

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 Sánchez
 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) Graves (MO)
 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 Sánchez
 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 Sensenbrenner
 Serrano

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