

hold people accountable for breaking the law and violating our sovereignty.

Then there is that little hang-up with the 1997 Flores case, which is the law of the land that says you can't hold a minor for more than 20 days. That is the law. If you want it changed, then write your Congressman, call your Congressman, and get him to fix it. Instead of holding press conferences on the border, why don't you get back to work, roll up your sleeves, and work across the aisle to solve the problem.

Remember, most of these kids are coming from a place where they presumably fear for their lives. Their lives are at risk every day, and now they are in a country where they get three hot meals, and they get shelter. They don't have to worry about whether somebody is going to kill them. I would say that is a great start, for a benevolent country to do that.

Meanwhile, we have to process folks who don't come to a port of entry—as is the law of the land—to present yourself as an asylum seeker. We have the law for that. We have an answer: Present yourself at a port of entry.

But if you cross the border any other place, then you are going to be caught now, under this President, arrested, and processed for your hearing. And if found unlawfully to be here, you will be deported. That is the way it works. That is the way it ought to work.

Now, international law says that if you are fleeing for your life, you should stop in the first safe country you come to. That would be Mexico. That is where they should all be, if they are truly asylum seekers. If you are truly afraid for your life, you ought to be grateful that you are safe, that you don't have to worry, that you trust that the process will work, and that you will be vetted and found legitimate.

I don't want to separate the parents from their kids. This President doesn't want to either.

Mr. Speaker, Congress needs to get off our duff, do our job, and fix the problem. Everybody who is running around, taking this opportunity to fly whatever flag he or she wants to fly on this, let's solve the problem.

In Texas, illegal immigration costs us \$6,000 per illegal immigrant, \$12 billion, over 10 percent of our budget, and \$100 billion nationwide. It is a huge cost: education, healthcare, the list goes on. We are already insolvent, \$21 trillion in debt. We can't afford to make good on the promises for our kids and grandkids.

What is wrong with this picture?

Mr. Speaker, we have to work together to solve this problem, secure the border, stop illegal immigration, move to a merit-based immigration system, and move this country forward as leaders.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 18 minutes p.m.), the House stood in recess.

□ 1400

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RUTHERFORD) at 2 p.m.

## PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Merciful God, we give You thanks for giving us another day.

Without a future, as a people we are depressed and limited in creative imagining. Without a past, we are inexperienced and lost between success and failure.

Be as present to this Nation today as You were to our Founders. As the Creator and providential Lord, guide the Members of this people's House, and all their efforts, to uphold the Constitution and have it interface with present realities until true priorities arise as the Nation's agenda.

Stir within all Americans a solidarity that will always unite and never divide us. Renew in us a spirit that will enable this country to be a righteous leader into a bold future, shaping a new culture of collaboration and understanding for the 21st century.

May all that is done be for Your greater honor and glory.

Amen.

## THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## 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, June 22, 2018.

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 June 22, 2018, at 1:50 p.m.:

That the Senate agree to the amendments of the House of Representatives S.1091.

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

## RECESS

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

Accordingly (at 2 o'clock and 2 minutes p.m.), the House stood in recess.

□ 1516

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. JOHNSON of Louisiana) at 3 o'clock and 16 minutes p.m.

## 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 votes objected to under clause 6 of rule XX.

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

## COOPERATE WITH LAW ENFORCEMENT AGENCIES AND WATCH ACT OF 2018

Mr. HILL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5783) to provide a safe harbor for financial institutions that maintain a customer account at the request of a Federal or State law enforcement agency, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5783

*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 "Cooperate with Law Enforcement Agencies and Watch Act of 2018".

### SEC. 2. SAFE HARBOR WITH RESPECT TO KEEP OPEN LETTERS.

(a) IN GENERAL.—Subchapter II of chapter 53 of title 31, United States Code, is amended by adding at the end the following:

#### "§5333. Safe harbor with respect to keep open letters

"(a) IN GENERAL.—With respect to a customer account of a financial institution, if a Federal, State, Tribal, or local law enforcement agency requests, in writing, the financial institution to keep such account open—

"(1) the financial institution shall not be liable under this subchapter for maintaining such account consistent with the parameters of the request; and

"(2) no Federal or State department or agency may take any adverse supervisory action under this subchapter with respect to

the financial institution for maintaining such account consistent with the parameters of the request.

“(b) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed—

“(1) from preventing a Federal or State department or agency from verifying the validity of a written request described under subsection (a) with the Federal, State, Tribal, or local law enforcement agency making the written request; or

“(2) to relieve a financial institution from complying with any reporting requirements, including the reporting of suspicious transactions under section 5318(g).

“(c) **LETTER TERMINATION DATE.**—For purposes of this section, any written request described under subsection (a) shall include a termination date after which such request shall no longer apply.”.

(b) **CLERICAL AMENDMENT.**—The table of contents for chapter 53 of title 31, United States Code, is amended by inserting after the item relating to section 5332 the following:

“5333. Safe harbor with respect to keep open letters.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. HILL) and the gentleman from Minnesota (Mr. ELLISON) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

#### GENERAL LEAVE

Mr. HILL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

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

There was no objection.

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

Mr. Speaker, as a former community banker, I have dealt with the conflict of wanting to help law enforcement agencies when receiving what is called a keep open letter, while not being able to because of the need also to comply with the requirements of my regulatory responsibilities, the rules on setting out how banks have to open and close a suspected account by a regulator.

Today, the overall purpose of this bill is to support law enforcement and reduce money laundering and terrorist financing through our banking system. That is why, along with my good friend from Illinois, Dr. FOSTER, I was pleased to introduce this commonsense bill. It enables partnerships without repercussions between law enforcement agencies and local community financial institutions by allowing law enforcement to monitor the cash flows associated with criminal investigations at a financial institution.

Under the Bank Secrecy Act and the anti-money laundering regulations, banks face strict rules for managing accounts so that they cannot facilitate money laundering, terrorism financing, drug running, or other illegal activities.

Sometimes banks receive notices from law enforcement agencies known

as keep open letters. That requests a bank to keep open an account so that the law enforcement agency can track payments and better monitor criminals.

Such requests might come from the FBI, the Drug Enforcement Administration, the Department of Homeland Security, the U.S. Treasury's Financial Crimes Enforcement Network, known as FinCEN, local police, or any other law enforcement agency.

If banks help law enforcement comply with keep open letter requests, they in turn, unfortunately, risk being penalized by regulators for allowing an account to be open and continue to be open by someone who is suspected of a crime.

This commonsense bill supports those efforts by law enforcement by allowing the financial institutions to comply with the keep open requests and maintain a suspicious account without being penalized by regulators.

Financial institutions will no longer be liable for maintaining an account for law enforcement investigative purposes.

Under this bill, no Federal department or agency may take an adverse supervisory action with respect to that financial institution for keeping open such an account.

This is a commonsense bill and I urge all my colleagues to support it. It will give law enforcement the tools they need to prosecute bad actors and, I think, be better and more fair in its treatment for our financial institutions.

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

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

Mr. Speaker, this bill would strengthen cooperation between financial institutions and law enforcement to better combat terrorism and financial crime by providing a narrow safe harbor from BSA/AML—that is Bank Secrecy Act and Anti-Money Laundering, that is the acronym—scrutiny of financial institutions that keep a customer account open at the written request of Federal and State law enforcement.

This cooperation will enable law enforcement agencies to follow the money in the bank accounts of terrorists, human traffickers, corrupt officials, and those involved in organized crime.

We support this. This is a commonsense, bipartisan bill, and I urge support.

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

Mr. HILL. Mr. Speaker, I would like to just urge my colleagues to recognize this as a strong group of bipartisan work by Dr. FOSTER and it received solid support in the committee, that it balances the law enforcement obligations to investigate criminals, but also treats, in the regulatory system, our community financial institutions in a more fair manner. I hope all my colleagues will support it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. HILL) that the House suspend the rules and pass the bill, H.R. 5783, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

### THE CREDIT ACCESS AND INCLUSION ACT OF 2017

Mr. HILL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 435) to amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting certain positive consumer credit information to consumer reporting agencies, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 435

*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 “The Credit Access and Inclusion Act of 2017”.

#### SEC. 2. POSITIVE CREDIT REPORTING PERMITTED.

(a) **IN GENERAL.**—Section 623 of the Fair Credit Reporting Act (15 U.S.C. 1681s-2) is amended by adding at the end the following new subsection:

“(f) **FULL-FILE CREDIT REPORTING.**—

“(1) **IN GENERAL.**—Subject to the limitation in paragraph (2) and notwithstanding any other provision of law, a person or the Secretary of Housing and Urban Development may furnish to a consumer reporting agency information relating to the performance of a consumer in making payments—

“(A) under a lease agreement with respect to a dwelling, including such a lease in which the Department of Housing and Urban Development provides subsidized payments for occupancy in a dwelling; or

“(B) pursuant to a contract for a utility or telecommunications service.

“(2) **LIMITATION.**—Information about a consumer's usage of any utility services provided by a utility or telecommunication firm may be furnished to a consumer reporting agency only to the extent that such information relates to payment by the consumer for the services of such utility or telecommunication service or other terms of the provision of the services to the consumer, including any deposit, discount, or conditions for interruption or termination of the services.

“(3) **PAYMENT PLAN.**—An energy utility firm may not report payment information to a consumer reporting agency with respect to an outstanding balance of a consumer as late if—

“(A) the energy utility firm and the consumer have entered into a payment plan (including a deferred payment agreement, an arrearage management program, or a debt forgiveness program) with respect to such outstanding balance; and