

McCarthy Raskin Speier  
 McCaul Reed Stefanik  
 McClintock Reichert Stivers  
 McCollum Rice (NY) Suozi  
 McEachin Rice (SC) Swalwell (CA)  
 McGovern Richmond Takano  
 McHenry Roby Taylor  
 McKinley Roe (TN) Tenney  
 McMorris Rogers (AL) Thompson (CA)  
 Rodgers Rogers (KY) Thompson (MS)  
 McNerney Rokita Thompson (PA)  
 McSally Rooney, Francis  
 Meadows Ros-Lehtinen  
 Meng Rosen  
 Messer Roskam  
 Mitchell Ross  
 Moolenaar Rothfus  
 Mooney (WV) Rouzer  
 Moore Roybal-Allard  
 Moulton Royce (CA)  
 Mullin Ruiz  
 Murphy (FL) Ruppertsberger  
 Nadler Rush  
 Napolitano Russell  
 Neal Rutherford  
 Newhouse Ryan (OH)  
 Noem Sanchez  
 Norcross Sarbanes  
 Norman Scalise  
 Nunes Schakowsky  
 O'Halleran Schiff  
 Olson Schneider  
 Palazzo Schrader  
 Pallone Schweikert  
 Palmer Scott (VA)  
 Panetta Scott, Austin  
 Pascrell Scott, David  
 Paulsen Sensenbrenner  
 Payne Serrano  
 Pearce Sessions  
 Pelosi Sewell (AL)  
 Perlmutter Shea-Porter  
 Perry Sherman  
 Peters Shimkus  
 Peterson Shuster  
 Pingree Simpson  
 Pittenger Sinema  
 Pocan Sires  
 Poe (TX) Smith (MO)  
 Poliquin Smith (NE)  
 Polis Smith (TX)  
 Posey Smith (WA)  
 Price (NC) Smucker  
 Quigley Soto

## NAYS—6

Amash Burgess Massie  
 Biggs Grothman Sanford

## NOT VOTING—33

Allen Dingell Nolan  
 Barletta Ellison O'Rourke  
 Bishop (UT) Eshoo Ratcliffe  
 Blackburn Gaetz Renacci  
 Brady (PA) Gowdy Rohrabacher  
 Capuano Gutiérrez  
 Cartwright Jenkins (WV)  
 Castro (TX) Jordan  
 Clay Labrador  
 Cummings Lujan Grisham,  
 Davis, Danny M.  
 Deutch Meeks

□ 1859

Mr. GROTHMAN changed his vote from "yea" to "nay."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ALLEN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted YEA on Roll Call No. 400.

# EXPANDING CONTRACTING OPPORTUNITIES FOR SMALL BUSINESSES ACT OF 2018

The SPEAKER pro tempore (Mr. MARSHALL). The unfinished business is

the question on suspending the rules and passing the bill (H.R. 6369) to amend the Small Business Act to eliminate the inclusion of option years in the award price for sole source contracts, and for other purposes, as amended.

The Clerk read the title of the bill.

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

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 392, nays 5, not voting 31, as follows:

[Roll No. 401]

## YEAS—392

Abraham Collins (GA) Gibbs  
 Adams Collins (NY) Gohmert  
 Aderholt Comer Gomez  
 Aguilar Comstock Gonzalez (TX)  
 Allen Conaway Goodlatte  
 Amodei Connolly Gosar  
 Arrington Cook Gottheimer  
 Babin Cooper Granger  
 Bacon Correa Graves (GA)  
 Balderson Costa Graves (LA)  
 Banks (IN) Costello (PA)  
 Barr Courtney Green, Al  
 Barragán Cramer Green, Gene  
 Barton Crawford Griffith  
 Bass Crist Grijalva  
 Beatty Crowley Grothman  
 Bera Cuellar Guthrie  
 Bergman Culberson Hanabusa  
 Beyer Curbelo (FL) Handel  
 Bilirakis Curtis Harper  
 Bishop (GA) Davidson Harris  
 Bishop (MI) Davis (CA) Hartzler  
 Black Davis, Rodney Hastings  
 Blum DeFazio Heck  
 Blumenauer DeGette Hensarling  
 Blunt Rochester Delaney Herrera Beutler  
 Bonamici DeLauro Hice, Jody B.  
 Bost DelBene Higgins (LA)  
 Boyle, Brendan Demings Higgins (NY)  
 F. Denham Hill  
 Brady (TX) DesSaulnier Himes  
 Brat DesJarlais Holding  
 Brooks (AL) Diaz-Balart Hollingsworth  
 Brooks (IN) Doggett Hoyer  
 Brown (MD) Donovan Hudson  
 Brownley (CA) Doyle, Michael Huffman  
 Buchanan F. Huizenga  
 Buck Duffy Hultgren  
 Bucshon Duncan (SC) Hunter  
 Budd Duncan (TN) Hurd  
 Burgess Dunn Jackson Lee  
 Bustos Emmer Jayapal  
 Butterfield Engel Jeffries  
 Byrne Espallat Jenkins (KS)  
 Calvert Estes (KS) Johnson (GA)  
 Capuano Esty (CT) Johnson (LA)  
 Carballo Evans Johnson (OH)  
 Cárdenas Faso Johnson, E. B.  
 Carson (IN) Ferguson Johnson, Sam  
 Carter (GA) Fitzpatrick Jones  
 Carter (TX) Fleischmann Jordan  
 Castor (FL) Flores Joyce (OH)  
 Chabot Fortenberry Kaptur  
 Cheney Foster Katko  
 Chu, Judy Foxx Keating  
 Cicilline Frankel (FL) Kelly (IL)  
 Clark (MA) Frelinghuysen Kelly (MS)  
 Clarke (NY) Fudge Kelly (PA)  
 Cleaver Gabbard Kennedy  
 Cloud Gallagher Khanna  
 Clyburn Gallego Kihuen  
 Coffman Garamendi Kildee  
 Cohen Garrett Kilmer  
 Cole Gianforte Kind

King (NY) Neal  
 Kinzinger Newhouse  
 Knight Noem  
 Krishnamoorthi Norcross  
 Kuster (NH) Norman  
 Kustoff (TN) Nunes  
 LaHood O'Halleran  
 LaMalfa Olson  
 Lamb Palazzo  
 Lamborn Pallone  
 Lance Palmer  
 Langevin Panetta  
 Larsen (WA) Pascarell  
 Larson (CT) Paulsen  
 Latta Payne  
 Lawrence Pearce  
 Lawson (FL) Pelosi  
 Lee Perlmutter  
 Lesko Perry  
 Levin Peters  
 Lewis (GA) Peterson  
 Lewis (MN) Pingree  
 Lieu, Ted Pittenger  
 Lipinski Pocan  
 LoBiondo Poe (TX)  
 Loeb sack Poliquin  
 Lofgren Polls  
 Long Posey  
 Loudermilk Price (NC)  
 Love Quigley  
 Lowenthal Raskin  
 Lowey Reed  
 Lucas Reichert  
 Luetkemeyer Rice (NY)  
 Lujan, Ben Ray Rice (SC)  
 Lynch Richmond  
 MacArthur Roby  
 Maloney, Carolyn B. Roe (TN)  
 Maloney, Sean Rogers (AL)  
 Marchant Rogers (KY)  
 Marino Rokita  
 Marshall Rooney, Francis  
 Mast Ros-Lehtinen  
 Matsui Rosen  
 McCarthy Roskam  
 McCaul Ross  
 McClintock Rothfus  
 McCollum Rouzer  
 McEachin Roybal-Allard  
 McGovern Royce (CA)  
 McHenry Ruiz  
 McKinley Ruppertsberger  
 McMorris Rush  
 Rodgers Russell  
 McNerney Rutherford  
 McSally Ryan (OH)  
 Meadows Sanchez  
 Meng Sarbanes  
 Messer Scalise  
 Mitchell Schakowsky  
 Moolenaar Schiff  
 Mooney (WV) Schneider  
 Moore Schrader  
 Moulton Schweikert  
 Mullin Scott (VA)  
 Murphy (FL) Scott, Austin  
 Nadler Scott, David  
 Napolitano Serrano Sensenbrenner

## NAYS—5

Amash King (IA) Sanford  
 Biggs Massie

## NOT VOTING—31

Barletta Ellison Nolan  
 Bishop (UT) Eshoo O'Rourke  
 Blackburn Gaetz Ratcliffe  
 Brady (PA) Gowdy Renacci  
 Cartwright Gutiérrez Rohrabacher  
 Castro (TX) Issa Rooney, Thomas  
 Clay Jenkins (WV) J.  
 Cummings Labrador Smith (TX)  
 Davis, Danny Lujan Grisham, Stewart  
 Deutch M.  
 Dingell Meeks Wilson (FL)

□ 1911

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PUBLIC-PRIVATE CYBERSECURITY COOPERATION ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 6735) to direct the Secretary of Homeland Security to establish a vulnerability disclosure policy for Department of Homeland Security internet websites, and for other purposes, as amended.

The Clerk read the title of the bill.

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

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

A motion to reconsider was laid on the table.

# REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 6157, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019; PROVIDING FOR CONSIDERATION OF H. RES. 1071, RECOGNIZING THAT ALLOWING ILLEGAL IMMIGRANTS THE RIGHT TO VOTE DIMINISHES THE VOTING POWER OF UNITED STATES CITIZENS; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 115-976) on the resolution (H. Res. 1077) providing for consideration of the conference report to accompany the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the resolution (H. Res. 1071) recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens; and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

□ 1915

# MODIFICATIONS OF CREDIT FOR PRODUCTION FROM ADVANCED NUCLEAR POWER

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1551) to amend the Internal Revenue Code of 1986 to modify the credit for production from advanced nuclear power facilities, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:  
Senate amendment:

Strike all after the enacting clause and insert the following:

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

(a) *SHORT TITLE*.—This Act may be cited as the “Orrin G. Hatch Music Modernization Act”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Customs user fees.

## TITLE I—MUSIC LICENSING MODERNIZATION

Sec. 101. Short title.

Sec. 102. Blanket license for digital uses and mechanical licensing collective.

Sec. 103. Amendments to section 114.

Sec. 104. Random assignment of rate court proceedings.

Sec. 105. Performing rights society consent decrees.

Sec. 106. Effective date.

## TITLE II—CLASSICS PROTECTION AND ACCESS

Sec. 201. Short title.

Sec. 202. Unauthorized use of pre-1972 sound recordings.

## TITLE III—ALLOCATION FOR MUSIC PRODUCERS

Sec. 301. Short title.

Sec. 302. Payment of statutory performance royalties.

Sec. 303. Effective date.

## TITLE IV—SEVERABILITY

Sec. 401. Severability.

## SEC. 2. CUSTOMS USER FEES.

Section 13031(j)(3)(A) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(A)) is amended by striking “October 13, 2027” and inserting “October 20, 2027”.

## TITLE I—MUSIC LICENSING MODERNIZATION

### SEC. 101. SHORT TITLE.

This title may be cited as the “Musical Works Modernization Act”.

### SEC. 102. BLANKET LICENSE FOR DIGITAL USES AND MECHANICAL LICENSING COLLECTIVE.

(a) *AMENDMENT*.—Section 115 of title 17, United States Code, is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting “IN GENERAL” after “AVAILABILITY AND SCOPE OF COMPULSORY LICENSE”;

(B) by striking paragraph (1) and inserting the following:

“(1) *ELIGIBILITY FOR COMPULSORY LICENSE*.—

“(A) *CONDITIONS FOR COMPULSORY LICENSE*.—

A person may by complying with the provisions of this section obtain a compulsory license to make and distribute phonorecords of a nondramatic musical work, including by means of digital phonorecord delivery. A person may obtain a compulsory license only if the primary purpose in making phonorecords of the musical work is to distribute them to the public for private use, including by means of digital phonorecord delivery, and—

“(i) phonorecords of such musical work have previously been distributed to the public in the United States under the authority of the copyright owner of the work, including by means of digital phonorecord delivery; or

“(ii) in the case of a digital music provider seeking to make and distribute digital phonorecord deliveries of a sound recording embodying a musical work under a compulsory license for which clause (i) does not apply—

“(1) the first fixation of such sound recording was made under the authority of the musical work copyright owner, and the sound recording copyright owner has the authority of the musical work copyright owner to make and distribute digital phonorecord deliveries embodying

such work to the public in the United States; and

“(II) the sound recording copyright owner, or the authorized distributor of the sound recording copyright owner, has authorized the digital music provider to make and distribute digital phonorecord deliveries of the sound recording to the public in the United States.

“(B) *DUPLICATION OF SOUND RECORDING*.—A person may not obtain a compulsory license for the use of the work in the making of phonorecords duplicating a sound recording fixed by another, including by means of digital phonorecord delivery, unless—

“(i) such sound recording was fixed lawfully; and

“(ii) the making of the phonorecords was authorized by the owner of the copyright in the sound recording or, if the sound recording was fixed before February 15, 1972, by any person who fixed the sound recording pursuant to an express license from the owner of the copyright in the musical work or pursuant to a valid compulsory license for use of such work in a sound recording.”; and

(C) in paragraph (2), by striking “A compulsory license” and inserting “MUSICAL ARRANGEMENT.—A compulsory license”;

(2) by striking subsection (b) and inserting the following:

“(b) *PROCEDURES TO OBTAIN A COMPULSORY LICENSE*.—

“(1) *PHONORECORDS OTHER THAN DIGITAL PHONORECORD DELIVERIES*.—A person who seeks to obtain a compulsory license under subsection (a) to make and distribute phonorecords of a musical work other than by means of digital phonorecord delivery shall, before, or not later than 30 calendar days after, making, and before distributing, any phonorecord of the work, serve notice of intention to do so on the copyright owner. If the registration or other public records of the Copyright Office do not identify the copyright owner and include an address at which notice can be served, it shall be sufficient to file the notice of intention with the Copyright Office. The notice shall comply, in form, content, and manner of service, with requirements that the Register of Copyrights shall prescribe by regulation.

“(2) *DIGITAL PHONORECORD DELIVERIES*.—A person who seeks to obtain a compulsory license under subsection (a) to make and distribute phonorecords of a musical work by means of digital phonorecord delivery—

“(A) prior to the license availability date, shall, before, or not later than 30 calendar days after, first making any such digital phonorecord delivery, serve a notice of intention to do so on the copyright owner (but may not file the notice with the Copyright Office, even if the public records of the Office do not identify the owner or the owner's address), and such notice shall comply, in form, content, and manner of service, with requirements that the Register of Copyrights shall prescribe by regulation; or

“(B) on or after the license availability date, shall, before making any such digital phonorecord delivery, follow the procedure described in subsection (d)(2), except as provided in paragraph (3).

“(3) *RECORD COMPANY INDIVIDUAL DOWNLOAD LICENSES*.—Notwithstanding paragraph (2)(B), a record company may, on or after the license availability date, obtain an individual download license in accordance with the notice requirements described in paragraph (2)(A) (except for the requirement that notice occur prior to the license availability date). A record company that obtains an individual download license as permitted under this paragraph shall provide statements of account and pay royalties as provided in subsection (c)(2)(I).

“(4) *FAILURE TO OBTAIN LICENSE*.—

“(A) *PHONORECORDS OTHER THAN DIGITAL PHONORECORD DELIVERIES*.—In the case of phonorecords made and distributed other than by means of digital phonorecord delivery, the