There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 1877, the Mental Health First Aid Act of 2016, introduced by the gentlewoman from Kansas, Representative LYNN JENKINS, and the gentlewoman from California, Representative DORIS MATSUI. This legislation enjoyed broad support on the Energy and Commerce Committee, passing through a full committee markup on a voice vote.

The program we are reauthorizing today is an important one. It is a grant program that helps families and individuals in the community, including pastors, first responders, emergency personnel, nurses, teachers, and others to recognize the signs of mental illness. They are also learning how to deescalate a mental health crisis situation and how to help their neighbors in need connect with resources available for mental health treatment in the community. Finally, H.R. 1877 is fully CutGo compliant.

Mr. Speaker, I urge my colleagues to support this legislation.

I reserve the balance of my time.

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

I rise in support of H.R. 1877, the Mental Health First Aid Act of 2016. This important legislation would bolster our Nation's efforts to respond to individuals suffering from mental health disorders and crises. It would reauthorize a grant program to train individuals such as teachers, law enforcement, and veterans, who are likely to encounter people with mental illness. The training would provide tools to help those individuals detect mental illness and provide the initial response, including connecting individuals with mental illness to mental health treatment and service providers in their community.

Mental illness can lead to harmful outcomes, and that includes things such as suicide, homelessness, and involvement with the criminal justice system. However, access to early intervention and treatment services can help an individual recover from their condition and lead a productive life.

Despite the availability of evidence-based interventions, we know that there are long delays in individuals seeking treatment after the first onset of a mental health condition, and this legislation hopes to reverse that trend. Mental health awareness training will equip more individuals with the ability to identify the signs and symptoms of mental illness and connect people with mental health treatment and support services. This would help decrease the time from the first onset of mental illness to an individual obtaining the treatment and services that they need.

I also encourage my colleagues to support this legislation; but I would like to reiterate that, just like with H.R. 2646, the Helping Families in Mental Health Crisis Act which awaits action in the Senate, this is a necessary step, rather than a solution, to improving the mental health system in this country. If we are truly serious about fixing our broken mental health system, we have to work together to expand access and make sustained investments.

So again, I want to thank Representatives MATSUI and JENKINS for their leadership on this issue. I urge my colleagues to support this important bipartisan bill.

I reserve the balance of my time.

Mr. GUTHRIE. Mr. Speaker, I yield 5 minutes to the gentlewoman from Kansas (Ms. JENKINS).

Ms. JENKINS of Kansas. I thank my friend, the gentleman from Kentucky (Mr. GUTHRIE), for yielding time.

Mr. Speaker, I rise today in support of H.R. 1877, the Mental Health First Aid Act of 2016.

The first step to help someone suffering with a mental illness get the help he or she needs is to be able to quickly spot the signs of mental illness and know where to point that friend, colleague, neighbor, or family member. H.R. 1877 will help police, first responders, veterans' advocates, teachers, and others spot the signs and get people the help they need.

It authorizes a grant program that has been included in appropriations bills the past few years and enjoyed great support from Congress and the public. The grant money will go to fund State Bureaus of Prisons, veterans' advocacy groups, EMT and EMS teams, police officers, and firefighters. These important groups will be educated in spotting signs of mental illness in the people they work and live with so they can find help for these individuals.

We hear about the state of our mental health system every day and the state of the VA dealing with injured veterans. We hear about police and first responders called to a scene where someone has become dangerous and they are not sure the best way to respond. H.R. 1877 will help those people know how to respond so that the situation can stay in control and the risk of harm to folks is lessened.

□ 1415

The kinds of education programs that this legislation will provide authorization for have been shown to be effective and efficient at teaching people the signs of mental illness and how to drop the stigma of that illness so that someone in need can get help. I am glad that we have decided to take action here today.

It is well known that this piece of legislation has been one of my top priorities since coming to Congress, and I am thankful to my colleagues on the House Committee on Energy and Commerce, Chairman UPTON and Congresswoman MATSUI, for taking it up and supporting it. Congresswoman MATSUI and I worked on this bill because we both saw the need for training in communities so that people in a position to do so could help those suffering with mental illness.

Mr. Speaker, I urge my colleagues to support this important bill.

Mr. PALLONE. Mr. Speaker, I urge support for this legislation.

I yield back the balance of my time.

Mr. GUTHRIE. Mr. Speaker, again, I encourage support of the bill.

I yield back the balance of my time.

Ms. MATSUI. Mr. Speaker, many Americans know someone who is struggling with a mental illness . . . but we often do not know how to help. For too long . . . stigma has prevented us from seeking the lifesaving information we need to best help someone experiencing a mental health crisis.

By equipping our first responders . . . law enforcement personnel . . . and educators with training and knowledge . . . Mental Health First Aid courses are helping break down barriers and de-escalate crises in our communities.

We have seen positive results from these courses in Sacramento . . . and across the country. By passing H.R. 1877 today . . . we reauthorize important grant funding that will allow for the implementation of the Mental Health First Aid model nationally.

I want to thank Congresswoman LYNN JENKINS for her work on this important legislation. Today represents one step forward in our efforts to address the mental health crisis in this country. Yet . . . the need for comprehensive reform remains.

We need to put adequate resources toward our behavioral health workforce . . . and ensure parity between physical and mental health care for all Americans. I will continue to strongly advocate for a legislative framework that supports this entire spectrum of care . . . and I urge my colleagues to join me in those efforts.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. GUTHRIE) that the House suspend the rules and pass the bill, H.R. 1877, as amended.

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

A motion to reconsider was laid on the table.

DANGEROUS SYNTHETIC DRUG CONTROL ACT OF 2016

Mr. GUTHRIE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3537) to amend the Controlled Substances Act to clarify how controlled substance analogues are to be regulated, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3537

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 ''Dangerous Synthetic Drug Control Act of 2016''.

SEC. 2. TREATMENT OF CERTAIN DESIGNER DRUGS AS SCHEDULE I CONTROLLED SUBSTANCES.

(a) CANNABIMIMETIC AGENTS.—Schedule I, as set forth in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)), is amended in subsection (d)(2)(B)—

(1) in clause (xiv) by striking ''and'' at the end;

(2) in clause (xv) by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

''(xvi) 2-(2-methylphenyl)-1-(1-pentyl-1H-indol-3-yl)ethanone (JWH–251);

''(xvii) (1-butyl-1H-indol-3-yl)(4-methylnaphthalen-1-yl)methanone (4'-methyl JWH–073);

''(xviii) 2-(3-methoxyphenyl)-1-(1-pentyl-1H-indol-3-yl)ethanone (JWH–302);

''(xix) N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indole-3-carboxamide (5F–APICA);

''(xx) quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5F–PB–22);

''(xxi) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (AB–PINACA);

''(xxii) N-(naphthalen-1-yl)-1-pentyl-1H-indole-3-carboxamide (MN–24);

''(xxiii) (1-(5-fluoropentyl)-1H-indazol-3-yl)(naphthalen-1-yl)methanone (THJ–2201);

''(xxiv) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADBICA);

''(xxv) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (5F–AMB); and

''(xxvi) methyl 2-(1-(cyclohexylmethyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (MA–CHMINACA).''.

(b) SYNTHETIC OPIOIDS.—Schedule I, as set forth in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)), is amended in subsection (a) by adding at the end the following:

''(43) Butyryl fentanyl.

''(44) beta-Hydroxythiofentanyl.

''(45) Acetyl fentanyl.''.

(c) OTHER DRUGS.—Schedule I, as set forth in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)), is amended in subsection (c) by adding at the end the following:

''(29) 1-(naphthalen-1-yl)-2-(pyrrolidin-1-yl)pentan-1-one (α-naphyrone).

''(30) 1-(2,3-dihydrobenzofuran-5-yl)propan-2-amine (5–APDB).

''(31) 1-(2,3-dihydrobenzofuran-6-yl)propan-2-amine (6–APDB).

''(32) 6,7-dihydro-5H-indeno[5,6-d][1,3]dioxol-6-amine (MDAI).

''(33) 5-iodo-2,3-dihydro-1H-inden-2-amine (5–IAI).

''(34) 1-(4-bromofuro[2,3-f]benzofuran-8-yl)propan-2-amine (bromo-dragonfly).

''(35) 1-(4-chloro-2,5-dimethoxyphenyl)propan-2-amine (DOC).

''(36) 1-(4-ethoxy-2,5-dimethoxyphenyl)propan-2-amine (MEM).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. GUTHRIE) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. GUTHRIE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 3537, the Dangerous Synthetic Drug Control Act of 2016. I want to specifically acknowledge Congressman DENT from Pennsylvania and Congressman KATKO from New York for their tireless leadership on this issue and the teamwork it took to get this bill through the House Committee on Energy and Commerce and to the floor today.

According to the Drug Enforcement Administration, the DEA, abuse and misuse of designer synthetic drugs is an ongoing threat to public health and safety. These chemical compounds are often designed in overseas laboratories to mimic the effects of illicit drugs and known controlled substances. Criminals who develop and market them in communities across our country have been able to stay one step ahead of the DEA since—while they are designed to closely resemble controlled substances—they are not currently scheduled.

H.R. 3537 will add 22 such compounds to schedule I of the Controlled Substances Act, immediately strengthening the DEA's ability to take swift action and get them off our streets. The compounds on this list include those that are marketed as K2, or Spice, as well as fentanyl derivatives estimated to be 100 times more powerful than morphine and linked to many overdoses and deaths.

In addition to the DEA, I would like to thank the Office of National Drug Control Policy, FDA, NIH, and those in the research community who helped review and revise this list of synthetics as part of the legislative process.

I urge my colleagues to join me in supporting this legislation.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 26, 2016.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR CHAIRMAN UPTON: I write with respect to H.R. 3537, the ''Synthetic Drug Control Act of 2015,'' which was referred to the Committee on Energy and Commerce and in addition to the Committee on the Judiciary. As a result of your having consulted with us on provisions within H.R. 3537 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 3537 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 3537 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 3537.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 26, 2016.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN GOODLATTE: Thank you for your letter regarding H.R. 3537, the ''Synthetic Drug Control Act of 2015.'' As you noted, there are provisions of the bill that fall within the Committee on the Judiciary's Rule X jurisdiction.

I appreciate your willingness to forgo consideration of H.R. 3537, and I agree that your decision is not a waiver of any of the Committee on the Judiciary's jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward. In addition, I understand that the Committee reserves the right to seek the appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and you will have my support for any such request.

I will include a copy of your letter and this response in the Congressional Record during floor consideration of H.R. 3537.

Sincerely,

FRED UPTON,
Chairman.

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

H.R. 3537, the Dangerous Synthetic Drug Control Act, is bipartisan legislation sponsored by Mr. DENT of Pennsylvania and also by Congressman JIM HIMES of Connecticut. It is a targeted approach to addressing the latest threat from synthetic substances that is causing dangerous drug abuse across our communities, and I support its swift passage.

Sadly, stories of adults and teenagers abusing synthetic substances to get high have become all too common and have resulted in individuals either harming themselves or others. These drugs are extremely unsafe and can cause convulsions, anxiety attacks, hallucinations, psychotic episodes, and, in some instances, death.

The rise of synthetic drug use is an issue we have been dealing with for many years now in my home State of New Jersey. Frightening increases in overdoses and deaths throughout the State from so-called designer drugs led New Jersey to permanently ban synthetic marijuana in 2012. However, synthetic marijuana, commonly referred to as ''K2'' or ''Spice,'' is still being sold illegally in my State and others and sends many to the emergency room every week. Last year, according to data from the American Association of Poison Control Centers, New Jersey logged 142 emergency calls, the ninth-most in the Nation, for exposure to synthetic marijuana.

Despite the devastating impact of these substances, they are, unfortunately, not illegal and, as a result, are

too readily available. Under its current authority, the Drug Enforcement Agency, or DEA, has difficulty taking action against manufacturers of these substances. By swiftly engineering and reengineering these synthetic compounds, manufacturers have been able to avoid regulation under the Controlled Substances Act.

H.R. 3537 would schedule a narrow list of 22 synthetic substances, including 11 used to create synthetic marijuana, and three derivatives of fentanyl—a synthetic opioid that is more powerful than morphine. This targeted legislation was developed with input from the DEA, the Department of Health and Human Services, the National Institute on Drug Abuse, and the Office of National Drug Control Policy to ensure that these substances with known abuse potential have no therapeutic value and, therefore, should be appropriately moved to schedule I.

I believe that this legislation will enable the DEA to take needed enforcement actions against manufacturers of these dangerous substances.

While the bill does not address the broader concerns that have been raised related to access to schedule I substances for research purposes, I am committed to continuing to work with my colleagues on the other side of the aisle, as well as the administration, and stakeholders to find ways we can streamline the registration process for legitimate research purposes.

I urge my colleagues to support H.R. 3537. I thank, again, Congressman HIMES, and I look forward to continue to work with my colleagues to reduce the availability of dangerous synthetic substances.

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

Mr. GUTHRIE. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Speaker, I would like to thank Chairman UPTON; Ranking Member PALLONE; Messrs. GUTHRIE, KATKO, and HIMES; ELEANOR HOLMES NORTON; and Congressman JOLLY, all for helping to bring this bipartisan bill up today in order to officially identify these dangerous synthetic substances and address the public health crisis presented by their continued proliferation throughout the country.

I have been working for several years to bring attention to the very serious threat that synthetic drugs pose to the health and safety of communities both within Pennsylvania and across our Nation.

Although initially successful after placing a number of synthetic cannabinoids on schedule I and enhancing the DEA's authorities to protect the public from these drugs through legislation that was signed into law in 2012, we have begun to see a renewed rise in both the number of new substances on the streets and the number of victims affected by these products. This bill simply adds 22 compounds to schedule I of the Controlled Substances Act, and these are, frankly, the very worst of the worst compounds out there.

The products targeted by this bill are primarily labeled as synthetic marijuana, bath salts, or synthetic opioids, which are sold under the labels like K2, Spice, and Flakka that allow them to be marketed to unsuspecting young people and some of the most vulnerable members of our society.

Through modifications to the chemical formulas of these drugs, their overseas manufacturers have been able to continue to push them on to victims under the false impression that they are safe, despite often being even more potent than the drugs they are designed to mimic.

Without action—like the step we are taking here today to pass this critical bill and designate these substances as the dangerous and abusive products that they are—we will continue to see more overdoses, more victims, and, sadly, more deaths.

Just this month, there was a gruesome killing in my district that was fueled by the ingestion of the synthetic drug known as Flakka—absolutely gruesome. My friend, Congressman HIMES, can talk about a situation very close to him, too, where there was a tragedy.

Unfortunately, data from our health centers, law enforcement entities, and poison control offices show that such cases have become more and more prevalent around the country, and I applaud this proactive action to stop further proliferation.

I should note that when we passed a law in 2012, we did shut down so much of these synthetic drugs that were being sold. We shut it down. But these folks overseas have figured out ways to reformulate these compounds, and this problem is back with us today again. We had shut it down. It is back with us, and this is a step that we are taking.

So, again, I would also like to thank all of these bipartisan cosponsors for their partnership in this effort and their commitment to work together to address this public health epidemic by getting these dangerous substances off the streets.

Finally, I would like to mention one other thing, too—that this bill has gone through an extensive regular order process. There has been a hearing, subcommittee markup, and a full committee markup. The bill is the result of negotiations between the DEA, researchers, and many others. Organizations like the American Hospital Association, the American College of Emergency Room Physicians, the Fraternal Order of Police, the National Association of Convenience Stores, and Former Special Agents of the FBI all support and endorse this bill.

So, finally, I urge my colleagues to support passage of this important legislation today so we can save lives. I will continue my efforts to educate the public about the dangers of these synthetic drugs and to protect our communities.

Mr. PALLONE. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. HIMES), the Democratic sponsor of the bill.

Mr. HIMES. Mr. Speaker, I thank Mr. PALLONE for yielding.

Mr. Speaker, I rise today in support of the Dangerous Synthetic Drug Control Act, which will reclassify 22 dangerous synthetic substances as schedule I substances subject to the control and enforcement associated with schedule I substances.

Mr. Speaker, the community I represent, like every community represented in this Chamber, has been visited by the tragedy of fatal drug overdoses. We know the statistics nationally—opioid deaths are in the 30,000 neighborhood. That is a tragedy around the country.

The substances that we reclassify today include some of the fentanyl substances that are often associated with the most gruesome overdoses often mixed with heroin.

My colleagues will remember that fentanyl is the drug actually responsible for the overdose death of the musician Prince and, sadly, is pervasive through our communities.

The synthetic drugs that are being scheduled today through this bill are particularly pernicious because they are marketed often in corner retail establishments and often in ways designed to appeal to young people in colored packages with names like K2 and Spice, clearly targeting our youngest constituents.

We are engaged, of course, in a cat-and-mouse game with the producers of these substances because as soon as a substance is scheduled, a chemist somewhere figures out a slight alteration to the formula in such a way that now they have a drug which is untested and unproven but mimics some of the effects of a scheduled drug; but we have no idea what the effects are, and all too often those effects can be devastating to the individual using them.

□ 1430

This bill, again, will take 22 of those dangerous substances and classify them into schedule I. This is going to make my community in southwestern Connecticut safer, and it will make communities throughout this country safer.

I really want to thank, in particular, Congressman DENT for his very hard work on this, and Chairman UPTON and Ranking Member PALLONE for expediting this bill in a way that I know is going to make a very positive difference in our communities.

Mr. PALLONE. Mr. Speaker, I urge support for the legislation.

I yield back the balance of my time.

Mr. GUTHRIE. Mr. Speaker, I encourage the adoption of this bill.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in opposition to H.R. 3537, the so-called Dangerous Synthetic Drug Control Act of 2016.

The legislation would add 22 synthetic drugs to Schedule I of the Controlled Substances Act. While some of these drugs may be indeed dangerous to the public, we know very little about many of them and adding them to Schedule I would seriously hinder research.

Furthermore, by adding these synthetic drugs to Schedule I, the legislation would significantly expand the mandatory minimum found in title 21, section 841(b)(1)(C) of the U.S. Code. If an individual is convicted of selling, distributing, or making one of these drugs, he would be subject to a 20 year mandatory minimum sentence if someone is seriously injured or dies from using these drugs.

And it doesn't stop there. Adding these synthetic drugs to Schedule I would also subject this 20 year mandatory minimum to other individuals that may get wrapped up in a drug conspiracy, per title 21, section 846. Technically, a girlfriend that takes a phone message or drives her drug dealer boyfriend to a drug deal for one of these synthetic drugs could be included in the boyfriend's drug conspiracy and be subject to the same 20 year mandatory minimum if someone is seriously injured or dies from using the drugs involved in the conspiracy.

An individual who has intentionally sold, distributed, or manufactured these synthetic drugs, if they are indeed dangerous, should be held criminally responsible if someone is harmed or dies using them. However, I believe a judge, not Congress, should be the one determining the sentence based on the individual facts and circumstances.

For decades now, research and evidence has demonstrated that mandatory minimums are ineffective deterrents, waste the taxpayers' money, force judges to impose irrational sentences, and discriminate against minorities, particularly with regards to drug offenses. Unfortunately, there are already too many mandatory minimums in the federal code.

Mr. Speaker, many Americans wonder how low level drug offenders get decades long sentences. It's because of bills like this that there are thousands of low level, non-violent, first time offenders serving decades behind bars. If we ever expect to do anything about that problem and actually address the drivers of mass incarceration generally, the first step we have to take is to stop passing new mandatory minimums or bills that expand existing mandatory minimums. The mandatory minimums in the code today did not get there all at once—they got there one at a time, each one part of a larger bill, which on balance might have been a good idea. Therefore, the only way to stop passing new mandatory minimums is to stop passing bills that contain mandatory minimums.

For these reasons, I urge my colleagues to vote No on H.R. 3537.

Mr. BLUMENAUER. Mr. Speaker, today, I will vote against H.R. 3537. No doubt many of these substances are horrific, and none of us wants to see people abusing them. DEA can act on these drugs, has a process to do it, and should start down that path immediately. However, if we are going to deal with Schedule I, the first thing we should do is eliminate marijuana from Schedule I, which enabled the failed policy of prohibition. Political interference is what got us here in the first place, and we should fix it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. GUTHRIE) that the House suspend the rules and pass the bill, H.R. 3537, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. AMASH. 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, further proceedings on this motion will be postponed.

CLARIFICATION OF TREATMENT OF ELECTRONIC SALES OF LIVESTOCK ACT OF 2016

Mr. ROUZER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5883) to amend the Packers and Stockyards Act, 1921, to clarify the duties relating to services furnished in connection with the buying or selling of livestock in commerce through online, video, or other electronic methods, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5883

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 ''Clarification of Treatment of Electronic Sales of Livestock Act of 2016''.

SEC. 2. DEFINITION OF MARKET AGENCY.

(a) IN GENERAL.—Section 301(c) of the Packers and Stockyards Act, 1921 (7 U.S.C. 201(c)) is amended—

(1) by striking ''; and'' at the end and inserting a period; and

(2) by adding at the end the following: ''Beginning on the date of the enactment of the Clarification of Treatment of Electronic Sales of Livestock Act of 2016, such term includes any person who engages in the business of buying or selling livestock, on a commission or other fee basis, through the use of online, video, or other electronic methods when handling or providing the means to handle receivables or proceeds from such buying or selling, so long as such person's annual average of online, video, or electronic sales of livestock, on a commission or other fee basis, exceeds $250,000.''.

(b) TECHNICAL AMENDMENTS.—Section 301 of the Packers and Stockyards Act, 1921 (7 U.S.C. 201) is amended—

(1) in the matter preceding subsection (a), by striking ''When used in this Act—'' and inserting ''In this Act:'';

(2) in subsection (a), by striking the semicolon at the end and inserting a period; and

(3) in subsection (b)—

(A) by striking ''weighting'' and inserting ''weighing''; and

(B) by striking the semicolon at the end and inserting a period.

SEC. 3. METHODS TO TRANSFER FUNDS.

Section 409(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 228b(a)) is amended—

(1) in the first proviso, by striking ''shall wire transfer funds to the seller's account'' each place it appears and inserting ''shall transfer funds for the full amount of the purchase price to the account of the seller by wire, electronic funds transfer, or any other expeditious method determined appropriate by the Secretary''; and

(2) in the second proviso, by striking ''or dealer shall wire transfer funds'' and inserting ''or dealer shall transfer funds for the full amount of the purchase price by wire, electronic funds transfer, or any other expeditious method determined appropriate by the Secretary''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. ROUZER) and the gentleman from Minnesota (Mr. PETERSON) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. ROUZER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

I rise in support of H.R. 5883, the Clarification of Treatment of Electronic Sales of Livestock Act of 2016.

The bill before us today makes simple, targeted reforms to an outdated statute in order to make it compatible with new practices that have come about because of advances in technology.

The Packers and Stockyards Act was enacted to protect buyers and sellers of livestock from unfair, deceptive, and discriminatory practices. However, the statute has not undergone a thorough revision since being enacted in 1921, resulting in various outdated requirements.

To account for the current practices that businesses use to buy and sell livestock, H.R. 5883 makes clarifying modifications, ensuring that the protections of the Packers and Stockyards Act apply to those who buy and sell livestock online on a commission or other fee basis.

The Packers and Stockyards Act of 1921 references only two forms of payment methods acceptable under the act's prompt payment requirements—checks and wire transfers. To update this provision, the bill adds electronic transfer of funds to the list of acceptable methods of payment and gives the Secretary the flexibility to approve other new methods of payment as deemed appropriate.

These commonsense changes are supported by the vast majority of the livestock community—in fact, we know of no opposition—and were unanimously supported by my colleagues on the House Agriculture Committee.

I urge my colleagues to support these important modifications with their vote for this bill.

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