

Are we willing to send a message to them that says, we are committed to standing by them for everything that has to happen to provide certainty to them so they know what their future holds?

Are we willing to send a message to our adversaries to say that this Nation is committed to rebuild our Navy and Marine Corps team to make sure that they are a force to be reckoned with anytime an adversary of ours may think of acting badly around the world; that that Navy and Marine Corps team will be there. That is what this resolution is about.

It is also sending a message to every one of our constituents; is this Congress committed to the right policies to making the commitment of resources to make sure that our Navy and Marine Corps team has what they need? That is another important part of this message.

And will we, as a nation, assure that in the long-term we are committed to countering what our adversaries are doing? And we see that. We see that in scores. Whether it is something like submarines, where we are on path, by 2029, to be down to 42 total attack submarines, the most requested asset in the entire United States inventory. We are down to 42 submarines in 2029.

China, by 2020, will have 70 submarines, total attack submarines and ballistic missile submarines, building five to six per year, so that by 2029, when we are at 42 submarines, attack submarines, and on the way to rebuilding Ohio-class submarines, the Chinese could be as high as 124 submarines. Now, quantity has a quality all of its own.

This resolution today says, are we going to make the commitment to make sure that we can counter those adversaries? Are we going to be able to tell our children and our grandchildren that when we had the chance we made the commitment? We made the commitment to our sailors, to our Marines, and as we will next week, to our soldiers and our airmen, and subsequently our Coast Guardsmen, to make sure that they have what they need, that this Nation makes the commitment to assure that we have the future of our Nation's defense well in hand. That is what today is about.

I ask my colleagues to join me to make sure that we are willing to make this simple commitment. While it may be in words, those words will speak volumes to our sailors, to our Marines, to our citizens, and to our adversaries, that this Nation has an unshakable resolve to make sure that we have what we need to counter the threats abroad, and to counter anybody that thinks of threatening the United States, or our friends, or our allies, or would want to act badly. Today's resolution is all about that, not just for today, but for decades to come.

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

The SPEAKER pro tempore (Mr. BARTON). The question is on the motion

offered by the gentlewoman from Wyoming (Ms. CHENEY) that the House suspend the rules and agree to the resolution, H. Res. 998.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

#### EXPRESSING SENSE OF THE HOUSE THAT THE UNITED STATES MARINE CORPS BUDGETARY UNCERTAINTY ERODES MILITARY READINESS

Ms. CHENEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 994) expressing the sense of the House of Representatives that the United States Marine Corps faces significant readiness challenges and that budgetary uncertainty impedes the Corps' ability to meet ongoing and unexpected national security threats, putting United States national security at risk.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 994

Whereas since fiscal year 2010, United States Marine Corps active duty end strength has shrunk by 8 percent from 202,100 to 186,000;

Whereas, on March 1, 2016, Marine Corps Commandant Robert Neller stated, "The fiscal reductions and instability of the past few years have impacted our readiness. As resources have diminished, the Marine Corps has protected the near-term operational readiness of its deployed and next-to-deploy units in order to meet operational commitments. This has come at a risk";

Whereas, on February 26, 2015, now Chairman of the Joint Chiefs of Staff Joseph F. Dunford stated, "[a]pproximately half of our non-deployed units—and those are the ones that provide the bench to respond to unforeseen contingencies—are suffering personnel, equipment and training shortfalls";

Whereas, on February 8, 2017, Assistant Commandant Glenn Walters stated, "A focus on [ongoing] operations, the decrease in funding levels from Fiscal Year (FY) 2012, fiscal instability and the lack of an inter-war period have left your Marine Corps insufficiently manned, trained and equipped against the depth of the force to operate in an evolving operational environment";

Whereas the Marine Corps' Assault Amphibious Vehicle (AAV-7A1) and Light Armored Vehicle (LAV) average over 40 and 26 years old, respectively;

Whereas the Marine Corps has a stated requirement for 38 amphibious ships to support the operations of 2 Marine Expeditionary Brigades, but the amphibious fleet numbers only 32 ships today;

Whereas former Chief of Naval Operations Admiral Jonathan Greenert testified on March 12, 2014, that, "[t]oday, in the world that we live in, the world that the Navy and Marine Corps lives in, and the future, we probably need 50 [amphibious ships]";

Whereas, on April 5, 2017, Marine Corps leaders testified that, "The most dire readiness situation lies within our Aviation element. An unhealthy percentage of our aviation units lack the minimum number of ready basic aircraft (RBA) for training, and

we are significantly short ready aircraft for wartime requirements. We simply do not have the available aircraft to meet our squadrons' requirements";

Whereas during parts of 2016, only 43 percent of the Marine Corps' total aviation fleet was available for operational employment, including less than 1/3 of its F/A-18 Hornets;

Whereas from fiscal year 2013 through fiscal year 2017, Marine Corps aviation accidents increased by 80 percent from 56 to 101 per year;

Whereas between 2011 and 2017, aviation accidents killed more than 60 Marines, including 19 over a 2-month period in 2017; and

Whereas, on March 10, 2017, Deputy Commandant Gary L. Thomas stated, "Unstable fiscal environments prevent the deliberately planned, sustained effort needed to recover current readiness of our legacy equipment in the near term, and to modernize in the longer term . . . We must work to avoid a budget-driven strategy and return to a strategy-driven budget, informed by the strategic requirements of the current and future operating environments. Unless we do so, the range of options we have to address current and future threats will further erode": Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes that the United States Marine Corps faces significant readiness challenges, as well as shortfalls in end strength and delayed modernization;

(2) finds that failing to provide the Marine Corps with stable, robust, and on-time funding impedes its ability to meet ongoing and unexpected security threats, putting United States national security at risk; and

(3) commits to enhancing the Marine Corps' ability to meet our Nation's threats "In the air, on land, and sea".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wyoming (Ms. CHENEY) and the gentleman from Washington (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentlewoman from Wyoming.

#### GENERAL LEAVE

Ms. CHENEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

Ms. CHENEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. GALLAGHER), my colleague on the Armed Services Committee, to discuss his resolution.

Mr. GALLAGHER. Mr. Speaker, I would like to thank my good friend from Wyoming for yielding the time but, more importantly, for her leadership in this effort to highlight the devastating impacts when we fail to provide full, on-time, and robust funding to our military.

Mr. Speaker, I rise today in strong support of H. Res. 994, which would recognize the significant readiness challenges facing the United States Marine Corps, and warn that budgetary uncertainty is undermining the ability of our Marines to do their vital work day

in and day out in defense of this Nation.

Since fiscal year 2010, the Active-Duty Marine Corps has shrunk by 8 percent. Thanks to the work of this House, that figure is finally trending in the other direction, but there is still much more work to be done, all of which requires stable, robust, and on-time funding.

Seven years after the Budget Control Act we are still digging out from holes we dug ourselves. In hearing after hearing, we have heard military leaders make clear that they will face increased risk due to continuing resolutions and years of accumulated defense cuts.

It can be all too easy to wave off these warnings. After all, our military and Marine Corps, in particular, has a “can-do spirit” that is second to none. But increased risk isn’t just an abstract notion. It can have very real consequences. The more than 60 Marines who have perished in marine aviation accidents since 2011 are a tragic reminder of what increased risk looks like in practice.

The new national security and national defense strategies marked sea changes in American security policy. With the new guidance that great power competition, and not terrorism, is the primary challenge to American national security policy. There is still much work to be done to ensure that the Marine Corps, along with the rest of the military, is best positioned to compete for the long-term.

From contested entry to dispersed operations from austere locations to contingency response, the Marine Corps is facing great challenges and opportunities. The obstacles are many as increasingly capable adversaries are forcing the Marine Corps to reconsider long-held assumptions about amphibious landings and its ability to operate close to shore.

In the face of these challenges, the Corps will have to do what it does best, innovate, and come up with new solutions to execute timeless missions. Ultimately, however, I am optimistic; not just because I was privileged to serve 7 years in the Marine Corps, and I know the quality of the men and women who continue to serve, but because of many other factors, including the simple geography of the Indo-Pacific, which is tailor-made for the United States Marine Corps.

As former adversaries learned on the islands of Guadalcanal, New Guinea, and Tarawa, the absolute last place on Earth you want to be is between a Marine and his objective.

In the long run however, the only thing that can stop the Marine Corps is this body’s failure to do its job. If we fail to provide on-time, adequate, or predictable funding, we will undermine our Marine Corps’ ability to get the job done.

This resolution takes a small step to recognize these challenges and commit to doing better. We owe our beloved Marine Corps nothing less.

Mr. SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have had the broader debate, so let me just say very quickly I agree with the resolution brought forward by Congressman GALLAGHER; that the budget uncertainty definitely impacts readiness and impacts the ability of Marines, in fact, the entire Department of Defense to fight adequately.

I do believe, as I have said earlier, that we need to get at the underlying fiscal issues that have created that, taking us all the way back to the Budget Control Act and why it was passed in 2011 in the first place. We need to get at a fiscal policy in this country so that we can adequately and predictably fund, certainly the Department of Defense, certainly the Marine Corps, but I would say the entire Federal budget in a way that puts us in a much stronger position as a country.

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

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

Mr. Speaker, I want to start by thanking both my colleagues, Mr. WITTMAN from Virginia, Mr. GALLAGHER from Wisconsin, and all of the folks on the Armed Services Committee, Chairman THORNBERRY, Ranking Member SMITH, as well as the folks on the Defense Appropriations Subcommittee, led by Chairwoman KAY GRANGER, for their tremendous work on these crucially important issues.

I think that, again, Mr. SMITH has highlighted, really, the crux of this issue, and the crux of this issue is whether or not we as a body are going to recognize that we have the ability here and what we do here will determine whether or not we provide the support and the resources our troops need or whether we increase the risk they face.

When we are facing a situation where we have had more servicemembers die in training accidents than in combat in the last year, that is an unacceptable and indefensible situation.

Mr. Speaker, on this particular resolution, I want to thank my colleague from Wisconsin for introducing this resolution. As a marine, he understands better than most how what we do in this body impacts our men and women in uniform.

H. Res. 994 highlights the vast readiness impacts we have seen in the Marine Corps over the past 9 years of continuing resolutions, sequestration, and overall budget dysfunction. We do not want to be in a position, Mr. Speaker, where the Marines are forced to continue to use aging or outdated equipment, or they don’t have the funds necessary to receive the training they require to undo this readiness crisis, or they don’t have the flexibility they need to respond to the fact that we have got an absolutely changing world

of warfare. They need agility to do that, and that requires funds from this body.

As my colleagues have said, we have made great progress. Over the past year, we have increased the defense spending caps for fiscal year 2018 and 2019, and we have agreed to fund the Department of Defense at \$700 billion for fiscal year 2018.

Mr. Speaker, we have got to get that done now for fiscal year 2019. The readiness crisis was not created in a single year, and it will take many years of effort to be able to address it.

The bill that we considered in the House just a few weeks ago passed with over 300 bipartisan votes. I would hope, Mr. Speaker, that we can now, today, commit all of ourselves as a body and urge our colleagues on the other side of this building to ensure that the work that we do is worthy of the men and women in uniform who protect all of us, to ensure that we stay on track to get this bill passed by the Senate and to the President’s desk before the end of the fiscal year.

Mr. Speaker, I yield the balance of my time to the gentleman from Wisconsin (Mr. GALLAGHER) to close.

Mr. GALLAGHER. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I quite agree with the sentiment expressed by my colleague, Mr. SMITH, that we do need to look at the overall budget picture. I think what has changed in that picture over time has been the amount of the budget consumed by mandatory spending, which is a very difficult problem. I concede that it is going to require men and women of good faith on both sides of the aisle to come together and have, if nothing else, an honest debate.

The argument was also made that we spend more on defense than a large number of our competitors and our allies, combined, in many cases. I hear that a lot. That is true. It is also not that helpful of a statistic, as it ignores both the size of our economy, the relative size of our economy, as well as the unique nature of our global commitments.

A more useful matrix of perhaps what we are spending as a percentage of GDP, we are still spending below the post-World War II average on defense as a percentage of GDP. For example, during the 1950s, 8 years of peace and prosperity, we were spending closer to 10 percent of our GDP on defense.

So I just think we need to be careful when we throw around different terms like this. And I welcome that debate. It is one we definitely need to have.

I just would close by saying our Marines put their lives on the line on a daily basis. When we go to war, we cannot guarantee that everyone will come home safely, and the Marines know that. They gladly put their lives on the line. They take the risk, and they ride to the sound of the guns regardless.

But I do think that we need to look at what we have the power to affect, and what we have the power to affect

here as Members of Congress, regardless, actually, of who is in the White House, what we have the obligation to affect is to guarantee that we will never send our servicemembers into an unfair fight, that we will provide them with the training, the equipment, and the numbers they need to run up the score on the enemy with decisive and overwhelming force.

Mr. Speaker, that is what this resolution is about, and I urge my colleagues to support its adoption.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Wyoming (Ms. CHENEY) that the House suspend the rules and agree to the resolution, H. Res. 994.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

## JOBS AND INVESTOR CONFIDENCE ACT OF 2018

Mr. HENSARLING. Mr. Speaker, I move to suspend the rules and pass the bill (S. 488) to increase the threshold for disclosures required by the Securities and Exchange Commission relating to compensatory benefit plans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 488

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “JOBS and Investor Confidence Act of 2018”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—HELPING ANGELS LEAD OUR STARTUPS

Sec. 101. Definition of angel investor group.

Sec. 102. Clarification of general solicitation.

#### TITLE II—CREDIT ACCESS AND INCLUSION

Sec. 201. Positive credit reporting permitted.

#### TITLE III—SMALL BUSINESS MERGERS, ACQUISITIONS, SALES, AND BROKER-AGE SIMPLIFICATION

Sec. 301. Registration exemption for merger and acquisition brokers.

Sec. 302. Effective date.

#### TITLE IV—FAIR INVESTMENT OPPORTUNITIES FOR PROFESSIONAL EXPERTS

Sec. 401. Definition of accredited investor.

#### TITLE V—FOSTERING INNOVATION

Sec. 501. Temporary exemption for low-revenue issuers.

#### TITLE VI—END BANKING FOR HUMAN TRAFFICKERS

Sec. 601. Increasing the role of the financial industry in combating human trafficking.

Sec. 602. Coordination of human trafficking issues by the Office of Terrorism and Financial Intelligence.

Sec. 603. Additional reporting requirement under the Trafficking Victims Protection Act of 2000.

Sec. 604. Minimum standards for the elimination of trafficking.

#### TITLE VII—INVESTING IN MAIN STREET

Sec. 701. Investment in small business investment companies.

#### TITLE VIII—EXCHANGE REGULATORY IMPROVEMENT

Sec. 801. Findings.

Sec. 802. Facility defined.

#### TITLE IX—ENCOURAGING PUBLIC OFFERINGS

Sec. 901. Expanding testing the waters and confidential submissions.

#### TITLE X—FAMILY OFFICE TECHNICAL CORRECTION

Sec. 1001. Accredited investor clarification.

#### TITLE XI—EXPANDING ACCESS TO CAPITAL FOR RURAL JOB CREATORS

Sec. 1101. Access to capital for rural-area small businesses.

#### TITLE XII—FINANCIAL INSTITUTION LIVING WILL IMPROVEMENT

Sec. 1201. Living will reforms.

#### TITLE XIII—PREVENTION OF PRIVATE INFORMATION DISSEMINATION

Sec. 1301. Criminal penalty for unauthorized disclosures.

#### TITLE XIV—INTERNATIONAL INSURANCE STANDARDS

Sec. 1401. Short title.

Sec. 1402. Congressional findings.

Sec. 1403. Requirement that insurance standards reflect United States policy.

Sec. 1404. State insurance regulator involvement in international standard setting.

Sec. 1405. Consultation with Congress.

Sec. 1406. Report to Congress on international insurance agreements.

Sec. 1407. Covered agreements.

Sec. 1408. Inapplicability to trade agreements.

#### TITLE XV—ALLEVIATING STRESS TEST BURDENS TO HELP INVESTORS

Sec. 1501. Stress test relief for nonbanks.

#### TITLE XVI—NATIONAL STRATEGY FOR COMBATING THE FINANCING OF TRANSNATIONAL CRIMINAL ORGANIZATIONS

Sec. 1601. National strategy.

Sec. 1602. Contents of national strategy.

Sec. 1603. Definitions.

#### TITLE XVII—COMMON SENSE CREDIT UNION CAPITAL RELIEF

Sec. 1701. Delay in effective date.

#### TITLE XVIII—OPTIONS MARKET'S STABILITY

Sec. 1801. Rulemaking.

Sec. 1802. Report to Congress.

#### TITLE XIX—COOPERATE WITH LAW ENFORCEMENT AGENCIES AND WATCH

Sec. 1901. Safe harbor with respect to keep open letters.

#### TITLE XX—MAIN STREET GROWTH

Sec. 2001. Venture exchanges.

#### TITLE XXI—BUILDING UP INDEPENDENT LIVES AND DREAMS

Sec. 2101. Mortgage loan transaction disclosure requirements.

#### TITLE XXII—MODERNIZING DISCLOSURES FOR INVESTORS

Sec. 2201. Form 10-Q analysis.

#### TITLE XXIII—FIGHT ILLICIT NETWORKS AND DETECT TRAFFICKING

Sec. 2301. Findings.

Sec. 2302. GAO Study.

#### TITLE XXIV—IMPROVING INVESTMENT RESEARCH FOR SMALL AND EMERGING ISSUERS

Sec. 2401. Research study.

#### TITLE XXV—DEVELOPING AND EMPOWERING OUR ASPIRING LEADERS

Sec. 2501. Definitions.

#### TITLE XXVI—EXPANDING INVESTMENT IN SMALL BUSINESSES

Sec. 2601. SEC study.

#### TITLE XXVII—PROMOTING TRANSPARENT STANDARDS FOR CORPORATE INSIDERS

Sec. 2701. SEC study.

#### TITLE XXVIII—INVESTMENT ADVISER REGULATORY FLEXIBILITY IMPROVEMENT

Sec. 2801. Definition of small business of small organization.

#### TITLE XXIX—ENHANCING MULTI-CLASS SHARE DISCLOSURES

Sec. 2901. Disclosure Relating to Multi-Class Share Structures.

#### TITLE XXX—NATIONAL SENIOR INVESTOR INITIATIVE

Sec. 3001. Senior Investor Taskforce.

Sec. 3002. GAO study.

#### TITLE XXXI—MIDDLE MARKET IPO UNDERWRITING COST

Sec. 3101. Study on IPO fees.

#### TITLE XXXII—CROWDFUNDING AMENDMENTS

Sec. 3201. Crowdfunding vehicles.

Sec. 3202. Crowdfunding exemption from registration.

### TITLE I—HELPING ANGELS LEAD OUR STARTUPS

#### SEC. 101. DEFINITION OF ANGEL INVESTOR GROUP.

As used in this title, the term “angel investor group” means any group that—

(1) is composed of accredited investors interested in investing personal capital in early-stage companies;

(2) holds regular meetings and has defined processes and procedures for making investment decisions, either individually or among the membership of the group as a whole; and

(3) is neither associated nor affiliated with brokers, dealers, or investment advisers.

#### SEC. 102. CLARIFICATION OF GENERAL SOLICITATION.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Securities and Exchange Commission shall revise Regulation D of its rules (17 C.F.R. 230.500 et seq.) to require that in carrying out the prohibition against general solicitation or general advertising contained in section 230.502(c) of title 17, Code of Federal Regulations, the prohibition shall not apply to a presentation or other communication made by or on behalf of an issuer which is made at an event—

(1) sponsored by—

(A) the United States or any territory thereof, by the District of Columbia, by any State, by a political subdivision of any State or territory, or by any agency or public instrumentality of any of the foregoing;

(B) a college, university, or other institution of higher education;

(C) a nonprofit organization;

(D) an angel investor group;

(E) a venture forum, venture capital association, or trade association; or

(F) any other group, person or entity as the Securities and Exchange Commission may determine by rule;

(2) where any advertising for the event does not reference any specific offering of securities by the issuer;

(3) the sponsor of which—