

Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires

Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas

Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—16

Brady (TX)
Carson (IN)
Cartwright
Cassidy
Cleaver
DesJarlais

Graves (MO)
Hanabusa
Hinojosa
Issa
Miller, Gary
Nunnelee

Perlmutter
Pitts
Pompeo
Ryan (OH)

□ 1331

Messrs. GRIJALVA, CONYERS, and GARCIA changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 458, had I been present, I would have voted “no.”

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 192, not voting 15, as follows:

[Roll No. 459]

AYES—225

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer

Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie

Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis

Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Poe (TX)
Posey
Price (GA)

Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)

Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—192

Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshom
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garcia

Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George

Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Kaptur
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey

Vela
Velázquez
Visclosky
Walz

Wasserman
Schultz
Waters
Waxman

Welch
Wilson (FL)
Yarmuth

NOT VOTING—15

Barton
Brady (TX)
Carson (IN)
Cartwright
Cassidy

Cleaver
DesJarlais
Graves (MO)
Hanabusa
Issa

Miller, Gary
Nunnelee
Perlmutter
Pitts
Pompeo

□ 1339

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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

□ 1345

LONGSHORE AND HARBOR WORKERS' COMPENSATION CLARIFICATION ACT OF 2014

Mr. WALBERG. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3896) to amend the Longshore and Harbor Workers' Compensation Act to provide a definition of recreational vessel for purposes of such Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3896

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 “Longshore and Harbor Workers' Compensation Clarification Act of 2014”.

SEC. 2. DEFINITION OF RECREATIONAL VESSEL.

(a) DEFINITION.—Section 2 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 902) is amended—

(1) by redesignating paragraph (22) as paragraph (23); and

(2) by inserting after paragraph (21) the following:

“(22)(A) The term ‘recreational vessel’ means a vessel—

“(i) being manufactured or operated primarily for pleasure; or

“(ii) leased, rented, or chartered to another for the latter's pleasure.

“(B) In applying the definition in subparagraph (A), the following rules apply:

“(i) A vessel being manufactured or built, or being repaired under warranty by its manufacturer or builder, is a recreational vessel if the vessel appears intended, based on its design and construction, to be for ultimate recreational uses. The manufacturer or builder bears the burden of establishing that a vessel is recreational under this standard.

“(ii) A vessel being repaired, dismantled for repair, or dismantled at the end of its life will be treated as recreational at the time of

repair, dismantling for repair, or dismantling, provided that such vessel shares elements of design and construction of traditional recreational vessels and is not normally engaged in a military, commercial, or traditionally commercial undertaking.

“(iii) A vessel will be treated as a recreational vessel if it is a public vessel, such as a vessel owned or chartered and operated by the United States, or by a State or political subdivision thereof, at the time of repair, dismantling for repair, or dismantling, provided that such vessel shares elements of design and construction with traditional recreational vessels and is not normally engaged in a military, commercial, or traditionally commercial undertaking.”

(b) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Labor shall—

(1) amend the regulations in section 701.501 of title 20, Code of Federal Regulations, by deleting the text of subsections (a) and (b) of such section and replacing it with only the text of the definition of recreational vessel in section 2(22) of the Longshore and Harbor Workers' Compensation Act, as added by subsection (a); and

(2) make no further modification to such definition in another regulation or any administrative directive.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. WALBERG) and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. WALBERG. 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 H.R. 3896.

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

There was no objection.

Mr. WALBERG. Mr. Speaker, I rise today in support of H.R. 3896, the Longshore and Harbor Workers' Compensation Act of 2014, and yield myself as much time as I may consume.

The bill before us today provides an opportunity to correct a bureaucratic mistake by the Obama administration that is creating a great deal of confusion and anxiety among certain maritime employers, including a lot of small business owners.

For more than 85 years, the Longshore and Harbor Workers' Compensation Act has provided relief to maritime workers who sustain an injury or illness through work-related activity. Under current law, individuals who repair or dismantle recreational vessels, as well as those who build recreational vessels less than 65 feet long, are covered by an available State workers' compensation program, not the Federal Longshore Act.

It is a bit confusing, especially for maritime employers. In 2009, Congress tried to simplify the law by stipulating any maritime worker providing maintenance of recreational vessels is covered by a State workers' compensation program, regardless of the size of the vessel. Unfortunately, no good deed

goes unpunished. The Obama administration issued regulations that further muddled the waters.

Now, employers are forced to engage in a complicated analysis to determine which employees are covered by which workers' comp program, Federal or State coverage. It is a mess that is forcing employers to spend even more time and money managing their workers' comp programs.

As the National Marine Manufacturers Association warns in a letter to Congress, the administration's regulatory approach has led to higher rates that could “cause businesses to lay off employees or to decide to buy no insurance coverage for their employees at all.”

Members of Congress have raised concerns with the administration's implementation of the 2009 law and to no avail. So we are here once again, Mr. Speaker, clarifying what was already made clear in the hopes the Department of Labor will finally get it right.

H.R. 3896 amends the Longshore Act to define what a “recreational vessel” is in order to convey the true intent of the 2009 law. The bill cleans up any regulatory ambiguity and helps ensure maritime employers have access to affordable workers' compensation coverage for their employees.

With that, Mr. Speaker, I urge my colleagues to support H.R. 3896, and I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, first, as the prime sponsor of this legislation, let me thank Chairman KLINE, Ranking Member MILLER, and the talented staff on the Education and the Workforce Committee for their leadership and guidance in bringing forth this bipartisan piece of legislation.

This is a project that has been bipartisan from the start, and I think it is unfortunate that my colleague, although speaking in favor of the bill, has chosen to stray from the bipartisan commentary that we should be working together on this legislation.

The bill before us, the Longshore and Harbor Workers' Compensation Act, would reinstate the intent of Congress to ensure that workers in the recreational marine repair industry have adequate workers' compensation coverage. That is the crux of the matter that is before us.

In 2009, Congress passed section 803 of the American Recovery and Reinvestment Act, which expanded an existing exception that allowed more recreational marine repair workers to receive workers' compensation coverage under State law, rather than under the Longshore and Harbor Workers' Compensation Act. This was necessary because repair workers were simply not buying the more expensive policies and, thus, they were left undercovered. Businesses found that it was difficult for marine underwriters to determine what law their employees fell under. Therefore, section 803 expanded the exception for the recreational marine re-

pair industry from the requirement to purchase higher cost workers' compensation insurance under the Longshore Act. And as part of this provision, a repair worker was required to be covered by the lower-cost State compensation insurance in order to take full advantage of the exception. As a result, more workers would be covered—a good thing.

The Recovery Act, signed into law in 2009, provided the clarity for workers to get the coverage they needed under State workers' compensation laws. And marine insurance underwriters began to write State policies because of this clarity.

Unfortunately, new regulations were issued in 2011 that adopted a definition of recreational vessel which was far more complicated and onerous than the existing law. In so doing, this new regulatory definition ran counter to what Congress intended. It contracted the exception, rather than expanding it to ensure that we could get more employees covered. It muddled the waters of when longshore coverage was required and when the new congressionally mandated exception to use State law applied. And as a consequence, these new regulations caused the underwriters to simply stop writing policies under State law, leaving many recreational workers in the same predicament that they were in before passage of section 803.

The bill that we are considering today establishes a workable definition for a recreational vessel. In doing so, it restores the intent of Congress in the original 2009 enactments to get coverage for these workers under less expensive State workers' compensation insurance. Put simply, this bill is about protecting jobs and keeping workers covered.

In Broward County, Florida, alone, there are over 90,000 jobs in the recreational marine industry. We are the yachting capital of the entire world in Broward capital, particularly in Fort Lauderdale.

These jobs allow workers to buy homes, provide for their families, and contribute significantly to local economies. And 95 percent of these marine businesses have fewer than 10 employees, Mr. Speaker. Congress intended in 1984 and in 2009 to make sure these workers and their families were covered. And this bill keeps that promise. It does so in a bipartisan way. I urge my colleagues to support this bill.

At this time, I have no further requests for time. So in closing, I will, again, simply say that I appreciate Chairman KLINE and Ranking Member MILLER's support and the work of all of the Members who have significant marine industries in their congressional districts. I am really pleased that we are going to be able to finally make sure that the intent of Congress is carried out and that these marine workers, who are vital and a part of the backbone of so many economies, will have the coverage that they need, rather than forgoing that coverage, and

that we will be able to make sure that the employers who employ them will be able to provide less expensive coverage. It is a win-win, and I look forward to seeing it become law.

With that, I yield back the balance of my time.

Mr. WALBERG. Mr. Speaker, I yield myself the remainder of my time.

I couldn't have said it better than my colleague from Florida. Having a district that borders the Great Lakes, having marinas and harbors in my district, having the opportunity to use the resources and to make sure that the intent of Congress is followed and that we have employees and employers who are treated fairly under workers' comp laws, that they are cared for completely at the lowest cost that we intended, with the original intent of Congress, this bill does that.

So I urge my colleagues to vote "yes" on H.R. 3896 and yield back the balance of my time.

Mr. PETRI. Mr. Speaker, I rise today to express my support for H.R. 3896, a bill that would provide an important technical fix to the Longshore and Harbor Workers' Compensation Act to ensure that workers in the recreational repair industry have access to affordable workers' compensation insurance.

In 2009, Congress expanded an exception for the recreational repair industry that allowed workers in that industry to purchase less expensive state workers compensation insurance. However, in issuing regulations for this expanded exception, the Department of Labor modified the definition of a recreational vessel in a way that actually narrowed the exception's scope. The complexity of this new definition has led insurance underwriters to stop issuing workers compensation policies for repair workers, leading many workers to go without coverage entirely.

H.R. 3896 would enact a definition of recreational vessel that more accurately reflects the intent of Congress. The bill is supported by the recreational marine and marine insurance industries and has the support of both the Chairman and the Ranking Member of the House Education and Workforce Committee.

I want to thank Rep. WASSERMAN SCHULTZ, Chairman KLINE, and Chairman WALBERG for their support and work on this bill, as well as the committee staff who worked diligently to see it through the process.

I urge my colleagues to support this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. WALBERG) that the House suspend the rules and pass the bill, H.R. 3896, 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.

SAFE ACT CONFIDENTIALITY AND PRIVILEGE ENHANCEMENT ACT

Mrs. CAPITO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4626) to ensure access to certain

information for financial services industry regulators, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4626

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 "SAFE Act Confidentiality and Privilege Enhancement Act".

SEC. 2. CONFIDENTIALITY OF INFORMATION SHARED BETWEEN STATE AND FEDERAL FINANCIAL SERVICES REGULATORS.

Section 1512(a) of the S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5111(a)) is amended by inserting "or financial services" before "industry".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from West Virginia (Mrs. CAPITO) and the gentleman from Colorado (Mr. PERLMUTTER) each will control 20 minutes.

The Chair recognizes the gentlewoman from West Virginia.

GENERAL LEAVE

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 4626, currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of the Safe Act Confidentiality and Privilege Enhancement Act, legislation that I introduced this year.

One of the lessons learned from the financial crisis of the last decade was there were significant gaps in communication between State regulators. Duplicious mortgage originators were able to move from State to State, virtually undetected, perpetuating fraud on consumers. In response, Congress passed the SAFE Act, which required all mortgage loan originators to be licensed and registered through the National Mortgage Licensing System and Registry. The SAFE Act also set minimum licensing standards that States must meet.

Since its creation in 2008, this registry has allowed State regulators to efficiently search a mortgage loan originator's history and detect previous fraudulent behavior.

The success of this registry has not gone unnoticed. Since April 2012, State regulators have been working with other financial services providers to use the NMLS as a platform for the licensing and registry of other financial services providers, like money service businesses, debt collectors, pawnbrokers, and check cashers. In fact, my home State of West Virginia is now using this platform for their money service businesses.

The use of this national licensing system not only provides efficiencies

for the regulated businesses, but it also strengthens consumer protections for the licensed products. The licensing of these providers and the sharing of information between State regulators helps ensure that the consumers are properly protected from fraudulent lending. These registries will allow State regulators to better track fraudulent actors, making it less likely that these fraudsters can obtain a license to do business and harm consumers.

H.R. 4626 provides a minor amendment to the SAFE Act, ensuring that information shared between the State financial services regulators is protected. My legislation simply clarifies that information that is shared with these State regulators receives the same privileged and confidential treatment that is currently afforded to State banking and mortgage regulators. Without this minor change, there will be gaps in the system that could limit information sharing.

During a hearing in the Financial Institutions and Consumer Credit Subcommittee 2 weeks ago, West Virginia Division of Financial Institutions Commissioner Sally Cline said: "This possible gap limits the States' ability to use NMLS as a licensing system for nonmortgage financial services providers. The change proposed by H.R. 4626 addresses this uncertainty and would provide me and West Virginia-regulated entities with certainty that confidential or privileged information shared through NMLS would continue to be protected under State and Federal law."

□ 1400

Ensuring the confidentiality of the shared information will bolster the effectiveness of these national registries. Expanding licensing to new lines of business and tracking those that are licensed will better protect consumers in my State and across the country.

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

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

Mr. Speaker, H.R. 4626, introduced by Chairwoman CAPITO, aims at protecting shared information in the mortgage and financial services industry by putting safeguards on confidentiality.

The bill is very simple. It applies the same confidentiality standards to information shared with State regulators regarding nondepository financial services companies that it enjoyed prior to being entered into the national mortgage licensing system, as long as that information is shared through the Nationwide Mortgage Licensing System among all mortgage regulators.

In the lead-up to the financial crisis, State regulators and Congress recognized the need to oversee the mortgage industry more comprehensively and efficiently by promoting smart and efficient financial regulations to State-licensed, nonbank financial services providers.