

by the response times of emergency vehicles deployed to—

“(I) rural areas; and

“(II) urban areas;

“(ii) if a required response time is established by a contract for emergency services between the emergency services company and a unit of local government or by an ordinance of a unit of local government, the percentage of response times of emergency vehicles deployed by the emergency services company to that unit of local government that do not meet such requirement; and

“(iii) if the response times failed to meet the required response time described under clause (ii), a description of the impact of such failure on the value of the emergency services company to the private fund.

“(B) DEFINITIONS.—For purposes of this paragraph:

“(i) EMERGENCY SERVICES COMPANY.—The term ‘emergency services company’ means a company that provides ambulance, firefighter, or other emergency services in response to 9-1-1 calls.

“(ii) EMERGENCY VEHICLE.—The term ‘emergency vehicle’ means an ambulance, fire engine, or other vehicle deployed in response to a 9-1-1 call.”

(b) RULEMAKING.—Not later than 270 days after the date of the enactment of this section, the Commission shall issue regulations to carry out paragraph (12) of section 204(b) of the Investment Advisers Act of 1940, as added by subsection (a).

Mrs. TORRES (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.

Mrs. TORRES. Mr. Speaker, this is a final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, a June 26 New York Times article revealed some of the troubling consequences of private equity firms taking over local emergency services.

According to the article, since the 2008 financial crisis, private equity firms are investing in growing numbers in emergency services companies, sometimes with disastrous results. The piece found cases where emergency response times were so slow, personnel even had time for a cigarette break before arriving to the scene.

Some emergency services companies also reported mismanagement, specifically, that their parent companies are not able to pay their salaries or restock ambulances with critical medical supplies.

My amendment will make sure that there is accountability and transparency when private equity firms invest in emergency services. My amendment will not prohibit private equity funds from investing in these services or place any restrictions on how they choose to invest, nor will it deny the fact that private equity has and can play an important role in investing in companies in communities across our

country. It would simply provide reassurance to our constituents that when they call 911, their lives won't be put at risk because their local fire or ambulance service wants to turn a profit.

This motion to recommit would require private equity firms to report the change in response time of emergency vehicles since the private fund acquired a controlling interest in the emergency services company. Additionally, the report will require data on the percent of emergency response times that violate contracts entered into by local governments and emergency services companies and include an explanation as to why response times did not meet requirements set out in such contracts.

At a time when local jurisdictions are struggling to make ends meet and the demands on emergency services are only growing, there is certainly a role for private equity firms to play in making sure our constituents have the services they need and expect. But if a private equity firm decides to invest in an emergency service company, they also take on the responsibility to provide those services to the best of their capacity.

As a former 911 dispatcher, I know that when it comes to getting emergency personnel to those in need, every second matters. There is no margin of error, and under absolutely no circumstances should profit come before saving lives.

I urge my colleagues to support this motion.

I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of a point of order is withdrawn.

Mr. HENSARLING. Mr. Speaker, I claim the time in opposition.

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

Mr. HENSARLING. Mr. Speaker, I am just curious where this amendment was during the bipartisan process to bring H.R. 5424 to the floor. I am curious where it was in our committee deliberations. I am curious why it was never presented to the Rules Committee and we are just seeing it now.

Again, H.R. 5424, the Investment Advisers Modernization Act, is a bipartisan piece of legislation to make sure our small businesses, entrepreneurs, and innovators can access capital. It passed the committee 49-12. More than half of the Democrats supported it.

Now we have a motion to recommit that moves it in the complete opposite direction—one more disclosure, disclaimer, more job-killing regulations to be put upon those who are trying to fund our small businesses, to try to help the working poor better themselves, to try to help improve the paychecks and the well-being of middle-income America.

It is time to reject the motion to recommit. Let's work on a bipartisan

basis. Let's pass H.R. 5424. Vote down the motion to recommit. Vote for the bipartisan bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

Mrs. TORRES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the order of the House of today, further proceedings on this question will be postponed.

RECESS

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

Accordingly (at 10 o'clock and 36 minutes a.m.), the House stood in recess.

□ 1105

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CARTER of Georgia) at 11 o'clock and 5 minutes a.m.

JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2040) to deter terrorism, provide justice for victims, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2040

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 “Justice Against Sponsors of Terrorism Act”.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) International terrorism is a serious and deadly problem that threatens the vital interests of the United States.

(2) International terrorism affects the interstate and foreign commerce of the United States by harming international trade and market stability, and limiting international travel by United States citizens as well as foreign visitors to the United States.

(3) Some foreign terrorist organizations, acting through affiliated groups or individuals, raise significant funds outside of the United States for conduct directed and targeted at the United States.

(4) It is necessary to recognize the substantive causes of action for aiding and abetting and conspiracy liability under chapter 113B of title 18, United States Code.

(5) The decision of the United States Court of Appeals for the District of Columbia in *Halberstam v. Welch*, 705 F.2d 472 (D.C. Cir. 1983), which has been widely recognized as the leading case regarding Federal civil aiding and abetting and conspiracy liability, including by the Supreme Court of the United States, provides the proper legal framework for how such liability should function in the context of chapter 113B of title 18, United States Code.

(6) Persons, entities, or countries that knowingly or recklessly contribute material support or resources, directly or indirectly, to persons or organizations that pose a significant risk of committing acts of terrorism that threaten the security of nationals of the United States or the national security, foreign policy, or economy of the United States, necessarily direct their conduct at the United States, and should reasonably anticipate being brought to court in the United States to answer for such activities.

(7) The United States has a vital interest in providing persons and entities injured as a result of terrorist attacks committed within the United States with full access to the court system in order to pursue civil claims against persons, entities, or countries that have knowingly or recklessly provided material support or resources, directly or indirectly, to the persons or organizations responsible for their injuries.

(b) **PURPOSE.**—The purpose of this Act is to provide civil litigants with the broadest possible basis, consistent with the Constitution of the United States, to seek relief against persons, entities, and foreign countries, wherever acting and wherever they may be found, that have provided material support, directly or indirectly, to foreign organizations or persons that engage in terrorist activities against the United States.

SEC. 3. RESPONSIBILITY OF FOREIGN STATES FOR INTERNATIONAL TERRORISM AGAINST THE UNITED STATES.

(a) **IN GENERAL.**—Chapter 97 of title 28, United States Code, is amended by inserting after section 1605A the following:

“§ 1605B. Responsibility of foreign states for international terrorism against the United States

“(a) **DEFINITION.**—In this section, the term ‘international terrorism’—

“(1) has the meaning given the term in section 2331 of title 18, United States Code; and

“(2) does not include any act of war (as defined in that section).

“(b) **RESPONSIBILITY OF FOREIGN STATES.**—

A foreign state shall not be immune from the jurisdiction of the courts of the United States in any case in which money damages are sought against a foreign state for physical injury to person or property or death occurring in the United States and caused by—

“(1) an act of international terrorism in the United States; and

“(2) a tortious act or acts of the foreign state, or of any official, employee, or agent of that foreign state while acting within the scope of his or her office, employment, or agency, regardless where the tortious act or acts of the foreign state occurred.

“(c) **CLAIMS BY NATIONALS OF THE UNITED STATES.**—Notwithstanding section 2337(2) of title 18, a national of the United States may bring a claim against a foreign state in accordance with section 2333 of that title if the foreign state would not be immune under subsection (b).

“(d) **RULE OF CONSTRUCTION.**—A foreign state shall not be subject to the jurisdiction of the courts of the United States under subsection (b) on the basis of an omission or a tortious act or acts that constitute mere negligence.”.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(1) The table of sections for chapter 97 of title 28, United States Code, is amended by inserting after the item relating to section 1605A the following:

“1605B. Responsibility of foreign states for international terrorism against the United States.”.

(2) Subsection 1605(g)(1)(A) of title 28, United States Code, is amended by inserting “or section 1605B” after “but for section 1605A”.

SEC. 4. AIDING AND ABETTING LIABILITY FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

(a) **IN GENERAL.**—Section 2333 of title 18, United States Code, is amended by adding at the end the following:

“(d) **LIABILITY.**—

“(1) **DEFINITION.**—In this subsection, the term ‘person’ has the meaning given the term in section 1 of title 1.

“(2) **LIABILITY.**—In an action under subsection (a) for an injury arising from an act of international terrorism committed, planned, or authorized by an organization that had been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), as of the date on which such act of international terrorism was committed, planned, or authorized, liability may be asserted as to any person who aids and abets, by knowingly providing substantial assistance, or who conspires with the person who committed such an act of international terrorism.”.

(b) **EFFECT ON FOREIGN SOVEREIGN IMMUNITIES ACT.**—Nothing in the amendment made by this section affects immunity of a foreign state, as that term is defined in section 1603 of title 28, United States Code, from jurisdiction under other law.

SEC. 5. STAY OF ACTIONS PENDING STATE NEGOTIATIONS.

(a) **EXCLUSIVE JURISDICTION.**—The courts of the United States shall have exclusive jurisdiction in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605B of title 28, United States Code, as added by section 3(a) of this Act.

(b) **INTERVENTION.**—The Attorney General may intervene in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605B of title 28, United States Code, as added by section 3(a) of this Act, for the purpose of seeking a stay of the civil action, in whole or in part.

(c) **STAY.**—

(1) **IN GENERAL.**—A court of the United States may stay a proceeding against a foreign state if the Secretary of State certifies that the United States is engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

(2) **DURATION.**—

(A) **IN GENERAL.**—A stay under this section may be granted for not more than 180 days.

(B) **EXTENSION.**—

(i) **IN GENERAL.**—The Attorney General may petition the court for an extension of the stay for additional 180-day periods.

(ii) **RECERTIFICATION.**—A court shall grant an extension under clause (i) if the Secretary of State recertifies that the United States remains engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

SEC. 6. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or the application of

a provision or amendment to any person or circumstance, is held to be invalid, the remainder of this Act and the amendments made by this Act, and the application of the provisions and amendments to any other person not similarly situated or to other circumstances, shall not be affected by the holding.

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall apply to any civil action—

(1) pending on, or commenced on or after, the date of enactment of this Act; and

(2) arising out of an injury to a person, property, or business on or after September 11, 2001.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials to S. 2040, under current consideration.

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

There was no objection.

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

Mr. Speaker, the Justice Against Sponsors of Terrorism Act has been introduced over several successive Congresses and has twice passed the Senate. Over the years that this legislation has been considered, I have worked with its sponsors to make the bill's language more precise in order to ensure that any unintended consequences are kept to a minimum.

In particular, I have worked to make sure that JASTA's extension of secondary liability under the Anti-Terrorism Act closely tracks the common law standard for aiding and abetting liability and is limited to State Department-designated foreign terrorist organizations.

Secondary liability should only attach to persons who have actual knowledge that they are directly providing substantial assistance to a designated foreign terrorist organization in connection with the commission of an act of international terrorism. JASTA, as revised in the Senate Judiciary Committee, ensures that aiding and abetting liability is limited in this manner.

In addition to the Anti-Terrorism Act, JASTA amends the Foreign Sovereign Immunities Act to waive the sovereign immunity of any country that sponsors an act of international terrorism that causes physical injury on U.S. soil.

JASTA makes this change because, under current law, a foreign nation can provide financing and other substantial assistance for a terrorist attack in our country and escape liability so long as the support is provided overseas.

For example, under current law, if the intelligence agency of a foreign government handed a terrorist a bag of money in New York City to support an attack on U.S. soil, the country would be liable under the Foreign Sovereign Immunities Act's tort exception right now. However, if we change the fact pattern slightly so that, rather than giving a terrorist money in New York City, the money is provided in Paris, the foreign state will not be subject to liability in U.S. courts.

This is a troubling loophole in our antiterrorism laws to say that a terrorist attack occurring in the United States, a tort occurring in the United States on U.S. citizens, would not allow U.S. citizens access to their own courts for a tort that occurred in their own country.

When Congress enacted the Foreign Sovereign Immunities Act in 1976, it put in place a broad set of exceptions to sovereign immunity, including an exception for tort claims involving injuries occurring in the United States. However, the courts have not consistently interpreted those exceptions in such a manner that they cover the sponsoring of a terrorist attack on U.S. soil.

JASTA addresses this inconsistency with a concrete rule that is consistent with the nine, longstanding exceptions to foreign sovereign immunity already provided for under U.S. law.

JASTA ensures that those, including foreign governments, who sponsor terrorist attacks on U.S. soil are held fully accountable for their actions. We can no longer allow those who injure and kill Americans to hide behind legal loopholes, denying justice to the victims of terrorism.

I urge my colleagues to vote in favor of this legislation.

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

Mr. NADLER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan (Mr. CONYERS) control the balance of the time.

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

There was no objection.

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

Mr. Speaker, I want to thank my colleague from New York, a senior member of the committee with whom I have worked for many years, for yielding.

Mr. Speaker, the September 11, 2001, terrorist attack on the United States was the deadliest foreign attack on American soil in our Nation's history. Its impact has been immeasurable, as evidenced by the fact that we are still grappling with the cultural and policy implications stemming from the events of that day. And, 15 years on, most Americans continue to feel its searing emotional impact, particularly as the anniversary date approaches this Sunday. This is especially true for those who lost loved ones or were injured as a result of this horrific attack. They

deserve our deepest sympathy and our help.

So it is in this vein that we consider S. 2040, the Justice Against Sponsors of Terrorism Act, which, among other things, amends the Foreign Sovereign Immunities Act of 1976 to create a new exception to the act's general grant of foreign sovereign immunity.

The Judiciary Committee held a hearing on this bill last July, at which the bill's supporters presented compelling and sympathetic arguments in favor of ensuring that the 9/11 families have access to a well-deserved day in court. At the same time, however, the administration and others raised a number of concerns about the bill's potential impact that we should keep in mind.

First, the administration, some allied nations, and others, assert that the enactment of S. 2040 may lead to retaliation by other countries against the United States, given the breadth of our interests and the expansive reach of our global activities.

Secondly, they assert that the bill will hamper cooperation from other nations because they may become more reluctant to share sensitive intelligence, in light of the greater risk that such information may be revealed in litigation.

Moreover, they raise the concern that the bill, effectively, would allow private litigants rather than the government to determine foreign and national security policy questions like which states are sponsors of terrorism.

Because of the moral imperative of enacting legislation and the seriousness of the concerns raised, I remain hopeful that we can continue to work with the administration to resolve these issues so that legislation can be signed into law by the President.

I also want to acknowledge Representatives PETER KING and, particularly, JERROLD NADLER, and Senators JOHN CORNYN and CHARLES SCHUMER for their tireless leadership and efforts to achieve congressional passage of this measure. There is no doubt as to the passion they bring for advocating for victims of the September 11, 2001, attacks—a passion that I, and many others, share.

□ 1115

Mr. GOODLATTE. Mr. Speaker, at this time, it is my pleasure to yield 3 minutes to the gentleman from Texas (Mr. POE), a distinguished member of the Judiciary Committee, and welcome him back.

Mr. POE of Texas. Mr. Speaker, Sunday marks 15 years since America was viciously attacked in 2001. Everyone remembers what they were doing. I was driving my Jeep to the courthouse in Texas, where I was a judge. People stopped on the side of the road because they were listening to the radio about how planes were used as a weapon to attack our Nation.

Three thousand Americans and people from other nations were murdered

at the hands of evil, malicious terrorists, and our country changed forever that day. The lives of those families especially changed, those families that suffered loved ones who were killed and injured and are still injured today.

Meanwhile, we are here debating whether or not these families of the victims deserve their basic right, under the Constitution of the U.S., to their day in court, the right to sue the perpetrators. I don't think there should be much dissenting on this issue.

Mr. Speaker, if any foreign government, if it can be shown to have supported a terrorist attack on U.S. soil, American victims ought to have the right to sue that country. Based on the 28 pages held secret for years, there may be evidence that the country of Saudi Arabia and their officials may have had some involvement in planning the elements of that attack. I don't know. That is what the courtroom is for. Whether this involvement rises to the level to be held accountable at trial is an issue for a jury of Americans to decide.

It is interesting that Saudi Arabia objects to this legislation. Methinks they object too much.

Like any other issue, we should let a jury decide the damages, what they should be, whether there should be any at all. The legislation gives the victims' families access to the courts, to the rule of law, and we, as a people, should be more concerned about these victims of terror than we are about diplomatic niceties with other countries.

The voices of the murdered cry out for us to do justice, and justice has been waiting too long; 15 years for justice.

Mr. Speaker, justice is what we do in this country, and that is what these victims and their families want.

And that is just the way it is.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield 3 minutes to the gentleman from New York (Mr. NADLER), who has been working on this issue for such a long time.

Mr. NADLER. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of JASTA. I am proud to be the lead Democratic sponsor of this bill, alongside my friend from New York (Mr. KING), and I appreciate all of his hard work on this legislation.

On Sunday, we will observe the 15th anniversary of the September 11 terrorist attacks, when thousands of Americans were brutally murdered in my district in New York, as well as at the Pentagon, and in Shanksville, Pennsylvania. JASTA would help ensure that those responsible for aiding and abetting those attacks are held accountable for their actions.

Unfortunately, because of certain court decisions misinterpreting the Foreign Sovereign Immunities Act and the Anti-Terrorism Act, the 9/11 victims and their families have been unable to pursue their claims in court

against some of the parties they believe were responsible for funding the attacks.

JASTA simply reinstates what was understood to be the law for 30 years, that foreign states may be brought to justice for aiding and abetting acts of international terrorism that occur on American soil, whether or not the conduct that facilitated the attack occurred in the United States.

Think of it this way: some courts have held that if a foreign government agent hands over a \$1 million check to al Qaeda in a cafe in New York in order to fund a terrorist attack in the United States, that government can be sued in an American court. But if that same foreign agent funds the same attack by handing over the same \$1 million check in a cafe in Geneva, his government should be immune from liability.

That makes no sense, and it flies in the face of what had been settled law for many years. We must correct these erroneous court decisions so that anyone who facilitates a terrorist attack on our people can be brought to justice.

Let me be clear. This legislation does not prejudice the merits of any particular case. It simply ensures that the 9/11 families, or anyone who may face the same situation, can plead their case in court.

Some critics of this bill have argued that if we pass it, other nations may retaliate by enacting similar laws that could subject Americans, or the United States itself, to liability in those countries. I find this argument unpersuasive. The United States does not engage in international terrorist activity and would not face any legal jeopardy if a law like JASTA were enacted anywhere else.

Furthermore, the Foreign Sovereign Immunities Act, and its well-established tort exception, have been the law for 40 years. In that time, we simply have not seen the parade of horrors that some critics imagine would happen if this bill were to become law.

We cannot allow threats from a country that fears being held to account for its actions, and may threaten retaliation of some sort, to deny victims of terrorist attacks their day in court. Moreover, this legislation contains a reasonable provision allowing for a stay of court proceedings if the President is engaging in good faith negotiations to resolve the claim through diplomatic channels.

We need not fear retaliation from another country. This is not the 1790s. The United States is a major power and can hold our own.

JASTA is a narrow bill that has been carefully negotiated over the last 6 years, and which passed the Senate unanimously in May. It would provide clarity to the courts, and justice to the victims of 9/11, and it deserves swift passage today.

I urge all my colleagues to vote for this bill.

Mr. GOODLATTE. Mr. Speaker, at this time, it is my pleasure to yield 3

minutes to the gentleman from New York (Mr. KING), the chief sponsor of this legislation.

Mr. KING of New York. I thank the chairman for yielding.

Mr. Speaker, this is a great day for America. Let me, at the outset, commend Chairman GOODLATTE for the outstanding work that he has done, for always keeping his word, for being a person we could always count on to do what had to be done, and always told us what he was doing, and always carried everything out. So I thank BOB very much.

Let me thank the Speaker of the House, Mr. RYAN; the Majority Leader, Mr. MCCARTHY; the Democratic leaders, NANCY PELOSI and STENY HOYER; and my good friend, JERRY NADLER, for being there from day one.

Also, let me thank former Congressman Dan Lungren, who was the original lead sponsor of this bill going back several years.

Let me also thank the 9/11 families for the fact that they have never, ever yielded. They have never stepped back. They have always kept this issue on the front burner at a time when too many Americans choose to look the other way.

I especially want to thank Terry Strada and the great work that she has done. Her husband, Tom, her father-in-law, Ernie, and her mother-in-law, Mary Ann, are very good friends. I want to again thank her for the job that she did. And her husband, certainly she is carrying on his name; and Terry, I thank you for that.

This is essential. It is essential that justice be done. It is essential that 9/11 families have the right to bring action in American courts. As Judge POE said, this is the most basic constitutional right. This is an obligation. It is an obligation we, in the Congress, have to not allow foreign lobbyists or foreign countries or anyone else to intimidate us.

Justice must be done, and we want to make sure that there are no more 9/11s. This is one more step we can take to show foreign governments they cannot step aside, they cannot walk away when something is carried out, where they are sort of looking the other way to make believe it is not happening.

I am not prejudging the case, but the fact is the 9/11 families have the right to have this resolved in court, and I am proud to stand with them.

I want to commend my colleague, DAN DONOVAN. From the day he arrived here in Congress, this has been a major issue for him. The Zadroga Act and JASTA is what propels him and certainly has motivated me.

So, again, I want to thank all the 9/11 families for all the work they have done. It is a bipartisan effort. It is an American effort, and we can be very proud as we go into the 15th anniversary of the most horrible day in America that we have not given up the fight. We will continue to fight and we will win.

Mr. CONYERS. Mr. Speaker, it is my pleasure to yield 3 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding and for all of his hard work on this bill and others.

I thank Chairman GOODLATTE for his hard work in helping to bring it to the floor. I thank my colleagues from New York, Congressmen KING and NADLER, for their hard work.

This is an important, important bill, and I rise today, 2 days before the 15th anniversary of 9/11, to express my strong support for the passage of the Justice Against Sponsors of Terrorism Act.

The attacks of 9/11 were acts of appalling cruelty. They targeted, knowingly and specifically, innocent Americans who just got up and went to work like every other American and were killed on 9/11.

Though the hijackers of those planes died that day, it is virtually indisputable that people who conspired with them in the planning, preparation, execution, and financing of those horrific acts walk the streets freely in foreign capitals today.

In fact, they are protected by a peculiar interpretation of international law that shields them from justice in U.S. courts for terrorist acts on U.S. soil.

This bill, a version of which passed the Senate unanimously, would correct misinterpretations of previous legislation and lower court decisions, and empower survivors and families of the victims of international terrorism to seek a measure of justice through our civil court system.

This bill is needed because both the Congress and the executive have affirmed that civil litigation against terror sponsors, including governments, can have an important deterrent effect.

This bill is also mindful of the concerns some have about its possible effect on sovereign immunity. For that reason, it is narrowly focused and applies only to attacks committed on U.S. soil that harm U.S. nationals.

The attacks of 9/11 were roundly condemned by people and governments around the world, so this bill is needed not just for the families of those who died in New York and at the Pentagon and in Pennsylvania, but it is needed by people around the world.

We know we lost, roughly, 3,000 people on 9/11, but thousands and thousands more have died since the attacks because of the diseases that they now have because of being exposed to the toxins down at Ground Zero. Now they are predicting that, roughly, 15 people a day are concerned because cancer is now in their bodies from the exposure. So our people are still suffering.

Fifteen years is a long time to wait. This bill is needed. Justice, we need justice. I think it is a strong deterrent. I am proud of the United States Congress and the legislative body of this country for standing up and passing this bill.

I strongly urge my colleagues to not forget and to support overwhelmingly this bill.

Mr. GOODLATTE. Mr. Speaker, at this time, it is my pleasure to yield 2 minutes to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Speaker, I rise today in strong support of the Justice Against Foreign Terrorists Act sponsored by Mr. KING of New York. As we approach the 15th anniversary of the horrific terrorist attacks of September 11, 2001, it is appropriate that we, in Congress, are finally authorizing that victims from that terrible day have the right to pursue full justice in our courts of law.

I am a lawyer and I have worked with constitutional and statutory issues. This legislation does not convict any one person or any one nation, but it gives the loved ones of those who died recourse for full justice and compensation.

New Jersey lost more than 700 residents in the attacks, 81 of them from communities I represent here in Congress. I know some of those names, and I know all of those communities. They deserve their day in court, and they deserve the assistance of the Federal Government in being as transparent as possible with the evidence and the intelligence. The truth is the truth, and it is time that we all know this.

This measure passed the United States Senate with unanimous support, yet there are some who believe that the White House may threaten to veto the legislation, citing how it may compromise our relationship with certain other nations. This is backward logic.

Those nations should recognize the fundamental justice and legal remedies against a terrorist network that killed more than 3,000 Americans.

Mr. Speaker, I urge a "yes" vote. I am sure this will pass overwhelmingly, perhaps unanimously, in a bipartisan fashion.

□ 1130

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, look around the world. In Europe, in Asia, in the Middle East, and in Africa, wherever you see evidence of radical Islam, that extremism can usually be traced to preachers of hate from Saudi Arabia.

The Kingdom has blood on its hands. Is it the blood of the victims of 9/11? Possibly. Fifteen of the nineteen hijackers were Saudis. Some Saudis were permitted to flee this country without thorough interviews. "Saudi Arabia has long been considered the primary source of funding for al Qaeda." [The 9/11 Commission Report, p. 171]

Intelligence Committee Chair Senator Bob Graham saw "a direct line between at least some of the terrorists who carried out the September 11 attacks and the Government of Saudi Arabia." [Saudi Arabia May Be Tied to 9/11, 2 Ex-Senators Say; New York Times; Feb. 29,

2012] But evaluating all of this evidence, the evidence of both sides, is why we have a judicial system in the first place. And for our government to obstruct the 9/11 victims—their families—from seeking the truth about Saudi Arabia and its involvement is just flat wrong.

Some in our government have tried to hide as much as they could for as long as they could about the Saudis. Ignoring Saudi treachery, we had a President who literally held hands with the Crown Prince while attacking another country in the biggest foreign policy disaster in our Nation's history that continues to plague us.

The Muslims that I know, who are my neighbors in Texas, and those with whom I meet here in Washington, do not deserve blanket blame for themselves or for Islam, but neither should there be blanket immunity for those who may have committed wrong.

I salute the bipartisan sponsors of this legislation. Give these 9/11 families their day in court and accord the Saudis all of the rights in a judicial proceeding that they so regularly deny their own citizens.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. DONOVAN).

Mr. DONOVAN. Mr. Speaker, to begin, I would like to acknowledge and thank Speaker RYAN, Chairman GOODLATTE, and Chairman UPTON. I have been a Member of this distinguished institution for only 16 months, and, in that time, they have done right by the heroes I represent in Congress. I thank them, and the thousands of heroes and their families from my district thank them as well.

My good friend, the gentleman from New York (Mr. KING), has been a fierce advocate for all 9/11 heroes and their families for the last 15 years, and it is an honor to stand by his side.

I would like to read into the RECORD part of a letter written to me last week by Lori Mascali, the widow of firefighter, and my good friend, Joseph Mascali from New York City Fire Department's Rescue 5:

"It's Sunday morning, and the smell of coffee fills the air as I wait to hear the sound of the key in the front door. I know that sound of that key will be followed by the words, 'I'm home,' and my heart is excited. No longer do I hear the sound of the key in the door on a Sunday morning. No longer do I hear the simple words, 'I'm home.' Sovereign immunity should not be allowed as a shield of protection for persons or nations that fund terrorists and cause mass murder. JASTA must be passed to send a strong message to all nations: if you fund terrorism, there will be accountability."

Mr. Speaker, this bill is about giving victims of terror attacks on United States soil their day in court and the chance to hold everybody accountable—including foreign governments that may have been involved.

9/11 devastated families in my district—and for me, their priorities are

my priorities. I support this bill, and ask my colleagues to join me in voting for passage.

As my good friend from New Jersey (Mr. LANCE) said, the President has threatened to veto this bill, but, for those Americans who have earned the right for justice, I hope he has the conviction and courage to sign JASTA into law.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Speaker, I thank my friend, the distinguished ranking member.

Mr. Speaker, I rise in support of the Justice Against Sponsors of Terrorism Act. Mr. Speaker, 15 years ago, my Congressional District lost 200 men and women—families named Downey, families named Murphy, families named Uggiano, and so many other families. In the years since, those who responded to that act of terror have been getting sicker and sicker and sicker.

They all deserve justice, Mr. Speaker. You get justice on the battlefield. You can get justice in the courtroom. This bill ensures that they have the right to justice in the courtroom. For that simple and very profound reason, I support this bill. I was pleased to cosponsor the bill with my friend from New York (Mr. KING).

Mr. Speaker, I urge the President not to veto this bill. I thank my friend from Michigan.

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank Chairman GOODLATTE for his extraordinary work on this legislation, Mr. CONYERS, and, of course, PETER KING who has been absolutely tenacious picking up the good work that Dan Lungren, a former member of Congress and Attorney General of California, had done on this legislation previously.

This is a bipartisan piece of legislation, and it has to be signed by the President. I certainly hope—echoing comments of the previous speaker—that the President will, indeed, sign it into law.

This bill holds the promise of some measure of justice for the victims of al Qaeda's horrific terrorist attack on the United States 15 years ago this Sunday.

Time has not diminished the suffering of those who have lost loved ones on that day, nor has it brought accountability and, certainly, has not brought closure.

This bill aims to change that to some degree by overturning the legal challenges that have stood between the victims and the justice they rightly seek from foreign governments and individuals suspected of financing the 9/11 attacks.

I have worked extensively with the 9/11 survivors and the family members. I have worked with the Jersey Girls, as they became known, who pushed so

hard for the 9/11 Commission that was chaired by my former Governor Tom Kean, who did yeoman's work to get to the bottom of what happened and what we might do to mitigate such a crisis going forward. Unfortunately, there still are gaps, and this is one of those gaping holes that need to be closed.

Here today are some of those family members, many of them widows: Kathy Wisniewski, who works on my staff who lost her son, Alan; Mindy Kleinberg; Lorie Van Auken; Monica Gabrielle; and Carol Ashley are here in the Chamber and have pushed so hard for this legislation.

Not here but here in spirit: Kristen Breitweiser, Patty Casazza, and Sheila Martello.

Mary and Frank Fetchet also are with us. They lost their son Brad.

These are people who have said "never again" needs to mean never again so no other Americans would suffer what they have endured at the loss of their loved ones. This is why this legislation is another major step forward.

Look at the Foreign Sovereign Immunities Act and the impediments that it has placed. As some of my colleagues have said earlier, we just want in court to be able to get at the truth: who was part of the facilitating and the financing of the 9/11 murderers—the terrorists—that killed some 3,000 people, 50 of whom—more than 50 who lived in my own congressional district.

This bill also would amend the Anti-Terrorism Act of 1987. The bill will open foreign officials to accountability to so-called secondary liability, such as aiding and abetting or conspiring with terrorist perpetrators. These are very commonsense and modest changes to the law that will hopefully get us closer to justice for those who have suffered so much. It is a great bill.

Again, I thank Chairman GOODLATTE. PETE KING has been absolutely tenacious, and our leadership has heeded those calls and is supportive. I want to thank them for ensuring it came up today prior to the 15th anniversary of that infamous event.

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

Mr. Speaker, I appreciate the bipartisanship of this bill and the emotional but clear discussion that has gone on in support of it. Because of the importance of enacting legislation of this importance and the recognition of the concerns raised, I know that we can continue to work with the administration to resolve these issues so that this measure can be signed into law by the President of the United States.

I thank everyone who has participated.

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

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

Mr. Speaker, I want to say, first of all, thank you very much to the ranking member of the committee, the gen-

tleman from Michigan (Mr. CONYERS) for working with us on this legislation. I want to congratulate the chief sponsors of the legislation, particularly Congressman KING of New York who has, as many have said here, been tenacious at pursuing justice.

I urge all of my colleagues to support this legislation.

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

Mr. LYNCH. Mr. Speaker, I wish to join with my colleagues in support of today's vote on S. 2040, the Justice Against Sponsors of Terrorism Act (JASTA).

Next week, our nation will mark the 15th anniversary of the September 11th attacks. The United States suffered an immeasurable tragedy that day, but for the victims and their families, their loss was even more profound. Their lives were irrevocably changed that day, and their road to healing has been made all the more difficult by the questions that remain unanswered and by the justice that has yet to be served.

S. 2040, along with its House companion bill H.R. 3815, of which I am a proud cosponsor, would go a long way in providing answers to the victims and their families. In pursuing civil claims against terrorists, as well as those who aided and abetted them, we will be able to ensure greater transparency. The process of trying civil suits in a court of law would bring to light new evidence about how those events came about including identifying the money flows to the hijackers, as well as any connections the perpetrators had to foreign government officials. Ultimately, it will help to provide a more complete story of the September 11th attacks, not only of what happened that day, but also of what happened in the days leading up to them.

I have worked over the last number of years with my colleagues Congressman WALTER JONES and Congressman THOMAS MASSIE in calling for the declassification of the 28 pages of the Joint Congressional Inquiry into Intelligence Activities before and after the Terrorist Attacks of September 2001. In doing so, I have also had the honor and privilege of getting to know some of the families who lost loved ones during the attacks. These families need and deserve answers and justice. Their representatives in Congress should be working tirelessly to give them that.

The release of the 28 pages earlier this summer was an important first step in getting answers for the families. Passing JASTA today, and getting it enacted, would be an equally important next step towards getting justice for the victims, survivors and their families.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, S. 2040.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the

gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, and the order of the House of today, proceedings will resume on questions previously.

Votes will be taken in the following order:

Adoption of the motion to recommit on H.R. 5424; and passage of H.R. 5424, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

INVESTMENT ADVISERS MODERNIZATION ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 5424) to amend the Investment Advisers Act of 1940 and to direct the Securities and Exchange Commission to amend its rules to modernize certain requirements relating to investment advisers, and for other purposes, offered by the gentleman from Virginia (Mr. HURT), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

The vote was taken by electronic device, and there were—yeas 176, nays 232, not voting 23, as follows:

[Roll No. 494]

YEAS—176

Adams	Costa	Hahn
Aguilar	Courtney	Heck (WA)
Ashford	Crowley	Higgins
Bass	Cuellar	Himes
Beatty	Cummings	Hinojosa
Becerra	Davis (CA)	Honda
Bera	Davis, Danny	Hoyer
Beyer	DeFazio	Huffman
Bishop (GA)	DeGette	Israel
Blumenauer	Delaney	Jackson Lee
Bonamici	DeLauro	Jeffries
Boyle, Brendan	DelBene	Johnson (GA)
F.	DeSaulnier	Johnson, E. B.
Brady (PA)	Deutch	Kaptur
Brownley (CA)	Dingell	Keating
Bustos	Doggett	Kelly (IL)
Butterfield	Duckworth	Kennedy
Capps	Edwards	Kildee
Capuano	Ellison	Kilmer
Cárdenas	Engel	Kind
Carney	Eshoo	Kirkpatrick
Carson (IN)	Esty	Kuster
Cartwright	Farr	Langevin
Castor (FL)	Foster	Larsen (WA)
Castro (TX)	Frankel (FL)	Larson (CT)
Chu, Judy	Fudge	Lawrence
Ciulline	Gabbard	Lee
Clark (MA)	Gallego	Levin
Clarke (NY)	Garamendi	Lewis
Clay	Graham	Lieu, Ted
Cleaver	Grayson	Lipinski
Clyburn	Green, Al	Loeb sack
Cohen	Green, Gene	Loftgren
Conyers	Grijalva	Lowenthal
Cooper	Gutiérrez	Lowey