

NAYS—7

Amash	Massie	Sensenbrenner
Harris	Ribble	
Jones	Sanford	

NOT VOTING—21

Brat	Graves (MO)	Rush
Brown (FL)	Jolly	Sanchez, Loretta
Clyburn	Kirkpatrick	Serrano
Costa	Lee	Tiberi
Doyle, Michael	McDermott	Waters, Maxine
F.	Miller (MI)	Westmoreland
Fincher	Poe (TX)	
Forbes	Roskam	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1719

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BRAT. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 615.

FEDERAL BUREAU OF INVESTIGATION WHISTLEBLOWER PROTECTION ENHANCEMENT ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5790) to provide adequate protections for whistleblowers at the Federal Bureau of Investigation, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 0, not voting 29, as follows:

[Roll No. 616]

YEAS—404

Abraham	Boyle, Brendan	Chu, Judy
Adams	F.	Cicilline
Aderholt	Brady (PA)	Clark (MA)
Aguilar	Brady (TX)	Clarke (NY)
Allen	Brat	Clawson (FL)
Amash	Bridenstine	Clay
Amodei	Brooks (AL)	Cleaver
Ashford	Brooks (IN)	Coffman
Babin	Brownley (CA)	Cohen
Barletta	Buchanan	Cole
Barr	Buck	Collins (GA)
Barton	Bucshon	Collins (NY)
Bass	Burgess	Comer
Beatty	Bustos	Comstock
Becerra	Butterfield	Conaway
Benishek	Byrne	Connolly
Bera	Calvert	Conyers
Beyer	Capps	Cook
Bilirakis	Capuano	Cooper
Bishop (GA)	Cardenas	Costello (PA)
Bishop (MI)	Carney	Courtney
Bishop (UT)	Carson (IN)	Cramer
Black	Carter (GA)	Crawford
Blackburn	Carter (TX)	Crenshaw
Blum	Cartwright	Crowley
Blumenauer	Castor (FL)	Cuellar
Bonamici	Castro (TX)	Culberson
Bost	Chabot	Cummings
Boustany	Chaffetz	Curbelo (FL)

Davidson	Jenkins (KS)	Palazzo
Davis (CA)	Jenkins (WV)	Pallone
Davis, Danny	Johnson (GA)	Palmer
Davis, Rodney	Johnson (OH)	Pascarell
DeFazio	Johnson, E. B.	Paulsen
DeGette	Johnson, Sam	Payne
Delaney	Jones	Pearce
DeLauro	Jordan	Pelosi
DelBene	Joyce	Perlmutter
Denham	Kaptur	Perry
Dent	Katko	Peters
DeSantis	Keating	Peterson
DeSaulnier	Kelly (IL)	Pingree
DesJarlais	Kelly (MS)	Pittenger
Deutsch	Kelly (PA)	Pitts
Diaz-Balart	Kennedy	Pocan
Dingell	Kildee	Poliquin
Doggett	Kilmer	Polis
Dold	Kind	Pompeo
Donovan	King (IA)	Posey
Duckworth	King (NY)	Price (NC)
Duffy	Kinzing (IL)	Price, Tom
Duncan (SC)	Kline	Quigley
Duncan (TN)	Knight	Rangel
Edwards	Kuster	Ratcliffe
Ellison	Labrador	Reed
Elmers (NC)	LaHood	Reichert
Emmer (MN)	LaMalfa	Renacci
Engel	Lamborn	Ribble
Eshoo	Lance	Rice (NY)
Esty	Langevin	Rice (SC)
Evans	Larsen (WA)	Richmond
Farenthold	Larson (CT)	Rigell
Farr	Latta	Roby
Fitzpatrick	Lawrence	Roe (TN)
Fleischmann	Levin	Rogers (AL)
Fleming	Lewis	Rogers (KY)
Flores	Lieu, Ted	Rohrabacher
Fortenberry	Lipinski	Rokita
Foster	LoBiondo	Rooney (FL)
Fox	Loeb	Ros-Lehtinen
Frankel (FL)	Loebsack	Ross
Franks (AZ)	Loftgren	Rothfus
Frelinghuysen	Long	Rouzer
Fudge	Loudermilk	Royce
Gabbard	Love	Ruiz
Gallego	Lowenthal	Ruppersberger
Garamendi	Lowe	Russell
Garrett	Lucas	Ryan (OH)
Gibbs	Luetkemeyer	Salmon
Gibson	Lujan Grisham	Sánchez, Linda
Gohmert	(NM)	T.
Goodlatte	Lujan, Ben Ray	Sanford
Gosar	(NM)	Sarbanes
Gowdy	Lummis	Scalise
Graham	Lynch	Schakowsky
Granger	MacArthur	Schiff
Graves (GA)	Maloney,	Schweikert
Graves (LA)	Carolyn	Scott (VA)
Grayson	Maloney, Sean	Scott, Austin
Green, Al	Marchant	Scott, David
Green, Gene	Marino	Sensenbrenner
Griffith	Massie	Sessions
Grijalva	Matsui	Sewell (AL)
Grothman	McCarthy	Sherman
Guinta	McCaul	Shimkus
Guthrie	McClintock	Shuster
Gutiérrez	McCollum	Simpson
Hanabusa	McGovern	Sires
Hanna	McHenry	Slaughter
Hardy	McKinley	Smith (MO)
Harper	McMorris	Smith (NE)
Harris	Rodgers	Smith (WA)
Hartzler	McNerney	Speier
Hastings	McSally	Stefanik
Heck (NV)	Meadows	Stewart
Heck (WA)	Meehan	Stutzman
Hensarling	Meeks	Swalwell (CA)
Herrera Beutler	Meng	Takano
Hice, Jody B.	Messer	Thompson (CA)
Higgins	Mica	Thompson (MS)
Hill	Miller (FL)	Thompson (PA)
Himes	Moolenaar	Thornberry
Hinojosa	Mooney (WV)	Tipton
Holding	Moore	Titus
Honda	Moulton	Tonko
Hoyer	Mullin	Torres
Hudson	Mulvaney	Trott
Huelskamp	Murphy (FL)	Tsongas
Huffman	Murphy (PA)	Turner
Huizenga (MI)	Nadler	Upton
Hultgren	Napolitano	Valadao
Hunter	Neal	Van Hollen
Hurd (TX)	Neugebauer	Vargas
Hurt (VA)	Newhouse	Veasey
Israel	Noem	Visclosky
Issa	Norcross	Wagner
Jackson Lee	Nunes	Walberg
Jeffries	O'Rourke	Walden
	Olson	

Walker	Webster (FL)	Woodall
Walorski	Welch	Yarmuth
Walters, Mimi	Wenstrup	Yoder
Walz	Westerman	Yoho
Wasserman	Williams	Young (AK)
Schultz	Wilson (FL)	Young (IA)
Waters, Maxine	Wilson (SC)	Young (IN)
Watson Coleman	Wittman	Zeldin
Weber (TX)	Womack	Zinke

NOT VOTING—29

Brown (FL)	Lee	Schrader
Clyburn	McDermott	Serrano
Costa	Miller (MI)	Sinema
Doyle, Michael	Nolan	Smith (NJ)
F.	Nugent	Smith (TX)
Fincher	Poe (TX)	Stivers
Forbes	Roskam	Tiberi
Graves (MO)	Roybal-Allard	Vela
Jolly	Rush	Velázquez
Kirkpatrick	Sanchez, Loretta	Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1726

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. TIBERI. Mr. Speaker, on rollcall Nos. 611 (motion to suspend the rules and pass, as amended H.R. 1219), 612 (motion to suspend the rules and pass, as amended S. 3028), 613 (on passage of H.R. 5143), 614 (motion to suspend the rules and pass, as amended H.R. 6076), 615 (motion to suspend the rules and pass, as amended House Amendment to S. 2971), and 616 (motion to suspend the rules and pass, as amended H.R. 5790) I did not cast my vote due to a death in the family. Had I been present, I would have voted “yea” on all of the votes.

BETTER ONLINE TICKET SALES ACT OF 2016

Mrs. BLACKBURN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3183) to prohibit the circumvention of control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S. 3183

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 “Better Online Ticket Sales Act of 2016” or the “BOTS Act of 2016”.

SEC. 2. UNFAIR AND DECEPTIVE ACTS AND PRACTICES RELATING TO CIRCUMVENTION OF TICKET ACCESS CONTROL MEASURES.

(a) CONDUCT PROHIBITED.—

(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for any person—

(A) to circumvent a security measure, access control system, or other technological control or measure on an Internet website or online service that is used by the ticket issuer to enforce posted event ticket purchasing limits or to maintain the integrity of posted online ticket purchasing order rules; or

(B) to sell or offer to sell any event ticket in interstate commerce obtained in violation of subparagraph (A) if the person selling or offering to sell the ticket either—

(i) participated directly in or had the ability to control the conduct in violation of subparagraph (A); or

(ii) knew or should have known that the event ticket was acquired in violation of subparagraph (A).

(2) EXCEPTION.—It shall not be unlawful under this section for a person to create or use any computer software or system—

(A) to investigate, or further the enforcement or defense, of any alleged violation of this section or other statute or regulation; or

(B) to engage in research necessary to identify and analyze flaws and vulnerabilities of measures, systems, or controls described in paragraph (1)(A), if these research activities are conducted to advance the state of knowledge in the field of computer system security or to assist in the development of computer security product.

(b) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (a) shall be treated as a violation of a rule defining an unfair or a deceptive act or practice under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates subsection (a) shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) AUTHORITY PRESERVED.—Nothing in this section shall be construed to limit the authority of the Federal Trade Commission under any other provision of law.

(c) ENFORCEMENT BY STATES.—

(1) IN GENERAL.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by the engagement of any person subject to subsection (a) in a practice that violates such subsection, the attorney general of the State may, as *parens patriae*, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States—

(A) to enjoin further violation of such subsection by such person;

(B) to compel compliance with such subsection; and

(C) to obtain damages, restitution, or other compensation on behalf of such residents.

(2) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—Except as provided in clause (iii), the attorney general of a State shall notify the Commission in writing that the attorney general intends to bring a civil action under paragraph (1) not later than 10 days before initiating the civil action.

(ii) CONTENTS.—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Commission immediately upon instituting the civil action.

(B) INTERVENTION BY FEDERAL TRADE COMMISSION.—The Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal of a decision in the civil action.

(3) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(4) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—If the Commission institutes a civil action or an administrative action with respect to a violation of subsection (a), the attorney general of a State may not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(5) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(6) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other consumer protection officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

SEC. 3. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term “Commission” means the Federal Trade Commission.

(2) EVENT.—The term “event” means any concert, theatrical performance, sporting event, show, or similarly scheduled activity, taking place in a venue with a seating or attendance capacity exceeding 200 persons that—

(A) is open to the general public; and

(B) is promoted, advertised, or marketed in interstate commerce or for which event tickets are generally sold or distributed in interstate commerce.

(3) EVENT TICKET.—The term “event ticket” means any physical, electronic, or other

form of a certificate, document, voucher, token, or other evidence indicating that the bearer, possessor, or person entitled to possession through purchase or otherwise has—

(A) a right, privilege, or license to enter an event venue or occupy a particular seat or area in an event venue with respect to one or more events; or

(B) an entitlement to purchase such a right, privilege, or license with respect to one or more future events.

(4) TICKET ISSUER.—The term “ticket issuer” means any person who makes event tickets available, directly or indirectly, to the general public, and may include—

(A) the operator of the venue;

(B) the sponsor or promoter of an event;

(C) a sports team participating in an event or a league whose teams are participating in an event;

(D) a theater company, musical group, or similar participant in an event; and

(E) an agent for any such person.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DIRECTING THE SECRETARY OF THE SENATE TO MAKE A CERTAIN CORRECTION IN THE ENROLLMENT OF S. 1635

Ms. ROS-LEHTINEN. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. FORTENBERRY). Is there objection to the request of the gentlewoman from Florida?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 181

Resolved by the House of Representatives (the Senate concurring). That in the enrollment of the bill S. 1635, the Secretary of the Senate shall make the following corrections:

(1) In section 113, in the proposed subsection (j)(1) of section 4 of the Foreign Service Buildings Act, 1926, strike “subject to paragraphs (2) and (3), the Secretary may transfer to, and merge with, any appropriation for embassy security, construction, and maintenance such amounts appropriated for fiscal year 2018 for any other purpose related to the administration of foreign affairs on or after January 1, 2017, if the Secretary determines such transfer is necessary to provide for the security of sites and buildings in foreign countries under the jurisdiction and control of the Secretary” and insert “subject to paragraph (2), the Secretary may transfer to, and merge with, any appropriation for fiscal year 2018 under the heading ‘Diplomatic and Consular Programs’, including for Worldwide Security Protection, and under the heading ‘Embassy Security, Construction, and Maintenance’ funds appropriated under such headings if the Secretary determines such transfer is necessary to implement the recommendations of the Benghazi Accountability Review Board, or to prevent or respond to security situations and requirements”.

(2) In section 113, in the proposed subsection (j) of section 4 of the Foreign Service Buildings Act, 1926, strike the proposed paragraph (2).

(3) In section 113, in the proposed subsection (j) of section 4 of the Foreign Service