

[Roll No. 372]

AYES—232

Abraham	Graves (MO)	Paulsen
Aderholt	Griffith	Pearce
Allen	Grothman	Perry
Amash	Guinta	Pittenger
Amodei	Guthrie	Pitts
Babin	Hardy	Poe (TX)
Barletta	Harper	Poliquin
Barr	Harris	Pompeo
Barton	Hartzler	Posey
Benishek	Heck (NV)	Price, Tom
Bilirakis	Hensarling	Ratcliffe
Bishop (MI)	Herrera Beutler	Reed
Bishop (UT)	Hice, Jody B.	Reichert
Black	Hill	Renacci
Blackburn	Holding	Ribble
Blum	Hudson	Rice (SC)
Boustany	Huelskamp	Roby
Brady (TX)	Huizenga (MI)	Roe (TN)
Brat	Hultgren	Rogers (AL)
Bridenstine	Hunter	Rogers (KY)
Brooks (AL)	Hurd (TX)	Rohrabacher
Brooks (IN)	Jenkins (KS)	Rokita
Buck	Jenkins (WV)	Rooney (FL)
Bucshon	Johnson (OH)	Ros-Lehtinen
Burgess	Johnson, Sam	Roskam
Byrne	Jolly	Ross
Calvert	Jones	Rothfus
Carter (GA)	Jordan	Rouzer
Carter (TX)	Joyce	Royce
Chabot	Katko	Russell
Chaffetz	Kelly (MS)	Salmon
Clawson (FL)	Kelly (PA)	Sanford
Coffman	King (IA)	Scalise
Cole	King (NY)	Schrader
Collins (GA)	Kinzinger (IL)	Schweikert
Collins (NY)	Kline	Scott, Austin
Comstock	Knight	Sensenbrenner
Conaway	Labrador	Sessions
Cook	LaHood	Shimkus
Costa	LaMalfa	Shuster
Costello (PA)	Lamborn	Simpson
Cramer	Lance	Smith (MO)
Crawford	Latta	Smith (NE)
Crenshaw	LoBiondo	Smith (NJ)
Culberson	Long	Smith (TX)
Curbelo (FL)	Loudermilk	Stefanik
Davidson	Love	Stewart
Davis, Rodney	Lucas	Stivers
Denham	Luetkemeyer	Stutzman
Dent	Lummis	Thompson (PA)
DeSantis	Marchant	Thornberry
DesJarlais	Marino	Tiberi
Diaz-Balart	Massie	Tipton
Dold	McCarthy	Trott
Donovan	McCaul	Upton
Duffy	McClintock	Valadao
Duncan (SC)	McHenry	Wagner
Duncan (TN)	McKinley	Walberg
Emmer (MN)	McMorris	Walden
Farenthold	Rodgers	Walker
Fincher	Meadows	Walorski
Fleischmann	Meehan	Walters, Mimi
Fleming	Messer	Weber (TX)
Flores	Mica	Webster (FL)
Forbes	Miller (FL)	Wenstrup
Fortenberry	Miller (MI)	Westerman
Fox	Moolenaar	Williams
Franks (AZ)	Mooney (WV)	Wilson (SC)
Frelinghuysen	Mullin	Wittman
Garrett	Mulvaney	Womack
Gibbs	Murphy (PA)	Woodall
Gibson	Neugebauer	Yoder
Gohmert	Newhouse	Yoho
Goodlatte	Noem	Young (AK)
Gosar	Nunes	Young (IA)
Govdy	Olson	Young (IN)
Granger	Palazzo	Zeldin
Graves (GA)	Palmer	

NOES—187

Adams	Bustos	Clyburn
Aguilar	Butterfield	Cohen
Ashford	Capps	Connolly
Bass	Capuano	Conyers
Beatty	Cárdenas	Cooper
Becerra	Carney	Courtney
Bera	Carson (IN)	Crowley
Beyer	Cartwright	Cuellar
Bishop (GA)	Castor (FL)	Cummings
Blumenauer	Castro (TX)	Davis (CA)
Bonamici	Chu, Judy	Davis, Danny
Boyle, Brendan F.	Cicilline	DeFazio
Brady (PA)	Clark (MA)	DeGette
Brown (FL)	Clarke (NY)	DeLauro
Brownley (CA)	Cleaver	DeBene
		DeSaulnier

Deutch	Langevin	Quigley
Dingell	Larsen (WA)	Rangel
Doggett	Larson (CT)	Rice (NY)
Doyle, Michael F.	Lawrence	Richmond
Duckworth	Lee	Rigell
Edwards	Levin	Roybal-Allard
Ellison	Lewis	Ruiz
Engel	Lieu, Ted	Ruppersberger
Eshoo	Lipinski	Rush
Esty	Loeb sack	Ryan (OH)
Farr	Lofgren	Sánchez, Linda T.
Fitzpatrick	Lowenthal	Sanchez, Loretta
Foster	Lowey	Sarbanes
Frankel (FL)	Lujan Grisham (NM)	Schakowsky
Fudge	Luján, Ben Ray (NM)	Schiff
Gabbard	Lynch	Scott (VA)
Gallego	MacArthur	Scott, David
Garamendi	Maloney, Carolyn	Serrano
Graham	Maloney, Sean	Sewell (AL)
Graves (LA)	Matsui	Sherman
Grayson	McCollum	Sinema
Green, Al	McDermott	Sires
Green, Gene	McGovern	Slaughter
Rohrabacher	McNerney	Smith (WA)
Rokita	Hahn	Speier
Rooney (FL)	Hanna	Swalwell (CA)
Ros-Lehtinen	Heck (WA)	Takano
Roskam	Heck (WA)	Thompson (CA)
Ross	Higgins	Thompson (MS)
Rothfus	Himes	Titus
Rouzer	Hinojosa	Tonko
Royce	Honda	Torres
Russell	Hoyer	Tsongas
Salmon	Huffman	Van Hollen
Sanford	Israel	Vargas
Scalise	Jackson Lee	Veasey
Schrader	Jeffries	Vela
Schweikert	Johnson (GA)	Velázquez
Scott, Austin	Johnson, E. B.	Visclosky
Sensenbrenner	Kaptur	Walz
Sessions	Keating	Wasserman
Shimkus	Kelly (IL)	Schultz
Shuster	Kennedy	Waters, Maxine
Simpson	Kildee	Watson Coleman
Smith (MO)	Kilmer	Welch
Smith (NE)	Kind	Wilson (FL)
Smith (NJ)	Kirkpatrick	Yarmuth
Smith (TX)	Kuster	
Stefanik		
Stewart		
Stivers		
Stutzman		
Thompson (PA)		
Thornberry		
Tiberi		
Tipton		
Trott		
Upton		
Valadao		
Wagner		
Walberg		
Walden		
Walker		
Walorski		
Walters, Mimi		
Weber (TX)		
Webster (FL)		
Wenstrup		
Westerman		
Williams		
Wilson (SC)		
Wittman		
Womack		
Woodall		
Yoder		
Yoho		
Young (AK)		
Young (IA)		
Young (IN)		
Zeldin		

NOT VOTING—14

Bost	Hurt (VA)	Turner
Buchanan	Issa	Westmoreland
Delaney	Nadler	Whitfield
Ellmers (NC)	Nugent	Zinke
Hastings	Takai	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2322

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. CRENSHAW. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CARTER of Georgia) having assumed the chair, Mr. WOODALL, 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. 5485) making appropriations for financial services and general government for the fiscal year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

FEDERAL INFORMATION SYSTEMS SAFEGUARDS ACT OF 2016

The SPEAKER pro tempore. Pursuant to House Resolution 803 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. 4361.

Will the gentleman from Georgia (Mr. COLLINS) kindly take the chair.

□ 2325

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. 4361) to amend section 3554 of title 44, United States Code, to provide for enhanced security of Federal information systems, and for other purposes, with Mr. COLLINS of Georgia (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 House Report 114-666 offered by the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) 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 House Report 114-666 on which further proceedings were postponed, in the following order:

Amendment No. 3 by Ms. NORTON of the District of Columbia.

Amendment No. 5 by Mrs. WATSON COLEMAN of New Jersey.

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

AMENDMENT NO. 3 OFFERED BY MS. NORTON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 183, noes 239, not voting 11, as follows:

[Roll No. 373]

AYES—183

Adams	Carney	Davis (CA)
Aguilar	Carson (IN)	Davis, Danny
Ashford	Cartwright	DeFazio
Bass	Castor (FL)	DeGette
Beatty	Castro (TX)	DeLauro
Becerra	Chu, Judy	DeBene
Bera	Cicilline	DeSaulnier
Beyer	Clark (MA)	Deutch
Bishop (GA)	Clarke (NY)	Dingell
Blumenauer	Cleaver	Doggett
Bonamici	Clyburn	Doyle, Michael F.
Boyle, Brendan F.	Cohen	Duckworth
Brady (PA)	Comstock	Edwards
Brown (FL)	Connolly	Ellison
Brownley (CA)	Conyers	Engel
Bustos	Costa	Eshoo
Butterfield	Courtney	Esty
Capps	Crowley	Farr
Capuano	Cuellar	Foster
Cárdenas	Cummings	Frankel (FL)

Fudge	Lowenthal	Rush	Paulsen	Ross	Tipton	Heck (WA)	Maloney	Sarbanes
Gabbard	Lowe	Ryan (OH)	Pearce	Rothfus	Trott	Higgins	Carolin	Schakowsky
Gallego	Lujan Grisham	Sánchez, Linda	Perry	Rouzer	Upton	Himes	Maloney, Sean	Schiff
Garamendi	(NM)	T.	Pittenger	Royce	Valadao	Hinojosa	Matsui	Schrader
Graham	Luján, Ben Ray	Sanchez, Loretta	Pitts	Russell	Wagner	Honda	McCollum	Scott (VA)
Grayson	(NM)	Sarbanes	Poe (TX)	Salmon	Walberg	Hoyer	McDermott	Scott, David
Green, Al	Lynch	Schakowsky	Poliquin	Sanford	Walden	Huffman	McGovern	Serrano
Green, Gene	Maloney,	Schiff	Pompeo	Scalise	Walker	Israel	McNerney	Sewell (AL)
Grijalva	Carolyn	Schrader	Posey	Schweikert	Walorski	Jackson Lee	Meeks	Sherman
Gutiérrez	Maloney, Sean	Scott (VA)	Scott, Tom	Scott, Austin	Walters, Mimi	Jeffries	Meng	Sinema
Hahn	Matsui	Scott, David	Ratcliffe	Sensenbrenner	Weber (TX)	Johnson (GA)	Moore	Sires
Heck (WA)	McCollum	Serrano	Reed	Sessions	Webster (FL)	Johnson, E. B.	Moulton	Slaughter
Higgins	McDermott	Sewell (AL)	Reichert	Shimkus	Wenstrup	Kaptur	Murphy (FL)	Smith (WA)
Himes	McGovern	Sherman	Renacci	Shuster	Westerman	Keating	Napolitano	Speier
Hinojosa	McNerney	Sinema	Ribble	Simpson	Williams	Kelly (IL)	Neal	Swaiwell (CA)
Honda	Meeks	Sires	Rice (SC)	Smith (MO)	Wilson (SC)	Kennedy	Nolan	Takano
Hoyer	Meng	Slaughter	Rigell	Smith (NE)	Wittman	Kildee	Norcross	Thompson (CA)
Huffman	Moore	Smith (WA)	Roby	Smith (NJ)	Womack	Kilmer	O'Rourke	Thompson (MS)
Israel	Moulton	Speier	Roe (TN)	Smith (TX)	Woodall	Kind	Pallone	Titus
Jackson Lee	Murphy (FL)	Swaiwell (CA)	Rogers (AL)	Stefanik	Yoder	Kirkpatrick	Pascrell	Tonko
Jeffries	Napolitano	Takano	Rogers (KY)	Stewart	Yoho	Kuster	Payne	Torres
Johnson (GA)	Neal	Thompson (CA)	Rohrabacher	Stivers	Young (AK)	Langevin	Pelosi	Tsongas
Johnson, E. B.	Nolan	Thompson (MS)	Rokita	Stutzman	Young (IA)	Larsen (WA)	Perlmutter	Van Hollen
Kaptur	Norcross	Titus	Rooney (FL)	Thompson (PA)	Young (IN)	Larson (CT)	Pingree	Vargas
Keating	O'Rourke	Tonko	Ros-Lehtinen	Thornberry	Zeldin	Lawrence	Pocan	Veasey
Kelly (IL)	Pallone	Torres	Roskam	Tiberi	Zinke	Lee	Polis	Vela
Kennedy	Pascrell	Tsongas				Levin	Price (NC)	Quigley
Kildee	Payne	Van Hollen				Lewis	Rangel	Lieu, Ted
Kilmer	Pelosi	Vargas				Lipinski	Rice (NY)	Lipinski
Kind	Perlmutter	Veasey				Loeb sack	Richmond	Loeb sack
Kirkpatrick	Peters	Vela				Lofgren	Roybal-Allard	Lowenthal
Kuster	Peterson	Velázquez				Lowenthal	Ruiz	Lowey
Langevin	Pingree	Visclosky				Lujan Grisham	Rush	Rush
Larsen (WA)	Larsen (WA)	Walz				(NM)	Ryan (OH)	Ryan (OH)
Larson (CT)	Polis	Wasserman				Luján, Ben Ray	Sánchez, Linda	Sánchez, Linda
Lawrence	Price (NC)	Schultz				(NM)	T.	T.
Lee	Quigley	Waters, Maxine				Lynch	Sanchez, Loretta	Sanchez, Loretta
Levin	Rangel	Watson Coleman						
Lewis	Rice (NY)	Welch						
Lieu, Ted	Richmond	Wilson (FL)						
Lipinski	Roybal-Allard	Yarmuth						
Loeb sack	Ruiz							
Lofgren	Ruppersberger							

## NOES—239

Abraham	Duffy	Jones
Aderholt	Duncan (SC)	Jordan
Allen	Duncan (TN)	Joyce
Amash	Emmer (MN)	Katko
Amodi	Farenthold	Kelly (MS)
Babin	Fincher	Kelly (PA)
Barletta	Fitzpatrick	King (IA)
Barr	Fleischmann	King (NY)
Barton	Fleming	Kinzinger (IL)
Benishek	Flores	Kline
Bilirakis	Forbes	Knight
Bishop (MI)	Fortenberry	Labrador
Bishop (UT)	Fox	LaHood
Black	Franks (AZ)	LaMalfa
Blackburn	Frelinghuysen	Lamborn
Blum	Garrett	Lance
Boustany	Gibbs	Latta
Brady (TX)	Gibson	LoBiondo
Brat	Gohmert	Long
Bridenstine	Goodlatte	Loudermilk
Brooks (AL)	Gosar	Love
Brooks (IN)	Gowdy	Lucas
Buck	Granger	Luetkemeyer
Bucshon	Graves (GA)	Lummis
Burgess	Graves (LA)	MacArthur
Byrne	Graves (MO)	Marchant
Calvert	Griffith	Marino
Carter (GA)	Grothman	Massie
Carter (TX)	Guinta	McCarthy
Chabot	Guthrie	McCaul
Chaffetz	Hanna	McClintock
Clawson (FL)	Hardy	McHenry
Coffman	Harper	McKinley
Cole	Harris	McMorris
Collins (GA)	Hartzler	Rodgers
Collins (NY)	Heck (NV)	McSally
Conaway	Hensarling	Meadows
Cook	Herrera Beutler	Meehan
Cooper	Hice, Jody B.	Messer
Costello (PA)	Hill	Mica
Cramer	Holding	Miller (FL)
Crawford	Hudson	Miller (MI)
Crenshaw	Huelskamp	Moolenaar
Culberson	Huizenga (MI)	Mooney (WV)
Curbelo (FL)	Hultgren	Mullin
Davidson	Hunter	Mulvaney
Davis, Rodney	Hurd (TX)	Murphy (PA)
Denham	Hurt (VA)	Neugebauer
Dent	Issa	Newhouse
DeSantis	Jenkins (KS)	Noem
DesJarlais	Jenkins (WV)	Nunes
Diaz-Balart	Johnson (OH)	Olson
Dold	Johnson, Sam	Palazzo
Donovan	Jolly	Palmer

## NOT VOTING—11

Hastings  
Turner  
Westmoreland  
Whitfield

Bost  
Buchanan  
Nadler  
Delaney  
Ellmers (NC)

AMENDMENT NO. 5 OFFERED BY MRS. WATSON COLEMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote. The Clerk will redesignate the amendment.

□ 2328

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MRS. WATSON COLEMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded. A recorded vote was ordered. The Acting CHAIR. This is a 2-minute vote. The vote was taken by electronic device, and there were—ayes 179, noes 243, not voting 11, as follows:

[Roll No. 374]

AYES—179

Adams	Castor (FL)	Dingell
Aguilar	Castro (TX)	Doggett
Ashford	Chu, Judy	Doyle, Michael
Bass	Cielline	F.
Beatty	Clark (MA)	Duckworth
Becerra	Clarke (NY)	Edwards
Bera	Clay	Ellison
Beyer	Cleaver	Engel
Bishop (GA)	Clyburn	Eshoo
Blumenauer	Cohen	Esty
Bonamici	Connolly	Farr
Boyle, Brendan	Conyers	Foster
F.	Courtney	Frankel (FL)
Brady (PA)	Crowley	Fudge
Brown (FL)	Cueellar	Gabbard
Brownley (CA)	Cummings	Galleo
Bustos	Davis (CA)	Garamendi
Butterfield	Davis, Danny	Graham
Capps	DeFazio	Grayson
Capuano	DeGette	Green, Al
Cárdenas	DeLauro	Green, Gene
Carney	DelBene	Grijalva
Carson (IN)	DeSaunier	Gutiérrez
Cartwright	Deutch	Hahn

Abraham	Duncan (TN)	King (IA)
Aderholt	Emmer (MN)	King (NY)
Allen	Farenthold	Kinzinger (IL)
Amash	Fincher	Kline
Amodi	Fitzpatrick	Knight
Babin	Fleischmann	Labrador
Barletta	Fleming	LaHood
Barr	Flores	LaMalfa
Barton	Forbes	Lamborn
Benishek	Fortenberry	Lance
Bilirakis	Fox	Latta
Bishop (MI)	Franks (AZ)	LoBiondo
Bishop (UT)	Frelinghuysen	Long
Black	Garrett	Loudermilk
Blackburn	Gibbs	Love
Blum	Gibson	Lucas
Boustany	Gohmert	Luetkemeyer
Brady (TX)	Goodlatte	Lummis
Brat	Gosar	MacArthur
Bridenstine	Gowdy	Marchant
Brooks (AL)	Granger	Marino
Brooks (IN)	Graves (GA)	Massie
Buck	Graves (LA)	McCarthy
Bucshon	Graves (MO)	McCaul
Burgess	Griffith	McClintock
Byrne	Grothman	McHenry
Calvert	Guinta	McKinley
Carter (GA)	Guthrie	McMorris
Carter (TX)	Hanna	Rodgers
Chabot	Hardy	McSally
Chaffetz	Harper	Meadows
Clawson (FL)	Harris	Meehan
Coffman	Hartzler	Messer
Cole	Heck (NV)	Mica
Collins (GA)	Hensarling	Miller (FL)
Collins (NY)	Herrera Beutler	Miller (MI)
Comstock	Hice, Jody B.	Moolenaar
Conaway	Hill	Mooney (WV)
Cook	Holding	Mullin
Cooper	Hudson	Mulvaney
Costa	Huelskamp	Murphy (PA)
Costello (PA)	Huizenga (MI)	Neugebauer
Cramer	Hultgren	Newhouse
Crawford	Hunter	Noem
Crenshaw	Hurd (TX)	Nunes
Culberson	Hurt (VA)	Olson
Curbelo (FL)	Issa	Palazzo
Davidson	Jenkins (KS)	Palmer
Davis, Rodney	Jenkins (WV)	Paulsen
Denham	Johnson (OH)	Pearce
Dent	Johnson, Sam	Perry
DeSantis	Jolly	Peters
DesJarlais	Jones	Peterson
Diaz-Balart	Jordan	Pittenger
Dold	Joyce	Pitts
Donovan	Katko	Poe (TX)
Duffy	Kelly (MS)	Poliquin
Duncan (SC)	Kelly (PA)	Pompeo

## NOES—243

Posey	Sanford	Wagner
Price, Tom	Scalise	Walberg
Ratcliffe	Schweikert	Walden
Reed	Scott, Austin	Walker
Reichert	Sensenbrenner	Walorski
Renacci	Sessions	Walters, Mimi
Ribble	Shimkus	Weber (TX)
Rice (SC)	Shuster	Webster (FL)
Rigell	Simpson	Wenstrup
Roby	Smith (MO)	Westerman
Roe (TN)	Smith (NE)	Williams
Rogers (AL)	Smith (NJ)	Wilson (SC)
Rogers (KY)	Smith (TX)	Wittman
Rohrabacher	Stefanik	Womack
Rokita	Stewart	Woodall
Rooney (FL)	Stivers	Yoder
Ros-Lehtinen	Stutzman	Yoho
Roskam	Thompson (PA)	Young (AK)
Ross	Thornberry	Young (IA)
Rothfus	Tiberi	Young (IN)
Rouzer	Tipton	Zeldin
Royce	Trott	Zinke
Russell	Upton	
Salmon	Valadao	

NOT VOTING—11

Bost	Hastings	Turner
Buchanan	Nadler	Westmoreland
Delaney	Nugent	Whitfield
Ellmers (NC)	Takai	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2331

So the amendment was rejected. The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. COLLINS of Georgia, 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. 4361) to amend section 3554 of title 44, United States Code, to provide for enhanced security of Federal information systems, and for other purposes, and, pursuant to House Resolution 803, he reported the bill back to the House with an amendment 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 to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was 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. THOMPSON of California. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. THOMPSON of California. I am, in its current form.

Mr. CHAFFETZ. Mr. Speaker, I reserve a point of order on the motion to recommit.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Thompson of California moves to recommit the bill H.R. 4361 to the Committee on Oversight and Government Reform with instructions to report the same to the House forthwith with the following amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Rule of construction.
- Sec. 4. Severability.

TITLE I—ENSURING THAT ALL INDIVIDUALS WHO SHOULD BE PROHIBITED FROM BUYING A GUN ARE LISTED IN THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM

- Sec. 101. Reauthorization of the National Criminal History Records Improvement Program.
- Sec. 102. Improvement of metrics and incentives.
- Sec. 103. Grants to States for improvement of coordination and automation of NICS record reporting.
- Sec. 104. Relief from disabilities program.
- Sec. 105. Additional protections for veterans.
- Sec. 106. Clarification that Federal court information is to be made available to the National Instant Criminal Background Check System.
- Sec. 107. Clarification that submission of mental health records to the National Instant Criminal Background Check System is not prohibited by the Health Insurance Portability and Accountability Act.
- Sec. 108. Publication of NICS index statistics.
- Sec. 109. Effective date.

TITLE II—PROVIDING A RESPONSIBLE AND CONSISTENT BACKGROUND CHECK PROCESS

- Sec. 201. Purpose.
- Sec. 202. Firearms transfers.
- Sec. 203. Penalties.
- Sec. 204. Firearms dispositions.
- Sec. 205. Firearm dealer access to law enforcement information.
- Sec. 206. Dealer location.
- Sec. 207. Residence of United States officers.
- Sec. 208. Interstate transportation of firearms or ammunition.
- Sec. 209. Rule of construction.
- Sec. 210. Effective date.

TITLE III—NATIONAL COMMISSION ON MASS VIOLENCE

- Sec. 301. Short title.
- Sec. 302. National Commission on Mass Violence.
- Sec. 303. Duties of the Commission.
- Sec. 304. Powers of the Commission.
- Sec. 305. Commission personnel matters.
- Sec. 306. Authorization of appropriations.
- Sec. 307. Termination of the Commission.

TITLE IV—DENYING FIREARMS AND EXPLOSIVES TO DANGEROUS TERRORISTS

Sec. 401. Granting the Attorney General the authority to deny the sale, delivery, or transfer of a firearm or the issuance of a firearms or explosives license or permit to dangerous terrorists.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Congress supports, respects, and defends the fundamental, individual right to keep and bear arms guaranteed by the Second Amendment to the Constitution of the United States.

(2) Congress supports and reaffirms the existing prohibition on a national firearms registry.

(3) Congress believes the Department of Justice should prosecute violations of background check requirements to the maximum extent of the law.

(4) There are deficits in the background check system in existence prior to the date of enactment of this Act and the Department of Justice should make it a top priority to work with States to swiftly input missing records, including mental health records.

(5) Congress and the citizens of the United States agree that in order to promote safe and responsible gun ownership, dangerous criminals and the seriously mentally ill should be prohibited from possessing firearms; therefore, it should be incumbent upon all citizens to ensure weapons are not being transferred to such people.

SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act, or any amendment made by this Act, shall be construed to—

- (1) expand in any way the enforcement authority or jurisdiction of the Bureau of Alcohol, Tobacco, Firearms, and Explosives; or
- (2) allow the establishment, directly or indirectly, of a Federal firearms registry.

SEC. 4. SEVERABILITY.

If any provision of this Act or an amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be invalid for any reason in any court of competent jurisdiction, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any other person or circumstance, shall not be affected.

TITLE I—ENSURING THAT ALL INDIVIDUALS WHO SHOULD BE PROHIBITED FROM BUYING A GUN ARE LISTED IN THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM

SEC. 101. REAUTHORIZATION OF THE NATIONAL CRIMINAL HISTORY RECORDS IMPROVEMENT PROGRAM.

Section 106(b) of Public Law 103-159 (18 U.S.C. 922 note) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “of this Act” and inserting “of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016”; and

(2) by striking paragraph (2) and inserting the following:

“(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this subsection \$100,000,000 for each of fiscal years 2016 through 2019.”.

SEC. 102. IMPROVEMENT OF METRICS AND INCENTIVES.

Section 102(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended to read as follows:

“(b) IMPLEMENTATION PLAN.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Denying

Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, the Attorney General, in coordination with the States, shall establish, for each State or Indian tribal government applying for a grant under section 103, a 4-year implementation plan to ensure maximum coordination and automation of the reporting of records or making of records available to the National Instant Criminal Background Check System.

“(2) BENCHMARK REQUIREMENTS.—Each 4-year plan established under paragraph (1) shall include annual benchmarks, including both qualitative goals and quantitative measures, to enable the Attorney General to assess implementation of the 4-year plan.

“(3) PENALTIES FOR NON-COMPLIANCE.—“(A) IN GENERAL.—During the 4-year period covered by a 4-year plan established under paragraph (1), the Attorney General shall withhold—

“(i) 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the first year in the 4-year period;

“(ii) 11 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the second year in the 4-year period;

“(iii) 13 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the third year in the 4-year period; and

“(iv) 15 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the fourth year in the 4-year period.

“(B) FAILURE TO ESTABLISH A PLAN.—A State that fails to establish a plan under paragraph (1) shall be treated as having not met any benchmark established under paragraph (2).”

**SEC. 103. GRANTS TO STATES FOR IMPROVEMENT OF COORDINATION AND AUTOMATION OF NICS RECORD REPORTING.**

(a) IN GENERAL.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking section 103 and inserting the following:

**“SEC. 103. GRANTS TO STATES FOR IMPROVEMENT OF COORDINATION AND AUTOMATION OF NICS RECORD REPORTING.**

“(a) AUTHORIZATION.—From amounts made available to carry out this section, the Attorney General shall make grants to States, Indian Tribal governments, and State court systems, in a manner consistent with the National Criminal History Improvement Program and consistent with State plans for integration, automation, and accessibility of criminal history records, for use by the State, or units of local government of the State, Indian Tribal government, or State court system to improve the automation and transmittal of mental health records and criminal history dispositions, records relevant to determining whether a person has been convicted of a misdemeanor crime of domestic violence, court orders, and mental health adjudications or commitments to Federal and State record repositories in accordance with section 102 and the National Criminal History Improvement Program.

“(b) USE OF GRANT AMOUNTS.—Grants awarded to States, Indian Tribal governments, or State court systems under this section may only be used to—

“(1) carry out, as necessary, assessments of the capabilities of the courts of the State or Indian Tribal government for the automation and transmission of arrest and conviction records, court orders, and mental health adjudications or commitments to Federal and State record repositories;

“(2) implement policies, systems, and procedures for the automation and transmission of arrest and conviction records, court orders, and mental health adjudications or commitments to Federal and State record repositories;

“(3) create electronic systems that provide accurate and up-to-date information which is directly related to checks under the National Instant Criminal Background Check System, including court disposition and corrections records;

“(4) assist States or Indian Tribal governments in establishing or enhancing their own capacities to perform background checks using the National Instant Criminal Background Check System; and

“(5) develop and maintain the relief from disabilities program in accordance with section 105.

“(c) ELIGIBILITY.—

“(1) IN GENERAL.—To be eligible for a grant under this section, a State, Indian Tribal government, or State court system shall certify, to the satisfaction of the Attorney General, that the State, Indian Tribal government, or State court system—

“(A) is not prohibited by State law or court order from submitting mental health records to the National Instant Criminal Background Check System; and

“(B) subject to paragraph (2), has implemented a relief from disabilities program in accordance with section 105.

“(2) RELIEF FROM DISABILITIES PROGRAM.—For purposes of obtaining a grant under this section, a State, Indian Tribal government, or State court system shall not be required to meet the eligibility requirement described in paragraph (1)(B) until the date that is 2 years after the date of enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016.

“(d) FEDERAL SHARE.—

“(1) STUDIES, ASSESSMENTS, NON-MATERIAL ACTIVITIES.—The Federal share of a study, assessment, creation of a task force, or other non-material activity, as determined by the Attorney General, carried out with a grant under this section shall be not more than 25 percent.

“(2) INFRASTRUCTURE OR SYSTEM DEVELOPMENT.—The Federal share of an activity involving infrastructure or system development, including labor-related costs, for the purpose of improving State or Indian Tribal government record reporting to the National Instant Criminal Background Check System carried out with a grant under this section may amount to 100 percent of the cost of the activity.

“(e) GRANTS TO INDIAN TRIBES.—Up to 5 percent of the grant funding available under this section may be reserved for Indian tribal governments for use by Indian tribal judicial systems.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$100,000,000 for each of fiscal years 2016 through 2019.”;

(2) by striking title III; and

(3) in section 401(b), by inserting after “of this Act” the following: “and 18 months after the date of enactment of the Denying Firearms and Explosives to Dangerous Ter-

rorists and Public Safety and Second Amendment Rights Protection Act of 2016”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections in section 1(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by striking the item relating to section 103 and inserting the following:

“Sec. 103. Grants to States for improvement of coordination and automation of NICS record reporting.”.

**SEC. 104. RELIEF FROM DISABILITIES PROGRAM.**

Section 105 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by adding at the end the following:

“(c) PENALTIES FOR NON-COMPLIANCE.—

“(1) 10 PERCENT REDUCTION.—During the 1-year period beginning 2 years after the date of enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, the Attorney General shall withhold 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

“(2) 11 PERCENT REDUCTION.—During the 1-year period after the expiration of the period described in paragraph (1), the Attorney General shall withhold 11 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

“(3) 13 PERCENT REDUCTION.—During the 1-year period after the expiration of the period described in paragraph (2), the Attorney General shall withhold 13 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

“(4) 15 PERCENT REDUCTION.—After the expiration of the 1-year period described in paragraph (3), the Attorney General shall withhold 15 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

“(5) REALLOCATION.—Amounts not allocated under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) to a State for failure to implement a relief from disabilities program shall be reallocated to States that are in compliance.”.

**SEC. 105. ADDITIONAL PROTECTIONS FOR VETERANS.**

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following new section:

**“§5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes**

“(a) IN GENERAL.—In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is determined by the Secretary to be mentally incompetent shall not be considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18 until—

“(1) in the case in which the person does not request a review as described in subsection (c)(1), the end of the 30-day period beginning on the date on which the person receives notice submitted under subsection (b); or

“(2) in the case in which the person requests a review as described in paragraph (1) of subsection (c), upon an assessment by the board designated or established under paragraph (2) of such subsection or court of competent jurisdiction that a person cannot safely use, carry, possess, or store a firearm due to mental incompetency.

“(b) NOTICE.—Notice submitted under this subsection to a person described in subsection (a) is notice submitted by the Secretary that notifies the person of the following:

“(1) The determination made by the Secretary.

“(2) A description of the implications of being considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18.

“(3) The person’s right to request a review under subsection (c)(1).

“(c) ADMINISTRATIVE REVIEW.—(1) Not later than 30 days after the date on which a person described in subsection (a) receives notice submitted under subsection (b), such person may request a review by the board designated or established under paragraph (2) or a court of competent jurisdiction to assess whether a person cannot safely use, carry, possess, or store a firearm due to mental incompetency. In such assessment, the board may consider the person’s honorable discharge or decoration.

“(2) Not later than 180 days after the date of enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, the Secretary shall designate or establish a board that shall, upon request of a person under paragraph (1), assess whether a person cannot safely use, carry, possess, or store a firearm due to mental incompetency.

“(d) JUDICIAL REVIEW.—Not later than 30 days after the date of an assessment of a person under subsection (c) by the board designated or established under paragraph (2) of such subsection, such person may file a petition for judicial review of such assessment with a Federal court of competent jurisdiction.

“(e) PROTECTING RIGHTS OF VETERANS WITH EXISTING RECORDS.—Not later than 90 days after the date of enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, the Secretary shall provide written notice of the opportunity for administrative review and appeal under subsection (c) to all persons who, on the date of enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, are considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18 as a result of having been found by the Department of Veterans Affairs to be mentally incompetent.

“(f) FUTURE DETERMINATIONS.—

“(1) IN GENERAL.—Not later than 180 days after the enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, the Secretary shall review the policies and procedures by which individuals are determined to be mentally incompetent, and shall revise such policies and procedures as necessary to ensure that any individual who is competent to manage his own financial affairs, including his receipt of Federal benefits, but who voluntarily turns over the management thereof to a fiduciary is not considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18.

“(2) REPORT.—Not later than 30 days after the Secretary has made the review and

changes required under paragraph (1), the Secretary shall submit to Congress a report detailing the results of the review and any resulting policy and procedural changes.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by adding at the end the following new item:

“5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.”.

(c) APPLICABILITY.—Section 5511 of title 38, United States Code (as added by this section), shall apply only with respect to persons who are determined by the Secretary of Veterans Affairs, on or after the date of the enactment of this Act, to be mentally incompetent, except that those persons who are provided notice pursuant to section 5511(e) of such title shall be entitled to use the administrative review under section 5511(c) of such title and, as necessary, the subsequent judicial review under section 5511(d) of such title.

**SEC. 106. CLARIFICATION THAT FEDERAL COURT INFORMATION IS TO BE MADE AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.**

Section 103(e)(1) of Public Law 103–159 (18 U.S.C. 922 note) is amended by adding at the end the following:

“(F) APPLICATION TO FEDERAL COURTS.—In this subsection—

“(i) the terms ‘department or agency of the United States’ and ‘Federal department or agency’ include a Federal court; and

“(ii) for purposes of any request, submission, or notification, the Director of the Administrative Office of the United States Courts shall perform the functions of the head of the department or agency.”.

**SEC. 107. CLARIFICATION THAT SUBMISSION OF MENTAL HEALTH RECORDS TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM IS NOT PROHIBITED BY THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT.**

Information collected under section 102(c)(3) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) to assist the Attorney General in enforcing section 922(g)(4) of title 18, United States Code, shall not be subject to the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note).

**SEC. 108. PUBLICATION OF NICS INDEX STATISTICS.**

Not later than 180 days after the date of enactment of this Act, and biannually thereafter, the Attorney General shall make the National Instant Criminal Background Check System index statistics available on a publicly accessible Internet website.

**SEC. 109. EFFECTIVE DATE.**

The amendments made by this title shall take effect 180 days after the date of enactment of this Act.

**TITLE II—PROVIDING A RESPONSIBLE AND CONSISTENT BACKGROUND CHECK PROCESS**

**SEC. 201. PURPOSE.**

The purpose of this title is to enhance the current background check process in the United States to ensure criminals and the mentally ill are not able to purchase firearms.

**SEC. 202. FIREARMS TRANSFERS.**

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended—

- (1) by repealing subsection (s);
- (2) by redesignating subsection (t) as subsection (s);
- (3) in subsection (s), as redesignated—

(A) in paragraph (1)(B)—

- (i) in clause (i), by striking “or”;
- (ii) in clause (ii), by striking “and” at the end; and

(iii) by adding at the end the following:

“(iii) in the case of an instant background check conducted at a gun show or event during the 4-year period beginning on the effective date under section 210(a) of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, 48 hours have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section; or

“(iv) in the case of an instant background check conducted at a gun show or event after the 4-year period described in clause (iii), 24 hours have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section; and”;

(B) in paragraph (3)(C)(ii), by striking “(as defined in subsection (s)(8))”;

(C) by adding at the end the following:

“(7) In this subsection—

“(A) the term ‘chief law enforcement officer’ means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual; and

“(B) the term ‘gun show or event’ has the meaning given the term in subsection (t)(7).

“(8) The Federal Bureau of Investigation shall not charge a user fee for a background check conducted pursuant to this subsection.

“(9) Notwithstanding any other provision of this chapter, upon receiving a request for an instant background check that originates from a gun show or event, the system shall complete the instant background check before completing any pending instant background check that did not originate from a gun show or event.”; and

(4) by inserting after subsection (s), as redesignated, the following:

“(t)(1) Beginning on the date that is 180 days after the date of enactment of this subsection and except as provided in paragraph (2), it shall be unlawful for any person other than a licensed dealer, licensed manufacturer, or licensed importer to complete the transfer of a firearm to any other person who is not licensed under this chapter, if such transfer occurs—

“(A) at a gun show or event, on the curtilage thereof; or

“(B) pursuant to an advertisement, posting, display or other listing on the Internet or in a publication by the transferor of his intent to transfer, or the transferee of his intent to acquire, the firearm.

“(2) Paragraph (1) shall not apply if—

“(A) the transfer is made after a licensed importer, licensed manufacturer, or licensed dealer has first taken possession of the firearm for the purpose of complying with subsection (s), and upon taking possession of the firearm, the licensee complies with all requirements of this chapter as if the licensee were transferring the firearm from the licensee’s business inventory to the unlicensed transferee, except that when processing a transfer under this chapter the licensee may accept in lieu of conducting a background check a valid permit issued within the previous 5 years by a State, or a political subdivision of a State, that allows the transferee to possess, acquire, or carry a firearm, if the law of the State, or political subdivision of a State, that issued the permit requires that such permit is issued only after an authorized government official has verified that the information available to

such official does not indicate that possession of a firearm by the unlicensed transferee would be in violation of Federal, State, or local law;

“(B) the transfer is made between an unlicensed transferor and an unlicensed transferee residing in the same State, which takes place in such State, if—

“(i) the Attorney General certifies that State in which the transfer takes place has in effect requirements under law that are generally equivalent to the requirements of this section; and

“(ii) the transfer was conducted in compliance with the laws of the State;

“(C) the transfer is made between spouses, between parents or spouses of parents and their children or spouses of their children, between siblings or spouses of siblings, or between grandparents or spouses of grandparents and their grandchildren or spouses of their grandchildren, or between aunts or uncles or their spouses and their nieces or nephews or their spouses, or between first cousins, if the transferor does not know or have reasonable cause to believe that the transferee is prohibited from receiving or possessing a firearm under Federal, State, or local law; or

“(D) the Attorney General has approved the transfer under section 5812 of the Internal Revenue Code of 1986.

“(3) A licensed importer, licensed manufacturer, or licensed dealer who processes a transfer of a firearm authorized under paragraph (2)(A) shall not be subject to a license revocation or license denial based solely upon a violation of those paragraphs, or a violation of the rules or regulations promulgated under this paragraph, unless the licensed importer, licensed manufacturer, or licensed dealer—

“(A) knows or has reasonable cause to believe that the information provided for purposes of identifying the transferor, transferee, or the firearm is false;

“(B) knows or has reasonable cause to believe that the transferee is prohibited from purchasing, receiving, or possessing a firearm by Federal or State law, or published ordinance; or

“(C) knowingly violates any other provision of this chapter, or the rules or regulations promulgated thereunder.

“(4)(A) Notwithstanding any other provision of this chapter, except for section 923(m), the Attorney General may implement this subsection with regulations.

“(B) Regulations promulgated under this paragraph may not include any provision requiring licensees to facilitate transfers in accordance with paragraph (2)(A).

“(C) Regulations promulgated under this paragraph may not include any provision requiring persons not licensed under this chapter to keep records of background checks or firearms transfers.

“(D) Regulations promulgated under this paragraph may not include any provision placing a cap on the fee licensees may charge to facilitate transfers in accordance with paragraph (2)(A).

“(5)(A) A person other than a licensed importer, licensed manufacturer, or licensed dealer, who makes a transfer of a firearm in accordance with this section, or who is the organizer of a gun show or event at which such transfer occurs, shall be immune from a qualified civil liability action relating to the transfer of the firearm as if the person were a seller of a qualified product.

“(B) A provider of an interactive computer service shall be immune from a qualified civil liability action relating to the transfer of a firearm as if the provider of an interactive computer service were a seller of a qualified product.

“(C) In this paragraph—

“(i) the term ‘interactive computer service’ shall have the meaning given the term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)); and

“(ii) the terms ‘qualified civil liability action’, ‘qualified product’, and ‘seller’ shall have the meanings given the terms in section 4 of the Protection of Lawful Commerce in Arms Act (15 U.S.C. 7903).

“(D) Nothing in this paragraph shall be construed to affect the immunity of a provider of an interactive computer service under section 230 of the Communications Act of 1934 (47 U.S.C. 230).

“(6) In any civil liability action in any State or Federal court arising from the criminal or unlawful use of a firearm following a transfer of such firearm for which no background check was required under this section, this section shall not be construed—

“(A) as creating a cause of action for any civil liability; or

“(B) as establishing any standard of care.

“(7) For purposes of this subsection, the term ‘gun show or event’—

“(A) means any event at which 75 or more firearms are offered or exhibited for sale, exchange, or transfer, if 1 or more of the firearms has been shipped or transported in, or otherwise affects, interstate or foreign commerce; and

“(B) does not include an offer or exhibit of firearms for sale, exchange, or transfer by an individual from the personal collection of that individual, at the private residence of that individual, if the individual is not required to be licensed under section 923.”

(b) PROHIBITING THE SEIZURE OF RECORDS OR DOCUMENTS.—Section 923(g)(1)(D) of such title is amended by striking “The inspection and examination authorized by this paragraph shall not be construed as authorizing the Attorney General to seize any records or other documents other than those records or documents constituting material evidence of a violation of law.” and inserting “The Attorney General shall be prohibited from seizing any records or other documents in the course of an inspection or examination authorized by this paragraph other than those records or documents constituting material evidence of a violation of law.”

(c) PROHIBITION OF NATIONAL GUN REGISTRY.—Section 923 of such title is amended by adding at the end the following:

“(m) The Attorney General may not consolidate or centralize the records of the—

“(1) acquisition or disposition of firearms, or any portion thereof, maintained by—

“(A) a person with a valid, current license under this chapter; or

“(B) an unlicensed transferor under section 922(t); or

“(2) possession or ownership of a firearm, maintained by any medical or health insurance entity.”

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 922.—Section 922(y)(2) of title 18, United States Code, is amended, in the matter preceding subparagraph (A), by striking “(g)(5)(B), and (s)(3)(B)(v)(II)” and inserting “and (g)(5)(B)”.

(2) CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT, 2012.—Section 511 of title V of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 922 note) is amended by striking “subsection 922(t)” each place it appears and inserting “subsection (s) or (t) of section 922”.

SEC. 203. PENALTIES.

Section 924 of title 18, United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

“(8) Whoever makes or attempts to make a transfer of a firearm in violation of section

922(t) to a person not licensed under this chapter who is prohibited from receiving a firearm under subsection (g) or (n) of section 922 or State law, to a law enforcement officer, or to a person acting at the direction of, or with the approval of, a law enforcement officer authorized to investigate or prosecute violations of section 922(t), shall be fined under this title, imprisoned not more than 5 years, or both.”; and

(2) by adding at the end the following:

“(q) IMPROPER USE OF STORAGE OF RECORDS.—Any person who knowingly violates section 923(m) shall be fined under this title, imprisoned not more than 15 years, or both.”

SEC. 204. FIREARMS DISPOSITIONS.

Section 922(b)(3) of title 18, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “located” and inserting “located or temporarily located”; and

(2) in subparagraph (A)—

(A) by striking “rifle or shotgun” and inserting “firearm”; and

(B) by striking “located” and inserting “located or temporarily located”; and

(C) by striking “both such States” and inserting “the State in which the transfer is conducted and the State of residence of the transferee”.

SEC. 205. FIREARM DEALER ACCESS TO LAW ENFORCEMENT INFORMATION.

Section 103(b) of Public Law 103-159 (18 U.S.C. 922 note) is amended—

(1) by striking “Not later than” and inserting the following:

“(1) IN GENERAL.—Not later than”; and

(2) by adding at the end the following:

“(2) VOLUNTARY BACKGROUND CHECKS.—Not later than 90 days after the date of enactment of the Denying Firearms and Explosives to Dangerous Terrorists and Public Safety and Second Amendment Rights Protection Act of 2016, the Attorney General shall promulgate regulations allowing licensees to use the National Instant Criminal Background Check System established under this section for purposes of conducting voluntary preemployment background checks on prospective employees.”

SEC. 206. DEALER LOCATION.

Section 923 of title 18, United States Code, is amended—

(1) in subsection (j)—

(A) in the first sentence, by striking “, and such location is in the State which is specified on the license”; and

(B) in the last sentence—

(i) by inserting “transfer,” after “sell,”; and

(ii) by striking “Act,” and all that follows and inserting “Act.”; and

(2) by adding after subsection (m), as added by section 202(c), the following:

“(n) Nothing in this chapter shall be construed to prohibit the sale, transfer, delivery, or other disposition of a firearm or ammunition not otherwise prohibited under this chapter—

“(1) by a person licensed under this chapter to another person so licensed, at any location in any State; or

“(2) by a licensed importer, licensed manufacturer, or licensed dealer to a person not licensed under this chapter, at a temporary location described in subsection (j) in any State.”

SEC. 207. RESIDENCE OF UNITED STATES OFFICERS.

Section 921 of title 18, United States Code, is amended by striking subsection (b) and inserting the following:

“(b) For purposes of this chapter:

“(1) A member of the Armed Forces on active duty, or a spouse of such a member, is a resident of—

“(A) the State in which the member or spouse maintains legal residence;

“(B) the State in which the permanent duty station of the member is located; and

“(C) the State in which the member maintains a place of abode from which the member commutes each day to the permanent duty station of the member.

“(2) An officer or employee of the United States (other than a member of the Armed Forces) who is stationed outside the United States for a period of more than 1 year, and a spouse of such an officer or employee, is a resident of the State in which the person maintains legal residence.”.

#### SEC. 208. INTERSTATE TRANSPORTATION OF FIREARMS OR AMMUNITION.

(a) IN GENERAL.—Section 926A of title 18, United States Code, is amended to read as follows:

##### “§ 926A. Interstate transportation of firearms or ammunition

“(a) DEFINITION.—In this section, the term ‘transport’—

“(1) includes staying in temporary lodging overnight, stopping for food, fuel, vehicle maintenance, an emergency, medical treatment, and any other activity incidental to the transport; and

“(2) does not include transportation—

“(A) with the intent to commit a crime punishable by imprisonment for a term exceeding 1 year that involves a firearm; or

“(B) with knowledge, or reasonable cause to believe, that a crime described in subparagraph (A) is to be committed in the course of, or arising from, the transportation.

“(b) AUTHORIZATION.—Notwithstanding any provision of any law (including a rule or regulation) of a State or any political subdivision thereof, a person who is not prohibited by this chapter from possessing, transporting, shipping, or receiving a firearm or ammunition shall be entitled to—

“(1) transport a firearm for any lawful purpose from any place where the person may lawfully possess, carry, or transport the firearm to any other such place if, during the transportation—

“(A) the firearm is unloaded; and

“(B)(i) if the transportation is by motor vehicle—

“(I) the firearm is not directly accessible from the passenger compartment of the motor vehicle; or

“(II) if the motor vehicle is without a compartment separate from the passenger compartment, the firearm is—

“(aa) in a locked container other than the glove compartment or console; or

“(bb) secured by a secure gun storage or safety device; or

“(ii) if the transportation is by other means, the firearm is in a locked container or secured by a secure gun storage or safety device; and

“(2) transport ammunition for any lawful purpose from any place where the person may lawfully possess, carry, or transport the ammunition, to any other such place if, during the transportation—

“(A) the ammunition is not loaded into a firearm; and

“(B)(i) if the transportation is by motor vehicle—

“(I) the ammunition is not directly accessible from the passenger compartment of the motor vehicle; or

“(II) if the motor vehicle is without a compartment separate from the passenger compartment, the ammunition is in a locked container other than the glove compartment or console; or

“(ii) if the transportation is by other means, the ammunition is in a locked container.

“(c) LIMITATION ON ARREST AUTHORITY.—A person who is transporting a firearm or ammunition may not be—

“(1) arrested for violation of any law or any rule or regulation of a State, or any political subdivision thereof, relating to the possession, transportation, or carrying of firearms or ammunition, unless there is probable cause that the transportation is not in accordance with subsection (b); or

“(2) detained for violation of any law or any rule or regulation of a State, or any political subdivision thereof, relating to the possession, transportation, or carrying of firearms or ammunition, unless there is reasonable suspicion that the transportation is not in accordance with subsection (b).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of such title is amended by striking the item relating to section 926A and inserting the following:

“926A. Interstate transportation of firearms or ammunition.”.

#### SEC. 209. RULE OF CONSTRUCTION.

Nothing in this title, or an amendment made by this title, shall be construed—

(1) to extend background check requirements to transfers other than those made at gun shows or on the curtilage thereof, or pursuant to an advertisement, posting, display, or other listing on the Internet or in a publication by the transferor of the intent of the transferor to transfer, or the transferee of the intent of the transferee to acquire, the firearm; or

(2) to extend background check requirements to temporary transfers for purposes including lawful hunting or sporting or to temporary possession of a firearm for purposes of examination or evaluation by a prospective transferee.

#### SEC. 210. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect 180 days after the date of enactment of this Act.

(b) FIREARM DEALER ACCESS TO LAW ENFORCEMENT INFORMATION.—Section 205 and the amendments made by section 205 shall take effect on the date of enactment of this Act.

### TITLE III—NATIONAL COMMISSION ON MASS VIOLENCE

#### SEC. 301. SHORT TITLE.

This title may be cited as the “National Commission on Mass Violence Act of 2016”.

#### SEC. 302. NATIONAL COMMISSION ON MASS VIOLENCE.

(a) ESTABLISHMENT OF COMMISSION.—There is established a commission to be known as the National Commission on Mass Violence (in this title referred to as the “Commission”) to study the availability and nature of firearms, including the means of acquiring firearms, issues relating to mental health, and all positive and negative impacts of the availability and nature of firearms on incidents of mass violence or in preventing mass violence.

(b) MEMBERSHIP.—

(1) APPOINTMENTS.—The Commission shall be composed of 12 members, of whom—

(A) 6 members of the Commission shall be appointed by the Majority Leader of the Senate, in consultation with the Minority Leader of the Senate, 1 of whom shall serve as Chairman of the Commission; and

(B) 6 members of the Commission shall be appointed by the Speaker of the House of Representatives, in consultation with the Minority Leader of the House of Representatives, 1 of whom shall serve as Vice Chairman of the Commission.

(2) PERSONS ELIGIBLE.—

(A) IN GENERAL.—The members appointed to the Commission shall include—

(i) well-known and respected individuals among their peers in their respective fields of expertise; and

(ii) not less than 1 non-elected individual from each of the following categories, who has expertise in the category, by both experience and training:

(I) Firearms.

(II) Mental health.

(III) School safety.

(IV) Mass media.

(B) EXPERTS.—In identifying the individuals to serve on the Commission, the appointing authorities shall take special care to identify experts in the fields described in section 303(a)(2).

(C) PARTY AFFILIATION.—Not more than 6 members of the Commission shall be from the same political party.

(3) COMPLETION OF APPOINTMENTS; VACANCIES.—Not later than 30 days after the date of enactment of this Act, the appointing authorities under paragraph (1) shall each make their respective appointments. Any vacancy that occurs during the life of the Commission shall not affect the powers of the Commission, and shall be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

(4) OPERATION OF THE COMMISSION.—

(A) MEETINGS.—

(i) IN GENERAL.—The Commission shall meet at the call of the Chairman.

(ii) INITIAL MEETING.—The initial meeting of the Commission shall be conducted not later than 30 days after the later of—

(I) the date of the appointment of the last member of the Commission; or

(II) the date on which appropriated funds are available for the Commission.

(B) QUORUM; VACANCIES; VOTING; RULES.—A majority of the members of the Commission shall constitute a quorum to conduct business, but the Commission may establish a lesser quorum for conducting hearings scheduled by the Commission. Each member of the Commission shall have 1 vote, and the vote of each member shall be accorded the same weight. The Commission may establish by majority vote any other rules for the conduct of the Commission’s business, if such rules are not inconsistent with this title or other applicable law.

#### SEC. 303. DUTIES OF THE COMMISSION.

(a) STUDY.—

(1) IN GENERAL.—It shall be the duty of the Commission to conduct a comprehensive factual study of incidents of mass violence, including incidents of mass violence not involving firearms, in the context of the many acts of senseless mass violence that occur in the United States each year, in order to determine the root causes of such mass violence.

(2) MATTERS TO BE STUDIED.—In determining the root causes of these recurring and tragic acts of mass violence, the Commission shall study any matter that the Commission determines relevant to meeting the requirements of paragraph (1), including at a minimum—

(A) the role of schools, including the level of involvement and awareness of teachers and school administrators in the lives of their students and the availability of mental health and other resources and strategies to help detect and counter tendencies of students towards mass violence;

(B) the effectiveness of and resources available for school security strategies to prevent incidents of mass violence;

(C) the role of families and the availability of mental health and other resources and strategies to help families detect and counter tendencies toward mass violence;

(D) the effectiveness and use of, and resources available to, the mental health system in understanding, detecting, and countering tendencies toward mass violence, as well as the effects of treatments and therapies;

(E) whether medical doctors and other mental health professionals have the ability, without negative legal or professional consequences, to notify law enforcement officials when a patient is a danger to himself or others;

(F) the nature and impact of the alienation of the perpetrators of such incidents of mass violence from their schools, families, peer groups, and places of work;

(G) the role that domestic violence plays in causing incidents of mass violence;

(H) the effect of depictions of mass violence in the media, and any impact of such depictions on incidents of mass violence;

(I) the availability and nature of firearms, including the means of acquiring such firearms, and all positive and negative impacts of such availability and nature on incidents of mass violence or in preventing mass violence;

(J) the role of current prosecution rates in contributing to the availability of weapons that are used in mass violence;

(K) the availability of information regarding the construction of weapons, including explosive devices, and any impact of such information on such incidents of mass violence;

(L) the views of law enforcement officials, religious leaders, mental health experts, and other relevant officials on the root causes and prevention of mass violence;

(M) incidents in which firearms were used to stop mass violence; and

(N) any other area that the Commission determines contributes to the causes of mass violence.

(3) TESTIMONY OF VICTIMS AND SURVIVORS.—In determining the root causes of these recurring and tragic incidents of mass violence, the Commission shall, in accordance with section 304(a), take the testimony of victims and survivors to learn and memorialize their views and experiences regarding such incidents of mass violence.

(b) RECOMMENDATIONS.—Based on the findings of the study required under subsection (a), the Commission shall make recommendations to the President and Congress to address the causes of these recurring and tragic incidents of mass violence and to reduce such incidents of mass violence.

(c) REPORTS.—

(1) INTERIM REPORT.—Not later than 3 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress an interim report describing any initial recommendations of the Commission.

(2) FINAL REPORT.—Not later than 6 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress a comprehensive report of the findings and conclusions of the Commission, together with the recommendations of the Commission.

(3) SUMMARIES.—The report under paragraph (2) shall include a summary of—

(A) the reports submitted to the Commission by any entity under contract for research under section 304(e); and

(B) any other material relied on by the Commission in the preparation of the report.

**SEC. 304. POWERS OF THE COMMISSION.**

(a) HEARINGS.—

(1) IN GENERAL.—The Commission may hold such hearings, sit and act at such times and places, administer such oaths, take such testimony, and receive such evidence as the Commission considers advisable to carry out its duties under section 303.

(2) WITNESS EXPENSES.—Witnesses requested to appear before the Commission shall be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal agency such information as the Commission considers necessary to carry out its duties under section 143. Upon the request of the Commission, the head of such agency may furnish such information to the Commission.

(c) INFORMATION TO BE KEPT CONFIDENTIAL.—

(1) IN GENERAL.—The Commission shall be considered an agency of the Federal Government for purposes of section 1905 of title 18, United States Code, and any individual employed by any individual or entity under contract with the Commission under subsection (d) of this section shall be considered an employee of the Commission for the purposes of section 1905 of title 18, United States Code.

(2) DISCLOSURE.—Information obtained by the Commission or the Attorney General under this title and shared with the Commission, other than information available to the public, shall not be disclosed to any person in any manner, except—

(A) to Commission employees or employees of any individual or entity under contract to the Commission under subsection (d) for the purpose of receiving, reviewing, or processing such information;

(B) upon court order; or

(C) when publicly released by the Commission in an aggregate or summary form that does not directly or indirectly disclose—

(i) the identity of any person or business entity; or

(ii) any information which could not be released under section 1905 of title 18, United States Code.

(d) CONTRACTING FOR RESEARCH.—The Commission may enter into contracts with any entity for research necessary to carry out the duties of the Commission under section 303.

**SEC. 305. COMMISSION PERSONNEL MATTERS.**

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional employees as may be necessary to enable the Commission to perform its duties. The employment and termination of an executive director shall be subject to confirmation by a majority of the members of the Commission.

(2) COMPENSATION.—The executive director shall be compensated at a rate not to exceed

the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code. The Chairman may fix the compensation of other employees without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for such employees may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee, with the approval of the head of the appropriate Federal agency, may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status, benefits, or privilege.

(d) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

**SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the Commission and any agency of the Federal Government assisting the Commission in carrying out its duties under this title such sums as may be necessary to carry out the purposes of this title. Any sums appropriated shall remain available, without fiscal year limitation, until expended.

**SEC. 307. TERMINATION OF THE COMMISSION.**

The Commission shall terminate 30 days after the Commission submits the final report under section 303(c)(2).

**TITLE IV—DENYING FIREARMS AND EXPLOSIVES TO DANGEROUS TERRORISTS**

**SEC. 401. GRANTING THE ATTORNEY GENERAL THE AUTHORITY TO DENY THE SALE, DELIVERY, OR TRANSFER OF A FIREARM OR THE ISSUANCE OF A FIREARMS OR EXPLOSIVES LICENSE OR PERMIT TO DANGEROUS TERRORISTS.**

(a) STANDARD FOR EXERCISING ATTORNEY GENERAL DISCRETION REGARDING TRANSFERRING FIREARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS TERRORISTS.—Chapter 44 of title 18, United States Code, is amended—

(1) by inserting the following new section after section 922:

**“§ 922A. Attorney General’s discretion to deny transfer of a firearm**

“The Attorney General may deny the transfer of a firearm pursuant to section 922(t)(1)(B)(ii) if the Attorney General determines that the transferee is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism.”;

(2) by inserting the following new section after section 922A:

**“§ 922B. Attorney General’s discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3)**

“The Attorney General may determine that an applicant for a firearm permit which would qualify for an exemption under section 922(t)(3) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.”; and

(3) in section 921(a), by adding at the end the following:

“(36) The term ‘terrorism’ means ‘international terrorism’ as defined in section 2331(1), and ‘domestic terrorism’ as defined in section 2331(5).

“(37) The term ‘material support’ means ‘material support or resources’ within the meaning of section 2339A or 2339B.

“(38) The term ‘responsible person’ means an individual who has the power, directly or indirectly, to direct or cause the direction of the management and policies of the applicant or licensee pertaining to firearms.”

(b) EFFECT OF ATTORNEY GENERAL DISCRETIONARY DENIAL THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON FIREARMS PERMITS.—Section 922(t) of such title is amended—

(1) in paragraph (1)(B)(ii), by inserting “or State law, or that the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A” before the semicolon;

(2) in paragraph (2), by inserting after “or State law” the following: “or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A”;

(3) in paragraph (3)(A)(i)—

(A) by striking “and” at the end of subclause (I); and

(B) by adding at the end the following:

“(III) was issued after a check of the system established pursuant to paragraph (1);”;

(4) in paragraph (3)(A)—

(A) by adding “and” at the end of clause (ii); and

(B) by adding after and below the end the following:

“(iii) the State issuing the permit agrees to deny the permit application if such other person is the subject of a determination by the Attorney General pursuant to section 922B;”;

(5) in paragraph (4), by inserting after “or State law,” the following: “or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A.”; and

(6) in paragraph (5), by inserting after “or State law,” the following: “or if the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A.”

(c) UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED ON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 922(d) of such title is amended—

(1) by striking “or” at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting “; or”; and

(3) by inserting after paragraph (9) the following:

“(10) has been the subject of a determination by the Attorney General pursuant to section 922A, 922B, 923(d)(1)(H), or 923(e) of this title.”

(d) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 922(g) of such title is amended—

(1) by striking “or” at the end of paragraph (8);

(2) by striking the comma at the end of paragraph (9) and inserting “; or”; and

(3) by inserting after paragraph (9) the following:

“(10) who has received actual notice of the Attorney General’s determination made pursuant to section 922A, 922B, 923(d)(1)(H), or 923(e) of this title.”

(e) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d)(1) of such title is amended—

(1) by striking “Any” and inserting “Except as provided in subparagraph (H), any”;

(2) in subparagraph (F)(iii), by striking “and” at the end;

(3) in subparagraph (G), by striking the period and inserting “; and”; and

(4) by adding at the end the following:

“(H) The Attorney General may deny a license application if the Attorney General determines that the applicant (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.”

(f) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of such title is amended—

(1) in the 1st sentence—

(A) by inserting after “revoke” the following: “—(1)”; and

(B) by striking the period and inserting a semicolon;

(2) in the 2nd sentence—

(A) by striking “The Attorney General may, after notice and opportunity for hearing, revoke” and insert “(2)”; and

(B) by striking the period and inserting “; or”; and

(3) by adding at the end the following:

“(3) any license issued under this section if the Attorney General determines that the holder of the license (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.”

(g) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN FIREARMS LICENSE DENIAL AND REVOCATION SUIT.—Section 923(f) of such title is amended—

(1) in the 1st sentence of paragraph (1), by inserting “, except that if the denial or revocation is pursuant to subsection (d)(1)(H) or (e)(3), then any information on which the Attorney General relied for this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security” before the period; and

(2) in paragraph (3), by inserting after the 3rd sentence the following: “With respect to any information withheld from the aggrieved party under paragraph (1), the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”

(h) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN RELIEF FROM DISABILITIES LAWSUITS.—Section 925(c) of such title is amended by inserting after the 3rd sentence the following: “If receipt of a firearm by the person would violate section 922(g)(10), any information which the Attorney General relied on for this determination may be withheld from the applicant if the Attorney General determines that disclosure of the information would likely compromise national security. In responding to the petition, the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”

(i) PENALTIES.—Section 924(k) of such title is amended—

(1) by striking “or” at the end of paragraph (2);

(2) in paragraph (3), by striking “, or” and inserting “; or”; and

(3) by inserting after paragraph (3) the following:

“(4) constitutes an act of terrorism (as defined in section 921(a)(36)), or material support thereof (as defined in section 921(a)(37)); or”.

(j) REMEDY FOR ERRONEOUS DENIAL OF FIREARM OR FIREARM PERMIT EXEMPTION.—Section 925A of such title is amended—

(1) in the section heading, by striking “Remedy for erroneous denial of firearm” and inserting “Remedies”;

(2) by striking “Any person denied a firearm pursuant to subsection (s) or (t) of section 922” and inserting the following:

“(a) Except as provided in subsection (b), any person denied a firearm pursuant to section 922(t) or pursuant to a determination made under section 922B;”;

(3) by adding after and below the end the following:

“(b) In any case in which the Attorney General has denied the transfer of a firearm to a prospective transferee pursuant to section 922A or has made a determination regarding a firearm permit applicant pursuant to section 922B, an action challenging the determination may be brought against the United States. The petition must be filed not later than 60 days after the petitioner has received actual notice of the Attorney General’s determination made pursuant to section 922A or 922B. The court shall sustain the Attorney General’s determination on a showing by the United States by a preponderance of evidence that the Attorney General’s determination satisfied the requirements of section 922A or 922B. To make this showing, the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security. On request of the petitioner or the court’s own motion, the court may review the full, undisclosed documents ex parte and in camera. The court shall determine whether the summaries or redacted versions, as the case may be, are fair and accurate representations of the underlying documents. The court shall not consider the full, undisclosed documents in deciding whether the Attorney General’s determination satisfies the requirements of section 922A or 922B.”

(k) PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103 of the Brady Handgun Violence Prevention Act (Public Law 103-159) is amended—

(1) in subsection (f)—

(A) by inserting after “is ineligible to receive a firearm,” the following: “or the Attorney General has made a determination regarding an applicant for a firearm permit pursuant to section 922B of title 18, United States Code”; and

(B) by inserting after “the system shall provide such reasons to the individual,” the following: “except for any information the disclosure of which the Attorney General has determined would likely compromise national security”; and

(2) in subsection (g)—

(A) in the 1st sentence, by inserting after “subsection (g) or (n) of section 922 of title 18, United States Code or State law” the following: “or if the Attorney General has made a determination pursuant to section 922A or 922B of such title.”;

(B) by inserting “, except any information the disclosure of which the Attorney General has determined would likely compromise national security” before the period; and

(C) by adding at the end the following: “Any petition for review of information withheld by the Attorney General under this

subsection shall be made in accordance with section 925A of title 18, United States Code.”.

(1) UNLAWFUL DISTRIBUTION OF EXPLOSIVES BASED ON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 842(d) of such title is amended—

(1) by striking the period at the end of paragraph (9) and inserting “; or”;

(2) by adding at the end the following:

“(10) has received actual notice of the Attorney General’s determination made pursuant to section 843(b)(8) or (d)(2) of this title.”.

(m) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 842(i) of such title is amended—

(1) by adding “; or” at the end of paragraph (7); and

(2) by inserting after paragraph (7) the following:

“(8) who has received actual notice of the Attorney General’s determination made pursuant to section 843(b)(8) or (d)(2).”.

(n) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(b) of such title is amended—

(1) by striking “Upon” and inserting the following: “Except as provided in paragraph (8), on”;

(2) by inserting after paragraph (7) the following:

“(8) The Attorney General may deny the issuance of a permit or license to an applicant if the Attorney General determines that the applicant or a responsible person or employee possessor thereof is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.”.

(o) ATTORNEY GENERAL DISCRETIONARY REVOCATION OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(d) of such title is amended—

(1) by inserting “(1)” in the first sentence after “if”;

(2) by striking the period at the end of the first sentence and inserting the following: “; or (2) the Attorney General determines that the licensee or holder (or any responsible person or employee possessor thereof) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and that the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.”.

(p) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN EXPLOSIVES LICENSE AND PERMIT DENIAL AND REVOCATION SUITS.—Section 843(e) of such title is amended—

(1) in the 1st sentence of paragraph (1), by inserting “except that if the denial or revocation is based on a determination under subsection (b)(8) or (d)(2), then any information which the Attorney General relied on for the determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security” before the period; and

(2) in paragraph (2), by adding at the end the following: “In responding to any petition for review of a denial or revocation based on a determination under section 843(b)(8) or (d)(2), the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”.

(q) ABILITY TO WITHHOLD INFORMATION IN COMMUNICATIONS TO EMPLOYERS.—Section 843(h)(2) of such title is amended—

(1) in subparagraph (A), by inserting “or section 843(b)(1) (on grounds of terrorism) of this title,” after “section 842(i),”; and

(2) in subparagraph (B)—

(A) by inserting “or section 843(b)(8)” after “section 842(i),”; and

(B) in clause (ii), by inserting “, except that any information that the Attorney General relied on for a determination pursuant to section 843(b)(8) may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security” before the semicolon.

(r) CONFORMING AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.—Section 101(a)(43)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(E)(ii)) is amended by striking “or (5)” and inserting “(5), or (10)”.

Amend the title so as to read: “A bill to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist, and to protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process.”.

Mr. THOMPSON of California (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. THOMPSON of California. Mr. Speaker, this is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

My motion to recommit would incorporate into the underlying legislation H.R. 1076, a bipartisan measure of no fly, no buy, and H.R. 1217, another bipartisan bill to strengthen our background check system for gun sales.

These bills are common sense. They are bipartisan. They respect the Second Amendment. I am a gun owner. If these bills did anything to violate those rights, my name wouldn’t be on them. Most importantly, they would help keep guns away from those who shouldn’t have them: terrorists, criminals, domestic abusers, and the dangerously mentally ill.

H.R. 1076 was introduced by our Republican colleague PETER KING. This bill says that if you are on the FBI’s terrorist no-fly list then you don’t get to walk into a gun store, pass a background check, and leave with a gun or guns of your choosing. If there is one thing both sides of the aisle should be able to agree on it is keeping guns from suspected terrorists, and 181 Members of this House have signed the petition to force an up-or-down vote on the bill.

Mr. Speaker, give us a vote on this legislation.

The second bill, H.R. 1217, is a bipartisan, pro-Second Amendment bill that would close dangerous loopholes in our

background check system that allow criminals, domestic abusers, and the dangerously mentally ill to bypass a background check and purchase guns online, at gun shows, or through classified ads. The bill has 186 bipartisan co-authors.

Mr. Speaker, give us a vote on this legislation.

These are the bills the American people want to see enacted into law as 85 percent of Americans favor banning individuals on the no-fly list from being able to buy a gun, and 90 percent of Americans support strengthening and expanding our background check system.

We have been calling for a vote on this bipartisan legislation to reduce gun violence for 3½ years. It was that long ago that 20 elementary school kids and six educators were shot to death at Sandy Hook Elementary School in Newtown, Connecticut.

For reasons that I will never understand, that horrific tragedy was not enough to convince the Republican leadership that something needed to be done to prevent the next tragedy. Sadly, in the 3½ years that the Republicans have refused to vote on legislation to keep guns out of dangerous hands, our country has lost far too many innocent lives to gun violence.

Let me give you some numbers: 3½, the number of years it has been since Sandy Hook; 34,000, the number of people killed by someone with a gun since Sandy Hook; 1,182, the number of mass shootings since Sandy Hook; 30, the number of moments of silence since Sandy Hook; 521, the number of legislative days since Sandy Hook; most importantly, the number zero. That is the number of votes we have taken in this House to keep guns out of dangerous hands. That is shameful.

Congress has a responsibility to take action to keep our communities safe from gun violence. With this motion, our Republican colleagues have an opportunity right here, right now, to vote on these bills. We are here to represent and to fight for the people we have the privilege to serve.

The overwhelming majority of American people wants to see their elected representatives take action to help keep guns away from those who shouldn’t have them: terrorists, criminals, domestic abusers, and the dangerously mentally ill. This debate isn’t a choice between respecting the Second Amendment or reducing gun violence. It is about Congress doing both.

Mr. Speaker, it is long past time for the Republican leadership to give us a vote on this pro-Second Amendment, pro-gun safety legislation. We can’t allow mass gun violence, followed by moments of silence and no action, to become America’s new normal. We can’t wait for more innocent lives to be cut short by someone who has used a gun. We need to pass this motion and help spare families the pain of losing a loved one to gun violence. Give us a vote. Pass this bill.

I yield back the balance of my time.

□ 2340

POINT OF ORDER

Mr. CHAFFETZ. Mr. Speaker, I raise a point of order against the motion because the instruction contains matter in the jurisdiction of a committee to which the resolution was not referred, thus violating clause 7 of rule XVI which requires an amendment to be germane to the measure being amended.

The committee of jurisdiction is a central test of germaneness; therefore, I must insist on the point of order.

The SPEAKER pro tempore. Are there any other Members who wish to speak on the point of order?

If not, the Chair is prepared to rule.

The gentleman from Utah makes a point of order that the instructions proposed in the motion to recommit offered by the gentleman from California are not germane.

The bill addresses operational and administrative aspects of Federal agencies, including information technology management, government-wide rule-making restrictions, and sundry personnel matters. The instructions in the motion to recommit address, in part, adjudication of veterans under title 38, United States Code.

Among the fundamental principles of germaneness is that an amendment must confine itself to matters that fall within the jurisdiction of the committees with jurisdiction over the pending measure.

The bill, as amended, falls within the legislative jurisdiction of the Committee on Oversight and Government Reform and the Committee on the Judiciary. The instructions contained in the motion to recommit address subject matter within the legislative jurisdiction of the Committee on Veterans' Affairs. The Chair would note that the relevant portion of the text of the instructions contained in the motion to recommit is similar in form to the bill, H.R. 1217, which was referred in addition to the Committee on Veterans' Affairs.

By addressing a matter within the jurisdiction of a committee not represented in the bill, the instructions propose an amendment that is not germane.

The point of order is sustained. The motion is not in order.

Mr. THOMPSON of California. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. CHAFFETZ. Mr. Speaker, I move to table the appeal of the ruling of the Chair.

The SPEAKER pro tempore. The question is on the motion to table.

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

RECORDED VOTE

Mr. THOMPSON of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on the passage of the bill, if arising without further proceedings in recom-mittal.

The vote was taken by electronic device, and there were—ayes 240, noes 182, not voting 11, as follows:

[Roll No. 375]

AYES—240

Abraham	Graves (LA)	Newhouse
Aderholt	Graves (MO)	Noem
Allen	Griffith	Nunes
Amash	Grothman	Olson
Amodei	Guinta	Palazzo
Babin	Guthrie	Palmer
Bilirakis	Hanna	Paulsen
Bishop (MI)	Hardy	Pearce
Bishop (UT)	Harper	Perry
Black	Harris	Peterson
Blackburn	Hartzler	Pittenger
Blum	Heck (NV)	Pitts
Boustany	Hensarling	Poe (TX)
Brady (TX)	Herrera Beutler	Poliquin
Brat	Hice, Jody B.	Pompeo
Bridenstine	Hill	Posey
Brooks (AL)	Holding	Price, Tom
Brooks (IN)	Hudson	Ratcliffe
Buck	Huelskamp	Reed
Bucshon	Huizenga (MI)	Reichert
Burgess	Hunter	Renacci
Byrne	Hurd (TX)	Ribble
Calvert	Hurt (VA)	Rice (SC)
Carter (GA)	Issa	Rigell
Carter (TX)	Jenkins (KS)	Roby
Chabot	Jenkins (WV)	Roe (TN)
Chaffetz	Johnson (OH)	Rogers (AL)
Clawson (FL)	Johnson, Sam	Rogers (KY)
Coffman	Jolly	Rohrabacher
Cole	Jones	Rokita
Collins (GA)	Jordan	Rooney (FL)
Collins (NY)	Joyce	Ros-Lehtinen
Comstock	Katko	Roskam
Conaway	Kelly (MS)	Ross
Cook	Kelly (PA)	Rothfus
Costello (PA)	King (IA)	Rouzer
Cramer	King (NY)	Royce
Crawford	Kinzinger (IL)	Russell
Crenshaw	Kline	Salmon
Culberson	Knight	Sanford
Curbelo (FL)	Labrador	Scalise
Davidson	LaHood	Schweikert
Davis, Rodney	LaMalfa	Scott, Austin
Denham	Lamborn	Sensenbrenner
Dent	Lance	Sessions
DeSantis	Latta	Shimkus
DesJarlais	LoBiondo	Shuster
Diaz-Balart	Long	Simpson
Dold	Loudermilk	Smith (MO)
Donovan	Love	Smith (NE)
Duffy	Lucas	Smith (NJ)
Duncan (SC)	Luetkemeyer	Smith (TX)
Duncan (TN)	Lummis	Stefanik
Emmer (MN)	MacArthur	Stewart
Farenthold	Marchant	Stivers
Fincher	Marino	Stutzman
Fitzpatrick	Massie	Thompson (PA)
Fleischmann	McCarthy	Thornberry
Fleming	McCaul	Tiberi
Flores	McClintock	Tipton
Forbes	McHenry	Trott
Fortenberry	McKinley	Upton
Fox	McMorris	Valadao
Franks (AZ)	Rodgers	Wagner
Frelinghuysen	McSally	Walberg
Garrett	Meadows	Walden
Gibbs	Meehan	Walker
Gibson	Messer	Walorski
Gohmert	Mica	Walters, Mimi
Goodlatte	Miller (FL)	Weber (TX)
Gosar	Miller (MI)	Webster (FL)
Gowdy	Moolenaar	Wenstrup
Granger	Mooney (WV)	Westerman
Graves (GA)	Mullin	Williams
	Mulvaney	Wilson (SC)
	Murphy (PA)	Wittman
	Neugebauer	Womack
		Woodall

Yoder  
Yoho  
Young (AK)

Young (IA)  
Young (IN)  
Zeldin

Zinke

NOES—182

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

NOT VOTING—11

Bost	Hastings	Turner
Buchanan	Nadler	Westmoreland
Delaney	Nugent	Whitfield
Ellmers (NC)	Takai	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 2357

Mr. YARMUTH changed his vote from "aye" to "no."

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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.

## RECORDED VOTE

Ms. KELLY of Illinois. 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 241, noes 181, not voting 11, as follows:

[Roll No. 376]

## AYES—241

Abraham	Griffith	Palmer
Aderholt	Grothman	Paulsen
Allen	Guinta	Pearce
Amash	Guthrie	Perry
Amodei	Hanna	Peterson
Babin	Hardy	Pittenger
Barletta	Harper	Pitts
Barr	Harris	Poe (TX)
Barton	Hartzler	Poliquin
Benishke	Heck (NV)	Pompeo
Bilirakis	Hensarling	Posey
Bishop (MI)	Herrera Beutler	Price, Tom
Black	Hice, Jody B.	Ratcliffe
Blackburn	Hill	Reed
Blum	Holdering	Reichert
Boustany	Hudson	Renacci
Brady (TX)	Huelskamp	Ribble
Brat	Huizenga (MI)	Rice (SC)
Bridenstine	Hultgren	Rigell
Brooks (AL)	Hunter	Roby
Brooks (IN)	Hurd (TX)	Roe (TN)
Buck	Hurt (VA)	Rogers (AL)
Bucshon	Issa	Rogers (KY)
Burgess	Jenkins (KS)	Rohrabacher
Byrne	Jenkins (WV)	Rokita
Calvert	Johnson (OH)	Rooney (FL)
Carter (GA)	Johnson, Sam	Ros-Lehtinen
Carter (TX)	Jolly	Roskam
Chabot	Jones	Ross
Chaffetz	Jordan	Rothfus
Clawson (FL)	Joyce	Rouzer
Coffman	Katko	Royce
Cole	Kelly (MS)	Russell
Collins (GA)	Kelly (PA)	Salmon
Collins (NY)	King (IA)	Sanford
Conaway	King (NY)	Scalise
Cook	Kinzinger (IL)	Schweikert
Cooper	Kline	Scott, Austin
Costa	Knight	Sensenbrenner
Costello (PA)	Labrador	Sessions
Cramer	LaHood	Shimkus
Crawford	LaMalfa	Shuster
Crenshaw	Lamborn	Simpson
Cuellar	Lance	Smith (MO)
Culberson	Latta	Smith (NE)
Curbelo (FL)	LoBiondo	Smith (NJ)
Davidson	Long	Smith (TX)
Davis, Rodney	Loudermilk	Stefanik
Denham	Love	Stewart
Dent	Lucas	Stivers
DeSantis	Luetkemeyer	Stutzman
DesJarlais	Lummis	Thompson (PA)
Diaz-Balart	MacArthur	Thornberry
Dold	Marchant	Tiberti
Donovan	Marino	Tipton
Duffy	Massie	Trott
Duncan (SC)	McCarthy	Upton
Duncan (TN)	McCaul	Valadao
Emmer (MN)	McClintock	Wagner
Farenthold	McHenry	Walberg
Fincher	McKinley	Walden
Fitzpatrick	McMorris	Walker
Fleischmann	Rodgers	Walorski
Fleming	McSally	Walters, Mimi
Flores	Meadows	Weber (TX)
Forbes	Meehan	Webster (FL)
Fortenberry	Messer	Wenstrup
Fox	Mica	Westerman
Franks (AZ)	Miller (FL)	Williams
Frelinghuysen	Miller (MI)	Wilson (SC)
Garrett	Moolenaar	Wittman
Gibbs	Mooney (WV)	Womack
Gibson	Mullin	Woodall
Gohmert	Mulvaney	Yoder
Goodlatte	Murphy (PA)	Yoho
Gosar	Neugebauer	Young (AK)
Gowdy	Newhouse	Young (IA)
Granger	Noem	Young (IN)
Graves (GA)	Nunes	Zeldin
Graves (LA)	Olson	Zinke
Graves (MO)	Palazzo	

## NOES—181

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

## NOT VOTING—11

Bost	Hastings	Turner
Buchanan	Nadler	Westmoreland
Delaney	Nugent	Whitfield
Elmers (NC)	Takai	

□ 0003

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON S. 524, COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2016; AND FOR OTHER PURPOSES

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 114-670) on the resolution (H. Res. 809) providing for consideration of the conference report to accompany the bill (S. 524) to authorize the Attorney General to award grants to address the national epidemics of prescription

opioid abuse and heroin use; and for other purposes, which was referred to the House Calendar and ordered to be printed.

### FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2017

The SPEAKER pro tempore (Mr. BUCK). Pursuant to House Resolution 794 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. 5485.

Will the gentleman from New York (Mr. DONOVAN) kindly take the chair.

□ 0005

#### 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. 5485) making appropriations for financial services and general government for the fiscal year ending September 30, 2017, and for other purposes, with Mr. DONOVAN (Acting Chair) in the chair.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 21 printed in House Report 114-639 offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) had been disposed of.

#### AMENDMENT NO. 22 OFFERED BY MRS. BLACKBURN

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in House Report 114-639.

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . Each amount made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1 percent. In the preceding sentence, the term "this Act" includes titles IV and VIII.

The Acting CHAIR. Pursuant to House Resolution 794, the gentlewoman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, I know especially our ranking member has been looking so forward to having this amendment come to the floor tonight because we have such great, robust discussions every year when I bring this amendment forward. It is calling for a 1 percent across-the-board reduction in the spending that is allowed through this appropriations bill.

The reason I continue each year to move forward with presenting these is because across-the-board spending reductions work. It is a way that you hold the entire agency accountable for making those reductions. It is a way