 173, not voting 9, as follows:

[Roll No. 577]

YEAS—249

Adams
Aderholt
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fitzpatrick
Fletcher
Foster
Frankel
Fudge
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gottheimer
Granger
Graves (GA)
Graves (LA)
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Huizenga
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (NY)
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Loudermilk
Lowenthal
Lowey
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCaul
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Olson
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rogers (AL)
Rooney (FL)
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (NJ)
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stefanik
Stevens
Suozzi
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Upton
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Waltz
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams
Wilson (FL)
Yarmuth

NAYS—173

Abraham
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bishop (UT)
Bost
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cline
Cloud
Cole
Comer
Conaway
Cook
Crawford
Crenshaw
Cuellar
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gonzalez (TX)
Gooden
Gosar
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Keller
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Lucas
Marchant
Marshall
Massie
Mast
McCarthy
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Palazzo
Palmer
Pence
Perry
Peterson
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (KY)
Rose, John W.
Rouzer
Roy
Scalise
Schweikert
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smucker
Spano
Stauber
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tipton
Turner
Van Drew
Walberg
Walden
Walker
Walorski
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young

NOT VOTING—9

Bilirakis
Bishop (NC)
Collins (GA)
Gabbard
McEachin
Peters
Takano
Timmons
Zeldin

□ 1850

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COPYRIGHT ALTERNATIVE IN SMALL-CLAIMS ENFORCEMENT ACT OF 2019

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2426) to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. JEFFRIES) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 6, not voting 15, as follows:

[Roll No. 578]

YEAS—410

Abraham
Adams
Aderholt
Aguilar
Allen
Allred
Amodei
Armstrong
Arrington
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bishop (GA)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Bustos
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cline
Cloud
Clyburn
Cohen
Cole
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Cunningham
Curtis
Davids (KS)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duncan
Dunn
Emmer
Engel
Escobar
Eshoo
Espaillat
Estes
Evans
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Flores
Fortenberry
Foster
Foxx (NC)
Frankel
Fudge
Fulcher
Gaetz
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Gibbs
Gohmert
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
Gooden
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Griffith
Grijalva
Grothman
Guest
Guthrie
Haaland
Hagedorn
Harder (CA)
Harris
Hartzler
Hayes
Heck
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Higgins (NY)
Hill (AR)
Hill (CA)
Himes
Holding
Hollingsworth
Horn, Kendra S.
Horsford
Houlahan
Hoyer

Hudson
Huffman
Huizenga
Hunter
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Jordan
Joyce (OH)
Joyce (PA)
Kaptur
Katko
Keating
Keller
Kelly (IL)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (IA)
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Lesko
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marshall
Mast
Matsui
McAdams
McBath
McCarthy
McCaul
McClintock
McCollum
McGovern
McHenry
McKinley
McNerney
Meadows
Meeks
Meng
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mucarsel-Powell
Mullin
Murphy (FL)
Murphy (NC)
Nadler
Napolitano
Neal
Neguse
Newhouse
Norcross
Nunes
O'Halleran
Ocasio-Cortez
Olson
Omar
Palazzo
Pallone
Palmer
Pappas
Pascrell
Payne
Pence
Perlmutter
Perry
Peterson
Phillips
Pingree
Pocan
Porter
Posey
Pressley
Quigley
Raskin
Ratcliffe
Reed
Reschenthaler
Rice (NY)
Rice (SC)
Richmond
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose (NY)
Rose, John W.
Rouda
Rouzer
Roy
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Shimkus
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Steube
Stevens
Stewart
Stivers
Suozzi
Swalwell (CA)
Taylor
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Upton
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Wasserman Schultz
Waters
Watkins
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yarmuth
Yoho
Young
Zeldin

NAYS—6

Amash
Davidson (OH)
Gianforte
Kelly (MS)
Massie
Norman

NOT VOTING—15

Bilirakis
Bishop (NC)
Butterfield
Collins (GA)
Gabbard
Hastings
McEachin
Panetta
Peters
Price (NC)
Rooney (FL)
Sensenbrenner
Takano
Timmons
Turner

□ 1859

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. TAKANO. Mr. Speaker, please accept the following vote recommendations in my absence as I represent the United States at the formal ascension of the Emperor in Japan. Had I been present, I would have voted: "yea" on rollcall No. 571, "yea" on rollcall No. 572, "yea" on rollcall No. 573, "yea" on rollcall No. 574, "nay" on rollcall No. 575, "nay" on rollcall No. 576, "yea" on rollcall No. 577, and "nay" on rollcall No. 578.

HONORING THREE AMERICAN HEROES KILLED AT FORT STEWART, GEORGIA

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

Mr. CARTER of Georgia. Madam Speaker, I rise today to honor three American heroes who lost their lives this weekend in a training accident at Fort Stewart in the First Congressional District of Georgia.

The incident happened at approximately 3:20 a.m. Sunday morning when the Bradley Fighting Vehicle they were riding in rolled off a bridge and was submerged in a stream. Three soldiers were killed and three others were injured.

The heroes who lost their lives that day were Sergeant First Class Bryan Andrew Jenkins of Gainesville, Florida, Private First Class Antonio Gilbert Garcia of Peoria, Arizona, and Corporal Thomas Cole Walker of Ohio.

Sergeant First Class Jenkins was born on December 29, 1977, and had served in the Army since 2001.

Corporal Walker was born on August 5, 1997, and had served in the Army since 2016.

Private First Class Garcia was born on August 1, 1998, and had served in the Army since 2018.

This is a tragic and devastating loss for our community and for our Nation. These servicemembers gave everything for their Nation, including their lives.

Please join me praying for their family, friends, and the entire 3rd ID community.

The sacrifices of our military families are greater than most of us will ever know.

We also pray for healing for the soldier injured in the incident. These men represent the greatest among us.

It will take time to grapple with this loss, but I know the Fort Stewart and 3rd ID communities are strong in their resolve. We are with you in this most difficult time.

I am glad to be joined tonight by my fellow members of the Georgia delegation and Representatives from the hometowns of these heroes.

Please join me in honoring these heroes. I ask that all Members and guests in the gallery rise for a moment of silence.

HELPING SENIORS AFFORD HEALTHCARE

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

Ms. BLUNT ROCHESTER. Madam Speaker, I am proud to report that last week the Energy and Commerce Committee advanced H.R. 3, the Lower Drug Costs Now Act.

We also passed out of committee H.R. 4671, the Helping Seniors Afford Healthcare Act, which I introduced with my colleagues Representatives ANDY KIM and DWIGHT EVANS.

Currently, Medicare beneficiaries receive financial assistance for their premiums and out-of-pocket costs through the Medicare Savings Programs, or MSPs.

Medicare takes great strides to protect low-income beneficiaries through these programs, but there are millions of Americans who fall through the cracks. My bill expands access to the MSPs so more Medicare beneficiaries will be protected from soaring healthcare costs.

I urge my colleagues on both sides of the aisle to join me in supporting the passage of H.R. 3 and H.R. 4671.

WHAT DO THEY HAVE TO HIDE?

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

Mr. SCALISE. Madam Speaker, like so many of my colleagues here today on the floor, I rise in strong opposition to the way that this impeachment inquiry is being conducted—in secret, behind closed doors.

Madam Speaker, we had an election in 2016 and the people of this country spoke loudly. Not only that, Madam Speaker, there is going to be another election next year, and that is when the people of this country should be able to decide who the next President is.

This shouldn't be conducted behind closed doors. Not only is it an impeachment inquiry that has not had a vote of the full House, which every other impeachment inquiry has had, but there are actual voting Members of Congress who are being denied access to these hearings, denied the ability to see what is happening behind closed doors.

What do they have to hide, Madam Speaker? Why aren't they willing to have a vote on the House floor?

This is not the way it should be done. Maybe in Russia this is how they conduct hearings. This is not how it should be done in the United States of America, where Members of Congress are denied access, the press is denied access, and, ultimately, the American people are denied access to what is going on behind closed doors to overturn the results of the 2016 election.

WORKING FOR THE PEOPLE

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

Ms. PLASKETT. Madam Speaker, during this difficult time, the House will continue our strong legislative agenda for the people: lowering healthcare costs, creating bigger paychecks, building the physical and human infrastructure of America.

My friends on the other side of the aisle want to belittle our work here by focusing solely on the impeachment process. The American people want the truth. The House will proceed with our impeachment inquiry to find the facts and expose the truth, guided by our Constitution and the facts. This is about patriotism, not politics or partisanship.

I am pleased that, despite the Senate's refusal to move on legislation passed in the House, my office continues to work hard on behalf of the people of America.

My office was successful in convincing HUD to release CDBG funding for mitigation activities. $774 million in HUD CDBG mitigation funds have been released to the Virgin Islands.

The House doubled the funding on the Violence Against Women Act for my people.

The House has averted the Medicaid cliff, increasing the Federal Government's share of spending to the Territories.

We wait on the Senate to act.

CONGRESS HAS A DUTY TO THE AMERICAN PEOPLE

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

Mr. McCARTHY. Madam Speaker, Members of Congress have a solemn duty to work to keep our Nation safe, secure, and more prosperous than it was yesterday. We are expected to analyze sensitive information to gain a more in-depth understanding of the needs of the American people and the threats our country faces on a daily basis.

That role is even more consequential for the members of the Intelligence Committee, who are entrusted with the privileged information that other Members cannot access. You would expect them to focus day and night on securing our Nation and promoting our national security priorities abroad, but that has not been the case in this Congress.

Under the Democratic majority, the most basic responsibilities of the committee have been neglected. Instead, the House Intelligence Committee is using its time and resources to run a sham impeachment inquiry in secret.

Members of this Chamber will be asked to take one of the gravest votes a Member could take before seeing a single transcript from a witness deposition. The information Members and the public hear is incomplete or intentionally distorted by selective leaks.

Madam Speaker, at what cost does this impeachment effort come?

As Democrats push forward with this sham partisan process, our Nation is losing its intelligence edge around the world, particularly against China. Not only are there significant intelligence gaps in order to accurately assess the Chinese threat, the Chinese are actually ahead of us when it comes to technological capabilities that are critical to national security.

The Intelligence Committee's members are uniquely qualified to formulate our Nation's response, but they cannot address these challenges because of the committee's continued distraction over impeachment.

The larger issue goes beyond what the Democrats are doing in one committee. It is what they have failed to do as a majority. Their trend of inaction strikes at home.

They have failed to swiftly pass the United States-Mexico-Canada Agreement. In fact, they voted to prioritize impeachment over it earlier today.

They have failed to address surprise medical billing.

They have failed to secure our border or reform our crumbling infrastructure.

They have failed to lower prescription drug prices in a bipartisan way.

The House Democrats are failing to pass appropriations bills that would end the continuing resolution and fund the government. As a result, pay increases for our troops, disaster recovery funds, and NIH medical research funding are all at a stalemate.

Each of these failures represent an enormous opportunity cost for the American people.

Democrats have chosen impeachment over getting anything done, even though they previously warned of that exact problem.

In August, Congresswoman SLOTKIN said: ''People in my district are wanting us to pass bills, and they fear that if we go down this path of impeachment, we're not going to be working on the things that affect their lives, their pocketbooks, and their kids.''

In September, Congressman MAX ROSE said: ''Impeachment will not fix our roads and bridges or lower the cost of drugs. . . . The truth is impeachment will only tear our country further apart, and we will see no progress on the enormous challenges we face as a nation.''

Democrats said their majority would be different. They promised the American public, if they entrusted them with the majority, they would act differently, that they would put people before politics.

Madam Speaker, in the polls we see today, more people can tell you about the investigations but can't tell you anything that has been accomplished. They have broken their promise to solve problems, work for all Americans, and focus on passing legislation.

Madam Speaker, there are 22 legislative days left on the calendar—22. In that brief time, we have a lot of work to do, but we cannot fulfill our responsibilities if Members in this Chamber continue to turn their backs on the promise they made when their constituents sent them to Washington.

Madam Speaker, how much money was spent? How many ads were made? And how many promises were given that this majority would be different, how many things they said they would accomplish?

And how much time have they wasted? We are 13 months from an election, but we have not accomplished a thing.

We are better than this.

Madam Speaker, if you only listened to what Members on the other side of the aisle said just in August and September, before the political pressure forced them to change their mind.

Madam Speaker, if the Speaker had only waited 48 hours, we would not put America through another nightmare. We would not break the fabric of democracy of this Nation.

Madam Speaker, this is the people's House. We have got 22 more days. We ask that you keep the promise you made to the American public and you stop this sham of an impeachment you call.

□ 1915

LYNCHING WARRANTS AN ENHANCED SENTENCE UNDER HATE CRIME STATUTES

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

Mr. RUSH. Madam Speaker, between 1882 and 1968, 3,446 African Americans were lynched in this Nation. This fact appears to be completely lost on the President, who just this morning conflated constitutionally mandated oversight with the horrific act of lynching.

The heinous nature of lynching is why I have introduced H.R. 35, The Emmitt Till Antilynching Act. Madam Speaker, this bipartisan bill would specify that lynching is a crime in and of itself, and that its vile nature warrants an enhanced sentence under hate crime statutes.

I would encourage all my colleagues to support this bill and to reject this President's vile rhetoric.

THE PARTISAN IMPEACHMENT INQUIRY IS DANGEROUS

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

Ms. FOXX of North Carolina. Madam Speaker, an impeachment inquiry is one of the most serious actions the House can take. But the gravity of such proceedings seem to be lost on the Democratic Caucus.

As a reminder, I would like to quote Federalist 65:

The prosecution of impeachment will seldom fail to agitate the passions of the whole community, and to divide it into parties more or less friendly or inimical to the accused. In many cases it will connect itself with the preexisting factions and will enlist all their animosities, partialities, influence and interest on one side or the other; and in such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties than by the real demonstrations of innocence or guilt.

Speaker PELOSI's impeachment inquiry by fiat has realized this greatest danger. I call on her to allow for an open debate on this process immediately.

HONORING THE 2019 NATIONAL GOLD AWARD GIRL SCOUT MEGAN LOH

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

Mr. CISNEROS. Madam Speaker, I rise today to recognize 39th Congressional District resident Megan Loh and her passion to ensure more young women and girls are represented and encouraged to participate in the field of science, technology, engineering, arts, and mathematics.

Megan, an avid Girl Scout and Troy High School student from Fullerton, formed her own nonprofit GEARup4Youth to encourage girls interested in STEAM and STEM career paths.

GEARup4Youth has already benefitted more than 9,500 girls to date.

Megan also initiated the first girls-only robotics class at a local Boys & Girls Clubs of America. And she partnered with over 200 organizations to host presentations, family STEM events, and expos about her technology curriculum.

Megan even authored her own book, ''Easy STEM Activities You Can Do At Home'' in order to broaden more young girls' interests in STEAM.

For all her amazing and passionate work on behalf of young girls, Megan was named one of the 2019 National Gold Award Girl Scouts. In Megan's own words, we must continue to show young girls that they do belong in tech fields that aren't simply open to them, but need them. And as an education advocate, I couldn't agree more.

I ask my colleagues to join me in offering my sincerest congratulations to Megan and thank her for all her work on behalf of young women like herself.

WHAT ARE THE DEMOCRATS HIDING?

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

Mr. JORDAN. Madam Speaker, what are the Democrats hiding? What are they hiding? Trying to impeach the President of the United States 13 months before an election based on an anonymous whistleblower with no first-hand knowledge, who has a bias against the President, who worked with Joe Biden, who wrote a memo the day after the call. And he described the call as ''frightening, scary,'' but then he waits 18 days before he files the complaint. And who does he run off and see during that 18-day timeframe? ADAM SCHIFF, the guy who is running the secret process in a bunker in the basement of the Capitol.

What are they hiding from the American people? Americans get fairness. They understand it. And they instinctively know that this secretive process is not fair. 435 Members of the House representing over 300 million people in this country, and only one of them, ADAM SCHIFF, knows who the guy is who started this whole darn charade. ADAM SCHIFF is the only one who knows. Why don't the rest of us? Why don't, more importantly, the 300 million people who we all get the privilege of representing, why don't they know who the people are who started this whole darn process that the American people see through?

Americans get fairness, and they know this is instinctively unfair.

HONORING CONGRESSMAN ELIJAH CUMMINGS

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

Ms. TLAIB. Madam Speaker, I rise today to honor our chairman, Elijah Cummings.

He was my first chairman. Chairman Cummings believed in the possibility of better from this institution. He understood that our squad was big and embraced the new era of social justice movement in our country. Congressman Cummings' presence was iconic, and I am humbled and honored to have served with him.

I pray that Congressman Cummings' wife and family find peace during this very difficult time in knowing that he has left a powerful legacy that has been centered on truth and justice.

I have a picture of my son with Congressman Cummings. He always said that children are the messages we send in the future. And so I wanted to honor Congressman Cummings by showing and displaying just the beautiful smile I remember that he provided for my 14-year old boy.

A MATTER OF JURISDICTION

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

Mr. CONAWAY. Madam Speaker, I have had the privilege and honor of serving most of my career in Congress on the Permanent Select Committee on Intelligence. It is important work that goes on in secret, typically, and it is really important. Typically it involves the oversight of 17 agencies which we empower to protect this Nation from enemies abroad.

That important work has been highjacked by this investigation, which is being led by the Permanent Select Committee on Intelligence. The Intelligence Committee works with sources and methods. Madam Speaker, there is nothing classified about anything that is going on downstairs in our SCIF. There are no sources or methods at risk here.

This is a jurisdictional issue. This investigation, should it be happening at all, should be done by the Committee on the Judiciary. That is where Articles of Impeachment will have to come from, not the Intelligence Committee. Our good work that is important to this Nation is being highjacked by this process that should not even, in my view, be going on. But if it should be going on, Chairman NADLER should be the one leading this effort, not Chairman SCHIFF.

I ask the Speaker to go the normal route, put the inquiry on the floor, have us vote on that, allow all of us to express our opinion, not just hers, but all of our opinions on this issue.

OUR DEMOCRACY IS UNDER ATTACK

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

Ms. GARCIA of Texas. Madam Speaker, our democracy is under attack. In 2016, Russia engaged in misinformation campaigns aimed at influencing our election results. Earlier this month, the Senate Intelligence Committee released a report that warns that these campaigns could evolve, intensify, and inspire other bad actors to make similar attempts in 2020.

Just yesterday, Facebook reported it shut down new accounts linked to Iran and Russia that are trying to influence our elections next year. Each and every one of us swore an oath to uphold and defend our Constitution against all enemies foreign and domestic.

Now is the time to live up to that oath. No foreign government can be allowed to jeopardize the future of our democracy. I, therefore, ask each and every one of you today, what will you do to defend our democracy?

IT IS TIME THAT WE PUT THE FACTS ON THE TABLE

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

Mr. MEADOWS. Madam Speaker, in a SCIF in the basement of this very building is a secret process, a process that is designed to keep the truth from the American people. Now, it is not

based on firsthand comments. It is based on secondhand gossip.

And I can tell you, what I have heard for over 60 hours needs to be heard by the American people, because ultimately this President did nothing wrong. And we need to make sure that we send a clear message to the rest of America that we are a transparent body, not one that is held with secrets.

And yet here we are with ADAM SCHIFF providing leading questions, trying to actually get to a foregone conclusion in his mind. It is time that we hold him accountable and the rest of this body. Open it up. Let's be transparent. Let's send a message to the Senate, who ultimately is going to have to be the judge and jury of this. It is time that we put the facts on the table. The facts will exonerate our President.

HONORING SALEM COUNTY HISTORICAL SOCIETY

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

Mr. VAN DREW. Madam Speaker, in 1884, residents of Salem County, south Jersey gathered at the local library with the intent of protecting the history of the region. This group established the Salem County Historical Society and began regular meetings all the way back in 1885. Now the museum allows visitors to wander the exhibits and admire the historical artifacts.

It was Albert Einstein who once said, ''learn from yesterday, live for today, hope for tomorrow.'' It has also been said that you cannot truly understand who you are and what you are about as a society if you don't know who you were and where you were in the past.

It is because of the crucial role of the Salem County Historical Society that we are better able to learn from our past in south Jersey as we move towards a better tomorrow.

Thank you for preserving the past of south Jersey and providing educational experiences for the members of our community. You truly are stars.

DEMOCRATS ARE TRYING TO IMPEACH THE PRESIDENT FOR FOLLOWING A LAW THAT THEY VOTED FOR

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

Mr. BARR. Madam Speaker, in 2014 this House unanimously passed the Ukraine Freedom Support Act. That legislation authorized funds to ''counter corruption, and improve transparency and accountability of institutions that are part of the Government of Ukraine.'' Every Democrat voted for that legislation.

In 2017, the House passed 375–34 with 145 Democrats supporting the National Defense Authorization Act, which required the executive branch to certify that Ukraine was making certain defense reforms and countering corruption.

In 2018, Congress reauthorized that language, and 127 Democrats supported it.

And finally in 2019, they reauthorized that again with 139 Democrats supporting it.

The President not only had the authority to do what he did in the call with President Zelensky, he had a legal obligation to do so.

Madam Speaker, this Democrat majority is trying to impeach the President for following a law that they voted for.

DEMOCRATS ARE WORKING HARD TO SAFEGUARD THE HEALTH OF OUR NATION

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

Ms. SCHAKOWSKY. Madam Speaker, the Republicans in the House are all lined up to whine about an investigation that the majority of Americans want to see happen.

While the President of the United States has the gall to compare this constitutional process to the horrific history of lynching in this country, House Democrats are busy working hard to safeguard the healthcare of Americans.

H.R. 3 is a transformative piece of legislation, a historic step forward to finally control the extraordinarily high prices of the pharmaceutical companies. Negotiation is the most effective way to protect consumers from Big Pharma's predatory pricing practices, and the Congressional Budget Office said that at least $345 billion will be realized in savings when we pass this bill.

Madam Speaker, 90 percent of Democrats, 87 percent of independents, and 80 percent of Republicans want this legislation. Get busy and help the American people.

□ 1930

STOP THE IMPEACHMENT THEATER

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

Mr. WALBERG. Madam Speaker, our duly elected President took office, and even before that, House Democrats have been calling for his impeachment.

The rationale may keep changing, and it will, but their quest for impeachment has been never-ending. Yet for some reason, this impeachment inquiry is being conducted behind closed doors, leaving many Members of this body and the American people, most importantly, in the dark.

Is that fairness?

They are even refusing to take a formal vote here on the House floor. A fair and open process appears to be the least of their concerns.

Instead of wasting valuable time with this baseless inquiry, there is so much more we could and should be doing.

We could be ratifying the United States-Mexico-Canada Agreement to help manufacturers and farmers in my district in Michigan and across the country.

We could be working in a bipartisan fashion to lower healthcare costs, to continue growing a healthy economy, and to rebuild our roads and bridges.

Let's stop the impeachment theater and get back to the pocketbook issues that our constituents care about.

WE THE PEOPLE GROW WEARY

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

Mr. HIGGINS of Louisiana. Madam Speaker, the Democrats' entire case against the President is built on hearsay, unverified third-party accounts, and opinion.

No cop in America could righteously make any arrest with that degree of evidence, not even a misdemeanor, much less something as sobering as the impeachment of our duly elected President.

They tread upon the very colors of our flag. Contrary to our constitutional oath, they are conducting a secret investigation disguised as an impeachment inquiry, calling forth only prosecutorial hearsay demonstration, hearsay testimony deemed most likely to condemn the President, witnesses selected and screened by ADAM SCHIFF.

True investigators interview everyone, not just those who lead to a predetermined conclusion. Democrats are handpicking witnesses and selectively releasing information to mislead the American people.

This is dangerous, it is wrong, and we the people grow weary.

OPPOSING IMPEACHMENT

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

Mr. MOOLENAAR. Madam Speaker, the impeachment inquiry underway in the House has been shrouded in secret meetings and out of view from the American people.

My constituents have told me that they oppose this investigation and they believe the House should be taking up legislation that needs to be done to help hardworking Michigan residents.

First and foremost, the House should pass the United States-Mexico-Canada Trade Agreement without delay. This agreement will benefit hardworking Michigan residents, especially in industries vital to our State, including manufacturing and agriculture. They will have new markets for their products, and the profits they make will come

back to our communities in mid and northern Michigan.

I have also been a strong advocate for the Great Lakes Restoration Initiative and for funding the construction of a new lock at the Soo Locks.

Yet these priorities are now funded under a temporary stopgap, and after weeks of delays caused by Senate Democrats who want to renegotiate, we now face the prospect of an impeachment trial that will bog down activity in the Senate even further in the future.

POLITICALLY MOTIVATED CHARADE

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

Mr. BERGMAN. Madam Speaker, since November 9, 2016, Democrats have been calling for the removal of President Trump.

Even before he took office, they have been protesting the results of the election and have sought to delegitimize his historic win in battleground States like Michigan.

Breaking with historical precedent, House Democrat leadership will not hold a vote on this extremely consequential matter. House Democrats have created a toxic work environment, resulting in nothing getting done, no good policy or law created, no regular order.

This is a politically motivated charade attempting to undermine and diminish the effectiveness of a duly elected President and his administration based on bias, prejudice, and disgraceful politics.

The people of the First District of Michigan sent me here to work with others to get things done and represent the people with honor and integrity. I am sure my 434 colleagues were sent here with the same mission.

It is high time to get back to real work.

SHAM IMPEACHMENT PROCESS

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

Mr. JOYCE of Pennsylvania. Madam Speaker, I rise today to bring attention to the sham impeachment process being run out of this esteemed House.

As House Democrats continue to pursue politically motivated attacks on President Trump, it is alarming that their leaders are withholding evidence and facts from elected Members of our Congress.

Last week, I sent letters to the chairs of the House Permanent Select Committee on Intelligence, the Committee on Oversight and Reform, and the Committee on Foreign Affairs to inform them of my intent as an elected Member of the 116th Congress to review documents and records in possession of their committees. We must be allowed to do our jobs.

The fair choice is clear. We cannot allow House Democrats to continue issuing political attacks behind the safety of clandestine, closed doors.

Madam Speaker, I stand for transparency and I stand for accountability. I stand for fairness. It is time for this body to restore its integrity.

CLOAK-AND-DAGGER IMPEACHMENT

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

Mr. WESTERMAN. Madam Speaker, this cloak-and-dagger impeachment process is unprecedented, uncalled for, and unfair to the American people.

When I, a Member of Congress, am turned away from reading testimony from Chairman SCHIFF's closed-door hearings, how can I keep informed on a narrative that is constantly changing?

How are we supposed to know all the facts when the Intelligence Committee is selectively leaking information to the press, creating a biased narrative while shrouding the truth in darkness?

Will we ever get information before there is a vote on impeachment, or will the Speaker continue allowing secret hearings and inquiries to drag on?

These are questions every American should be asking.

Impeachment undoes an election and is the most serious tool Congress can use. We should treat it as such. Instead, we have seen Democrats calling for it since before President Trump was even inaugurated.

One of my Democrat colleagues recently said: If President Trump isn't guilty, he needs to prove it.

That is not how America works. It is the Speaker's responsibility to lay out the evidence in an open, transparent way so we can debate it and vote on it.

IMPEACHING WITH A VENGEANCE

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

Mr. BYRNE. Madam Speaker, today the Democratic majority is not judging the President with fairness, but impeaching him with a vengeance.

In the investigation of the President, fundamental principles which Americans hold dear, privacy, fairness, checks and balances, have been seriously violated, and why? Because we are here today because the Democrats in the House are paralyzed with hatred of President Trump, and until the Democrats free themselves of this hatred, our country will suffer.

Now, if that sounds familiar, you have got a longer memory than the Democrats. Those same comments, but addressing Republicans' actions towards President Clinton, were made by NANCY PELOSI in 1998.

Could there be a clearer indication of the hypocrisy that fuels the Democratic sham impeachment process currently taking place behind closed doors?

If Speaker PELOSI and the Democrats truly care about, in PELOSI's own words, "the fundamental principles which Americans hold dear, privacy, fairness, checks and balances," they will restore transparency and integrity to this process.

IMPEACHMENT SAD ACT OF POLITICAL THEATER

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

Mr. CLINE. Madam Speaker, time and again my colleagues on the other side of the aisle have made it clear that this impeachment process is nothing but a sad act of political theater.

The impeachment of a President, the attempt to insert the U.S. Congress between the American people and the President they elected 3 years ago, the attempts by this House leadership to prevent the American people from making their choice in the election next November, this is a serious matter and must not be abused as a tool for partisan gain or advantage in the next election.

I have witnessed Democrats on the Judiciary Committee, as a proud member of that committee, repeatedly fail to find evidence to support a case for impeaching this President.

Now, in the realization of this fact and at the expense of fundamental fairness and due process, the Speaker has removed any further investigation from the Judiciary Committee so that impeachment can be conducted in secret and out of public view—no vote to proceed, no public hearings, no access to testimony, no ability to call witnesses.

This is a sham, and the American people won't have it any longer.

IMPEACHMENT IN THE SHADOWS

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

Mr. ADERHOLT. Madam Speaker, unfortunately, the Democrats continue to investigate the President in secret back rooms of the Capitol in the Intelligence Committee.

If the Speaker believes that the Members of Congress can ultimately vote and impeach the President based on bogus evidence that has never seen the light of day, then she is badly mistaken.

In the past 50 years, this body has held impeachment proceedings for only two Presidents: One was a Democrat; one was a Republican. Those were serious times when both parties came together to conduct solemn business required under the Constitution, a document that we as Members of Congress are sworn to uphold.

Conducting this impeachment process in the shadows is a mockery of the

democratic process. It actually belittles our duty, and it belittles the votes of people who duly elected this President.

Madam Speaker, in closing, I call on Speaker PELOSI to sit down with the Republican leadership to establish an open and transparent process based on precedent.

IMPEACHMENT SHAM

(Mr. KEVIN HERN of Oklahoma asked and was given permission to address the House for 1 minute.)

Mr. KEVIN HERN of Oklahoma. Madam Speaker, Republican or Democrat, we can all agree on this: When you have been accused of something, you have the right to publicly defend yourself.

My colleagues across the aisle are making heinous accusations about President Trump but are refusing to give him a voice in the process to defend himself.

Any impeachment proceeding in the history of our country has operated with full transparency and with a bipartisan effort, but that is not what is happening here.

Subpoenas are flying right and left without any consultation of the minority. Interrogations and hearings are happening in secret.

Why isn't the media demanding to be in the room instead of waiting for individuals to come out and get cherry-picked information?

The American people deserve better.

If they had solid evidence or even a factual basis for impeachment, they would be shouting it from the rooftops and broadcasting it on every screen in America.

This is a sham process. It makes a mockery of our government.

We must end this illegitimate inquiry and return to the rules and traditions that have governed this body for the last 232 years.

SO-CALLED IMPEACHMENT INQUIRY

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

Mr. NORMAN. Madam Speaker, I came to Congress to vote on legislation and basically go to work. What have we done for the last couple of weeks? Nothing.

Instead of concentrating on things that matter to this country, their intent is to reverse the election in 2016 of President Donald Trump.

In America, when you commit a crime, you get the evidence and then you have a verdict. What the Democrats, NANCY PELOSI and ADAM SCHIFF, are doing now, they have got the verdict. They are trying to get evidence, and then they are going to try to fish for a crime.

Madam Speaker, the public deserves better than this. We are better than this. And this sham process, as has been done in the Soviet Union, should not be done in the Halls of Congress.

□ 1945

PUTTING PARTISAN POLITICS OVER THE GOOD OF OUR NATION

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

Mr. CARTER of Georgia. Madam Speaker, I rise today to support President Donald J. Trump.

The Democrats' entire impeachment process has been a sham since day one. The chairman of the House Intelligence Committee, who was in charge of leading the inquiry, has lied to the American people.

Chairman SCHIFF made up his own version of the President's call with Ukraine. He lied about his dealings with the whistleblower and has misled the country about the Trump campaign and Russia for years.

Unfortunately, House Democrats again put partisan politics over the good of our Nation last night by blocking a vote to censure and condemn ADAM SCHIFF. The chairman in charge of this ridiculous impeachment inquiry must be held accountable for blatantly misleading the American people.

We have all seen the transcript of the call between President Trump and the President of Ukraine. There was nothing there. So my Democratic colleagues are left with making up their own stories and seeing what people will believe.

Democrats won't even allow noncommittee members to attend depositions and interviews, nor will they specify their authority to do so.

Madam Speaker, our country deserves better.

WHAT IN THE WORLD IS GOING ON IN THE PEOPLE'S HOUSE?

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

Mr. DUNCAN. Madam Speaker, the American people are asking: What in the world is going on in the people's House? But it is easy to see when you hear the words from Mr. GREEN from Texas, who said: ''If we don't impeach this President, he will get reelected.''

That has led to closed-door hearings, secret depositions, and a parity by a committee chairman. Nothing good happens in the dark behind closed doors. In fact, the German people knew this after reunification at the end of World War II.

At the end of years of being behind the Iron Curtain, they rebuilt their Parliament with a glass dome and a mirrored spire, directing sunlight into the chamber, a chamber made of glass walls for sunlight and transparency.

This people's House operates the same way, or at least it should, until these hearings, behind closed doors, these secret depositions happen.

Madam Speaker, I support President Trump.

THE AMERICAN PEOPLE DESERVE MORE

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

Mr. NEWHOUSE. Madam Speaker, I stand with my Republican colleagues tonight as the people's House faces an unprecedented and illegitimate impeachment process.

House Democrats' secret impeachment proceedings behind closed doors are keeping the American people in the dark. Members in the minority are being shut out of the process, which threatens to erode the most basic standards of transparency in our Nation's government.

The Mueller investigation didn't give them what they wanted, so now they conduct secret proceedings behind these closed doors. This simply is unacceptable.

As I have continued to state on behalf of my constituents, Congress should be legislating on behalf of the American people, not wasting valuable legislative time and millions of taxpayer dollars.

We should be passing the USMCA and meaningful reforms for our farmers and ranchers. We should be passing bipartisan infrastructure legislation, and we should be addressing the devastating crisis of missing and murdered indigenous women.

Instead, House Democrats choose to continue endless partisan investigations and reckless impeachment inquiries. Madam Speaker, the American people deserve more.

LET'S GET BACK TO WORK

(Mrs. HARTZLER asked and was given permission to address the House for one minute.)

Mrs. HARTZLER. Madam Speaker, I rise today in defense of my constituents who deserve action on issues that will improve their lives and strengthen our Nation. However, instead of focusing on bipartisan solutions, House leadership is focusing on partisan antics to impeach the President.

On November 8, 2016, nearly 138 million Americans cast their votes to decide the occupant of the White House. Now these voters are being disenfranchised by Washington Democrats who seek to nullify the election results. They are using any means necessary to remove the President because they cannot beat him at the ballot box. Now, the latest attack is the deployment of a costly and partisan impeachment process.

Madam Speaker, I was elected to represent the great people of Missouri's Fourth Congressional District, and they have spoken. They want Congress

to work on everyday issues, such as the rising cost of healthcare, crumbling roads and bridges, and an opportunity to increase trade by passing USMCA.

Madam Speaker, let's get back to work.

CONSPIRACY OF COUP ATTEMPT

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

Mr. PALMER. Madam Speaker, calling this a constitutional impeachment process is a farce and a gross misrepresentation of what is taking place. The entire process has flown in the face of precedent, procedure, and decency, with no regard whatsoever for the good of the country. It is politics at perhaps the worst we have seen in our Nation's history.

The Democrats started their effort to depose President Trump even before he took office, starting with the Russia collusion hoax.

Witness interviews are being conducted behind closed doors while Members of Congress, who have the responsibility to vote on the testimony of these witnesses, are shut out.

The chairman of the Intelligence Committee is having secret phone calls, talking with alleged whistleblowers, and withholding information from Members of Congress and the public that is vital to this inquiry.

This is shameful. This is really a conspiracy to remove a duly elected President.

The Democrat majority is engaged in an effort to conduct a trial with a predetermined outcome to remove President Trump from office using tactics unbecoming and unfitting the Republic we serve and this House.

This is not a legitimate inquiry; it is a coup attempt. It is time to stop this charade.

LET'S GET ON WITH WORKING FOR THE AMERICAN PEOPLE

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

Mr. JOHNSON of Ohio. Madam Speaker, once again, Members returned to Washington this week. And, once again, important bipartisan work on issues like lowering prescription drug prices, encouraging rural broadband build-out, passing the USMCA trade bill, and improving America's aging infrastructure has stalled because of the very partisan efforts to impeach President Trump.

This week, the Democratic majority will hold more secret meetings in the Capitol basement, release more selective, cherry-picked leaks designed to confuse the American people, and continue their guilty-until-proven-innocent sham to impeach the President.

They have been plotting this since he was walking down Pennsylvania Avenue on January 20, 2017, and probably even before that. But, the Russian collusion hoax failed miserably, and the Robert Mueller testimony gave them nothing. So, now, they are on to plan B.

They say they have the evidence to impeach, but we have already heard that song. Democratic leaders have claimed to have evidence before. Let's see if they can actually produce their evidence this time.

Let's get on with working for the American people.

IMPEACHMENT TRANSPARENCY

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

Mr. WILLIAMS. Madam Speaker, my colleagues on the other side of the aisle have been trying to impeach President Trump since he took office, and we all know this.

They have made it very clear they deem the President's every action to be impeachable, and, since the beginning of this joke inquiry, they have shown no interest in fair, fact-based proceedings.

Impeachment is a monumental step that must be conducted with full transparency, but what we are witnessing here is a violation of due process that should concern every single American.

Democrats have held meetings in secret where convenient, one-sided information can be leaked to the public, denying American citizens the right to have their elected Members of Congress present.

The dedication to using any and all resources in an attempt to remove a duly elected President is unthinkable and, frankly, a waste of time. The Constitution provides the House with the power of impeachment for high crimes and misdemeanors, not for political theater to push an agenda.

Madam Speaker, the Democrats have made a mockery of Congress and our democracy throughout this process. The American people deserve better, and this President deserves better.

As my colleague from Texas, AL GREEN, said: President Trump will win again in 2020.

In God we trust.

HOLD A VOTE TO AUTHORIZE AN IMPEACHMENT INQUIRY

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

Mr. WITTMAN. Madam Speaker, I rise today in opposition to the partisan impeachment inquiry currently under way by House Democrats. They have elected to make this a closed-door, partisan process with no fairness, transparency, due process, or accountability to the American people.

It is absolutely necessary for the Speaker to hold a vote in the full House to formally authorize an impeachment inquiry. Regardless of which party held the majority in the past, there has been an authorization vote because it allows the House to adopt procedures that will provide for the minority to be an equal part of this process.

We cannot even get access to testimony from the secret hearings. Considering impeaching a duly elected President should be significant enough to demand transparency, due process, and an open and fair proceeding.

In wake of this partisan exercise, we have abandoned the work of the people. We should be passing legislation that is bipartisan to lower the price of prescription drugs and approving the USMCA that will create millions of jobs for hardworking Americans.

We cannot afford to put these priorities on the back burner, and I know the folks in my district agree.

CALLING OUT UNPRECEDENTED AND ILLEGITIMATE IMPEACHMENT PROCESS

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

Mr. BISHOP of Utah. Madam Speaker, this place is based predominantly on precedent and procedure. To bypass this proven pathway is predictably painful. So I pause to put a plea to the powers that be:

Our people deserve better.

The propaganda pushed upon the people is a political ploy as perpetrators usurp the proven precedents of the past.

It is painful to be placed in a position to protest the pranks pushed by PELOSI and her posse of players, but people have been pushed out and put on the sidelines as Democrats plow ahead with this so-called impeachment inquiry.

The impact of this pandering is the peeling away of the people's trust placed upon us. As the past has played out, I have been perplexed by the pontifications of people in positions of power who puff themselves up in pretentious prominence when it is really petty partisanship.

So I plead, as we push and pull for power, that we do so grounded in prudence that protects the proven procedures of the past.

DEMOCRATS' UNPRECEDENTED AND DANGEROUS IMPEACHMENT EXERCISE

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

Mr. JOHNSON of Louisiana. Madam Speaker, we are here tonight to draw attention to the Democrats' unprecedented and dangerous impeachment exercise. It is unprecedented because this has simply never happened before.

In our nearly two-and-a-half centuries as a nation, there have only been three instances of impeachment proceedings against a President. In all

three cases, the impeachment inquiry was first properly authorized by a full vote of this House.

Of course, today's sham was initiated unilaterally via a press conference. We haven't had a vote. They won't give us one.

There is no due process for the accused, but, instead, there is a secret, partisan process somewhere behind closed doors.

There is no respect or recognition for the rights of the duly elected Members of this House, even those of us on the committees of jurisdiction, like my House Judiciary Committee.

It is unprecedented and it is also dangerous. And this is the biggest point: Corrupting and weaponizing impeachment to generate a predetermined political outcome is simply not right or fair, and it jeopardizes this entire institution.

Do you know why? Because, if the American people are not able to trust the final results of the impeachment process on a matter this serious and this important, millions of citizens lose faith in the institution and lose faith in our Republic.

This is a sham, and it needs to stop.

DEMOCRATS ARE FOCUSING ON POLITICAL GAMES

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

Mr. LATTA. Madam Speaker, I rise today on behalf of the people of the Fifth District who are tired of the Democrats focusing on political games.

This past weekend, at an American Legion dinner, I was handed this note: Pass USMCA.

Folks at home want Congress to act on jobs, the economy, and lower healthcare costs; but what they are hearing from the Democrats in the House: secret proceedings that deny access to House Members who do not serve on the respective committees; no press access; no ability to defend oneself by bringing witnesses, taking depositions, or having one's attorney present; and being accused by an unknown witness who claims secondhand knowledge.

Where is the pride that we have in our sense of justice? Where is due process? Where are the rules? Where are the American values of fair play? Where is the evidence? Where is the House vote?

Read the unclassified transcript. The Democrats created a Star Chamber. This is a bold attempt to overturn the 2016 election. It is time to shine a bright light on what is going on.

□ 2000

KANSANS HAVE IMPEACHMENT FATIGUE

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

Mr. MARSHALL. Madam Speaker, Kansans have impeachment fatigue. We are exhausted. We are weary. We are sick and tired of 3 years of Democrats trying to change the results of the 2016 election.

Kansans want to know why Congress can't pass USMCA, modernize healthcare, or secure our border.

Regardless, if the Democrats want to go down into the bowels of this Capitol, into the soundproof Star Chamber, it is my job to be the eyes and ears of Kansans and to ensure a fair and due process will occur. My efforts to do this thus far have been denied by the Democrats.

This entire process is anything but fair and defies democracy. But what is worse, it is all done in secret.

This Ukrainian hoax has turned into a Soviet-styled silencing of the press, with the Democrats leaking out only portions of the transcript that might help keep them from allowing Donald Trump to be reelected again.

Why isn't the press screaming bloody murder? I will never understand.

Madam Speaker, it is the President's job to investigate corruption. Let's turn this process back to the people, and let the President make his case to America.

FOLLOW IMPEACHMENT PRECEDENT

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

Mr. HILL of Arkansas. Madam Speaker, Article I, Section 2 of the Constitution reads the House of Representatives ''shall have the sole power of impeachment.''

This Speaker does not have that sole power. The full House of Representatives does.

Modern precedent clearly sets out a process for fair consideration of impeachment. It was followed by Democrats in the case of President Nixon and followed by Republicans in the case of President Clinton.

The Speaker has turned a blind eye and a deaf ear to fairness and precedent. Authoritarianism is now the rule of the people's House. A Star Chamber hidden away in the Capitol basement is the domain of authoritarianism.

Where is the due process? Where is the transparency? Abandoned.

Where is the ability to confront accusers? Where is the separation of prosecution and grand jury? Abandoned. Abandoned by our Speaker.

I call on the majority to put aside partisanship and pointless attacks and get back to work.

END IMPEACHMENT CHARADE

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

Mr. ABRAHAM. Madam Speaker, the Democrats would have you believe that their impeachment crusade is a moral imperative. It is not. It is an act of pure cowardice.

Their failure to bring a formal impeachment vote to the House floor shows that this witch hunt has no legitimacy whatsoever, and they know it. They are using it as a punch line.

This informal inquiry is being conducted in secret behind closed doors and betrays the true intention of what they are trying to do to our good President, to conduct an endless, shallow campaign of half-truths and manipulated facts against President Trump.

I have called on my fellow Members of this House to denounce the unconstitutional farce that they are doing and support my resolution to expel the Speaker and vacate the chair.

It is time to end this charade and get back to doing the people's business. We can certainly start by passing the USMCA.

STOP IMPEACHMENT SHAM

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

Mr. ROUZER. Madam Speaker, this impeachment sham needs to stop. We all know what this is really about: overturning the results of the 2016 election.

From the outset, Speaker PELOSI and Chairman SCHIFF have conducted this inquiry behind closed doors, out of sight of the American people and us, without a vote to authorize it.

They have ignored due process, completely disregarded precedent, and made it clear that politics and partisanship are more important than fairness and transparency.

They denied our side of the aisle the right to subpoena evidence. They have excluded the President's legal team from participating in hearings, cross-examining witnesses, or presenting evidence. This body, quite simply, has been turned into a kangaroo court fixated on unseating the President at any cost.

Our Constitution, our basic, fundamental principles of fairness, and the millions of Americans who made their voices heard in the 2016 election are being snubbed.

Madam Speaker, it is time to stop this sham.

DEMOCRATS CHOOSE PARTISAN HATRED OF PRESIDENT TRUMP

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

Mr. DUNN. Madam Speaker, I rise today to demand fairness and transparency from this outrageous impeachment inquiry.

Democrats have been grasping at straws and looking for any excuse to impeach President Trump. We haven't even held a vote to open an impeachment inquiry, but Speaker PELOSI and

ADAM SCHIFF are charging ahead with a secretive kangaroo court behind closed doors. This is an illegitimate, unfair hearing with no due process and no charges made.

ADAM SCHIFF has refused to release to the public any of the transcripts and even refuses to let Members of Congress into the hearings to hear them.

Their goal has been impeachment since the 2016 election, and they will use any means to get there. This is the only thing the House is doing, instead of focusing on the issues that are important to hardworking Americans across this Nation.

I hope the American people will see this evil abuse of power for what it is—the Democrats' decision to choose partisan hatred of President Trump over the welfare of this great Nation.

MEMBERS ALIENATED FROM IMPEACHMENT PROCESS

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

Mr. LOUDERMILK. Madam Speaker, I am in my fifth year in this esteemed body, but I have never in my 5 years been subjected to being alienated from one of the most important duties that people in this House are given the responsibility for.

There is no issue greater than impeachment, other than just declaring war. But, yet, I have been alienated from the process.

Now, when Speaker PELOSI decided that she was going to start somewhat of an inquiry, I was told, being on the Financial Services Committee, I will be one of the committees involved in it.

But then, apparently, the rules changed, and we shifted it to two other committees. And those committees, when they were having their hearings in front of the American people, apparently, that didn't go to their pleasing because the testimonies didn't meet their narrative, so they moved it into a secret area.

Since then, I have been trying to get ahold of the transcripts of the hearings that I have been alienated from.

I actually got one today. After a week of looking for Volker's testimony and asking for others, I finally got one today of Ambassador Taylor, from The Washington Post. It appears that we are leaking what we want to leak.

MAKE IMPEACHMENT PROCESS TRANSPARENT

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

Mr. ALLEN. Madam Speaker, I rise today to strongly oppose the lack of transparency by Speaker PELOSI and the Democrats' impeachment inquiry into President Donald Trump, our duly elected President.

Instead of following precedent and putting the Judiciary Committee in charge of this process, Speaker PELOSI has empowered the House Permanent Select Committee on Intelligence chairman, ADAM SCHIFF, to run this effort behind closed doors in secret, with no accountability, and he is handpicking what information to leak.

What happened to Chairman NADLER over in the Judiciary Committee? If Democrats truly believe that this is the right thing to do, why don't they hold a vote? The Democrats' complete disregard for following a fair process is alarming, and quite frankly, it is un-American.

They are misleading the American people while ignoring action on the pressing issues at hand. The truth is, they have only one goal, and that is to undermine President Trump and ensure he cannot do what he was elected to do, like passing the USMCA, immigration reform, modernizing healthcare, and securing our border.

Let's end this nonsense and get to work on issues that matter to the American people.

COUNTRY SHOULD SEE IMPEACHMENT INQUIRY

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

Mr. WATKINS. Madam Speaker, today, I was in these official closed-door impeachment investigations. I use the word "official" loosely since the grounds upon which the Democrats are acting are shaky, at best.

Access is being limited. I am a member of one of these committees that is allowed to be in there, but as I look around and see no more than perhaps a dozen or so Republicans, I think to myself that the entire country should see what the Democrats are up to, the entire world should.

Soon that will happen because although I don't know what I am even allowed to share, because I don't understand these official formalities, I do know that I will tell the world everything that I can, and the truth will come out with time.

It is not what is best for our constituency. We ought to be passing the USMCA. We ought to be ensuring our borders are safe. We ought to be fighting against surprise billing and exorbitant healthcare costs.

IMPEACHMENT INQUIRY SHAMES HOUSE

(Mr. JOHN W. ROSE of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHN W. ROSE of Tennessee. Madam Speaker, I am speaking tonight on behalf of the people I represent in the Sixth Congressional District of Tennessee.

In Tennessee, I hear excitement about the leaps forward our country has made under the leadership of our President, Donald Trump. We are enjoying the lowest unemployment rate of my lifetime, and more Americans are employed than at any point in this Nation's history.

In the short time that I have in this, my first elected office, I have seen the great race in Washington that goes on daily. It is a race to take credit for anything positive, to run away from anything negative, and an all-out sprint away from the real problems facing our Nation.

Well, in the race to the ridiculous, my colleagues on the other side of the aisle have clearly won. A closed-door, secretive, biased, so-called inquiry is shaming this House and not doing the first positive thing for the people back home.

Drop the political charades, Madam Speaker, and let this House go forward.

STOP SHAM ATTACK ON OUR DEMOCRACY

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

Mr. AUSTIN SCOTT of Georgia. Madam Speaker, House Democrats and the chairman of the House Intelligence Committee seem to think that impeachment is nothing but a game. If you can't beat him, cheat him.

On September 26, the chairman of the House Intelligence Committee fabricated and read on the record during a committee hearing a fake call transcript between the President of the United States and a foreign leader, while keeping the actual transcript of the call in a vault.

Now, he continues to conduct an impeachment inquiry against the President in complete secrecy with no vote of the House of Representatives, leaving the American people and most Members of this body in complete darkness.

What we have here is that good old case of a game created by illusion. If you can't beat him, cheat him, and game show host Chairman ADAM SCHIFF is at the lead.

Behind door number one, we had the Mueller investigation, which found there was no collusion between the President's campaign and Russia.

Behind door number two was the call between President Trump and Ukrainian President Zelensky. Again, the transcript released by the White House shows no quid pro quo, which stemmed from a whistleblower complaint Chairman SCHIFF orchestrated with in advance and advised the whistleblower how to proceed.

What is behind door number three? Nobody knows. But this sham attack on our democracy must be stopped.

DUE PROCESS CRITICAL TO IMPEACHMENT INQUIRY

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

Mr. SPANO. Madam Speaker, due process is a right so important that we have not one but two constitutional amendments to ensure it.

Past impeachment inquiries began with a resolution to define scope, to establish rules and procedures, and to give equal subpoena power to the minority. These due process protections are critical because removing a President is one of the most serious decisions Congress can make.

But last week, the Democratic Caucus chair dismissed our pleas for a resolution to formalize the impeachment inquiry as a ''cosmetic procedural matter.'' Cosmetic. Since when did fairness in this country become cosmetic?

Democrats point to the Constitution in undertaking this inquiry, but look at how it is being handled. There is no due process. The accused is presumed guilty. There is no right to confront your accuser. All proceedings are taking place in secret.

The only reason for secret hearings is to control what people see and what they hear. This sham process disregards the fundamental rights our country is founded on, and the American people deserve more.

□ 2015

PIED PIPER IMPEACHMENT

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

Mr BACON. Madam Speaker, since President Trump was elected, Democrats have been pushing impeachment. For 2 years, the current chairman of the House Permanent Select Committee on Intelligence told us he had the smoking gun on collusion. The Mueller report showed the opposite, and then the chairman was not forthcoming regarding his staff's communications with the whistleblower. There is no credibility here.

The partisan impeachment effort has led to secret hearings, the minority Congress is not allowed to bring in witnesses, and the President is denied representation—violating all previous precedence in this House.

Americans demand fairness.

There have been no high crimes or misdemeanors, and hatred for the President is not grounds for impeachment. Voters decided the winner in 2016 and will do so again in 2020.

America's business is not getting done while the Democratic leadership is playing the pied piper and marching America off the impeachment cliff.

SECRET IMPEACHMENT

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

Mr. DESJARLAIS. Madam Speaker, today I rise in protest of the secrecy with which the House majority is conducting its impeachment inquiry. It is unlike anything we have seen in Congress. That is probably because, lacking any evidence for their claims, the so-called resistance has already determined the outcome. The same people who perpetrated the Russia hoax are rushing forward with plan Z to remove the President from office.

Partisan congressional staff helped to craft the specious complaint at the heart of this impeachment inquiry. The inquiry itself will take place in secret to avoid public scrutiny.

Some Democrats have admitted that the only way a far left socialist candidate could replace Donald Trump is to remove him from office.

The American people want jobs, affordable healthcare, and security, not far left socialist agendas. But with nothing else to offer, a radical group in Congress has become obsessed with removing this President from office. It is an attack on our democracy and our Constitution.

Madam Speaker, my constituents care about real issues. I appeal to more sensible Members to stop this abuse of power and concentrate on what we can accomplish together.

SOVIET-STYLE IMPEACHMENT

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

Mr. PERRY. Madam Speaker, this isn't Russia; this is America. Yet right in this building, a Soviet-style Star Chamber to remove the duly elected President is occurring.

The person who leads it lied to the American people for 2½ years about evidence he didn't have. The person who leads it is literally guilty of what he accuses the President of doing when he is caught on tape negotiating with foreign people about getting dirt on the President.

The person who leads it lied to the world in his reading of a mock transcript about the conversation that the President had with the President of Ukraine, and the person who leads it misled the world about his relationship with the whistleblower, or the so-called whistleblower.

Madam Speaker, we need to end this Stalinist, guilty-until-proven-innocent Star Chamber now.

SHAM IMPEACHMENT

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

Mr. BABIN. Madam Speaker, for years America has been force-fed investigation after investigation of our duly elected President, and we have seen each of these sham investigations meet the same dead end because there is no evidence of any wrongdoing by Donald Trump.

I have lost hope that these pointless probes will end. House Democrats are bent on wasting time and taxpayer dollars. If we are all forced to endure this charade, the least they could do is conduct a fair investigation.

They say they have evidence to impeach the President yet refuse to share what that evidence is. They say this is an official impeachment inquiry, and yet we haven't voted to make it so.

Where is the transparency?

The only evidence that is crystal clear is that the Democrats despise the President so much that they will do anything to take him down. They hate that Donald Trump is blocking their agenda of a green, socialist, nanny state with open borders, so they are willing to mislead the public to get their way.

There is no due process, just hatred. It is a dangerous precedent to our great Republic.

DISTRACTION IMPEACHMENT

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

Mrs. MILLER. Madam Speaker, I rise today to denounce the partisan motivations and lack of transparency behind Speaker PELOSI and Chairman SCHIFF's impeachment proceedings.

For the past 10 months, my colleagues across the aisle have operated with one sole motivation: undoing the results of the 2016 election. As such, Congress has failed to advance the priorities of the American people.

We have not funded crucial legislation to fix our outdated and crumbling infrastructure. We have not addressed the crisis on the southern border. Meanwhile, the opioid epidemic continues to rage on.

All we have to show for the past 10 months is a handful of liberal messaging bills that have no chance of being made into law.

While the priorities of the American people have been pushed to the side, all of Congress' energy and resources have been diverted to behind-closed-door impeachment proceedings far from beyond the sight of my fellow colleagues and completely hidden from the taxpayers.

This is not why I came to Congress. This is not what we were sent here to do. The American people deserve better.

CHARADE IMPEACHMENT

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

Mr. WRIGHT. Madam Speaker, I rise to express my outrage over the ongoing parliamentary inquiry against our President.

Impeachment is the House's most solemn and serious responsibility. It should not be undertaken haphazardly. Although I strongly believe in Congress' oversight duties and agree that no public official, including the President, is above the law, I have serious concerns about the partisan nature and procedure of this inquiry.

Beyond the fact that this inquiry was launched before the transcript of the call to Ukraine was released, the Speaker's decision to launch an inquiry without a full vote of the House and attempts to restrict the involvement of Republicans and the American public in the impeachment proceedings defy precedence.

From the beginning, this effort has been mired by the Democrats' partisanship and a complete lack of transparency. The American public deserves the truth. Instead, all they are getting are cherry-picked leaks in classic Washington fashion.

Madam Speaker, in its current form, this process is an outrage and counter to our interests and the values of our Republic. I urge my colleagues to abandon this political charade and adhere to the Constitution and congressional precedent.

PARTISAN IMPEACHMENT

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

Mrs. WALORSKI. Madam Speaker, I rise today because what we are witnessing is unprecedented in the history of this country. House Democratic leaders are conducting an impeachment inquiry behind closed doors with selective leaks instead of transparency, with no due process and without a vote on the House floor.

Why do they want to keep this process hidden from view? Because they know the American people will see right through this partisan scheme.

Democrats decided to impeach this President the day he took office. Now they are just trying to come up with a reason, no matter what the facts are.

The American people know that Washington is broken, and they sent us here to fix it. Instead, House Democrats are shaking the people's trust in this institution.

We should be passing USMCA to give our farmers and workers a better deal.

We should be voting on bipartisan legislation to lower prescription drug costs.

We should be working to fix our immigration system and secure the border.

Madam Speaker, it is time to end this charade and get back to work.

UNPRECEDENTED IMPEACHMENT

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

Mr. FULCHER. Madam Speaker, you authorized holding an impeachment hearing, but I don't think that is what you are really doing.

If so, you wouldn't have disregarded precedent from the Nixon and Clinton eras, or we would have all voted before this was to proceed.

If so, you wouldn't have denied the minority the ability to call witnesses or me and other Members the ability to attend hearings or even view the transcripts.

Madam Speaker, approximately 90 percent of your party members wanted to impeach before this so-called inquiry ever began. That is why I say you are really not trying to hold an impeachment inquiry. You simply want to remove a President. And we are within 1 year of an election. You want to deny Americans the right to decide for themselves.

At the heart of the matter and the real reason you are doing this is because your party does not have a winning Presidential candidate and no significant accomplishments this session.

Madam Speaker, can we please go back to work?

SHOW TRIAL IMPEACHMENT

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

Mr. SMUCKER. Madam Speaker, I rise today to give voice to my constituents on the destructive partisan and secret impeachment inquiry, which really is a slap in the face to the overwhelming majority of Pennsylvania's 11th District who voted for and continue to support President Trump.

Judith from Ephrata writes:

> Congressman, my husband and I are furious about this constant push to impeach President Trump. We don't care how many Members of Congress don't like him. It is not their choice; it is ours.

Rebecca from Lititz writes:

> I am alarmed at the political climate and attempts to impeach our President. The House has done nothing to solve the issues facing our country and continues to spend their time trying to stop the progress that our President has made.

Jody from Windsor writes:

> Can you please tell Speaker PELOSI and the Democrats that the overwhelming majority of people I interact with in my daily life want them to stop these unfounded impeachment proceedings into President Trump and get back to work fixing the issues we elected Congress to fix?

Madam Speaker, I share my constituents' anger and frustration toward the show trial. This process isn't honest or fair.

HALLOWEEN IMPEACHMENT

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

Mr. OLSON. Madam Speaker, Halloween is 9 days away. It is a holiday that happens in the dark. It is about fear, deceit, and witch hunts—anything to hide who you truly are.

Back home, Texans are stunned. How can the majority party of the House use a kids' holiday, Halloween, as a model for the most dramatic action Congress can take: impeaching a sitting President? The ghouls and goblins of the House majority are now the Halloween party and make up this process as they go along.

Impeachment demands an inquiry vote by the full House, a full vote by the full House. The Democrat majority did that with Richard Nixon in the 1970s, and the Republican majority did that with Bill Clinton in the 1990s.

The House Halloween party allowed 41 Members of this body of 435 to go forward with impeachment. This party is following the Wizard of Oz. If they pursue this witch hunt, the House will fall down on November 2020. The witch hunt will be over.

SO-CALLED IMPEACHMENT

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

Mr. GRIFFITH. Madam Speaker, I have learned from Democrat press conferences and Washington Post leaks that this body has an ongoing so-called impeachment inquiry.

But can I, as a Member of Congress, watch the testimony? No.

Can you watch the testimony at home so you can decide for yourself? No.

Why are the hearings taking place in the basement behind guarded doors? What do they want to keep from me? What do they want to keep from you, Madam Speaker, either hearing or seeing?

I don't know, but Speaker NANCY PELOSI knows, and you can call her and ask her why at 202–225–4965. Ask her what she has to hide, at 202–225–4965. Ask her why you can't watch the hearing, at 202–225–4965.

The American people deserve the answers.

Call 202–225–4965.

□ 2030

UNPRECEDENTED IMPEACHMENT

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

Mr. GOHMERT. Madam Speaker, this is an unbelievable time in our history.

There is nothing more important than elected office. It is something that was discussed in the Declaration of Independence, and yet, we have an attempted coup taking place. It violates the principles on which this Nation was founded of due process—the right to confront the witnesses against you.

And I would submit, humbly, that there is no cause for concern for the so-called whistleblower's safety from President Trump. All the witnesses against him are alive and well.

So who is it he is afraid might come after him if he discloses what he knows and who conspiring to bring down this President?

Ah, there is the rub. Let's get to the bottom of it. And at the bottom will not be President Trump. It will be the coconspirators trying to bring this government down.

SHAM IMPEACHMENT

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

Mr. WALKER. Before they identified the crime, Madam Speaker, the Democrats organized the firing squad. Before anyone was talking about Ukraine, over half of the Democratic majority was in favor of impeachment.

In fact, this process didn't begin with Ukraine or a whistleblower, this sham impeachment process started year one of President Trump's administration when a Democrat colleague stated, ''. . . if we don't impeach this President he will get reelected.''

Hatred for President Trump has become the new religion of the radical left, creating an irrational behavior, not rooted in good judgment, but rather in emotion.

The Democrats are protecting ADAM SCHIFF, as seen by yesterday's censure vote. This was not, and is not, about the facts. Facing your accusers and ''innocent until proven guilty'' used to be the American way.

It is the basic standard that every American should expect, including the President. Being targeted by an angry mob, a willing media machine, and a twisted version of democracy.

The President calls this a witch hunt. Unfortunately, it looks like that is exactly what it is.

STILL I RISE

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

Mr. GREEN of Texas. Madam Speaker, and still I rise. And since my name has been called several times, I rise to respond. I rise to explain why the impeachment inquiry should be expanded.

Some things bear repeating: I rise to explain why the impeachment inquiry should be enlarged, to include the President's weaponization of hate.

I know what weaponized hate is like. I am a son of the segregated South, Madam Speaker. My rights that were accorded me and recognized under the Constitution of the United States of America were denied me by my neighbors.

I am a son of the segregated South. I know what weaponized hate is like. I was forced to not only live with, but to also honor weaponized hate.

Madam Speaker, I know what it was like to have to stand in the colored line. And while standing in the colored line, others could always come who were of a different hue and stand in front of me. And it could happen until every person of a different hue had been served. I know what weaponized hate is like.

And I recall once—actually, on more than one occasion, but this one stands out in my mind—when the young man who was bagging the purchased items, he took my purchased items and he put them in the bag—he was of a different hue—and he crushed the bag. And he stared me down as he crushed the goods that I had purchased.

I know what weaponized hate is like. I saw the anger not only in his face, but I could see it exude from his body. He was probably a little bit older than I was. He didn't know me, but he had the hate that had been weaponized, and it was within him.

I can remember having to go to the back door. I had to go to the back door to receive goods that I paid for, paid taxes on, the same as others did. But I couldn't go to the front and receive my goods, only the back door was available to me. And then when I would go to the back door, people would still say ugly things to me, notwithstanding the fact that I was a paying customer.

Weaponized hate causes people to behave this way, to stand against their own interest. I was a customer, a paying customer, but weaponized hate would cause them to stand against their own interest. It was in their interest to have me come back, but they knew that I had no place else to go for the most part, so they could be ugly to me and treat me any way that they chose.

I know what weaponized hate is like. I can remember being required to sit only in the balcony of the movie. When we came in, we had to make a turn and go up to the balcony. This is what weaponized hate is like. It segregates people. It didn't allow me to enjoy the movie in the presence of persons of a different hue who might be seated next to me. This is what the neighbors that I had denied me under the Constitution. It was accorded me, but they forced me to go into a segregated area.

And, of course, I remember the colored water fountains. And the incident that really stands out in my mind the most was when my mother saw me drinking out of a White water fountain—that is what it was called. And when she saw me drinking out of the White water fountain, my mother pulled me away quickly. She pulled me away because she knew that her young son was at risk of being harmed because he was drinking from a White water fountain. And I remembered what the colored water fountain was like. The colored water fountain was filthy. You could see the crud, but it was all that was available to me. I know what hate is like when it is weaponized, how it can hurt.

I remember traveling across country with my father and my mother, and we stopped at a service station. We purchased gasoline, and we wanted water. And the person who was there representing the management of that station said that we could have water, but we would have to drink it out of an oil can.

I know what it is like. I know what it is like to live under hate and to have to honor hate. I remember my mother speaking to me in rather stern terms about how I was to behave around White women. How I had to always make sure that I never said anything that a White woman might conclude was offensive, because White women had a license to accuse. And once you were accused, only God knows what would happen to you. We know what happened to Emmett Till. Weaponized hate killed Emmett Till.

I know what it is like. I am a son of the segregated South. I know how persons of a different hue had but only to accuse you, and for all practical purposes, you were guilty. You had to prove that you were innocent.

I mention these things because the President of the United States of America, who has been referenced by my colleagues tonight, same one, the same President, compared impeachment to lynching. He compared impeachment to mob violence, because that is what lynchings were all about. Mob violence, no due process, no trial.

If it was said that you had spoken in an unkind way to a White woman, you could be collected, taken off somewhere in the back woods, castrated, lynched, beaten, brutalized. Mob violence, unlawful hate to terrorize and intimidate.

I know what it is like. I lived in the segregated South. I am a son of the segregated South. And for the President to compare this level of violence and hate to Article II Section 4 of the Constitution, which deals with impeachment, is unacceptable. Totally unacceptable. This is nothing more than a continuation of his weaponizing of hate.

I am a son of the segregated South. I know what hate looks like. I know what it smells like. I know what it sounds like, and I know what it feels like. I have experienced all of the above.

So when the President did this, when he said it, it sparked this flame in me to come and stand here in the well of the House, alone, to explain why the impeachment inquiry should be expanded to include the weaponization of hate by this President.

Yes, I stand alone, but I believe in my heart that it is better for me to stand alone than not stand at all, because I see what's happening to my country, and I love my country.

This is not a game for me. This will follow me the rest of my life. I didn't come to Congress to impeach a President. It is not something that was on my agenda, I had not a scintilla of a notion. I do it because I love my country. I do it because I know what weaponized hate is like.

Yes, I called for the impeachment of the President some 2 years ago for his obstruction, but I also have called for his impeachment for his infusion of hate into policy.

Earlier this evening, someone mentioned Federalist No. 65. I have read it many times. Yes, the words of Hamilton. The words of Hamilton addressed

what it is like to impeach a President. The Framers of the Constitution knew that it would not be pleasant. It is not easy, but it is something you do when you want to preserve democracy and protect the Republic.

They understood, and they gave us Federalist No. 65 to remind us how prophetic they were, that there would be a time such as this and a President such as Trump.

How prophetic they were. If you read Federalist No. 65, you will find that the Framers of the Constitution defined impeachment as the acts of public men, that would be people who hold public trust, and they went on to explain that it was about the harm that they would cause society.

They didn't use terms like ''abuse of power'' in the sense that there had to be a statutory crime committed. When they mentioned high crimes and misdemeanors at that time in Article II Section 4 of the Constitution, crime also meant a wrong that was being perpetrated, a great wrong. You don't have to have a statutory offense committed, something that is defined with a penalty associated with it.

And when they mention misdemeanors—then and to this day—a misdemeanor is a misdeed, as well as a minor offense.

□ 2045

Don't be misled. Don't be deceived by those who would have you believe that the President has to commit a statutory offense, something that is defined and codified with a penalty associated with it, before a President can be impeached.

If this were true, Andrew Johnson would not have been impeached in 1868 for his comments that were rooted in bigotry and hate. He weaponized hate. Because he weaponized hate, because he didn't want the freed persons to have the same rights that other persons had, because he didn't want the Freedmen's Bureau to function as it should have, he weaponized hate.

In Article X, he was impeached for the high misdemeanor of saying ugly things about the Congress as he was weaponizing his hate. It was a high misdemeanor, and that law has not changed.

This notion of some modern law, modern constitutional requirement, those persons who were closer to the Framers of the Constitution probably knew better what the Framers intended than we do today. They impeached Andrew Johnson for a high misdemeanor.

I beg that people would at least read Article X.

By the way, since we started this engagement to explain to the public, a good many people have had to walk back their comments. A good many people who wanted to know, ''What crime did he commit? What rule did he break?'' a good many people have had to walk back those comments because they are now of the belief that impeachment should prevail. A lot of comments have been walked back.

By the way, I welcome the walk-back. I want people to do the right thing, as it were, so walking back does not offend me.

Comments that were made about me don't offend me. Many of my colleagues have made comments about me, but they don't offend me. I welcome them coming on board now.

This is not about me. It has never been about me. It has been about my country. It has been about democracy, not about Democrats. It has always been about the Republic, not about Republicans.

Say what you may, I do what I must. And I must explain why we should expand the impeachment inquiry so as to cause it to include the President's weaponization of bigotry.

The President needs to be impeached for the high crime and misdemeanor that he has perpetrated, and I will paraphrase Peter Irons, a historian who deals with the Supreme Court. Paraphrasing, he reminds us that the President—he didn't say ''weaponization''; these are my words. The President's weaponization of hate presents a clear and present danger—these are his words—to the constitutional equal protection of the laws guaranteed to all of us.

My dear friends, he is eminently correct, and I have paraphrased because I changed the language slightly.

So, Mr. Irons, if I have in any way abused what you have said—I read your comments posted on NBC.com, I believe it was—I was moved by what you said.

Yes, the President should be impeached for his weaponizing hate. Yes, it does present a clear and present danger to equal protection under the laws for all of us because, when the President does this, there are people who will hear what he has said, and they don't always respond in a positive way.

I will never forget that a man in Texas drove hundreds of miles so that he could get to a place where he could murder, assassinate, people of color who happened to be of Mexican ancestry. He went out of his way to do this and said that they were invaders, the kind of comment that we heard from the President as he weaponized hate.

I won't forget that the President decided he would ban a certain religion, did it in a tweet, went on to develop a policy pursuant to the tweet, infused the bigotry into policy, weaponized it.

If you are not Muslim and you are not around Muslims, you probably don't know the level of consternation that has been created within them, the level of concern that they have for their families, the level of concern that they have when they go to their prayer hours. I am around people who happen to be Muslim. I know how they are concerned for their families.

Then the President went on to talk about the s-hole countries. Note that the s-hole countries were countries where there were people of color. He didn't say it about a European country. He didn't say it about countries where people of a hue different from me happen to predominate. He didn't say it because he knows that he has to be careful, that it is all right in some quarters to say it about people who look like me.

But you have to be careful, Mr. President. Don't say it about some European country. Don't say it about some of these other countries in what we call the Middle East. You will have more trouble on your hands than you can contend with and likely would be impeached already.

There seems to be a willingness to tolerate the bigotry and hate when it is directed toward people of African ancestry, when it is directed toward people who happen to be Muslims, when it is directed toward people who happen to be of the LGBTQ-plus community.

I will say this. I have plenty of friends who are of European ancestry, who are Catholics and Christians and Jews, who are absolutely opposed to what you have said about people of different hues who happen to be of religions different from those that I have mentioned, who happen to be of the LGBTQ-plus community. Yes, there are people across this country who don't believe that this President should remain in office.

As a matter of fact, there is a poll out now that says that about 50 percent of the people in this country—I think 50 percent is the number that is used—are saying that the President ought to be impeached and removed from office.

A Quinnipiac poll back in July of this year indicated that more than 50 percent of the American people believe that the President is a racist.

Yes, he must be held accountable. Yes, no one is above the law.

What is the law? The law is Article II, Section 4 of the Constitution. What does it say? It says that the President can be impeached for high crimes and misdemeanors, and it does not say that a misdemeanor or a high crime has to be a statutory offense.

I would also add this. Article II, Section 4 of the Constitution was drafted with the notion in mind that not only should a President not be above the law, that which is codified, but also with judicious and prudent thoughts of the President not being beyond justice.

The Framers of the Constitution talked about how the President should not be beyond justice. Above the law is here; beyond justice is far above this level of above the law. Beyond justice means that the President should not be able to destroy a country, destroy the norms, and not be removed from office.

We have a general who has said that the President is harming the country, that this person who represents the majesty of the United States of America—he didn't use that term, but the person who holds the highest office, the Chief Executive of the country, the

chief magistrate of the country, is harming the country.

Constitutional scholars are saying it. Over a thousand lawyers have said that, pursuant to the Mueller report, the President should be impeached. Anyone else would be locked up, would be charged. They said he would be charged if he were anyone else. That is what they said.

I want you to know that, wherever I go, I encounter people who are saying: Please, don't give up. Please, don't stop. Please, do something about what is happening to our country.

I get expressions of gratitude from people across the length and breadth of the country. And I don't do it to get expressions of gratitude. I do it because I love my country.

The weaponization of hate ought to be a part of this impeachment inquiry.

I have already prognosticated that the President will be impeached. And when the President is impeached, I hope that we will have expanded the articles such that the weaponization of hate will be included.

If Andrew Johnson could be impeached for his bigoted and hateful commentary, surely, we can do this again. Those were radical Republicans, by the way, who impeached Andrew Johnson—radical Republicans. If radical Republicans could impeach him on evidence rooted in his bigotry and hate, we can impeach this President for similar reasons.

I do believe that, if you read the Articles of Impeachment with reference to Andrew Johnson, you will gain a greater appreciation for what I say.

There have been only two Presidents impeached, Andrew Johnson in 1868 and William Clinton in 1998. Only two. Nixon was not impeached.

We need not try to debate this issue of whether the President has to commit a statutory offense. Constitutional scholars know better.

Unfortunately, you have had to cope with a person who is not said to be a constitutional scholar, didn't finish number one in his class, didn't finish from an Ivy League school. But he did bring you truth, and that truth is being recognized.

I stand here in the well of the House of Representatives tonight. I believe that comments comparable to what the President has said with reference to lynching, comparing lynching to impeachment, is but a continuation of his weaponization of hate, bigotry, racism, xenophobia, homophobia, Islamophobia, all the invidious phobias. That is all it is.

It will not cease. He is only going to continue.

If the House of Representatives does not impeach, we will have a President who will have no guardrails because we are the bar of justice. We are where it is initiated, right here. It is not initiated anyplace else.

The Justice Department is not going to do it. There is no place else. This is where it is initiated, right here, the House of Representatives.

If we do not impeach, no guardrails. If we do not impeach, we will have a de facto monarch, a person who does pretty much what he chooses, who believes that he is beyond the reach of any person or persons on this planet.

If we do impeach and the Senate does not convict, that will send another message. The President will perceive himself to be a de facto monarch. We will have a de facto monarchy.

We have a duty to do this. Our country—our country—is what this is all about.

□ 2100

The Constitution is the last word. We are the first line of defense against a reckless, ruthless President who would weaponize hate. We are the first line of defense, the Members of this august body. We have a duty to take up the cause of justice for the country that we love.

I respect anyone who differs with me. Do what you may. But I do believe that, in time, I will be vindicated. I believe that, in time, the 58 who voted initially to impeach will be, again, vindicated. We have already been vindicated to a certain extent, but they will be further vindicated.

The 66 who voted the second time, they are going to be vindicated, too. The 95 who voted the third time, they will get additional vindication. They are already vindicated because we are moving toward impeachment. They were just a part of the avant-garde, already vindicated.

And the question remains, where do we go from here? Do we limit the impeachment to Ukraine and issues related to Ukraine only?

It is my opinion that we should expand it, and I have explained why—because of hatred and bigotry.

Finally, this: We are talking about the original sin of this country; and there are those who would make the argument that, well, the Ukraine circumstance deals with national security; it is a threat to national security.

Well, it is a threat to national security when you have white nationalists who are murdering people in the streets of this country, in the schools, to a certain extent, in various places where you would assume that you are safe. That is a threat to national security as well.

It is time for us to deal with the original sin. We have the opportunity. It is impeachable.

I don't want him impeached because of some election. I want him impeached because he has committed impeachable offenses. I want him impeached because we need to deal with our original sin.

I believe that those who look through the vista of time upon this time are going to realize how right we were, those of us who have moved to impeach for the bigotry, the racism, all of the invidious phobias that we have had to endure from our President.

Madam Speaker, I am grateful to have this opportunity to speak. I love this facility. I love my country. This country means something to me. I stand for the Pledge of Allegiance. I salute the flag.

But I also respect those who choose not to and will respect their rights and defend their right if they choose not to.

But I do. This is my country. I love it. I love it. I stand alone, but it is better to stand alone than not stand at all.

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

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

ADJOURNMENT

Mr. GREEN of Texas. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 4 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, October 23, 2019, at 10 a.m. for morning-hour debate.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 598, the Georgia Support Act, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 724, the PACT Act, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 835, the Rodchenkov Anti-Doping Act of 2019, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2704. A letter from the Regulatory Specialist, Bank Advisory, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Amendments to the Stress Testing Rule for National Banks and Federal Savings Associations [Docket ID: OCC-2018-0035] (RIN: 1557-AE55) received October 18,

2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

2705. A letter from the Regulatory Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Thresholds Increase for the Major Assets Prohibition of the Depository Institution Management Interlocks Act Rules [Docket ID: OCC-2018-0011] (RIN: 1557-AE22) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

2706. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Real Estate Appraisals [Docket No.: OCC-2019-0038] (RIN: 1557-AE57) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

2707. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Real Estate Appraisals (RIN: 3064-AE87) received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

2708. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the FY 2018 Report on the Preventive Medicine and Public Health Training Grant Program, pursuant to 42 U.S.C. 295c(d); July 1, 1944, ch. 373, title VII, Sec. 768(d) (as amended by Public Law 111-148, Sec. 10501(m)); (124 Stat. 1002); to the Committee on Energy and Commerce.

2709. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the NURSE Corps Loan Repayment and Scholarship Programs Report to Congress for FY 2018, pursuant to 42 U.S.C. 297n(h); July 1, 1944, ch. 373, title VIII, Sec. 846(h) (as amended by Public Law 107-205, Sec. 103(d)); (116 Stat. 814); to the Committee on Energy and Commerce.

2710. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Report to Congress on Newborn Screening Activities, FY 2017 and 2018, pursuant to Sec. 11(b) of Public Law 113-240, which added 42 U.S.C. 300b-17; to the Committee on Energy and Commerce.

2711. A letter from the Assistant General Counsel, Department of the Treasury, transmitting a notification of a nomination, an action on nomination, and a discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Reform.

2712. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Pot Catcher/Processors in the Bering Sea and Aleutian Islands Management Area [Docket No.: 180713633-9174-02] (RIN: 0648-XY029) received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

2713. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfers From NC to VA and ME to CT [Docket No.: 190312234-9412-01] (RIN: 0648-XX012) received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

2714. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region: Commercial Closure for Spanish Mackerel [Docket No.: 140722613-4908-02] (RIN: 0648-XG588) received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

2715. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Snapper-Grouper Fishery of the South Atlantic; 2019 Recreational Accountability Measure and Closure for the South Atlantic Other Jacks Complex [Docket No.: 120815345-3525-02] (RIN: 0648-XS013) received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

2716. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Snapper-Grouper Fishery of the South Atlantic; 2019 Recreational Accountability Measure and Closure for South Atlantic Red Grouper [Docket No.: 100812345-2142-03] (RIN: 0648-XS012) received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

2717. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Fishing Year 2019 Recreational Management Measures [Docket No.: 190214116-9516-02] (RIN: 0648-BI69) received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

2718. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Pacific Coast Groundfish Fishery; Annual Specifications and Management Measures for the 2019 Tribal and Non-Tribal Fisheries for Pacific Whiting, and Requirement To Consider Chinook Salmon Bycatch Before Reapportioning Tribal Whiting [Docket No.: 181218999-9402-2] (RIN: 0648-BI67) received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

2719. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Closure of Purse Seine Fishery in the ELAPS in 2019 [Docket No.: 190220141-9141-01] (RIN: 0648-PIR-A001) received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

2720. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2019 and 2020 Harvest Specifications for Groundfish [Docket No.: 180831813-9170-02] (RIN: 0648-XG471) received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

2721. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2019-0194; Product Identifier 2019-NM-009-AD; Amendment 39-19750; AD 2019-19-14] (RIN: 2120-AA64) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2722. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Transport Airplanes [Docket No.: FAA-2019-0444; Product Identifier 2019-NM-028-AD; Amendment 39-19756; AD 2019-20-03] (RIN: 2120-AA64) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2723. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG (Type Certificate Previously Held by Rolls-Royce plc) Turbofan Engines [Docket No.: FAA-2019-0693; Product Identifier 2017-NE-43-AD; Amendment 39-19758; AD 2019-20-05] (RIN: 2120-AA64) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2724. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2019-0715; Product Identifier 2019-NM-151-AD; Amendment 39-19760; AD 2019-20-07] (RIN: 2120-AA64) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2725. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0495; Product Identifier 2017-NM-089-AD; Amendment 39-19716; AD 2019-16-13] (RIN: 2120-AA64) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2726. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2019-0497; Product Identifier 2019-NM-052-AD; Amendment 39-19751; AD 2019-19-15] (RIN: 2120-AA64) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2727. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.:

FAA-2019-0441; Product Identifier 2019-NM-036-AD; Amendment 39-19753; AD 2019-19-17] (RIN: 2120-AA64) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2728. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulation and removal of temporary regulation — Election to Take Disaster Loss Deduction for Preceding Year [TD 9878] (RIN: 1545-BP44) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2729. A letter from the Acting Assistant Administrator, Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule — Listing of Noroxymorphone in the Code of Federal Regulations and Assignment of a Controlled Substances Code Number [Docket No.: DEA-332] received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on the Judiciary and Energy and Commerce.

2730. A letter from the Acting Assistant Administrator, Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule — New Single-Sheet Format for U.S. Official Order Form for Schedule I and II Controlled Substances (DEA Form 222) [Docket No.: DEA-453] (RIN: 1117-AB44) received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on the Judiciary and Energy and Commerce.

2731. A letter from the Acting Assistant Administrator, Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting the Department's temporary amendment — Schedules of Controlled Substances: Temporary Placement of N-Ethylhexedrone, a-PHP, 4--MEAP, MPHP, PV8, and 4-Chloro-a-PVP in Schedule I [Docket No.: DEA-945] received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on the Judiciary and Energy and Commerce.

2732. A letter from the Acting Assistant Administrator, Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting the Department's interim final rule — Schedules of Controlled Substances: Placement of Solriamfetol in Schedule IV [Docket No.: DEA-504] received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on the Judiciary and Energy and Commerce.

2733. A letter from the Acting Assistant Administrator, Diversion Control Division, DEA, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of Brexanolone in Schedule IV [Docket No.: DEA-503] received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on the Judiciary and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NADLER: Committee on the Judiciary. H.R. 1123. A bill to amend title 28, United States Code, to modify the composition of the eastern judicial district of Arkansas, and for other purposes (Rept. 116–248). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRIJALVA: Committee on Natural Resources. H.R. 1305. A bill to implement the Agreement on the Conservation of Albatrosses and Petrels, and for other purposes (Rept. 116–249, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRIJALVA: Committee on Natural Resources. H.R. 1225. A bill to establish, fund, and provide for the use of amounts in a National Park Service and Public Lands Legacy Restoration Fund to address the maintenance backlog of the National Park Service, United States Fish and Wildlife Service, Bureau of Land Management, and Bureau of Indian Education, and for other purposes; with an amendment (Rept. 116–250, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. NADLER: Committee on the Judiciary. H.R. 835. A bill to impose criminal sanctions on certain persons involved in international doping fraud conspiracies, to provide restitution for victims of such conspiracies, and to require sharing of information with the United States Anti-Doping Agency to assist its fight against doping, and for other purposes; with amendments (Rept. 116–251, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. NADLER: Committee on the Judiciary. H.R. 2426. A bill to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, and for other purposes; with an amendment (Rept. 116–252). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS: Committee on Rules. H. Res. 650. A resolution providing for consideration of the bill (H.R. 4617) to amend the Federal Election Campaign Act of 1971 to clarify the obligation to report acts of foreign election influence and require implementation of compliance and reporting systems by Federal campaigns to detect and report such acts, and for other purposes (Rept. 116–253). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 835 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Education and Labor discharged from further consideration. H.R. 1225 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Foreign Affairs discharged from further consideration. H.R. 1305 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HUFFMAN (for himself and Mr. LAMALFA):

H.R. 4778. A bill to amend the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2008, to extend the authority to collect Shasta-Trinity Marina fees through fiscal year 2027; to the Committee on Natural Resources.

By Mrs. RODGERS of Washington (for herself, Ms. KELLY of Illinois, and Mr. BUCSHON):

H.R. 4779. A bill to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARBAJAL:

H.R. 4780. A bill to establish a Government corporation to provide loans and loan guarantees for infrastructure projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HUFFMAN (for himself, Ms. LEE of California, Mr. VARGAS, Ms. ESHOO, Mr. SWALWELL of California, Mr. LOWENTHAL, and Ms. PORTER):

H.R. 4781. A bill to designate the United States courthouse located at 3140 Boeing Avenue in McKinleyville, California, as the "Judge Louis E. Goodman Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. THOMPSON of Mississippi (for himself, Mr. ROSE of New York, Ms. BARRAGÁN, Mrs. WATSON COLEMAN, Ms. CLARKE of New York, Mr. RICHMOND, Mr. PAYNE, Mr. LANGEVIN, Mr. CORREA, and Mr. CLEAVER):

H.R. 4782. A bill to establish a national commission on online platforms and homeland security, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GREEN of Texas (for himself, Ms. JUDY CHU of California, Ms. GARCIA of Texas, and Mr. CLAY):

H.R. 4783. A bill to require the Director of the Federal Housing Finance Agency to require each enterprise to include a preferred language question on the form known as the Uniform Residential Loan Application, and for other purposes; to the Committee on Financial Services.

By Mr. RUSH:

H.R. 4784. A bill to require the National Institute of Justice to update its research report, entitled "A Review of Gun Safety Technologies"; to the Committee on the Judiciary.

By Mr. HURD of Texas (for himself, Mr. GOHMERT, Mr. CRENSHAW, Mr. TAYLOR, Mr. RATCLIFFE, Mr. GOODEN, Mr. WRIGHT, Mrs. FLETCHER, Mr. BRADY, Mr. GREEN of Texas, Mr. MCCAUL, Mr. CONAWAY, Ms. GRANGER, Mr. THORNBERRY, Mr. WEBER of Texas, Mr. GONZALEZ of Texas, Ms. ESCOBAR, Mr. FLORES, Ms. JACKSON LEE, Mr. ARRINGTON, Mr. CASTRO of Texas, Mr. ROY, Mr. OLSON, Mr. MARCHANT, Mr. WILLIAMS, Mr. BURGESS, Mr. CLOUD, Mr. CUELLAR, Ms. GARCIA of Texas, Ms. JOHNSON of Texas, Mr. CARTER of Texas, Mr. ALLRED, Mr. VEASEY, Mr. VELA, Mr. DOGGETT, and Mr. BABIN):

H.R. 4785. A bill to designate the facility of the United States Postal Service located at 1305 U.S. Highway 90 West in Castroville, Texas, as the "Lance Corporal Rhonald Dain Rairdan Post Office"; to the Committee on Oversight and Reform.

By Mr. BARR:

H.R. 4786. A bill to amend the Internal Revenue Code of 1986 to allow a 3-year recovery period for all race horses; to the Committee on Ways and Means.

By Mr. BERA:

H.R. 4787. A bill to amend title IV of the Higher Education Act of 1965 in order to increase the amount of financial support available for working students; to the Committee on Education and Labor.

By Mrs. BUSTOS:

H.R. 4788. A bill to address the needs of workers in industries likely to be impacted by rapidly evolving technologies; to the Committee on Education and Labor.

By Mrs. DEMINGS (for herself, Mr. STEUBE, Mr. SOTO, Mr. BACON, and Mr. RUTHERFORD):

H.R. 4789. A bill to allow Federal law enforcement officers to purchase retired service weapons, and for other purposes; to the Committee on the Judiciary.

By Ms. KAPTUR (for herself, Mr. GONZALEZ of Ohio, Mr. RYAN, Mr. CHABOT, Ms. FUDGE, Mr. BALDERSON, Mrs. BEATTY, Mr. LATTA, Mr. GIBBS, Mr. TURNER, Mr. JOYCE of Ohio, Mr. JORDAN, Mr. WENSTRUP, Mr. JOHNSON of Ohio, Mr. STIVERS, Mr. DAVIDSON of Ohio, and Mr. POSEY):

H.R. 4790. A bill to redesignate the NASA John H. Glenn Research Center at Plum Brook Station, Ohio, as the NASA John H. Glenn Research Center at the Neil A. Armstrong Test Facility; to the Committee on Science, Space, and Technology.

By Mr. LEWIS:

H.R. 4791. A bill to amend the National Highway System Designation Act of 1995 to permit the construction of certain noise barriers with funds from the Highway Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TED LIEU of California:

H.R. 4792. A bill to establish a voluntary program to identify and promote internet-connected products that meet industry-leading cybersecurity and data security standards, guidelines, best practices, methodologies, procedures, and processes, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NORCROSS (for himself and Mr. LARSON of Connecticut):

H.R. 4793. A bill to amend the Internal Revenue Code of 1986 to establish a stewardship fee on the production and importation of opioid pain relievers, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSE of New York (for himself, Mr. KING of New York, Mr. MORELLE, Mr. HIGGINS of New York, Ms. VELÁZQUEZ, Mr. SUOZZI, Mr. SEAN PATRICK MALONEY of New York, and Mr. NADLER):

H.R. 4794. A bill to designate the facility of the United States Postal Service located at 8320 13th Avenue in Brooklyn, New York, as the ''Mother Frances Xavier Cabrini Post Office Building''; to the Committee on Oversight and Reform.

By Ms. SLOTKIN (for herself and Mr. KELLY of Pennsylvania):

H.R. 4795. A bill to amend the Internal Revenue Code of 1986 to provide for employer contributions to ABLE accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. STEUBE:

H.R. 4796. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States; to the Committee on the Judiciary.

By Mr. TAKANO (for himself and Mr. EVANS):

H.R. 4797. A bill to amend title 18, United States Code, to require that Bureau of Prisons help Federal prisoners who are being released to obtain appropriate ID to facilitate their reentry into society at no cost to the prisoner, and for other purposes; to the Committee on the Judiciary.

By Mr. VEASEY:

H.R. 4798. A bill to require the submission of reports when an individual is injured or killed by a law enforcement officer in the course of the officer's employment, and for other purposes; to the Committee on the Judiciary.

By Mr. VEASEY:

H.R. 4799. A bill to require State and local law enforcement agencies to submit information about law enforcement investigations to the Attorney General, and for other purposes; to the Committee on the Judiciary.

By Mr. WATKINS:

H.R. 4800. A bill to amend title IV of the Public Health Service Act to prohibit sale or transactions relating to human fetal tissue; to the Committee on Energy and Commerce.

By Mr. EMMER (for himself, Mr. HIMES, and Mr. CRENSHAW):

H. Res. 651. A resolution supporting the designation of October 2019 as ''National Bullying Prevention Month'' and October 23, 2019, as ''Unity Day''; to the Committee on Education and Labor.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HUFFMAN:

H.R. 4778.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2

By Mrs. RODGERS of Washington:

H.R. 4779.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Clause 3: Congress shall have the Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. CARBAJAL:

H.R. 4780.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. HUFFMAN:

H.R. 4781.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2 of the United States Constitution.

By Mr. THOMPSON of Mississippi:

H.R. 4782.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. GREEN of Texas:

H.R. 4783.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. RUSH:

H.R. 4784.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. HURD of Texas:

H.R. 4785.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 14

By Mr. BARR:

H.R. 4786.

Congress has the power to enact this legislation pursuant to the following:

Article 1. Section 8. Clause 1. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. BERA:

H.R. 4787.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. BUSTOS:

H.R. 4788.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mrs. DEMINGS:

H.R. 4789.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. KAPTUR:

H.R. 4790.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 (Necessary and Proper Clause)

By Mr. LEWIS:

H.R. 4791.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. TED LIEU of California:

H.R. 4792.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIII

By Mr. NORCROSS:

H.R. 4793.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. ROSE of New York:

H.R. 4794.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Ms. SLOTKIN:

H.R. 4795.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the Constitution, Congress has the power ''to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof''.

By Mr. STEUBE:

H.R. 4796.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises,

to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and Post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. TAKANO:

H.R. 4797.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. VEASEY:

H.R. 4798.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. VEASEY:

H.R. 4799.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. WATKINS:

H.R. 4800.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 3: Ms. WEXTON, Mr. CLEAVER, Ms. SCHAKOWSKY, and Mr. SARBANES.

H.R. 93: Mrs. KIRKPATRICK.

H.R. 96: Mr. SERRANO and Mr. VELA.

H.R. 120: Mr. CASE.

H.R. 155: Mr. RICE of South Carolina.

H.R. 188: Ms. SCHRIER.

H.R. 303: Mr. PETERSON.

H.R. 369: Mr. RICE of South Carolina.

H.R. 392: Mr. MALINOWSKI.

H.R. 393: Mr. MALINOWSKI.

H.R. 444: Ms. SPANBERGER.

H.R. 446: Mr. BYRNE.

H.R. 451: Ms. NORTON.

H.R. 510: Mr. SMITH of New Jersey, Ms. FUDGE, and Mr. AGUILAR.

H.R. 565: Ms. JACKSON LEE.

H.R. 566: Mr. STAUBER.

H.R. 587: Mr. SMITH of Washington and Mr. DEFAZIO.

H.R. 589: Mr. RIGGLEMAN and Mr. TIPTON.

H.R. 647: Mr. SPANO.

H.R. 656: Mr. SMITH of Washington.

H.R. 662: Mr. JOYCE of Pennsylvania.

H.R. 712: Mr. LOWENTHAL, Mr. NEGUSE, and Mr. DELGADO.

H.R. 737: Mr. KELLER, Mr. BILIRAKIS, Mr. CUELLAR, Ms. FUDGE, Mr. STANTON, and Mr. PHILLIPS.

H.R. 777: Mr. TED LIEU of California, Mr. JOYCE of Ohio, Mr. MEADOWS, Mr. GRAVES of Louisiana, Mr. GAETZ, and Mr. KING of Iowa.

H.R. 838: Ms. SLOTKIN and Mr. HURD of Texas.

H.R. 895: Mr. JOYCE of Ohio.

H.R. 935: Mr. JOHNSON of Ohio.

H.R. 961: Ms. CLARK of Massachusetts and Mrs. MURPHY of Florida.

H.R. 1001: Ms. SPANBERGER and Mr. CISNEROS.

H.R. 1002: Mr. PRICE of North Carolina, Mr. YARMUTH, Ms. SÁNCHEZ, Mrs. MURPHY of Florida, and Mrs. LOWEY.

H.R. 1005: Ms. SPANBERGER.

H.R. 1030: Ms. KUSTER of New Hampshire.

H.R. 1034: Ms. KENDRA S. HORN of Oklahoma.

H.R. 1042: Ms. SPANBERGER and Mr. CARTWRIGHT.

H.R. 1139: Ms. SPANBERGER.

H.R. 1154: Ms. DELBENE.

H.R. 1166: Mr. GALLAGHER.

H.R. 1201: Ms. KUSTER of New Hampshire.

H.R. 1225: Ms. JOHNSON of Texas.

H.R. 1243: Ms. MOORE.

H.R. 1337: Mr. NADLER.

H.R. 1367: Mrs. DINGELL, Mr. TRONE, Mr. GARAMENDI, Ms. BLUNT ROCHESTER, Ms. LEE of California, and Mr. HUFFMAN.

H.R. 1375: Mr. BRINDISI and Mr. GIBBS.

H.R. 1380: Ms. SCHRIER, Ms. MATSUI, Ms. GARCIA of Texas, Mr. RUSH, Mr. BISHOP of Georgia, Ms. BARRAGÁN, and Mr. WOMACK.

H.R. 1398: Mr. ALLEN.

H.R. 1434: Mr. EMMER, Mr. JOYCE of Pennsylvania, Mr. ADERHOLT, and Mr. ROUZER.

H.R. 1530: Mr. MALINOWSKI.

H.R. 1550: Mr. KILDEE.

H.R. 1560: Mr. SMITH of Washington.

H.R. 1705: Mr. LARSEN of Washington.

H.R. 1709: Mr. BAIRD, Mr. ROSE of New York, and Mrs. HAYES.

H.R. 1747: Mr. KIND.

H.R. 1766: Mr. O'HALLERAN, Mr. RUTHERFORD, and Mr. GOTTHEIMER.

H.R. 1776: Ms. MENG, Ms. ESHOO, and Ms. DEGETTE.

H.R. 1805: Mr. CRENSHAW.

H.R. 1816: Mr. RUSH.

H.R. 1823: Mr. JOYCE of Ohio.

H.R. 1865: Ms. JAYAPAL, Ms. SCHAKOWSKY, and Mr. MULLIN.

H.R. 1882: Ms. BLUNT ROCHESTER, Mr. POCAN, Mr. SOTO, and Mr. LUJÁN.

H.R. 1897: Ms. SCANLON.

H.R. 1903: Mr. BLUMENAUER, Mr. LARSEN of Washington, Mr. EVANS, and Ms. GARCIA of Texas.

H.R. 1923: Mr. COSTA, Mr. RUSH, and Ms. PINGREE.

H.R. 1948: Mr. RIGGLEMAN, Mr. BUCSHON, and Mr. HUFFMAN.

H.R. 1975: Mr. CARTWRIGHT.

H.R. 1978: Mr. KENNEDY.

H.R. 1981: Mr. MORELLE.

H.R. 2013: Mr. CISNEROS.

H.R. 2051: Mr. BYRNE and Ms. SLOTKIN.

H.R. 2061: Mr. PAPPAS.

H.R. 2089: Mr. COX of California.

H.R. 2137: Ms. KUSTER of New Hampshire.

H.R. 2150: Mr. WELCH.

H.R. 2164: Mr. TED LIEU of California and Ms. KUSTER of New Hampshire.

H.R. 2168: Mr. CURTIS.

H.R. 2210: Mr. KING of New York.

H.R. 2213: Mr. KIM.

H.R. 2245: Mr. SMITH of Washington.

H.R. 2258: Mr. WATKINS.

H.R. 2268: Mr. CICILLINE and Ms. BROWNLEY of California.

H.R. 2291: Mr. WATKINS.

H.R. 2315: Ms. SPANBERGER.

H.R. 2317: Mr. PASCRELL.

H.R. 2328: Ms. KENDRA S. HORN of Oklahoma.

H.R. 2329: Mr. KIM.

H.R. 2350: Ms. SLOTKIN and Mr. TONKO.

H.R. 2382: Mr. QUIGLEY, Mr. CONNOLLY, and Mrs. LAWRENCE.

H.R. 2420: Mr. CLAY, Mr. FITZPATRICK, Mr. CONNOLLY, Mrs. MCBATH, Mr. MOULTON, Ms. SEWELL of Alabama, Mr. BERA, Mr. KIND, and Ms. PLASKETT.

H.R. 2423: Mr. KIND, Ms. PINGREE, Mr. KEATING, and Ms. LOFGREN.

H.R. 2426: Mr. CROW.

H.R. 2457: Mr. PERLMUTTER.

H.R. 2464: Mr. KENNEDY.

H.R. 2481: Ms. CASTOR of Florida.

H.R. 2517: Mr. MCGOVERN.

H.R. 2550: Mr. KEATING and Mr. CRENSHAW.

H.R. 2579: Ms. PINGREE.

H.R. 2581: Mr. LOWENTHAL.

H.R. 2594: Mr. GARAMENDI.

H.R. 2599: Mr. RYAN.

H.R. 2645: Ms. CRAIG.

H.R. 2648: Mr. LUJÁN and Ms. MENG.

H.R. 2665: Ms. KUSTER of New Hampshire.

H.R. 2694: Ms. CRAIG and Mrs. LAWRENCE.

H.R. 2708: Mr. DAVID SCOTT of Georgia.

H.R. 2749: Mr. GARCÍA of Illinois, Ms. BROWNLEY of California, Mrs. NAPOLITANO, and Mr. GRIJALVA.

H.R. 2796: Mr. PAPPAS.

H.R. 2818: Ms. SCHAKOWSKY.

H.R. 2848: Ms. KENDRA S. HORN of Oklahoma.

H.R. 2867: Ms. OCASIO-CORTEZ, Ms. SHALALA, and Mr. LARSEN of Washington.

H.R. 2913: Mr. FITZPATRICK.

H.R. 2965: Mr. STAUBER.

H.R. 2986: Mr. KATKO and Ms. KUSTER of New Hampshire.

H.R. 3001: Ms. BASS.

H.R. 3036: Ms. ESCOBAR and Ms. SPANBERGER.

H.R. 3077: Mrs. TRAHAN.

H.R. 3116: Mr. ROUDA.

H.R. 3136: Mr. WELCH.

H.R. 3138: Ms. SPANBERGER.

H.R. 3145: Mr. SMITH of Nebraska.

H.R. 3157: Mr. SMITH of Washington.

H.R. 3166: Ms. BLUNT ROCHESTER.

H.R. 3192: Ms. SLOTKIN.

H.R. 3235: Mr. SWALWELL of California, Mr. JOYCE of Ohio, and Ms. SEWELL of Alabama.

H.R. 3249: Ms. DELBENE.

H.R. 3267: Mr. JOYCE of Pennsylvania.

H.R. 3275: Mr. DAVIDSON of Ohio.

H.R. 3306: Ms. SPANBERGER and Mrs. BUSTOS.

H.R. 3323: Mr. SUOZZI.

H.R. 3369: Mr. SABLAN and Ms. CASTOR of Florida.
H.R. 3373: Mr. COHEN.
H.R. 3398: Mrs. WATSON COLEMAN and Ms. BLUNT ROCHESTER.
H.R. 3400: Mr. RICE of South Carolina.
H.R. 3463: Ms. GABBARD and Mr. NEAL.
H.R. 3473: Ms. BLUNT ROCHESTER.
H.R. 3522: Mr. BYRNE.
H.R. 3570: Mr. VELA.
H.R. 3571: Mr. HILL of Arkansas.
H.R. 3584: Mr. EVANS, Mr. SOTO, Ms. DEAN, Mr. YARMUTH, Mr. PANETTA, and Mr. CRENSHAW.
H.R. 3593: Ms. CASTOR of Florida, Mrs. KIRKPATRICK, Mr. LEVIN of California, Mr. CICILLINE, and Mrs. DEMINGS.
H.R. 3612: Ms. BROWNLEY of California.
H.R. 3663: Mrs. BEATTY.
H.R. 3665: Ms. CASTOR of Florida.
H.R. 3702: Ms. NORTON.
H.R. 3762: Ms. KUSTER of New Hampshire, Mr. RASKIN, and Mr. CARTWRIGHT.
H.R. 3772: Mr. BURCHETT.
H.R. 3779: Mr. GRAVES of Louisiana.
H.R. 3789: Ms. ESHOO.
H.R. 3795: Ms. NORTON.
H.R. 3801: Ms. SLOTKIN.
H.R. 3813: Mr. CALVERT.
H.R. 3815: Ms. SEWELL of Alabama and Mr. HIGGINS of New York.
H.R. 3851: Ms. MATSUI, Ms. SEWELL of Alabama, Mr. LUJÁN, Mr. RICE of South Carolina, Mr. HURD of Texas, Mr. PASCRELL, Mr. MCEACHIN, Mrs. WAGNER, Mr. TIMMONS, Mr. O'HALLERAN, Mr. CÁRDENAS, Ms. DEGETTE, and Mr. CISNEROS.
H.R. 3861: Ms. SEWELL of Alabama.
H.R. 3880: Ms. KUSTER of New Hampshire.
H.R. 3896: Mr. SMITH of New Jersey and Mr. VISCLOSKY.
H.R. 3957: Mr. LUJÁN and Mr. TONKO.
H.R. 3961: Ms. BLUNT ROCHESTER.
H.R. 3964: Mr. GOSAR.
H.R. 3968: Mr. LUETKEMEYER.
H.R. 3969: Mr. CLEAVER and Mr. TED LIEU of California.
H.R. 3975: Ms. CRAIG.
H.R. 4002: Mr. LOUDERMILK.
H.R. 4030: Mr. WRIGHT.
H.R. 4044: Mr. PALLONE.
H.R. 4069: Mr. COLE.
H.R. 4085: Mr. BANKS.
H.R. 4086: Mr. BANKS.
H.R. 4108: Ms. JOHNSON of Texas and Ms. CASTOR of Florida.
H.R. 4138: Mr. DUNCAN.
H.R. 4155: Ms. DEGETTE.
H.R. 4160: Mr. SABLAN.
H.R. 4165: Ms. SPANBERGER and Ms. SLOTKIN.
H.R. 4172: Mr. PASCRELL.
H.R. 4183: Mr. CISNEROS and Mr. SPANO.
H.R. 4189: Mr. EVANS.
H.R. 4211: Ms. ESHOO.
H.R. 4216: Mr. CASTEN of Illinois and Mr. MORELLE.
H.R. 4228: Mrs. AXNE.
H.R. 4230: Mr. CUELLAR.
H.R. 4232: Mr. COLE.
H.R. 4248: Mr. FITZPATRICK and Mr. HUFFMAN.
H.R. 4304: Mr. CARTWRIGHT.
H.R. 4307: Mrs. WAGNER.
H.R. 4321: Mrs. DINGELL.
H.R. 4334: Mr. MORELLE.
H.R. 4364: Mr. LOWENTHAL.
H.R. 4368: Mr. EVANS.
H.R. 4379: Ms. KENDRA S. HORN of Oklahoma.
H.R. 4436: Mr. CARTWRIGHT.
H.R. 4457: Ms. SCHAKOWSKY.
H.R. 4519: Ms. BLUNT ROCHESTER.
H.R. 4554: Ms. NORTON and Mr. CASE.
H.R. 4618: Ms. NORTON and Mr. HIGGINS of New York.
H.R. 4623: Mr. SOTO.
H.R. 4624: Mr. COHEN, Ms. WILD, Mr. DESAULNIER, and Mr. HASTINGS.
H.R. 4639: Mr. CARTWRIGHT.
H.R. 4640: Mr. WELCH.
H.R. 4650: Ms. NORTON.
H.R. 4671: Ms. MATSUI.
H.R. 4672: Ms. ROYBAL-ALLARD, Mr. BERA, and Mr. MCCLINTOCK.
H.R. 4691: Mr. SUOZZI and Mr. NADLER.
H.R. 4695: Mr. CONNOLLY, Mr. LYNCH, Mrs. MURPHY of Florida, Mr. HASTINGS, Mrs. NAPOLITANO, Mr. PHILLIPS, Mr. MITCHELL, Ms. SPEIER, Ms. NORTON, Mr. KENNEDY, Mr. COHEN, Miss GONZÁLEZ-COLÓN of Puerto Rico, and Ms. MENG.
H.R. 4697: Mr. BRINDISI, Ms. VELÁZQUEZ, Mr. HIGGINS of New York, Ms. CLARKE of New York, Mrs. DINGELL, Ms. KUSTER of New Hampshire, Mr. NORCROSS, Mr. CONNOLLY, Mr. NADLER, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 4708: Ms. VELÁZQUEZ, Mr. HIGGINS of New York, Ms. CLARKE of New York, Mr. NORCROSS, Ms. KUSTER of New Hampshire, Mrs. DINGELL, Mr. CONNOLLY, Mr. BRINDISI, and Mr. NADLER.
H.R. 4709: Ms. VELÁZQUEZ, Mr. HIGGINS of New York, Ms. CLARKE of New York, Mr. NORCROSS, Ms. KUSTER of New Hampshire, Mrs. DINGELL, Mr. CONNOLLY, Mr. BRINDISI, and Mr. NADLER.
H.R. 4730: Mr. SUOZZI.
H.R. 4736: Mr. RIGGLEMAN, Mr. BILIRAKIS, Mr. BOST, Mr. BUCSHON, Mrs. BROOKS of Indiana, Mr. FORTENBERRY, Mr. MCKINLEY, Mr. GUTHRIE, and Mrs. MILLER.
H.R. 4761: Mr. WALKER.
H.R. 4763: Mr. TURNER.
H.R. 4764: Mr. FITZPATRICK.
H.R. 4772: Mr. AUSTIN SCOTT of Georgia.
H.R. 4776: Mr. SOTO.
H.R. 4777: Mr. MARSHALL.
H.J. Res. 2: Mr. PERLMUTTER and Mr. PAYNE.
H. Con. Res. 20: Ms. KENDRA S. HORN of Oklahoma.
H. Con. Res. 27: Mr. DANNY K. DAVIS of Illinois.
H. Con. Res. 28: Mr. HILL of Arkansas.
H. Con. Res. 52: Ms. BASS and Ms. SÁNCHEZ.
H. Con. Res. 68: Mr. GOODEN, Mr. MEUSER, Ms. SHERRILL, and Mr. KIM.
H. Res. 23: Mr. GUTHRIE.
H. Res. 33: Ms. TORRES SMALL of New Mexico.
H. Res. 49: Mr. BUCK.
H. Res. 114: Ms. DAVIDS of Kansas and Mr. KIM.
H. Res. 146: Ms. UNDERWOOD and Mr. KENNEDY.
H. Res. 219: Ms. CLARKE of New York.
H. Res. 255: Mr. HOLLINGSWORTH and Mr. MALINOWSKI.
H. Res. 301: Mr. CISNEROS.
H. Res. 374: Ms. LOFGREN.
H. Res. 384: Mr. GRIFFITH.
H. Res. 515: Mr. CISNEROS, Mr. HURD of Texas, Mr. JOYCE of Pennsylvania, and Mr. WRIGHT.
H. Res. 517: Mr. STEIL, Mr. CLAY, and Ms. SCANLON.
H. Res. 551: Ms. KENDRA S. HORN of Oklahoma.
H. Res. 552: Mr. HURD of Texas.
H. Res. 585: Mr. CICILLINE.
H. Res. 631: Mr. GOSAR, Mr. HUNTER, Mr. PERRY, Mrs. HARTZLER, and Mr. WALKER.
H. Res. 633: Mr. LUETKEMEYER and Mr. MCKINLEY.
H. Res. 634: Mr. GROTHMAN.
H. Res. 636: Mr. SOTO.
H. Res. 638: Ms. BLUNT ROCHESTER.
H. Res. 639: Mr. MULLIN, Mr. WATKINS, and Mr. GUEST.