Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmuter
Peters
Peterson
Pingree
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Black
Brady (TX)
Bridenstine
Harris
Johnson (OH)
Kennedy
Noem
Pocan
Sensenbrenner
Stefanik
Visclosky
Walz
Young (AK)

□ 1349

Ms. MCCOLLUM, Mrs. NAPOLITANO, Mr. COHEN, and Ms. MICHELLE LUJAN GRISHAM of New Mexico changed their vote from ''yea'' to ''nay.''

Messrs. PAULSEN and MOONEY of West Virginia changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Ms. STEFANIK. Mr. Speaker, I was speaking with constituents and unintentionally missed the vote on rollcall 676, the Previous Question on H. Res. 658. Had I been present, I would have voted ''Yea'' on rollcall No. 676.

Mr. BRADY of Texas. Mr. Speaker, I was unavoidably detained to cast my vote in time. Had I been present, I would have voted ''Yea'' on rollcall No. 676.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 182, not voting 11, as follows:

[Roll No. 677]

AYES—238

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (FL)
Newhouse
Noem
Norman
Nunes
O'Halleran
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schneider
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Suozzi
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—182

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmuter
Peters
Peterson
Pingree
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Bridenstine
Farenthold
Harris
Hastings
Johnson (OH)
Kennedy
Pocan
Rice (SC)
Sensenbrenner
Visclosky
Walz

□ 1357

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2396, PRIVACY NOTIFICATION TECHNICAL CLARIFICATION ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 4015, CORPORATE GOVERNANCE REFORM AND TRANSPARENCY ACT OF 2017

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 657 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 657

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2396) to amend the Gramm-Leach-Bliley Act to update the exception for certain annual notices provided

by financial institutions. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill 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 equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4015) to improve the quality of proxy advisory firms for the protection of investors and the U.S. economy, and in the public interest, by fostering accountability, transparency, responsiveness, and competition in the proxy advisory firm industry. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-46 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 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.

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

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), 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. WOODALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. WOODALL. Mr. Speaker, I have had the opportunity, over the last couple of weeks, to bring a number of bills from the Financial Services Committee to the floor. We talk so much about regular order and having a process where the committees are doing their work, where the authorizers are deep into the details, and then we are bringing those bills to the floor for the entire House to vote on. We have that opportunity again today.

Mr. Speaker, the rule today brings two bills to the floor: H.R. 2396, which is the Privacy Notification Technical Clarification Act, it brings that under a structured rule, making in order the only amendment that was offered, a bipartisan amendment, offered by Mr. CLAY and Mr. TROTT; and it also brings H.R. 4015 to the floor, Mr. Speaker, which is the Corporate Governance Reform and Transparency Act of 2017. We did not have any germane amendments offered to that measure in the Rules Committee last night, so we bring that under a closed rule today.

Mr. Speaker, I remind my colleagues—as is the way of my chairman on the Rules Committee—notice was sent out to all Members, and will continue to be sent out to all Members, for each set of bills that we consider in the Rules Committee soliciting any amendments or ideas that folks may have. We sent out that notification, but, for these two bills, we received only one germane amendment.

Mr. Speaker, I won't go into great detail about these individual bills because we are fortunate to have the sponsors here on the floor for the rule today. But what I do want to say is that this is another series in a line of commonsense, authorizing pieces of legislation, things that move through committee in a bipartisan way, that are going to make life just a little bit easier for the American people.

We have a chance today, if we support this noncontroversial rule, to bring these two noncontroversial bills to the floor and make that difference together, a difference we all came to Washington to make.

Mr. Speaker, I ask all of my colleagues to consider supporting this rule as well as supporting the two underlying pieces of legislation.

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

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

Mr. Speaker, I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, I rise in opposition to this rule. This rule that we are looking at today has two bills under it, and this is the 56th closed rule allowing no amendments that we are bringing to the floor this year. Over the past year, we have not considered any legislation under an open rule that would allow Republicans or Democrats to bring forward amendments here on the floor.

When the 115th Congress opened, Speaker RYAN promised regular order bills would make their way to the floor after hearings and markups. Instead, we have seen bill after bill rushed to the floor. Many bills haven't even gone through committee or skipped hearings. That is true for the failed healthcare bill, and it is also true for the tax bill currently in conference, the major bill this Congress.

This tax bill, that somehow we understand there is a ''deal'' on before the conference committee even met, was crafted behind closed doors, and no Member was able to offer their ideas on the House floor. I offered several bipartisan amendments in the Rules Committee, but they were locked out, as were amendments from every other Democrat and Republican that chose to offer amendments.

The tax legislation would explode our debt. It is a giveaway to wealthy corporations and does nothing to help the middle class.

Now, the benefit of having an open process is creating better ideas: having Democrats and Republicans bring forward those ideas, see who can muster a majority of votes here on the floor of the House, and include that in a tax bill. We are a legislature. That is how we are supposed to work.

Instead, a bill was crafted behind closed doors to raise taxes on 78 million Americans and add $1.7 trillion to the debt. When you add to the debt, that is a tax on future Americans. Instead of taxing them today, you are taxing them tomorrow. The tax-and-spend Republican Party continues to add to the deficit and add to the debt day after day after day.

Mr. Speaker, we only have a few legislative days left before the end of the year, and we have very important work to do, like reauthorizing the Children's Health Insurance Program and funding the government for the remainder of the fiscal year.

There are millions of Americans who have been negatively affected by devastating hurricanes and wildfires in Puerto Rico, Texas, Florida, and the Virgin Islands, and Congress has not stepped up to the plate.

There are also over 800,000 aspiring Americans who are at risk of being deported from the only country they have ever known as home because of the reckless actions of President Trump. Congress needs to act to find a real solution so DREAMers can continue to work legally in the communities that they live in, and they continue to thrive and give back to make our country even greater.

We have a lot of critical tasks ahead, which is why I am really surprised, with all of this work to do, and only 7 or 8 days to do it, that here we are considering two bills where we will have our debate, but they are not bills of great importance. We are using our floor time—very limited, 7 days before the end of the year—when we could be debating tax reform and offering amendments, when we could be addressing the needs of the DREAMers, where we could actually be doing something about the deficit, reining in out-of-control wasteful government spending. We are not doing any of that.

We are doing two minor bills that are favors for public companies, or whoever they are. I am happy to talk about them. I am going to do my role in debating them. One I am even fairly supportive of. But they are completely separated from the actual concerns of the American people.

No wonder the approval rating of this institution is under 15 percent, because we continue to debate these minor bills under a closed process, when, this very week, we could have had an open process for tax reform. We could be voting on 10 or 20 amendments a day, passing some and rejecting some. I have no problem if I bring forward some Democratic amendment and it fails. That is the process. That is fair.

But we have bipartisan, commonsense amendments that should be part of tax reform. Representative SCHWEIKERT and I have a bill to provide a de minimis exemption on taxation for use of cryptocurrencies, to allow them to be used for amounts under $600 in everyday purchases and to remove the specter of IRS enforcement.

Let's put it in. Let's have a vote on it. Let's see if a majority of Congress agrees with me. I hope they do. If not, I am a big boy. It is my job. I can go home. But to not even be able to fight for the issues that my constituents have hired me to fight for is not only the frustration I have, and not only the frustration many Republicans have, but it is the frustration the American people have with this institution.

Now, let's get to these bills. Typically, the Financial Services Committee did not hold a hearing on either of these rules. It is a closed rule.

The first one, H.R. 2396, the Privacy Notification Technical Clarification Act, would remove privacy notice requirements for financial institutions to consumers that share or sell a customer's personal information with third parties.

We are all for reducing unnecessary regulations. When I get to the next bill, the Republicans are actually trying to add paperwork and regulations. This one does, but it picks a very poor one to get rid of. It gets rid of privacy notices for financial institutions that tell consumers that they can share or sell their personal information. Of all of the places to cut paperwork, why would you want to cut the one piece that consumers and retail investors actually care about?

Back in September, 143 million Americans had their personal and sensitive information shared widely, as a result of a data breach at Equifax. Congress should be looking at ways to better secure our sensitive information—a cybersecurity bill, better information sharing—instead of actually making it easier for our personal information to be shared more widely and giving you, as the consumer, less ability to find out where it is being shared.

A hearing would be helpful to understand the full effects of this legislation to see what the unintended consequences are. We do know that it would eliminate clear disclosure to consumers about their privacy rights—never a good thing, especially in these times—including a consumer's ability to opt out from having their information sold to certain third parties. We can do better.

The other bill, H.R. 4015, the Corporate Governance Reform and Transparency Act, makes a change to how proxy advisory firms provide information to shareholders. It would require that they make their recommendations available to companies.

This bill is problematic from a number of perspectives. Here is what it does. Proxy advisory firms provide independent advisory services for investors and have fiduciary responsibility to their investors.

Under this legislation, they would actually have to open themselves up to lobbying for companies and add additional paperwork. They would have to register with the SEC, whereas they now don't, before trying to issue vote recommendations or trying to change the corporate board.

Here is who the players are in this fight: On the one hand, you have public companies; on the other, you have investors, which means your pension fund, and mine, Mr. Speaker. It means university endowments. I know you all don't like those, and you are going to tax them soon. It means, perhaps, using an individual investor, through a mutual fund or other vehicle. So investors on one side, public corporations on the other.

But the problem is: it is not the shareholders of the public companies, it is the insular governance and management structure of those organizations. Many of them do need to be shaken up in the name of efficiency.

There are many examples of investor pressure that has been applied to good effect: to meaningful reforms and corporate governance; preventing conflict of interest, making sure that the board oversees the CEO are not just his golfing buddies, and he is on the board, or she is on the board, of their companies, too.

I have generally been on the side of investor empowerment in that: not to the extreme, not to make it impossible to be a CEO on a publicly traded company, to run a publicly traded company. But, if anything, we should make sure that the actual owners of the companies are empowered to make the changes they need to increase efficiency.

□ 1415

This bill goes the wrong way. It adds red tape and paperwork. It adds regulations to investors and prevents them from being able to exert influence in the same way they do today, adding one degree of additional regulation and paperwork to allow them to do the kinds of good governance activities in terms of running competitive fights for boards of directors.

Now, I get that there is another side. There can be a steamy underbelly to investor engagement as well. There are some investors who only care about short-term gains, who try to institute practices or bully management around in a way that is not conducive to long-term value but, rather, just pump-and-dump schemes that they try to make money off of, and I totally get that.

But in general, it is the owners of a company to whom the fiduciary responsibility of the directors and the CEO lie; and we should empower them, for better or for worse, to make the changes to increase the overall productivity of the company.

We should not burden investors with additional red tape, as Republicans are doing, by creating more bureaucracy and paperwork and compliance costs with this bill.

Frankly, I was surprised to see this bill come out of Financial Services Committee because Republicans have been fairly consistent in trying to remove regulations from Dodd-Frank. That has generally been the approach. I supported the removal of some of those unnecessary regulations. Others are important regulations, like this privacy disclosure that I don't think is a good idea.

But here, they are actually adding reporting requirements above and beyond Dodd-Frank. They are out ''Dodd-Franking'' Dodd-Frank. Republicans are saying there is not enough reporting; there is not enough paperwork; there is not enough money going to lawyers and accountants. In Dodd-Frank, we are going to require that they file even more paperwork with the SEC.

I think that is the wrong way to go, Mr. Speaker, and I urge my colleagues on both sides of the aisle to resist this effort to burden shareholders who actually own companies with additional costs and paperwork and prevent them from making necessary management improvements to the companies that, at the end of the day, are run for them, not for the benefit of management.

That is why I oppose this bill. Shareholders should have a right to impartial information about the company in which they have invested. We should minimize paperwork where possible. I have been proud to support a number of bipartisan proposals to do that. This bill goes the opposite way.

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

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to say sometimes there is a lot of pressure on the Rules Committee. You come down here and you have got some of the most knowledgeable folks on both sides of the issue, on both sides of the Chamber, and you have got to be prepared to refute detail after detail after detail that might confuse folks back home.

It gives me great pleasure today to not have to spend any time refuting anything that my friend just said because the important thing about developing a reputation is that it is just laughable to suggest that Republicans are coming to the floor today to undermine privacy. It is laughable to suggest that Republicans are coming to the floor today to increase paperwork and red tape. And it is not only laughable,

but it is inaccurate to suggest that it is Republicans coming to do this, Mr. Speaker. These are bipartisan bills coming to the floor today.

Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. TROTT). His bill passed out of committee 40–20; a huge bipartisan vote coming out of committee. It went through a hearing; it went through a markup; it was everything that makes this institution work properly. I appreciate him for bringing the issue forward to talk about the tremendous bipartisan effort that he has put together.

Mr. TROTT. Mr. Speaker, I thank my friend from Georgia for yielding and for his hard work on this rule.

Mr. Speaker, I rise in support of the rule today, which allows for consideration of H.R. 2396, the Privacy Notification Technical Clarification Act.

I would like to begin by thanking Chairman HENSARLING for guiding this bill through committee, and Chairman SESSIONS for his work on bringing this rule to the floor. I also want to thank Mr. CLAY for his very helpful amendment.

One of the reasons I came to Congress was to reduce the regulatory burden in our country so that businesses could have the freedom to grow, thrive, and create jobs for hardworking Americans. This bill is about modernizing one of those outdated regulations that has been a burden to businesses and consumers alike, the privacy notification rules.

Now, a couple of minutes ago, my friend from Colorado gave a very nice speech about DACA, about tax reform, about the public opinion of this institution; but the speech had nothing to do with consideration of this rule today. When he finally got around to talking about the rule, he said we should not allow the rule to move forward because the underlying bill, H.R. 2396, in light of the Equifax scandal, we should not be eliminating privacy notices and allow banks to circumvent those rules because it is going to hurt consumers.

None of this is correct. This bill is a very simple bill. It deals with auto finance companies and it relieves them from the burden of having to send out privacy notices to consumers year after year when the policy hasn't changed. If the auto finance companies change the policy, they have to send out new privacy notices. If a consumer calls up and says, ''I know the policy hasn't change, but I would like to see the rule,'' they can go on the website or they can ask that the policy be mailed to them. This bill in no way harms consumers.

Now, just last year, we passed the bipartisan bill that allowed banks to stop sending privacy notices to consumers if nothing in the policy had changed. This noncontroversial measure passed by voice vote, with Members on both sides of aisle realizing that companies were wasting enormous amounts of paper and money sending out duplicative and unnecessary privacy notices year after year.

The bill achieved its goal. Millions of dollars that would have been spent on paper and postage were instead put back into our local communities. My bill builds on this success and extends the provision to companies lending money to people buying vehicles.

This means that those who extend credit to consumers who buy vehicles from Ford, GM, Harley-Davidson, and other iconic American companies would receive the same benefit as banks, and, more importantly, consumers would no longer be bombarded with a never-ending stream of little print privacy notices and policies that haven't changed.

This is a bipartisan, commonsense measure. I encourage my colleagues to support the rule and allow debate to begin on this legislation.

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

I include in the RECORD the Republican bill summary from the majority on the Rules Committee for H.R. 4015.

COMMITTEE ON RULES

Pete Sessions, Chairman—December 11, 2017

H.R. 4015—CORPORATE GOVERNANCE REFORM AND TRANSPARENCY ACT OF 2017

Purpose: To improve the quality of proxy advisory firms for the protection of investors and the U.S. economy, and in the public interest, by fostering accountability, transparency, responsiveness, and competition in the proxy advisory firm industry.

Background and Legislative History: Each year, public companies hold shareholder meetings at which the company's shareholders vote for the company's directors and on other significant corporate actions that require shareholder approval. As part of this annual process, the Securities and Exchange Commission (SEC) requires public companies to provide their shareholders with a proxy statement before shareholder meetings. A proxy statement includes all important facts about the matters to be voted on at a shareholder meeting, including, for example, information on board of director candidates, director compensation, executive compensation, related party transactions, securities ownership by certain beneficial owners and management, and eligible shareholder proposals. The information contained in the statement must be filed with the SEC before soliciting a shareholder vote on the election of directors and the approval of other corporate actions. Solicitations, whether by management or shareholders, must disclose all important facts about the issues on which shareholders are asked to vote.

In general, state corporate law governs shareholder voting rights, including the types of corporate actions that require shareholder approval. However, Section 14 of the Securities Exchange Act of 1934 (Exchange Act) authorizes the SEC to promulgate rules governing the solicitation of proxies for most public companies. SEC Regulation 14A governs proxy solicitations and sets forth the categories of information that must be disclosed in proxy solicitations.

Largely as a result of the SEC's regulations, proxy advisory firms now wield outsized influence in the U.S. proxy system. In particular, regulators, market participants, and academic observers have highlighted potential conflicts of interest inherent in the business models and activities of proxy advisory firms. For example, as indicated above, proxy advisor firms may feel pressured by their largest clients—many of whom are activist investors—to issue vote recommendations that reflect those clients' specific agendas. In addition, proxy advisory firms often provide voting recommendations to investment advisers on matters for which they also provide consulting services to public companies.

Mr. POLIS. Mr. Speaker, the reason I do this is, my colleague from Georgia somehow said that it was laughable, this characterization that it is adding paperwork.

That is exactly what this bill does. In fact, in this exhibit, this is a Republican summary of their own bill. It says: ''The information contained in the statement must be filed with the SEC. . . .''

The whole bill is about adding paperwork. That is what the bill does. You can argue it is paperwork all you want because corporate CEOs want it and many existing board members want it. Investors don't want it. But we are talking about additional paperwork, and there is nothing in that statement that you can refute because the Republican bill summary explains that that is what they are doing. I mean, there is no disagreement.

And he is correct. I am sure there are some Democrats who support these bills, some Republicans who support them, some Republicans and Democrats who might oppose these bills, but that is what the bill does, it adds paperwork. That is why I mentioned I was surprised to see it come out of the Financial Services Committee that, in general, had been more interested in reducing paperwork. Here, they are interested in adding compliance cost and paperwork to investors.

Mr. Speaker, I have to say that if we defeat the previous question, I will offer an amendment to the rule to bring up SEAN PATRICK MALONEY's bill, H.R. 4585, which would block the FCC's rule rolling back net neutrality from taking effect to ensure the internet remains open to all Americans.

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 (Mr. MITCHELL). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from New York (Mr. SEAN PATRICK MALONEY) to discuss the proposal.

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, I thank the gentleman from Colorado for yielding.

Mr. Speaker, I rise today to urge my colleagues to defeat the previous question so we can turn our attention to the issue that is so critical for this body to address right now. I speak of the Federal Communications Commission's decision and its assault on net neutrality.

The FCC is expected to vote tomorrow to eliminate the rules that protect

our internet. They are about to fix something that is not broken.

Now, maybe the words ''net neutrality'' make your eyes glaze over, but this issue is critical to anyone who uses the internet, which is really all of us, and it is not that complicated.

We call the rules that protect the current internet ''net neutrality'' because they, more or less, keep the internet neutral for everyone. A neutral internet means we all have access to the same legal content and services no matter where or how we get our internet.

These rules aren't new, and they are working. In fact, when you think about it, one of the last places where quality really reigns in our society is on the internet. We don't discriminate against the content or the intellectual creations of one young entrepreneur versus a big business or an established entity. It is one of the few places left in America where we are all on equal footing.

That is the current net neutrality system that we must protect. The folks who want to end net neutrality say they need to rewrite these rules to spur innovation.

Really, Mr. Speaker?

It is hard to look at the internet as it has blossomed in America and say we lack innovation. Innovation is everywhere. Look at all the new apps, websites, devices, and services that we all rely on every day.

This innovation exists not in spite of net neutrality. This innovation exists, in large part, because of net neutrality. Net neutrality is not a bug, Mr. Speaker. Net neutrality is a feature, and that is why we must protect it.

Of course, the real reason that people want to end net neutrality is money and profitability. Getting rid of net neutrality would expose consumers to all sorts of practices that, right now, are banned; practices like throttling, which means the internet company doesn't have to provide the same access to all companies. So they don't like one company, they can slow down your access to that site. They could block the site entirely.

They could tell a streaming service, like Netflix, that they have to pay more or make their site work differently. These extra costs for Netflix are going to get passed on to all of us, the consumers.

While some of us have a few choices when it comes to internet service providers, most of us don't.

How many have more than one option when it comes to internet in your home or office?

These companies have a functional monopoly, so many of them can do basically whatever they want and not lose customers. That is why we need some commonsense rules in place to protect consumers. These rules are called net neutrality.

So what can we do to stop the FCC from harming this free internet?

Well, I have introduced legislation in just the last couple of days that would block this proposal and protect the internet. H.R. 4585, the Save Net Neutrality Act, would simply prevent the FCC from relying on this process they have used to roll these rules back. It is really that simple. And we know the FCC's rulemaking process was so messed up, so corrupted, so screwed up that it is being investigated right now by the New York attorney general.

So I urge all of my colleagues on both sides of the aisle to defeat the previous question so we can move to debate my bill, the Save Net Neutrality Act, and address this critical issue. This is our chance to protect the internet, as it has always existed, an internet that is working fine as it is.

To the FCC, we say: If it ain't broke, don't fix it.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to say that I agree with my friend. I, too, said to the FCC in 2015: If it ain't broke, don't fix it.

I thought the first 20-plus years of the internet were marked by innovation and freedom, and I wanted to keep that innovation and freedom flowing.

The Obama administration wanted to insert itself into the internet infrastructure in ways that it had never inserted government in infrastructure before. And from the numbers that I have seen—my friend may have different numbers—suggests that infrastructure investment has declined over those 2 years, first time in the history of internet infrastructure investment.

Mr. Speaker, reasonable men and women can disagree, but, understand, internet freedom and innovation is exactly what we all want to protect. Unfortunately, it is not what this rule is focused on today. This rule today is focused on simplification and expansion coming out of the Financial Services Committee.

Mr. Speaker, one of the gentlemen I had the pleasure of being elected with in 2011 is the gentleman from Wisconsin (Mr. DUFFY). He is one of the sponsors of one of these bills we have before us today. He has been a leader in the financial services field in his 7 years here.

Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. DUFFY) to talk about the impact that his legislation will have on the process today.

Mr. DUFFY. Mr. Speaker, I appreciate the gentleman yielding me this time.

Before I get to my bill, if I could just address a few points that have been brought up in this debate, which I am surprised at the fact that the Rules Committee doesn't actually talk about the rule. We talk about a whole bunch of different issues, but maybe I am new to this game.

I have to say that the gentleman from Georgia is correct. Infrastructure investment in the internet has gone down over the last 2 years.

I would agree: If it is not broken, why did President Obama try to fix it?

It was working really well for 20 years, and we had great innovation.

In regard to the tax bill, that is being debated. I think we are looking at some unique arguments that are being made. The Democrats are over there and they are fighting for the poor middle class American, and all Republicans are fighting for the rich. It is a great line. I love the line. But let's look to the wealthiest communities in America.

□ 1430

Go look right outside of D.C. Look in Northern Virginia. Are those wealthy communities, those counties in Virginia, are they Republican or Democrat? They are Democrat. L.A., San Francisco, Chicago, Boston, New York are all really rich communities that elect Democrats.

The wealthiest and biggest corporations, think of the tech industry in California or the biggest in America. What are they? They are Democrats. And that is why. When the tax debate comes up, you see Democrats fighting for loopholes and preferences for their big, wealthy friends.

And that is why, when Republicans here in this House said maybe to write off the mortgage interest on a $1 million home, that might be a little too much, maybe we should lower it to $500,000 of mortgage interest deductions, my Democratic friends freaked out.

Oh, no, the poor, middle class people in my community who have a $1 million mortgage, they are just having a tough time getting by—that was the argument that was made, fighting for the loopholes and preferences for the wealthiest Americans, while we are fighting for the middle class.

You talk about investment in my bill? You want to talk about pension funds? What has happened to pension funds in America? What has happened to American 401(k)'s? They have gone through the roof because we are lowering rules and regulations in a smart way, and we are going to reform our Tax Code to let families and businesses keep more of their income because they can spend it better than anyone in this town. They do it well.

So if you want to tank the markets, do what you have been doing and tank tax reform.

I want to get to my bill. This is on proxy advisory firms. I have taken awhile to get here, but the role of proxy advisory firms in the U.S. economy and shaping corporate governance is profound. These firms, they counsel pension funds and mutual funds and institutional investors on how to vote the shares of the corporations that they own.

You think, well, that is pretty benign. That is not a big issue.

Well, the shares of institutional investors' ownership in 1987 was 46 percent. Today, institutional investors own 75 percent of American corporations, billions of shares institutional investors control and look to proxy advisers for advice.

There are just two firms that control 97 percent of the market. So two companies, basically, are having a huge influence on American corporate governance, and they are involved in the writing and analysis and reports and voting recommendations that affect fundamental corporate transactions like mergers and acquisitions, approval of corporate directors and shareholder proposals—a huge impact on corporate governance.

And they are not immune from conflicts of interest. For example, in addition to providing recommendations to institutional investors about how to vote, proxy advisory firms may also advise companies about corporate governance issues, rate companies on corporate governance, help companies approve those ratings, and advise proponents about how to frame proposals to get the most votes.

I am going to come back to that in a second, but there was a Stanford University study that said institutional investors with assets under management of $100 billion or more, they only make 10 percent of the voting decisions, which means they offload 90 percent to proxy advisory firms.

So I don't know if you are familiar with the Mafia, but you have got the old storekeeper on the block, and he is robbed one night—right?—gets beaten up and robbed, and the next day, the thugs come in and go: Hey, hey, I hear you were robbed last night. You pay a little fee, we'll take care of you and make sure you are not robbed anymore.

That is exactly what proxy advisory firms are doing. They are like: Oh, you got a bad recommendation. Let me tell you what. You buy our services, and we can help you in the future. Just pay the ransom, and we will help take care of you in future recommendations.

This is not the way corporate governance should work. So my bill brings transparency and accountability to proxy advisory firms.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOODALL. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Wisconsin, the sponsor of this legislation.

Mr. DUFFY. I thought that is what Democrats want: making them more responsive; bringing more competition into the industry; making it better for investors; specifically, again, a bipartisan bill. Republicans and Democrats voted for this legislation.

But we will ensure that proxy advisory firms are registered with the SEC. Oh, how bad is that, registering with the SEC, a little oversight?

We are going to disclose potential conflicts of interest. How radical is that idea?

Shouldn't we tell people that we have a conflict of interest, and shouldn't all parties be aware of it?

I don't know why my friends across the aisle, or the gentleman from Colorado would be opposed to that.

Maintain a code of ethics. That is not shocking. I think most people would agree to that point.

And make publicly available the methodologies for formulating proxy recommendations and analysis.

Again, this is transparency. This is a commonsense bill that both Republicans and Democrats have voted for because we have recognized—and again, I am not a big regulation guy, as the gentleman from Colorado had pointed out. But when you consolidate a great deal of power in two companies that have a huge impact on American corporate governance, that makes a lot of people uncomfortable; and to have a little more oversight, to have a little more transparency, to have a little more accountability is a really, really good thing.

Some of the smallest companies have been the biggest complainers about how these proxy advisory firms have held them hostage. So let's support the small innovators, the big job creators in America that are complaining about the big proxy advisory firms. Let's stand with them and the families that they employ, and the future families, if they are successful, that they will employ, and let's give a little more control to proxy adviser firms.

I ask all to support this great bill.

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

I can see my good friend, Mr. DUFFY, is very excited about this, very engaged. It is a hard issue. I don't think many Democrats are that excited either way. They are all going to decide where they stand because it is just a fight between corporate CEOs and big institutional investors. They are both fine. I mean, you have got to pick one or the other in voting ''yes'' or ''no'' on this bill.

I think, as Democrats, we are more interested in how the people are doing who are working for those companies. How are we doing about sustainable practices over time?

Yes, every Democrat and Republican will cast their vote here either for institutional investors or for corporate CEOs and insular boards. Fine.

It does add paperwork. We talked about that. Mr. DUFFY said: Oh, it adds paperwork. Democrats should like it.

Yes, maybe there are some. I think some Democrats voted for it in committee. There are Democrats that want to increase paperwork. I am not one of them. I want to decrease paperwork and streamline it.

But, no, I am sure there will be some Democrats who support it. There are probably Democrats who, themselves, agree with the corporate CEOs over the institutional investors.

I have taken a company public. I have run private companies. I have seen this world. I think it is a good thing that the share of institutional investment has increased. I don't have the statistics in front of me. The gentleman from Wisconsin said something along the lines of 46 to 75 percent of the capital is institutional.

The big problem in public corporate governance is not too much shareholder engagement; it is not enough. When you have a diffuse shareholder base, when you don't have institutional investors, when you have, proverbially, 200 people who each own half a percent of the company or even more and they never talk and don't know each other, the ability of management to run amok in their own interests, to the detriment of the shareholders, plagues our public marketplaces.

So to have sophisticated, active investors who own enough and can work together, sometimes through these proxy fights when it comes to it, to be able to maximize long-term value is a good thing. It is a good thing.

Of course, everybody can point to times that it has been good for companies and times it has been bad. Generally speaking, this bill is adding paperwork to move the bar the wrong way, to move it towards management, away from shareholders.

I agree you need a balance. I wouldn't support a bill that moved it all the way to shareholders either. You are just encouraging agitators to get in on a short-term basis and speculative basis.

But I think we are close to the right place; and if you ask me where I would move it, I would move it a little the other way to empower shareholders. In fact, I have a bill that does that. It is part of a bigger bill, but it is a bill that gives shareholders more of a direct say over the pay of top executives because, again, there is a problem with insular corporate boards. Part of the answer is empowering institutional investors and empowering individual investors.

So, look, Democrats will hold their nose and vote for either corporate CEOs or for big investors, and that is fine. I firmly think that the best interests of our economy and the people and sustainability lie in moving it toward the investors.

This bill moves it the wrong way and adds paperwork and costs to the investors. So I really think it moves the wrong way, which is why I oppose this bill, and I urge my colleagues to vote ''no.''

There was also a discussion, Mr. DUFFY mentioned why aren't we just talking about the rule. It is because, Mr. Speaker, like 56 other rules, it is a closed rule.

What else can we say about closed rules? We have said everything. There are no amendments. I could spend an hour complaining about how they are not allowing amendments in and it is closed and so are 56 other rules, but it is more productive to get to the underlying issues because we have had the debate on closed rules 56 times just in the last 10 months.

That is a record, Mr. Speaker. You should be proud of presiding over a record number of closed rules for a United States Congress. But it is not very interesting to talk about for another hour.

So they will talk about an interesting bill, a minor bill. I think I discussed that. I mean, we have a government shutdown; we have an issue with tax reform; we have DREAMers; we have a million things we could be doing. This is a minor bill.

Okay. Let's talk about the merits of giving the current corporate boards that might be too insular and the current CEOs and management a little more power, like this bill does, by increasing red tape and paperwork on investors versus the merits of empowering investors. Fine, we will have that discussion. We will cast our ballots. We will see what happens.

Another issue that is very important and timely that this Congress should get to is the one my good friend Mr. SEAN PATRICK MALONEY raised. When we defeat the previous question, we can bring up an issue that, again, is not a partisan issue.

As the cofounder of Apple, Steve Wozniak, said, the end of net neutrality would end the internet as we know it. It is an issue every American citizen is looking to us to take leadership on.

In my time in office, I have had to make a number of controversial votes, whether it is for the Affordable Care Act or repeal of this or that, and oftentimes I hear from constituents on both sides. I remember we got thousands of letters for the Affordable Care Act, thousands of letters against it—very typical.

Net neutrality has been a unique and singular experience in my 9 years in Congress. We received 1,500 calls and over 5,000 emails about the issue, and I asked my staff to double-check this because I didn't believe this, and they did. One hundred percent of the emails and calls were for net neutrality. That is right. Not a single constituent of mine contacted me on the other side.

In a district that has a plurality of unaffiliated voters and a similar number of Republicans and Democrats, they are never shy to contact me. So it is not partisan. It certainly united Republicans, unaffiliated voters, and Democrats in my district to be unanimously for net neutrality, which surprised me. But it also means that Congress should not be tone deaf to that, and that is why it is important to defeat the previous question.

Republican Senators like Senator THUNE have come together to call on colleagues to come together and protect net neutrality. My good friend and colleague from Colorado MIKE COFFMAN announced that we should—the FCC should delay their vote and that we should protect net neutrality.

It is common sense, Mr. Speaker, and by defeating the previous question, we can get on to an issue that the American people care about rather than a fight between CEOs and investors and which side you take. It is about protecting your internet in your home so you can access the content of your choice—a consumer issue and an issue for small businesses.

We had a digital roundtable last night, Mr. Speaker. I think thousands of people from my district watched as I had several experts, including several small businesses from Colorado, talk about the importance of net neutrality to them in creating jobs and being able to have a predictable and sustainable business model, and then being able to compete with large, entrenched companies and be disruptive with new innovation.

So I hope that we can defeat the previous question and get on to that. If we don't, I am going to ask my colleagues to vote ''no'' on the bill that adds paperwork and costs, requiring SEC filings for the investors who are fighting bills, who are fighting proxy fights, and then I urge my colleagues to look closely at the privacy bill.

That one, again, I would not characterize as a major bill. I will be voting ''no.'' I understand there might be some Republicans and Democrats voting ''yes'' on that one as well. But, you know, whether they delete that clause or not is hardly the game changer for the economy that tax reform will be.

I have ideas, bipartisan ideas, bills that I have sponsored with my Republican colleagues that should be part of tax reform, that would help the economy go, that would create far more jobs than a two-sentence disclosure, whether it is there or not, and, frankly, more important, also, than this, whether the proxy fight people have to file with the SEC. I mean, I am sure they will be able to do it. I mean, yes, you Republicans want to give them more paperwork and create more bureaucracy, but I am sure they will survive.

□ 1445

But let's do something important like open process tax reform. We could be debating amendments right now and voting on them like our job—you know, like 100 amendments from Republicans and Democrats. I would even be open to let's just consider bipartisan amendments, throw out amendments that only Republicans support or only Democrats support.

To be fair, you are in the majority, Mr. Speaker, how about just amendments that Republicans alone support or are bipartisan? You don't have to do any Democratic amendments only because let's just have an open process. Let's allow some amendments.

Every amendment was locked out of tax reform. I offered like, what, 16 myself? I remember my colleague Mr. WOODALL was there. They were commonsense ideas. There was a little fix I did with Mr. TIPTON from Colorado for Kombucha, that is fermented tea, and it had to do with the tax treatment, de minimis. Senator CORY GARDNER supports it in the Senate, our Republican Senator. Noncontroversial, next-to-no fiscal impact, and the Rules Committee still didn't even allow me to debate the amendment on the floor for 10 minutes, for 5 minutes, for 1 minute.

Mr. Speaker, enough with these closed rules, and I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

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

Mr. Speaker, we have a couple problems with this rule. First of all, the rule brings to the floor the wrong bills. These are minor bills. I will give a recap in a moment, but oh, my goodness. Two sentences of a disclosure and a little more filing costs for pensions and investors. Okay. We will get past that. They probably won't become law anyway. You can blame it on the Senate, you can blame it on the House, but most of these things we do don't become law.

I understand that many of my colleagues are frustrated with the Senate, but whatever the case, we just do these things.

But there is stuff that might become law, that could become law, like tax reform; like the fact that the government is shutting down next week if we don't continue the funding. We have a clock ticking on our debt ceiling. We have 800,000 aspiring Americans who don't even know if they can go to work legally, like they can today, in another few months because of President Trump's decision to end their provisional status.

These are real issues—the cost of healthcare going up for my constituents and yours. But we are not doing that. We are bringing up two bills. I will give you the summary of them. Even these two bills, closed process, no amendments. If I was able to offer floor amendments, as I said, I could offer an amendment that would actually move the balance the other way toward investors and empowering investor activism, perhaps even look at giving them a safer pay, if you will, over executive pay, and reining in some of the problems of this bill. But we are not allowed. We are not allowed to offer any amendments here on the floor.

Again, again. That is 56, by my count.

That is 56 times Republicans have brought bills to the floor and haven't allowed Democrats or Republicans to offer amendments.

Look, my colleagues can say: Oh, Democrats weren't great on this, and they had too many when they controlled it. You know what? First of all, Republicans set a record. This is the most number of closed rules ever.

Secondly, I am not here to defend the Democrats. If the Democrats were in

charge, they should offer more open amendments. There is no question. But Republicans, whatever they complained about the Democrats, they outdid them by a big factor. Ten months, 56 bills that no single Member of the House is allowed to offer an amendment on just to have a fair up-or-down vote. It is wrong. It is wrong.

That is why I hope my colleagues can defeat this rule to say: Enough is enough.

Mr. Speaker, we have to defeat this rule and move on to the issues important to the American people, and I yield back the balance of my time.

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

Mr. Speaker, my friend from Colorado is right. Time management is an important issue here on the floor, and we have got to manage it, whether it is closing statements or whether it is floor time throughout the day.

Every bill we bring to the floor is not going to be the most important bill that we bring to the floor, Mr. Speaker, by definition.

I hope that my colleagues were listening intently to my friend from Colorado, not necessarily during his opening statement, and certainly not during his closing statement, but during the middle statement where he was talking about his vast knowledge of corporate boards and corporate structures.

I have the pleasure of serving on the Rules Committee with Mr. POLIS, Mr. Speaker, and there are not going to be many Members of this institution who have either been more successful in their private life, not just talking about it, but doing it, when it comes to leading institutions, and Members who work harder to try to find some common ground to move things forward.

I was just telling Ms. Rossi on my staff, Mr. Speaker, that it troubles me more when Mr. POLIS is on the floor and we can't find agreement, because I believe very often he tries harder than most to find that agreement here. Mr. Speaker, you see it on the front page of the newspaper day after day after day, folks talk about this institution as if we will never find agreement with each other.

There are some issues of principle where finding agreement is hard, where we just fundamentally disagree with one another.

It is not the case today, though, Mr. Speaker. Today, the case is that we have two bills that moved through regular order in the Financial Services Committee. That means, Mr. Speaker, that the committee took up the legislation first, that the committee sorted out the legislation first, and, Mr. Speaker, these bills, both of them, passed the Financial Services Committee with big bipartisan votes.

There are many opportunities for us to come to the floor and talk about things that divide us that we will never find agreement on. That is not today. Today, we have a chance to come to the floor and talk about differences that we can make together. Differences that are not just bipartisan, but differences that are nonpartisan; good ideas that can make a difference one life, one bill at a time.

Mr. Speaker, these bills are coming today under a closed rule for one, under a structured rule for the other. That is true. For the uninitiated, Mr. Speaker, that means that amendments aren't going to be offered. It doesn't mean that amendments weren't allowed, Mr. Speaker.

We sent out the call to the entire House of Representatives, 435 Members. We said we have two bills coming before the Rules Committee; we want you to send us all of your ideas, all of the different ways that you think these two bills can be improved.

We got back one idea. One. And we made it in order for a vote on the floor of the House. Dadgummit, Mr. Speaker, I think it is going to make the bill better. I intend to support that amendment that we made in order. It is a Democrat amendment. It came from my friend Mr. CLAY on the other side of the aisle. I intend to support it because I think it is going to make the bill better.

Are there issues that are complex, that are partisan, that are structured in such a way that having an open rule isn't the choice that gets made? Of course there are. Of course there are.

I think my friend is right to criticize the majority when the process gets closed down in this way. But today, Mr. Speaker, I think my friend is wrong to suggest that the process is being closed down. The process was opened up to the entire institution. One amendment was received, one amendment was made in order. I hope, Mr. Speaker, that will be a practice that we continue going forward. Two good bills today, Mr. Speaker, if my colleagues support this rule: one from my friend Mr. TROTT, one from my friend Mr. DUFFY, and the bipartisan amendment offered by my friend Mr. CLAY.

Mr. Speaker, I urge all of my colleagues to support this rule, and then I hope they will come back to the floor and support the underlying bills as well.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 657 OFFERED BY MR. POLIS

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. 4585) to prohibit the Federal Communications Commission from relying on the Notice of Proposed Rulemaking in the matter of restoring internet freedom to adopt, amend, revoke, or otherwise modify any rule of the Commission. 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 Energy and Commerce. 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. Cause 1(c) of rule XIX shall not apply to the consideration of H.R. 4585.

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. WOODALL. 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.

Mr. POLIS. 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.

IRANIAN LEADERSHIP ASSET TRANSPARENCY ACT

GENERAL LEAVE

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

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 658 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1638.

The Chair appoints the gentleman from Michigan (Mr. MITCHELL) to preside over the Committee of the Whole.

□ 1456

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1638), to require the Secretary of the Treasury to submit a report to the appropriate congressional committees on the estimated total assets under direct or indirect control by certain senior Iranian leaders and other figures, and for other purposes, with Mr. MITCHELL in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise in strong support of H.R. 1638, the Iranian Leadership Asset Transparency Act, introduced by my colleague and dear friend from Maine (Mr. POLIQUIN).

This legislation requires the Treasury Secretary to report to Congress on the assets held by the Islamic Republic of Iran's most senior political and military leaders, and on the probable sources and uses of those assets.

A classified version, if necessary, would be available, as appropriate, to Congress, and a public version of the report would be posted on the Treasury Department's website in English and in the major languages used within Iran that could easily be downloaded.

The genius of this latter point is that it will allow the average Iranian to understand and circulate information of how their leaders are, in a phrase, robbing them blind, as well as aiding and abetting terrorists.

Iran's top political, military, and business leaders, if there is much of a distinction between those roles in Iran, fund terrorist-related activity, we know this, and through intricate financial arrangements that give them great flexibility in moving their money.

According to the nongovernmental organization Transparency International, Iran's economy is characterized by high levels of official and institutional corruption, and there is substantial involvement by Iran's security forces, particularly involving the Islamic Revolutionary Guard Corps.

Unsurprisingly, then, members of Iran's senior political and military leadership have acquired significant personal and institutional wealth by using their positions to secure control of major portions of the Iranian national economy.

Some estimates put their iron grip at a third or more of the country's economy, and some individual holdings in the billions of dollars; all at a time when the average Iranian citizen earns the equivalent of about $15,000 a year.

The unwise sanctions relief provided through the Obama administration's nuclear deal with Iran resulted in the unwarranted removal of many Iranian entities that are tied to government corruption from the list of entities sanctioned by the United States.

□ 1500

Thankfully, however, the Trump administration has, in recent months, levied a number of needed new sanctions on Iranian individuals and entities. Still, the Transparency International index of perceived public corruption in Iran is higher than ever.

As well, the Treasury Department has identified Iran as a country of ''primary concern for money laundering.'' Separately, the State Department has continually identified Iran as the world's foremost state sponsor of terrorism. Iran is, the State Department tells us, a country that has ''repeatedly provided support for acts of international terrorism,'' and ''continues to sponsor terrorist groups around the world, principally through its Islamic Revolutionary Guard Corps.''

The bill before us today, the Iranian Leadership Asset Transparency Act, requires the Treasury Department again to list the known assets of senior Iranian officials in a form that is easily understandable and accessible to individual Iranians, as well as to those in the financial or business sector who might be concerned—hopefully concerned—about inadvertently doing business with a corrupt Iranian entity.

The bill also requires the Treasury to evaluate the effectiveness of existing sanctions against Iran and make any appropriate recommendations for improving the effectiveness of sanctions.

The bill passed the Financial Services Committee last month with a bipartisan support vote of 43–16. The House approved a nearly identical bill just 18 months ago by a very strong vote of 282–143.

As passed by the committee, this year's version has an important addition, a sense of the Congress section, that urges the Treasury Secretary, in addition to other sources, to seek information for the report from private sector sources that search, analyze, and, if necessary, translate publicly available, high veracity, official records overseas, and provide methods of searching and analyzing such data in ways useful to law enforcement.

These source of services provide information that could augment information that is gathered, often by classified means, and provide a final public report that helps give the world a better picture of the true nature of Iran's economy.

Mr. Chairman, I urge immediate passage of Mr. POLIQUIN's thoughtful and bipartisan bill. I appreciate his leadership to bring us here today, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, December 6, 2017.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services, Washington, DC.

DEAR CHAIRMAN HENSARLING: Thank you for consulting with the Committee on Foreign Affairs on H.R. 1638, the Iranian Leadership Asset Transparency Act.

I agree that the Foreign Affairs Committee may be discharged from further action on this bill so that it may proceed expeditiously to the Floor, subject to the understanding that this waiver does not in any way diminish or alter the jurisdiction of the Foreign Affairs Committee, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. The Committee also reserves the right to seek an appropriate number of conferees to any House-Senate conference involving this bill, and would appreciate your support for any such request.

I ask that you place our exchange of letters into the Congressional Record during