

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO S. 764, NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015; PROVIDING FOR CONSIDERATION OF S. 304, MOTOR VEHICLE SAFETY WHISTLEBLOWER ACT; AND WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 822) providing for consideration of the Senate amendment to the House amendment to the bill (S. 764) to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; providing for consideration of the bill (S. 304) to improve motor vehicle safety by encouraging the sharing of certain information; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 245, nays 183, not voting 5, as follows:

[Roll No. 439]

YEAS—245

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

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

NAYS—183

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

NOT VOTING—5

Hastings	Poe (TX)	Vela
Pearce	Takai	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1435

So the previous question was ordered.

The result of the vote was announced as above recorded.

ELECTING THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE OF REPRESENTATIVES

Mrs. McMORRIS RODGERS. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 826

Resolved, That Philip George Kiko of the State of Ohio, be, and is hereby, chosen Chief Administrative Officer of the House of Representatives, effective August 1, 2016.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. Will the Chief Administrative Officer-designate please take the well.

The Chair will now administer the oath of office to the Chief Administrative Officer.

Mr. Kiko appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, Mr. Kiko.

Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 242, noes 185, not voting 6, as follows:

[Roll No. 440]

AYES—242

Abraham	Buchanan	Crenshaw
Aderholt	Buck	Culberson
Allen	Bucshon	Curbelo (FL)
Amodei	Burgess	Davidson
Babin	Byrne	Davis, Rodney
Barletta	Calvert	Denham
Barr	Carter (GA)	Dent
Barton	Carter (TX)	DeSantis
Benishek	Chabot	DesJarlais
Bilirakis	Chaffetz	Diaz-Balart
Bishop (MI)	Clawson (FL)	Dold
Bishop (UT)	Coffman	Donovan
Black	Cole	Duffy
Blackburn	Collins (GA)	Duncan (SC)
Blum	Collins (NY)	Duncan (TN)
Bost	Comstock	Ellmers (NC)
Boustany	Conaway	Emmer (MN)
Brady (TX)	Cook	Farenthold
Brat	Costello (PA)	Fincher
Bridenstine	Cramer	Fitzpatrick
Brooks (IN)	Crawford	Fleischmann

Fleming	Lamborn	Rogers (KY)
Flores	Lance	Rohrabacher
Forbes	Latta	Rokita
Fortenberry	LoBiondo	Rooney (FL)
Fox	Long	Ros-Lehtinen
Franks (AZ)	Loudermilk	Roskam
Frelinghuysen	Love	Ross
Garrett	Lucas	Rothfus
Gibbs	Luetkemeyer	Rouzer
Gibson	Lummis	Royce
Gohmert	Lynch	Russell
Goodlatte	MacArthur	Salmon
Gosar	Marchant	Sanford
Gowdy	Marino	Scalise
Granger	Massie	Schweikert
Graves (GA)	McCarthy	Scott, Austin
Graves (LA)	McCauley	Sensenbrenner
Graves (MO)	McClintock	Sessions
Griffith	McHenry	Shinkus
Grothman	McKinley	Shuster
Guinta	McMorris	Simpson
Guthrie	Rodgers	Smith (MO)
Hanna	McSally	Smith (NJ)
Hardy	Meadows	Smith (TX)
Harper	Meehan	Stefanik
Harris	Messer	Stewart
Hartzler	Mica	Stivers
Heck (NV)	Miller (FL)	Stutzman
Hensarling	Miller (MI)	Thompson (PA)
Herrera Beutler	Moolenaar	Thornberry
Hice, Jody B.	Mooney (WV)	Tiberi
Hill	Mullin	Tipton
Holding	Mulvaney	Trott
Hudson	Murphy (PA)	Turner
Huelskamp	Neugebauer	Upton
Huizenga (MI)	Newhouse	Valadao
Hultgren	Noem	Wagner
Hunter	Nugent	Walberg
Hurd (TX)	Nunes	Walden
Hurt (VA)	Olson	Walker
Issa	Palazzo	Walorski
Jenkins (KS)	Palmer	Walters, Mimi
Jenkins (WV)	Paulsen	Weber (TX)
Johnson (OH)	Perry	Webster (FL)
Johnson, Sam	Pittenger	Wenstrup
Jolly	Pitts	Westerman
Jones	Poliquin	Westmoreland
Jordan	Pompeo	Whitfield
Joyce	Posey	Williams
Katko	Price, Tom	Wilson (SC)
Kelly (MS)	Ratchcliffe	Wittman
Kelly (PA)	Reed	Womack
King (IA)	Reichert	Woodall
King (NY)	Renacci	Yoder
Kinzinger (IL)	Ribble	Yoho
Kline	Rice (SC)	Young (AK)
Knight	Rigell	Young (IA)
Labrador	Roby	Young (IN)
LaHood	Roe (TN)	Zeldin
LaMalfa	Rogers (AL)	Zinke

NOES—185

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

Lujan Grisham	Peters	Sires
(NM)	Peterson	Slaughter
Lujan, Ben Ray	Pingree	Smith (WA)
(NM)	Pocan	Speier
Maloney,	Polis	Swalwell (CA)
Carolyn	Price (NC)	Takano
Maloney, Sean	Quigley	Thompson (CA)
Matsui	Rangel	Thompson (MS)
McCollum	Rice (NY)	Titus
McDermott	Richmond	Tonko
McGovern	Roybal-Allard	Torres
McNerney	Ruiz	Tsongas
Meeks	Ruppersberger	Van Hollen
Meng	Rush	Vargas
Moore	Ryan (OH)	Veasey
Moulton	Sánchez, Linda	Vela
Murphy (FL)	T.	Velázquez
Nadler	Sanchez, Loretta	Visclosky
Napolitano	Sarbanes	Walz
Neal	Schakowsky	Wasserman
Nolan	Schiff	Schultz
Norcross	Schrader	Waters, Maxine
O'Rourke	Scott (VA)	Watson Coleman
Pallone	Scott, David	Welch
Pascarella	Serrano	Wilson (FL)
Payne	Sewell (AL)	Yarmuth
Pelosi	Sherman	
Perlmutter	Sinema	

Hastings	Pearce	Smith (NE)
Kelly (IL)	Poe (TX)	Takai

NOT VOTING—6

□ 1443

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SMITH of Nebraska. Madam Speaker, on rollcall No. 440, I was unavoidably detained. Had I been present, I would have voted "yes."

□ 1445

CONSCIENCE PROTECTION ACT OF 2016

Mrs. BLACKBURN. Madam Speaker, pursuant to House Resolution 822, I call up the bill (S. 304) to improve motor vehicle safety by encouraging the sharing of certain information, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. FOXX). Pursuant to House Resolution 822, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-61 is adopted, and the bill, as amended, is considered read.

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

S. 304

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Conscience Protection Act of 2016".

SEC. 2. FINDINGS.

Congress finds as follows:

(1) Thomas Jefferson stated a conviction common to our Nation's founders when he declared in 1809 that "[n]o provision in our Constitution ought to be dearer to man than that which protects the rights of conscience against the enterprises of the civil authority".

(2) In 1973, the Supreme Court concluded that the government must leave the abortion decision "to the medical judgment of the pregnant woman's attending physician", recognizing that a physician may choose not to participate in abor-

tion. *Roe v. Wade*, 410 U.S. 113, 164 (1973). The Court cited with approval a policy that "neither physician, hospital, nor hospital personnel shall be required to perform any act violative of personally-held moral principles", 410 U.S. at 143 n. 38, and cited State laws upholding this principle. *Doe v. Bolton*, 410 U.S. 179, 197-8 (1973).

(3) Congress's enactments to protect this right of conscience in health care include the Church amendment of 1973 (42 U.S.C. 300a-7), the Coats/Snowe amendment of 1996 (42 U.S.C. 238n), and the Weldon amendment approved by Congresses and Presidents of both parties every year since 2004.

(4) None of these laws explicitly provides a "private right of action" so victims of discrimination can defend their conscience rights in court, and administrative enforcement by the Department of Health and Human Services Office for Civil Rights has been lax, at times allowing cases to languish for years without resolution.

(5) Defying the Federal Weldon amendment, California's Department of Managed Health Care has mandated coverage for all elective abortions in all health plans under its jurisdiction. Other States such as New York and Washington have taken or considered similar action, and some States may go farther to require all physicians and hospitals to provide or facilitate abortions. On June 21, 2016, the Administration concluded a nearly two-year investigation of this matter by determining that California's decision to require insurance plans under the California Department for Managed Health Care authority to cover all legal abortion services did not violate the Weldon amendment. This interpretation means that individuals will have to choose between ignoring their conscience or forgoing health care coverage.

(6) The vast majority of medical professionals do not perform abortions, with 86 percent of ob/gyns unwilling to provide them in a recent study (*Obstetrics & Gynecology*, Sept. 2011) and the great majority of hospitals choosing to do so in rare cases or not at all.

(7) A health care provider's decision not to participate in an abortion, like Congress's decision not to fund most abortions, erects no new barrier to those seeking to perform or undergo abortions but leaves each party free to act as he or she wishes.

(8) Such protection poses no conflict with other Federal laws, such as the law requiring emergency stabilizing treatment for a pregnant woman and her unborn child when either is in distress (*Emergency Medical Treatment and Active Labor Act*). As the Obama administration has said, these areas of law have operated side by side for many years and both should be fully enforced (76 *Federal Register* 9968-77 (2011) at 9973).

(9) Reaffirming longstanding Federal policy on conscience rights and providing a right of action in cases where it is violated allows longstanding and widely supported Federal laws to work as intended.

SEC. 3. PROHIBITING GOVERNMENTAL DISCRIMINATION AGAINST PROVIDERS OF HEALTH SERVICES THAT ARE NOT INVOLVED IN ABORTION.

Title II of the Public Health Service Act (42 U.S.C. 202 et seq.) is amended by inserting after section 245 the following:

"SEC. 245A. PROHIBITING GOVERNMENTAL DISCRIMINATION AGAINST PROVIDERS OF HEALTH SERVICES THAT ARE NOT INVOLVED IN ABORTION.

"(a) IN GENERAL.—Notwithstanding any other law, the Federal Government, and any State or local government that receives Federal financial assistance, may not penalize, retaliate against, or otherwise discriminate against a health care provider on the basis that the provider does not—

"(1) perform, refer for, pay for, or otherwise participate in abortion;

"(2) provide or sponsor abortion coverage; or