

The SPEAKER pro tempore. The gentleman is no longer recognized. The Chair has advised that the gentleman has not stated an inquiry that is relevant to the proceedings before the House at this time.

#### SUPPORT FOR RAPID INNOVATION ACT OF 2016

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5388) to amend the Homeland Security Act of 2002 to provide for innovative research and development, and for other purposes, 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 Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 351, nays 4, not voting 79, as follows:

[Roll No. 335]

YEAS—351

Abraham	Coffman	Gallego
Adams	Cole	Garrett
Aderholt	Collins (GA)	Gibbs
Aguilar	Collins (NY)	Gibson
Allen	Comstock	Goodlatte
Amodei	Conaway	Gosar
Ashford	Cook	Gowdy
Barletta	Cooper	Graham
Barr	Costa	Granger
Barton	Costello (PA)	Graves (LA)
Bass	Crenshaw	Graves (MO)
Beatty	Crowley	Green, Gene
Becerra	Cuellar	Griffith
Benishek	Cummings	Grijalva
Bera	Davidson	Grothman
Bilirakis	Davis (CA)	Guinta
Bishop (GA)	Davis, Danny	Guthrie
Bishop (MI)	Davis, Rodney	Hardy
Bishop (UT)	DeFazio	Harris
Black	DeGette	Hastings
Blackburn	Delaney	Heck (NV)
Blum	DeLauro	Heck (WA)
Bost	DelBene	Hensarling
Boustany	Denham	Hice, Jody B.
Boyle, Brendan	Dent	Himes
F.	DeSaulnier	Hinojosa
Brady (PA)	DesJarlais	Holding
Brady (TX)	Deutch	Honda
Brat	Dingell	Hudson
Bridenstine	Doggett	Huffman
Brooks (AL)	Dold	Huizenga (MI)
Brooks (IN)	Donovan	Hunter
Brown (FL)	Doyle, Michael	Hurd (TX)
Buchanan	F.	Hurt (VA)
Buck	Duncan (SC)	Israel
Burgess	Duncan (TN)	Issa
Bustos	Edwards	Jenkins (KS)
Byrne	Emmer (MN)	Jenkins (WV)
Calvert	Engel	Johnson (GA)
Capps	Eshoo	Johnson (OH)
Capuano	Esty	Johnson, E. B.
Carney	Farenthold	Johnson, Sam
Carter (GA)	Farr	Jolly
Carter (TX)	Fitzpatrick	Jordan
Cartwright	Fleischmann	Joyce
Castor (FL)	Fleming	Kaptur
Chabot	Flores	Katko
Chaffetz	Fortenberry	Keating
Chu, Judy	Foster	Kelly (IL)
Ciçilline	Foxo	Kelly (MS)
Clark (MA)	Frankel (FL)	Kelly (PA)
Clarke (NY)	Franks (AZ)	Kelly (MS)
Clay	Frelinghuysen	Kelly (PA)
Cleaver	Fudge	Kennedy
Clyburn	Gabbard	Kildee

King (NY)	Neugebauer	Serrano
Kinzinger (IL)	Newhouse	Sessions
Kirkpatrick	Nugent	Sewell (AL)
Kline	Nunes	Sherman
Knight	O'Rourke	Shimkus
Kuster	Olson	Shuster
Labrador	Palazzo	Simpson
LaHood	Pallone	Sinema
LaMalfa	Palmer	Smith (MO)
Lamborn	Pascarell	Smith (NE)
Lance	Payne	Smith (NJ)
Larsen (WA)	Pearce	Smith (TX)
Larson (CT)	Pelosi	Smith (WA)
Latta	Perry	Stefanik
Lawrence	Peters	Stewart
Levin	Peterson	Stivers
Lewis	Pittenger	Stutzman
Lieu, Ted	Pitts	Swalwell (CA)
LoBiondo	Pocan	Takano
Loeb	Poe (TX)	Thompson (CA)
Lofgren	Poliquin	Thompson (MS)
Long	Pompeo	Thompson (PA)
Loudermilk	Posey	Thornberry
Love	Price (NC)	Tiberi
Lowey	Price, Tom	Tipton
Lucas	Quigley	Titus
Luetkemeyer	Rangel	Tonko
Lujan Grisham	Ratcliffe	Torres
(NM)	Reed	Tsongas
Lujan, Ben Ray	Reichert	Turner
(NM)	Renacci	Upton
Lummis	Ribble	Valadao
Lynch	Rice (NY)	Van Hollen
MacArthur	Rice (SC)	Vargas
Maloney,	Richmond	Veasey
Carolyn	Rigell	Vela
Maloney, Sean	Roby	Visclosky
Marino	Roe (TN)	Walberg
Matsui	Rogers (AL)	Walden
McCarthy	Rogers (KY)	Walker
McCaul	Rokita	Walorski
McClintock	Rooney (FL)	Walters, Mimi
McCollum	Ros-Lehtinen	Wasserman
McDermott	Roskam	Schultz
McGovern	Ross	Watson Coleman
McHenry	Rothfus	Weber (TX)
McKinley	Rouzer	Webster (FL)
McMorris	Roybal-Allard	Welch
Rodgers	Royce	Wenstrup
McNerney	Ruiz	Westerman
McSally	Ruppersberger	Westmoreland
Meadows	Russell	Williams
Meehan	Ryan (OH)	Wilson (SC)
Meeks	Salmon	Wittman
Messer	Sanford	Womack
Miller (FL)	Sarbanes	Woodall
Moolenaar	Scalise	Yarmuth
Mooney (WV)	Schakowsky	Yoder
Moulton	Schiff	Young (AK)
Mullin	Schrader	Young (IA)
Mulvaney	Schweikert	Young (IN)
Murphy (FL)	Scott (VA)	Zeldin
Murphy (PA)	Scott, Austin	Zinke
Nadler	Scott, David	
Neal	Sensenbrenner	

NAYS—4

Amash  
Gohmert

NOT VOTING—79

Babin	Forbes	Moore
Beyer	Garamendi	Napolitano
Blumenauer	Graves (GA)	Noem
Bonamici	Grayson	Nolan
Brownley (CA)	Green, Al	Norcross
Bucshon	Gutiérrez	Paulsen
Butterfield	Hahn	Perlmutter
Cárdenas	Hanna	Pingree
Carson (IN)	Harper	Polis
Castro (TX)	Hartzler	Rohrabacher
Clawson (FL)	Herrera Beutler	Rush
Cohen	Higgins	Sánchez, Linda
Connolly	Hill	T.
Conyers	Hoyer	Sanchez, Loretta
Courtney	Huelskamp	Sires
Cramer	Hultgren	Slaughter
Crawford	Jackson Lee	Speier
Culberson	Jeffries	Takai
Curbeo (FL)	Kind	Trott
DeSantis	Langevin	Velázquez
Diaz-Balart	Lee	Wagner
Duckworth	Lipinski	Walz
Duffy	Lowenthal	Waters, Maxine
Ellison	Marchant	Whitfield
Ellmers (NC)	Meng	Wilson (FL)
Fattah	Mica	Yoho
Fincher	Miller (MI)	

□ 1900

Mr. VEASEY changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### LEVERAGING EMERGING TECHNOLOGIES ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5389) to encourage engagement between the Department of Homeland Security and technology innovators, and for other purposes, 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 Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 347, nays 8, not voting 79, as follows:

[Roll No. 336]

YEAS—347

Abraham	Clyburn	Fudge
Adams	Coffman	Gabbard
Aderholt	Cole	Gallego
Aguilar	Collins (GA)	Garrett
Allen	Collins (NY)	Gibbs
Amodei	Comstock	Gibson
Ashford	Conaway	Goodlatte
Barletta	Cook	Gosar
Barr	Cooper	Gowdy
Barton	Costa	Graham
Bass	Costello (PA)	Granger
Beatty	Crenshaw	Graves (LA)
Becerra	Crowley	Graves (MO)
Benishek	Cuellar	Green, Gene
Bera	Cummings	Griffith
Bilirakis	Davidson	Grijalva
Bishop (GA)	Davis (CA)	Guinta
Bishop (MI)	Davis, Danny	Guthrie
Bishop (UT)	Davis, Rodney	Hardy
Black	DeFazio	Harris
Blackburn	DeGette	Hastings
Blum	Delaney	Heck (NV)
Bost	DeLauro	Heck (WA)
Boustany	DelBene	Hensarling
Boyle, Brendan	Denham	Hice, Jody B.
F.	Dent	Himes
Brady (PA)	DeSaulnier	Hinojosa
Brady (TX)	DesJarlais	Holding
Brat	Deutch	Honda
Bridenstine	Diaz-Balart	Hudson
Brooks (AL)	Dingell	Huffman
Brooks (IN)	Doggett	Huizenga (MI)
Brown (FL)	Dold	Hunter
Buchanan	Donovan	Hurd (TX)
Buck	Doyle, Michael	Hurt (VA)
Burgess	F.	Israel
Bustos	Duncan (SC)	Issa
Byrne	Edwards	Jenkins (KS)
Calvert	Emmer (MN)	Jenkins (WV)
Capps	Engel	Johnson (GA)
Capuano	Eshoo	Johnson (OH)
Carney	Esty	Johnson, E. B.
Carter (GA)	Farenthold	Johnson, Sam
Carter (TX)	Farr	Jolly
Cartwright	Fitzpatrick	Jordan
Castor (FL)	Fleischmann	Joyce
Chabot	Fleming	Kaptur
Chaffetz	Flores	Katko
Chu, Judy	Fortenberry	Keating
Ciçilline	Foster	Kelly (IL)
Clark (MA)	Foxo	Kelly (MS)
Clarke (NY)	Frankel (FL)	Kelly (PA)
Clay	Franks (AZ)	Kennedy
Cleaver	Frelinghuysen	Kildee

Kilmer  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Knight  
Kuster  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Levin  
Lewis  
Lieu, Ted  
LoBiondo  
Loeback  
Lofgren  
Long  
Loudermilk  
Love  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Lujan, Ben Ray  
(NM)  
Lummis  
Lynch  
MacArthur  
Maloney,  
Carolyn  
Maloney, Sean  
Marchant  
Marino  
Matsui  
McCarthy  
McCauley  
McClintock  
McCollum  
McDermott  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Messer  
Miller (FL)  
Moolenaar  
Mooney (WV)  
Moulton  
Mullin  
Murphy (FL)

Murphy (PA)  
Nadler  
Neal  
Neugebauer  
Newhouse  
Nugent  
Nunes  
O'Rourke  
Olson  
Palazzo  
Pallone  
Palmer  
Pascarella  
Payne  
Pearce  
Pelosi  
Perry  
Peters  
Peterson  
Pittenger  
Pitts  
Pocan  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price (NC)  
Price, Tom  
Quigley  
Rangel  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (NY)  
Rice (SC)  
Richmond  
Rigell  
Rohy  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Roybal-Allard  
Royce  
Ruiz  
Ruppersberger  
Russell  
Ryan (OH)  
Salmon  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schrader  
Schweikert  
Scott (VA)

Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Titus  
Tonko  
Torres  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Visclosky  
Walberg  
Walden  
Walorski  
Walters, Mimi  
Wasserman  
Schultz  
Watson Coleman  
Weber (TX)  
Webster (FL)  
Welch  
Wenstrup  
Westerman  
Westmoreland  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yarmuth  
Yoder  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin

□ 1908

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. CARSON of Indiana. Mr. Speaker, I missed rollcall votes 334 to 336. Had I been present, I would have cast the following votes: Roll call 334, on H.R. 5525, vote "nay." Rollcall 335, on H.R. 5388, vote "yea." Rollcall 336, on H.R. 5389, vote "yea."

## PERSONAL EXPLANATION

Mr. MICA. Mr. Speaker, due to a weather-related flight delay, I was unavoidably detained and unable to be present to cast my vote. Had I been present, I would have voted "yea" on rollcall votes 334, 335 and 336.

## PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Mr. Speaker, today I missed the following votes: H.R. 5525, End Taxpayer Funded Cell Phones Act of 2016. Had I been present, I would have voted "no" on this bill. H.R. 5388, Support for Rapid Innovation Act of 2016. Had I been present, I would have voted "yes" on this bill. H.R. 5389, Leveraging Emerging Technologies Act of 2016. Had I been present, I would have voted "yes" on this bill.

## NATIVE AMERICAN HEALTH SAVINGS IMPROVEMENT ACT

Mr. SMITH of Nebraska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5452) to amend the Internal Revenue Code of 1986 to permit individuals eligible for Indian Health Service assistance to qualify for health savings accounts, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5452

*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 "Native American Health Savings Improvement Act".*

**SEC. 2. INDIVIDUALS ELIGIBLE FOR INDIAN HEALTH SERVICE ASSISTANCE NOT DISQUALIFIED FROM HEALTH SAVINGS ACCOUNTS.**

*(a) IN GENERAL.—Section 223(c)(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:*

*"(D) SPECIAL RULE FOR INDIVIDUALS ELIGIBLE FOR ASSISTANCE UNDER INDIAN HEALTH SERVICE PROGRAMS.—For purposes of subparagraph (A)(ii), an individual shall not be treated as covered under a health plan described in such subparagraph merely because the individual receives hospital care or medical services under a medical care program of the Indian Health Service or of a tribal organization."*

*(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.*

The SPEAKER pro tempore (Mr. ROUZER). Pursuant to the rule, the gentleman from Nebraska (Mr. SMITH) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska.

## GENERAL LEAVE

Mr. SMITH of Nebraska. Mr. Speaker, I ask unanimous consent that all

Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 5452, currently under consideration.

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

There was no objection.

Mr. SMITH of Nebraska. Mr. Speaker, I yield myself such time as I may consume.

I am happy to stand before you today as we consider H.R. 5452, the Native American Health Savings Improvement Act, a bipartisan bill that makes a commonsense improvement to current rules surrounding health savings accounts and those who get care at Indian Health Services.

Generally, anyone covered solely by a high-deductible plan is allowed to make deductible contributions to a health savings account; but under IRS guidance, an individual who has received medical services at an Indian Health Service facility at any time during the previous 3 months is made ineligible from making contributions to an HSA. This practice could discourage those who rely on care that is delivered at an Indian Health Service facility from participating in an HSA. That is something that must be remedied.

High-deductible health plans and HSAs are critical components of consumer-driven health care. Together, they empower individuals and families to shop around, unleashing the powers of choice and competition to lower costs and improve quality. We want to lower barriers to these types of accounts and encourage individuals who are otherwise eligible to not forgo treatment at an Indian Health Service facility simply because of confusion over when they might be able to resume contributing to their HSAs.

I urge my colleagues to join me in supporting this bipartisan, commonsense measure.

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

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

Currently, contributions to a health savings account may only be made when an account owner is enrolled in a high-deductible health plan. Additionally, the account owner may not be eligible for other health coverage that is not a high-deductible health plan.

This bill would make sure that receiving benefits under an Indian Health Service or a tribal medical care program does not disqualify a taxpayer from HSA eligibility. Furthermore, under this bill, the taxpayer would still have to be covered by a high-deductible health plan to be able to receive or to make HSA contributions.

It is unclear how big of a problem this currently is across the country, particularly in Indian country. I have made it clear that HSAs and high-deductible plans move our country in the wrong direction—away from affordable

## NAYS—8

Amash  
Duncan (TN)  
Gohmert

## NOT VOTING—79

Babin  
Beyer  
Blumenauer  
Bonamici  
Brownley (CA)  
Bucshon  
Butterfield  
Cárdenas  
Carson (IN)  
Castro (TX)  
Clawson (FL)  
Cohen  
Connolly  
Conyers  
Courtney  
Cramer  
Crawford  
Culberson  
Curbelo (FL)  
DeSantis  
Duckworth  
Duffy  
Ellison  
Ellmers (NC)  
Fattah  
Fincher  
Forbes

Grothman  
Jones  
Massie

Mulvaney  
Sanford

Noem  
Nolan  
Norcross  
Paulsen  
Perlmutter  
Pingree  
Polis  
Rohrabacher  
Rush  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sires  
Slaughter  
Speier  
Takai  
Trott  
Velázquez  
Wagner  
Walker  
Walz  
Waters, Maxine  
Whitfield  
Wilson (FL)  
Yoho  
Zinke