

give some degree of clarity, I have, in this hand, an article that is styled, "The Overcriminalization of Impeachment." It is dated August 7, 2017, by Gene Healy. He is with the Cato Institute.

I commend it to all who have any interest in impeachment, because this will give you a summary that will spare you a lot of reading in the Federalist Papers, reading many other articles. I commend it to you, and I will say more about it at a later time.

MUSLIM BAN 3.0

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, I rise today to express my outrage toward the latest travel ban proposed by the Trump administration again late on September 24. The administration issued a proclamation with new discriminatory travel restrictions on eight countries.

Let me be clear: no matter how many times this administration tries to repackage it and sell it, a Muslim ban is a Muslim ban. It remains hateful, discriminatory, and goes against our American values. We won't be fooled by the inclusion of North Korea and Venezuela.

This Muslim and refugee ban continues to be part of a dangerous and immoral agenda against a religion, people of color, and immigrants.

This administration and this ban is fanning the flames of fear and anger against groups of Americans and immigrants, with policies that clearly undermine the Constitution that I love and our American principles.

Dressed up or dressed down, this ban must not stand.

We must address terrorism, and it is not restricted to the Muslim population. We must address it here on the ground in homegrown terrorism as well.

PROTECTING AND DEFENDING OUR DREAMERS

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to protect and defend our DREAMers.

Now that President Trump has failed all of us by rescinding DACA, Congress must now move immediately to protect these courageous, patriotic DREAMers like my constituent and aspiring cardiovascular surgeon, Cinthya Moran.

Cinthya just wants an opportunity to contribute to her community, and in her own words: "We are only here to contribute to this amazing country."

Like Cinthya, all DACA recipients are our friends, they are our neighbors, they are soldiers on the battlefield, they are new homeowners, they are entrepreneurs, they are students.

I urge my colleagues to support our DACA constituents and pass legislation that protects these brave young people, and I ask you to do that as soon as possible.

AMERICA'S IMMIGRATION SYSTEM IS BROKEN

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I have been saying for years that the American immigration system is broken, and it is about time we fix it. We must pass comprehensive immigration reform. This will obviously require bipartisanship and a deliberative policy process to make it happen.

In the meantime, we ought to do what we can where we can agree to do it, and that is why I am working towards this effort to protect our DREAMers now. This is why I signed the discharge petition to bring to the House floor a bipartisan, bicameral Dream Act which will permanently protect these people who were brought here as children, who are in school, who are serving in our military, who are working and contributing to our economy, that will permanently protect DREAMers and offer them a path to earned citizenship.

At Fresno State University, we have 1,200 DREAMers who are enrolled; at UC Merced, we have 600 DREAMers who are enrolled. We have thousands of young people in the San Joaquin Valley who are impacted, and that is why we must change this law and that is why I am here today, calling on the House leadership to bring the Dream Act to the floor. It is the right thing to do. It is the American way in which we solve problems.

I will continue to do everything in my power to bring the Dream Act to the House floor to vote and to work for a comprehensive and a longer term immigration policy so that we don't have to continue to have the political posturing and the fight that has endured way too long. Let's fix this for the DREAMers now.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 27, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 27, 2017, at 1:35 p.m.:

That the Senate passed S. 1866.
That the Senate passed S. 1028.

That the Senate passed S. 504.
That the Senate passed S. 1057.
That the Senate passed S. 870.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 3823, DISASTER TAX RELIEF AND AIRPORT AND AIRWAY EXTENSION ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 538 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 538

Resolved, That upon adoption of this resolution it shall be in order to consider in the House, without intervention of any question of consideration, the bill (H.R. 3823) to amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to provide disaster tax relief, and for other purposes. All points of order against consideration of the bill are waived. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit with or without instructions.

SEC. 2. It shall be in order at any time on the legislative day of September 28, 2017, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), the ranking member, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, I rise today in support of this rule and the underlying legislation. The rule provides for consideration of H.R. 3823, the Disaster Tax Relief and Airport and Airway Extension Act of 2017.

Mr. Speaker, the whole world is aware of a series of storms that have hit not only America's shores but those shores of so many of our territories, including the U.S. Virgin Islands and Puerto Rico.

□ 1530

A series of these hurricanes over the past few weeks has caused great devastation in Texas, Florida, Georgia, Puerto Rico, and, of course, again, the U.S. Virgin Islands. These are people who are American citizens, and they are in these territories, and they are suffering from loss and devastation, and we have never seen an occurrence like this with two storms in succession.

While there remains much to be done and evaluated, this legislation takes important steps, I believe, that are necessary to begin providing relief to those individuals. We have had a lot of debate not only on this floor and not only at the Rules Committee, but certainly in the U.S. House of Representatives and the public media about what steps need to be taken, who needs to be there first, what FEMA's responsibility is, what the responsibility is for HUD, what the responsibility is for States, and what the responsibility is for citizens and their local communities. But the bottom line is that much of the evaluation, the undertaking of saving of lives, trying to work to save more property and to be there in support of people, is an ongoing project that will take a long period of time.

Specifically, this underlying legislation helps to address five targeted and meaningful tax provisions that provide relief and make it easier for people to recover and to return to their homes and to make long-term decisions from a money and tax perspective.

It will allow hurricane victims to keep more of their paychecks, deduct more of the cost of their expensive property damage, and provide more affordable and immediate access to retirement savings should people decide that they would choose to go that direction at this difficult time in their life.

This legislation also encourages more Americans—Americans who see what is happening—and companies to be able to donate, to donate to those who are in need by temporarily suspending limitations on the deductions for charitable contributions for hurricane relief efforts this year. This is an important step, and it removes obstacles that might be in the way for the public to get involved and to help their fellow citizens.

Taken together, these five tax provisions go a long way, we believe, in helping these people recover from these storms.

The rule also makes clarifications to ensure Puerto Rico and the U.S. Virgin Islands are treated equitably in all tax sections of this bill.

I spent time this week speaking with the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN) and the gentlewoman from the Virgin Islands (Ms. PLASKETT) in talking about not only their immediate needs, but also the long-term needs. Both were vigorous in not only their request for help, but also, equally, I think, balanced in their request for the legislation that would take place today.

They represent so many hardworking people, people who are proud people in Puerto Rico and the Virgin Islands, and they are looking for a way to work through not only where they are, but, in looking forward over the long term, about how they are going to put their islands back together.

I have had many phone conversations with both of them over the last 48 hours. They have asked for our prayers, they have asked for our help, and I have pledged to do both. But I told them that I believe this House of Representatives would very carefully understand their special request at this time because the islands are under increased pressure simply to get planes that would land to allow not only the bringing in of emergency supplies, but also taking out people who would need to come ashore, for those that might be children, elderly people, or the sick.

In addition to the tax provisions of H.R. 3823, which addresses some of the frailties of the Flood Insurance Program, we have included important reform pieces that are pro-consumer and increase competition at a very difficult time now that these hurricanes have landed on our shores. This provides options for all Americans.

The language that passed out of the Financial Services Committee 58-0 and on the floor of the House last year 419-0 has now been placed in this bill, also. We believe it is another example of bipartisan support, not only by the gentleman from the Financial Services Committee, JEB HENSARLING, but also his ranking member, MAXINE WATERS, who very carefully, last year, in preparation probably for what would lie ahead in the future, to provide a free market opportunity for more people to receive flood insurance. It is part of this package. It passed here last year 419-0. It is an integral part of what might be an answer maybe only for a few people, but it is an option and an opportunity, and I appreciate Chairman HENSARLING and MAXINE WATERS for being a part of passing that last year out of the Financial Services Committee 58-0.

This bill also reauthorizes the FAA, the Federal Aviation Administration, for 6 months, their funding levels, which would, I believe, be most important to all areas of the country. This is a bipartisan bill.

This is an opportunity for people who live in rural areas and people who live

in urban areas to note that the FAA, day in and day out, 24 hours a day, is a vital part of the important transportation component of landing planes, bringing people to and from work and back safely. It also is a part of our families who travel the system, and the Federal Aviation Administration, the FAA, needs this money and needs the operational capacity to move forward.

It also comes at a critical time when the radar system that is in Puerto Rico has failed, and it is necessary that we continue to fund the programs at the FAA so that they can get these systems back up and online to increase traffic to meet the needs of the islands and to make sure that this is done safely.

Now is not a time to play games with an essential program, and I believe that this is very important for each of the Members to understand. This is a vital part of this package.

Finally, the underlying legislation extends several expiring health programs that would be finishing at the end of the year, including the Teaching Health Center Graduate Medical Education program and the Special Diabetes Program for Native Americans.

I do want to note that this package is focused on health programs that are expiring, and Chairman GREG WALDEN from Hood River, Oregon, who is the chairman of the Energy and Commerce Committee, has every intent to make sure that he will move legislation extending funding for CHIP, the Children's Health Insurance Program, because we know that it expires soon. The chairman has looked into this and certified back to me that the money that is necessary to keep this program going is not in jeopardy and that he looks forward to a time when he can move CHIP not only to where it is considered on the floor, but to the Rules Committee, where it can be equally and fairly debated.

Before concluding my opening statements, I just want to affirm to the people in my home State of Texas and other areas affected by these disasters that this is the second of a series of responses to these natural disasters. On September 8, this body, the United States House of Representatives, passed initial emergency response legislation, providing \$15.3 billion in aid.

To provide some historical context, in 2005, Hurricane Katrina hit the United States in August, followed by Hurricanes Rita and Wilma in September and October. The House responded by passing an initial response in September to provide immediate emergency relief; then, after some evaluation, determined the actual needs on the ground, that is, by an analysis that took place, and that is when the House passed a more comprehensive package that included many of the provisions that are in here that we are doing, but they did that in December.

There was some debate yesterday at the Rules Committee about the timing,

about delay, and I assured the gentleman from Florida (Mr. HASTINGS), who is a distinguished member of our committee, that, while I did not know the exact timing or delay, what might be a delay in that timing, that I believe that that is forthcoming; that, as there is a broader evaluation, as time moves on, as we go from saving people, trying to do recovery, to where we then move to the next phases of this opportunity, we will then know more specifically the needs of programs, the work that needs to be done by this Congress, and the help that we can provide to these areas.

I want to thank the gentleman from Florida (Mr. HASTINGS) not only for his vigorous, what I believe, support of making sure that people—albeit they might be in Florida, but where they were a part of these storms, I felt Mr. HASTINGS' care and concern for them, to make sure that what the House of Representatives did was well managed, and I appreciate his feedback.

This body has every intention of providing further relief to our fellow Americans. We also understand that the Federal Government, while it has responsibilities, it does so by working with the States. It is done through FEMA.

I have been personally very pleased not only with the actions of President Trump and this administration, but I want to add that I am proud of the House of Representatives. I believe the leadership that PAUL RYAN has provided not only by being on the ground and looking at these areas, but also staying up to date on a day-to-day basis means that the House is nimble and able to move forward as we need to.

What we are talking about today is targeted tax relief for those in need, ensuring the FAA can continue its functions allowing planes to land in Puerto Rico, and continuing our emergency responses.

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

Ms. SLAUGHTER. Mr. Speaker, I thank my friend for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, extending the Federal Aviation Administration's authority is traditionally something that gets bipartisan support. That hasn't been the case this time, as we saw on Monday when a prior version of this bill failed on suspension. It contained several extraneous provisions, but it didn't include some of the most important priorities that we face.

September 30 is nearly upon us. That is the deadline to reauthorize programs that the American people depend on. That includes things like the Perkins student loan program, which helps low-income students to finance their education.

There are 500,000 students across the country, including nearly 50,000 from New York, relying on it right now, but the Perkins Loan Program isn't anywhere in this bill.

The bill also does nothing to extend the Children's Health Insurance Program created in 1997 with broad bipartisan support. More than 9 million children get their health insurance through this program. Without continued Federal funding, States are going to begin running out of money to take care of some of the most vulnerable kids, and they can't wait until the end of the year for us to act.

Community health centers have also been left out of the bill, and they have told us that they will have problems from day one. If we don't extend their funding, an estimated 9 million people would lose access to healthcare.

These are essential bipartisan programs, Mr. Speaker, and what does it say about the majority's leadership if they are not extended by the deadline? It does not bode well for our ability to fund the government later this year, to raise the debt ceiling, extend the Flood Insurance Program, or reauthorize the Foreign Intelligence Surveillance Act.

This bill is an incredibly important one. No one in this Chamber or anywhere that I know of in the world wants the FAA program stopped and their employees furloughed or airport projects brought to a halt. We should work together and get it right.

This package, however, has not been negotiated on a bipartisan basis. It didn't go through regular order. Committees have been shut out of the process, and Democrats, who represent half the population in the United States, didn't get a say.

We are all glad to see provisions included here to provide some tax relief for victims of the recent hurricanes. With regular order and a more open process, this could be a more comprehensive package of extenders that provide more tax relief for victims to recover and to rebuild. After all, the Democrats did suggest 21 bipartisan tax provisions which were included in previous relief legislation after previous disasters.

□ 1545

But none of those, except five, I think, are included in this bill. That is a shame.

We have said it before. This is, I think, the 44th closed rule this session, and that is just about all the bills we have done. This bill could either have been bipartisan extending the FAA authorization, or a comprehensive package of extenders that provided the tax relief necessary for hurricane victims to recover and rebuild. The bill before us is neither. I doubt many of us have had time to review the changes that were made last night.

I have often said that a bad process leads to a bad product, and, Mr. Speaker, I am afraid that is what we see with this bill. Another opportunity for bipartisanship has been turned into another political fight.

I, regretfully, reserve the balance of my time.

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

Ms. SLAUGHTER. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 3440, the Dream Act. This bipartisan, bicameral legislation would help thousands of young people who are Americans in every way except on paper.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Mr. Speaker, while my colleagues on the other side of the aisle press forward with their partisan gimmicks, 800,000 young people are still holding their breath. With time quickly running out, they are wondering what their futures look like without DACA.

Will they lose their jobs? Will they have to drop out of college after they have already paid tuition? Will they live in fear that ICE will be waiting for them at any corner?

All these fears could be eliminated if Republican leadership allowed a vote on the bicameral, bipartisan Dream Act. Instead of living in fear or losing their job, the Dream Act would allow them to continue working and add \$22.7 billion annually to our U.S. GDP. Passing the Dream Act will help our country reach the goal of 3 percent economic growth.

The Dream Act would allow them to continue improving themselves and their education. In the process, they would add \$728 billion cumulatively to our economy over a decade, due to an "education bump." The Dream Act would allow current teachers, nurses, soldiers, engineers, high school and college students, and hundreds of thousands of others to continue contributing to our economy and our country.

I call on my colleagues to vote "no" on the previous question and, instead, bring the Dream Act forward for a vote. We have the votes, and the urgency of passing the Dream Act is real.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the honorable and distinguished gentleman from Louisiana (Mr. GRAVES), my friend.

Mr. GRAVES of Louisiana. Mr. Speaker, this bill has fundamental problems. Number one, the flood insurance provisions that are in this legislation are provisions that are related to flood insurance. The current program expires on December 9.

Why are we dealing with this one component right now?

I agree that this bill passed the House unanimously previously, but it has fundamental problems advancing in a vacuum outside of the larger reform. And mark my words: this provision is going to result in the insolvency

of the Flood Insurance Program much faster. It is going to increase the debt of the United States. Watch. I promise this is going to happen, and I am looking forward to talking about this more later.

Number two, Mr. Speaker, explain to me the difference between a flood victim in Texas, a flood victim perhaps in Florida, and one in Louisiana. Explain to me how those are any different.

We had a 1,000-year flood in my community just last year. We introduced legislation to provide this same tax relief to our citizens.

Why are Texans better?

I don't understand that.

Now, look, I want to be clear. I think that Texas deserves—the hurricane victims absolutely deserve tax relief, there is no question, as do the victims in Florida, Puerto Rico, and elsewhere—the victims of Harvey, Irma, and Maria. But I don't understand this discrimination, and I certainly can't go back home and explain it or defend it.

This is absurd. It is absolutely absurd that we have been waiting for 13 months for this exact same tax relief, yet the victims of the other hurricanes get it within weeks. I would love for somebody to explain or justify that to me. You can't do it.

Mr. Speaker, look, I will say it again. The FAA absolutely needs to be extended. If this Ross-Castor bill was so great, after it passed the House unanimously, the Senate would have taken it up; but they didn't because it shouldn't be done in a vacuum. It needs to be part of the larger reauthorization that expires on December 9, where we can incorporate it into there.

The reason this is being done is because it is trying to artificially increase National Flood Insurance Program rates. It is trying to artificially expedite the insolvency of the program.

Think about this for just a minute. We are getting ready to have one of the greatest demands upon the National Flood Insurance Program for claims from Hurricanes Harvey, Irma, and Maria, yet we are diverting the revenue stream.

Why in the world would you do that? Where is the money going to come from to pay the claims from people who flooded?

Mr. Speaker, in conclusion, I just want to say that there are some things in here that matter. The FAA needs to be extended. We need to provide disaster tax relief without question.

This is a fundamentally flawed piece of legislation. We should be sending a clean FAA extension to the Senate and address these other things elsewhere.

Ms. SLAUGHTER. Mr. Speaker, I think the previous speaker made a very important statement, that we should treat all Americans alike.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. ROYBAL-ALLARD).

Ms. ROYBAL-ALLARD. Mr. Speaker, the President's decision to rescind DACA has brought fear to hundreds of

thousands of DREAMers and their families.

They are DREAMers like Saul Jimenez, who teaches special needs students in Los Angeles, and is just one example of how DREAMers contribute and add value to our country and our communities.

DREAMers are American in every way except for their immigration status. To send DREAMers to a country they have never known would be tragic for them and our Nation, which will lose their valuable contributions.

The American people overwhelmingly oppose deporting our DREAMers, and our faith-based community and business leaders are imploring Congress to pass the Dream Act. Yet the Republican leadership is ignoring their wishes and refusing to allow us a vote on this bipartisan, bicameral bill.

To my Republican colleagues who say they want to protect our Nation's DREAMers: If that is true, this is your chance. Vote "no" on the previous question so we can vote on the Dream Act and put our DREAMers on the road to the security and future they have earned in the only country they know, the United States of America. The time to pass the Dream Act is now. Vote "no" on the previous question.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. BARRAGÁN).

Ms. BARRAGÁN. Mr. Speaker, I rise today because there are nearly a million young men and women known as DREAMers who are depending on Congress to take action to protect them so they are not deported.

DREAMers were brought to this country as children. Many barely remember their birth country. They are our teachers, our nurses, and our doctors. They are our neighbors, our friends, and for some of us, like me, they are our family.

They also contribute to our economy. The Los Angeles Area Chamber of Commerce estimates that DREAMers in Los Angeles County alone contribute \$5.5 billion annually to California's economy. Across the country, DREAMers would add billions to GDP over the next decade.

Americans overwhelmingly want Congress to take action, and the vast majority of Members would support legislation to protect DREAMers.

Let's not wait another moment. Let's bring the Dream Act to the floor for a vote so that we can protect these young men and women. I urge a "no" vote on the previous question so we can bring the Dream Act to the floor.

Mr. SESSIONS. Mr. Speaker, I would advise the gentlewoman, my colleague, that I have one more speaker left, so she may run down the time as she chooses.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, this Chamber must act to protect DREAMers now in limbo because of President Trump's decision to end the DACA program.

DACA recipients are rigorously vetted. They are high-contributing young people who were brought to this country as children. They are cherished members of communities across the country, and they are as American as any of us in all but their paperwork.

President Trump's decision to end the program means that these inspiring young people stand to lose their futures. Soon they will be forced out of work and school, faced with the specter of deportation to nations many of them have no memory of. The President has created a moral emergency for our country.

This House must allow a vote on a clean Dream Act. It is a bipartisan bill that gives these young people a real opportunity to get right with the law and earn a path to legal permanent residence.

We all know that if this bill were put on the floor, it would pass. The bill deserves a vote. There is no doubt about the public support.

Recent polls from CNN and ABC show that 82 to 86 percent of the American public supports Dream Act-type legislation; 82 to 86 percent. There is almost no issue we work on that has that much support from the American public.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I rise with an urgent plea to my Republican colleagues. Not included in this legislation are the Children's Health Insurance Program, Community Health Centers, and Teaching Health Centers, whose authorization expires on September 30, this Saturday, after this House adjourns.

They have known for 2 years about this date, yet, with no time left, the Republicans spent precious hours today debating among themselves a plan to cut taxes for the richest of Americans.

Nine million children rely on CHIP for their healthcare. Twenty-three million Americans rely on Community Health Centers. That is 1 in 15 Americans, and they rely on the doctors that are trained at those centers.

If making sure that every child in America has access to healthcare, if that is not a priority, what is?

This is a real crisis that still can be averted in just a few minutes of time now and not later. Families are waiting anxiously while their health security is hanging in the balance. It is time to vote now before it is too late.

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

I appreciate the distinguished gentlewoman bringing this up. Perhaps, Mr. Speaker, she was not in the body on the floor earlier when I brought up

what I believe is an answer to this CHIP—Children's Health Insurance Program—reauthorization.

I talked specifically with the chairman of the Energy and Commerce Committee, GREG WALDEN, who is very excited about the opportunity to move the CHIP bill. The opportunity to do this is not dire or urgent. As a matter of fact, there is money in the bucket right now to fund, as it has been, the program to continue.

Chairman WALDEN indicated that, while he does understand that the program is scheduled to run through September 30, that the analysis from the nonpartisan Medicaid and CHIP Payment and Access Commission shows that States have enough funds remaining in their accounts through the end of this year.

□ 1600

Chairman WALDEN is interested in looking at it again and gaining information about it to see what sorts of changes, additions, or updates that we choose to do. He intends to do that in and through the committee providing information on a bipartisan basis. I trust not only what GREG WALDEN said, but I also know of his desire to deal effectively in this manner.

I want to thank the gentlewoman from Illinois for bringing up this important question, and I want to provide a timely answer to her, and I appreciate her very much.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds to respond to my friend.

I appreciate the information that the gentleman just gave us. We have been told the community health service will be in trouble from day one.

Mr. Speaker, I inquire of the gentleman whether he has the same kind of information about them?

Mr. SESSIONS. Will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from Texas.

Mr. SESSIONS. Mr. Speaker, responding to the gentlewoman, I do not, but I will talk to Chairman WALDEN immediately, and I will come and find you during the vote, or as we end here, and I will let you know.

I appreciate, once again, Mr. Speaker, that the gentlewoman is very concerned, as is her committee, about children's programs, women's programs, and she would expect me to respond accordingly, and I will talk to Chairman WALDEN and get back to her with an answer.

Ms. SLAUGHTER. Mr. Speaker, reclaiming my time, I appreciate that because millions of people use the community health services, and the children, we cannot let them go unattended.

Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Speaker, it has been 3 weeks since

President Trump announced he would be ending DACA; 3 weeks of fear in homes, classrooms, and offices where DREAMers wonder if they still have a future here in the only home they have ever known; 3 weeks for Congress to answer President Trump's request for a bill that would stop him from executing his own cruel order.

Here is that bill. Members from both parties have said they want to do something to protect DREAMers. Here is that something. Over 80 percent of Americans believe DREAMers who live, work, contribute, and follow the law should stay here. Here is our chance to show we are listening.

We must pass the Dream Act because of people like Jose Antonio Vargas, an immigrant from the Philippines, who never knew he was undocumented until he applied for his learner's permit. But being undocumented didn't stop his pursuit of the American Dream. He worked hard and became a journalist, ultimately winning the Pulitzer Prize for his articles.

Let's act to bring DREAMers like Jose out of the shadows. Let act to encourage more to achieve what he did. Let's right this wrong, stop the cruel end of DACA, and finally pass the Dream Act today.

The SPEAKER pro tempore (Mr. MITCHELL). Members are reminded to refrain from engaging in personalities toward the President.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank my friend for yielding.

Mr. Speaker, this bill is full of provisions that could pass in regular order, and I am afraid of using the FAA reauthorization, running out of time, again, because the planes can't fly if controllers are not in the air.

The FAA bill contains a lot of important provisions that our constituents are crying out for. Among them, airplane noise, which is ruining communities across the United States. A study of the health impact of that noise is as important as DACA, which we should pass, and I think could pass. And there are other provisions which would pass on regular order.

The FAA reauthorization bill is not the bill to fool around with. We have had too many near misses by letting these short-term extensions pile up on us. Pass a straight FAA reauthorization bill.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I want to thank the gentlewoman from New York for her leadership. I thank my fellow Texan on this effort.

I am not on the Transportation and Infrastructure Committee, but I do be-

lieve the FAA should have this extension. I do believe I should advocate for the many employees and consumers of aviation needs, that the air traffic controllers should not be privatized. And I understand that this particular bill does not have that provision.

The focus should be on extending a number of these health matters that are very important to us, and particularly, the inspiring health programs dealing with the Teaching Health Center Graduate Medical Education Program, the Special Diabetes Program for Indians, and the Medicare Intravenous Immune Globulin Demonstration project, a number of these.

I do take concern with the diminishing of the Medicare Improvement Fund by \$50 million and, frankly, I believe that we should move forward on these emergencies, particularly as it relates to hurricane victims or areas.

Let me, however, focus on what is of devastating need in the areas of Hurricanes Harvey, Irma, and Maria, and make mention of the fact that the U.S. Virgin Islands is included in these tax benefits, and Puerto Rico, agreed to by the Members representing that area.

It is important that people do not have a penalty on their account tax provisions. I hope this can move quickly through the Senate. The employee retention credit for employees: the bill provides a tax credit for 40 percent of wages, up to \$6,000 per employee, paid by a disaster-affected employer to an employee from a core disaster area.

Charitable deductions: the bill suspends limitations on charitable contributions.

In our community, there are people who don't have the gap to survive. They are working. Their job is closed down because of Hurricane Harvey. I imagine in other areas they may be receiving charitable moneys. Those who give the charitable contributions need to be helped.

The disaster-related personal casualty losses and the special rule for determining the earned income tax credit is extremely important.

We want more. We are desperate, and we need more, Mr. Speaker. I hope that we will be able to work together to get more for those who are desperate from these hurricanes.

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

A good bit of the dialogue that is occurring today has been an active discussion for a long period of time in the Financial Services Committee—JEB HENSARLING from Dallas, Texas, the chairman of that committee.

One of our bright young stars is from Tampa, Florida, and his name is DENNIS ROSS. And Mr. ROSS has heard the debate going on and came down here. He has been an active part of not only understanding the needs of communities, but, more importantly, how we are going to have a fix and answer in a long-term way to look at this flooding problem and the Federal flood program.

Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. ROSS).

Mr. ROSS. Mr. Speaker, for over 50 years, the only game in town for flood insurance has been the Federal Government through the National Flood Insurance Program. That means that for over 50 years, if you want flood insurance, your best bet is to go to the Federal Government, which, by the way, especially after these two successive storms that have just hit Texas and Florida, is going to be over \$30 billion in debt.

If we don't do something to save the taxpayers of this program that cannot actuarially support itself, we are doing a total disservice to our constituency and to our country. So what is part of the underlying bill that this rule will allow is the Market Parity and Modernization Act that will allow consumers to have a choice between the existing Flood Insurance Program, which is significantly in debt, or to have the private sector bring in their flood insurance programs to insure those risks.

In Florida, back in 2004, we had successive hurricanes that came through my district, and we had billions of dollars paid by FEMA, paid by NFIP, but we had \$39 billion paid by the private sector because we had private wind-storm insurance. The private sector does a much better job of doing business and managing risks than the Federal Government.

What I am asking for this body to accept, what the American people are craving for, is competition in the products they seek to have to protect them with their valuable assets. It is kind of like the Flood Insurance Program is a boat, and after 50 years of plugging holes, it is taking on water more and more.

One of the suggestions is, let's just keep bailing. I submit to you that to any logical person, the first step would be to plug that hole. We are going to continue to bail. We need to continue to bail, but we need to plug that hole so we don't get deeper and deeper in debt.

So the underlying bill, the FAA reauthorization, has the Ross-Castor bill in there for a reason, so that we can invite a private market to come to the rescue of those consumers out there who need to not only be able to have options greater than what the National Flood Insurance Program provides, because they don't provide business interruption. They don't provide temporary housing, but the private sector will. More importantly, the private sector will mitigate and will manage that risk.

There is no mitigation program that is effective in the Federal Government right now. It is a flowing of dollars to say: Here, do this; or, do that.

Private risk management will help consumers mitigate, lessen their risks, have more resilient homes.

What I am suggesting to you is that this is a paradigm shift for this coun-

try. That if we are going to say that the business of the United States should be left to business, and government should do what government should do, then this is a move in that direction because government should not be in the business of insurance. It is in the business of relief.

There is no question about that, but relief is post-event help. Insurance is pre-event. It is calculating that risk. It is managing that risk. And that is what the private sector does so well. We owe it to our consumers and we owe it to our taxpayers who are bailing out the NFIP, that we give consumers this choice.

I would just submit to you, Mr. Speaker, that if we have a chance to finally make a paradigm shift when we take the burden of bailouts off the shoulders of taxpayers and allow those who do best what they do best in managing capital and managing risk, do so for the benefit of the consumers, that this underlying bill and the FAA reauthorization allows for that.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds to say to the previous speaker that my understanding is the fallback provision on flood insurance came to the Federal Government because the private insurers didn't want to do it.

If we can get them to take it over, I think everybody would be relieved.

Mr. Speaker, I yield 1 minute to the gentleman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Speaker, I rise today to say in the strongest possible terms that this body must do what the majority of the American people want and pass the Dream Act. The Dream Act is smart policy that combines American values of compassion and humanity with what is best for our economy and our society. This bill will protect 1.5 million undocumented Americans from deportation.

Every day that we fail to act is another day that 800,000 DACAmented young people live with an unshakable fear that they will lose their ability to live without fear of deportation, be able to support themselves and their families, to know that they can plan for the future, whether that be attending school or buying a home, or a car, or starting a new business.

Mr. Speaker, make no mistake, this bill will help all Americans regardless of legal status. Nationally, the cruel end of this program will cost \$460 billion in GDP over the next 10 years; whereas passing the Dream Act would actually bring \$22 billion in income to our country every year.

Mr. Speaker, this is about more than economics. It is about human lives, and I urge my colleagues to do what is right. Pass the Dream Act. Let's help these young people.

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

Mr. Speaker, this discussion that we are having here on point that we have now had two speakers from my side,

Mr. ROSS and Mr. GRAVES, who have come down to talk about the debate that has been well alive across the country, about how we deal with emergencies, how we deal with flooding, how we deal with the opportunity for States, and communities, and citizens, the free enterprise system, and what I would say FEMA, or the Federal Government, to get closer in understanding the needs of communities, and the answers to long-term decisions that take place.

What you heard Mr. ROSS talk about was a bill that he worked on with the gentlewoman, a Democratic colleague from Tampa, and they worked on this piece of legislation, got it passed 58-0 out of the Financial Services Committee, 419-0 on this vote. We need to pass—we need to include this. We need to put this as part of the options, an option that would be available for people back home, no matter where that is, to have a chance to have more control of their own lives, to work in their own communities.

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I really appreciate the gentleman, Mr. ROSS, coming to talk to us today. The hard work that he and KATHY CASTOR, the gentlewoman from Tampa, did on a bipartisan basis comes to play. Even though they did it a year ago, it would be in play today, and it will be in play 1 year from now, when storms come back, as an option and opportunity. Instead of us searching for answers, it would be one of the answers available.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Mrs. TORRES).

Mrs. TORRES. Mr. Speaker, this is a country that was built on dreams. Our country was founded to protect not just the right to life and liberty but also to pursuit of happiness.

Sadly, the dreams of the thousands of young DREAMers who were brought here as children have been put on hold by President Trump's decision to end the DACA program and Congress' inaction to pass the Dream Act. These young DREAMers have created a life for themselves here in the U.S., and many know no other home other than the U.S.

Today, I want to tell you about one special DREAMer from my district. Jose is an extremely intelligent young man. He works 6 days a week and still finds time to volunteer in his community. His parents, unfortunately, did not tell him that he was undocumented, in an effort to protect him. He didn't find out about his status until it was time to apply for college. He was extremely upset, but he didn't give up. His dream is to go to college and study business. He has so much to contribute to our country.

These young people have become part of the American quilt, a quilt that reflects the diversity of our history, our

culture, and heritage of this great country. We can't just throw them and toss them out of our Nation.

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

They say that success has many fathers, and you could say many mothers. Success is, many times, in the eye of the beholder. But when lots of people see it, they can get better prepared, and then people see that as a model.

I would like to take just a minute, if I can, and talk about a model of success that I use. Back home, I have an opportunity to meet with a number of subject matter experts on issues and ideas. One of them is a man named Bill Dewey. Bill Dewey is an air traffic controller at DFW Airport in Dallas, Texas. Mr. Dewey and I take time to sit down and understand the intricacies of his job, the FAA air traffic controller—safety, planes.

DFW is home to American Airlines. Mr. Dewey handles traffic that goes to Dallas Love Field, home for Southwest Airlines.

What Mr. Dewey has done with me is given me, from a working professional relationship that he has as not only a former member of the United States military as an air traffic controller but real live in the tower at DFW Airport, day after day, seeing how important the FAA is.

We should remember, Mr. Speaker, that it is not just money and time that we are doing here. We are patting the employees of these agencies. The FAA has so many dedicated employees—just like Bill Dewey, my dear friend, who is at DFW Airport. This also is a support for those employees to let them know that we are going to fund their programs and we are going to take care of them. So we should, at the same time we do that, say “thank you” to the men and women who are there 24 hours around the clock to provide safety.

We have now been a number of years where we have not had a plane crash with a fatality, and we are lucky. Part of it goes to the safety of the system at the FAA.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. GALLEGO).

Mr. GALLEGO. Mr. Speaker, President Trump's decision to end DACA was one of the most callous and cruel acts of his Presidency so far—and that is saying something.

Mr. Speaker, ending the DACA program means betraying our Nation's promise to protect 800,000 young people who are in America right now and American in every way except on paper, including many thousands who have served in the military. It means exposing them to deportation from the only home they have ever known and robbing our Nation of their exceptional talent, work ethic, and patriotism.

We cannot allow this President to play politics with so many young lives. Congress must pass the Dream Act now

and as soon as possible to protect these outstanding young people, offer them the chance to become citizens, and empower them to give back to the country they know and love.

Vote “no” on the previous question so that we can end this Republican obstructionism and bring this critical bill to the floor.

The SPEAKER pro tempore. Members are, once again, reminded to refrain from engaging in personalities toward the President of the United States.

Mr. SESSIONS. Mr. Speaker, what a shock it is to see the President attacked when he is the one who is going to make sure, by challenging Congress, that we get this issue done.

Mr. Speaker, there was a question the gentlewoman, my dear colleague, Ms. SLAUGHTER, asked. The question is timely and important, and I would like to respond back to her. She asked about the health center program, and the answer I have gotten back from the chairman of the Energy and Commerce Committee, Mr. WALDEN, the gentleman from Hood River, Oregon, who is a phenomenal leader to this conference, is that it will not have to access mandatory appropriations until early December, and that Chairman WALDEN understands and appreciates that the gentlewoman, the ranking member of the Rules Committee, Ms. SLAUGHTER, has asked a question, and he thanks you for asking that. He understands that we do have a timing issue and is preparing quickly to address this issue. He wanted me to thank the gentlewoman for bringing that up at this time.

I want to thank Chairman WALDEN for that message.

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

Ms. SLAUGHTER. I thank the chairman for giving me that answer, and I yield myself the balance of my time.

Mr. Speaker, this is our 44th closed rule for this session of Congress which prevents Members from offering amendments to the floor. This has put this Congress well on its way to becoming the most closed Congress in modern history. Democrats have been routinely unable to do the job we were elected to do and amend bills to represent the concerns of the people of the United States which we are both privileged and obligated to serve.

Despite his promises, Speaker RYAN has shown a complete disregard for regular order since assuming the gavel. Bills routinely come before the Rules Committee that haven't even been considered by the relevant committees. The majority even moved a healthcare repeal bill through this Chamber earlier this year without a score from the nonpartisan experts at the Congressional Budget Office.

This measure would impact one-sixth of our Nation's economy and tens of millions of people if it became law.

This is no way to run the people's House. The public expects more, and it is high time that we heed those calls.

Mr. Speaker, I urge a “no” vote on the previous question, the rule, and the bill, and I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield myself the balance of my time.

I want to thank my colleague not only for this long week that we have had at the Rules Committee, but I also want to thank her other members, the gentleman from Worcester, Massachusetts (Mr. MCGOVERN), and the gentleman from Florida (Mr. HASTINGS), for not only their vigorous debate and conversations that we have had, but actually trying to prepare us at the Rules Committee for that which we believe would lie ahead.

Today, you heard the gentlewoman ask about several important issues. Part of our job is to kind of pitch and catch, and that is to catch the things that come our way. But she is using her vision to look ahead, and I admire that. I do owe her answers, and her background and experience would tell her, let's get moving on these things if we are going to get them done. I hope that I have provided her with feedback from the gentleman, Mr. WALDEN, saying exactly that.

Mr. Speaker, as the hurricane was still over Houston, Texas, dumping 50 inches of rain, I received a conference call from a number of people in Houston as they were preparing to reestablish not only their own communities within Houston, but also the livelihood of the business community, and to be prepared.

I got a conference call from a group of gentlemen, Mr. Tom Singletary, Mr. Kevin Hedges, Mr. Steve Kessling, Mr. Wallace B. Livesay, and Mr. Steve Raben from Houston. They called me and said: We need, as quickly as we can, to get information about taxes, about people pulling money out of their IRAs, and what the rules and regulations would be for that.

Mr. Speaker, part of my job is to respond to people, to listen to them, and to listen to their needs. I will tell you that the Houston delegation, on a bipartisan basis, up and down the coast, going down to BLAKE FARENTHOLD in Corpus Christi, all the way up to GARRET GRAVES who is in Louisiana, felt the fury of Mother Nature. But it didn't mean that it had to divide us or to defeat us.

I have seen nothing but resolve that has come from not only those in Texas but also those in Florida, our two colleagues, Jenniffer Gonzalez who is located in Puerto Rico, and STACEY PLASKETT who is a fine young Delegate out of the Virgin Islands. They have asked for help. They have asked for the things that would be necessary.

But our ability to effectively listen and turn around in the form of legislation, our ability to be able to schedule meetings and, on a bipartisan basis, be able to talk and sometimes agree and sometimes disagree but to get our work done is an amazing part of this experiment that we are engaged in.

I, myself, Mr. Speaker, want to thank you for not only your hard work of being here today but being a part of this process. As all of us work together, we can make this process work and give confidence to the American people. That confidence is expressed with what we do today.

Mr. Speaker, I urge my colleagues to support this rule and the underlying bill.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 538 OFFERED BY
MS. SLAUGHTER

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3440) to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3440.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry,

asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. SESSIONS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

Ms. SLAUGHTER. 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 question will be postponed.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

FAIR ACCESS TO INVESTMENT
RESEARCH ACT OF 2017

Mr. HILL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 327) to direct the Securities and Exchange Commission to provide a safe harbor related to certain investment fund research reports, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 327

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 "Fair Access to Investment Research Act of 2017".

SEC. 2. SAFE HARBOR FOR INVESTMENT FUND RESEARCH.

(a) EXPANSION OF THE SAFE HARBOR.—Not later than the end of the 180-day period beginning on the date of enactment of this Act, the Securities and Exchange Commission shall propose, and not later than the end of the 270-day period beginning on such date, the Commission shall adopt, upon such terms, conditions, or requirements as the Commission may determine necessary or appropriate in the public interest, for the protection of investors, and for the promotion of capital formation, revisions to section 230.139 of title 17, Code of Federal Regulations, to provide that a covered investment fund research report that is published or distributed by a broker or dealer, other than a broker or dealer that is an investment adviser to the fund or an affiliated person of the investment adviser to the fund—

(1) shall be deemed, for purposes of sections 2(a)(10) and 5(c) of the Securities Act of 1933 (15 U.S.C. 77b(a)(10), 77e(c)), not to constitute an offer for sale or an offer to sell a security that is the subject of an offering pursuant to a registration statement that is effective, even if the broker or dealer is participating or will participate in the registered offering of the covered investment fund's securities; and

(2) shall be deemed to satisfy the conditions of paragraph (1) or (2) of section 230.139(a) of title 17, Code of Federal Regulations, or any successor provisions, for purposes of the Commission's rules and regulations under the Federal securities laws and the rules of any self-regulatory organization.

(b) IMPLEMENTATION OF SAFE HARBOR.—In implementing the safe harbor pursuant to subsection (a), the Commission shall—

(1) not, in the case of a covered investment fund with a class of securities in substantially continuous distribution, condition the safe harbor on whether the broker's or dealer's publication or distribution of a covered investment fund research report constitutes such broker's or dealer's initiation or reinitiation of research coverage on such covered investment fund or its securities;

(2) not—

(A) require the covered investment fund to have been registered as an investment company under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.) or subject to the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o(d)) for any period exceeding the period of time referenced under section 230.139(a)(1)(i)(A)(1) of title 17, Code of Federal Regulations; or

(B) impose a minimum float provision exceeding that referenced in section 230.139(a)(1)(i)(A)(1)(i) of title 17, Code of Federal Regulations;

(3) provide that a self-regulatory organization may not maintain or enforce any rule that would—