

general authority to seek disgorgement in district court.

Fortunately, the U.S. House of Representative is considering H.R. 4344, the Investor Protection and Capital Markets Fairness Act, which would amend the Securities Exchange Act of 1934 to explicitly provide the Commission with authority to seek disgorgement of unjust enrichment in district courts. I greatly appreciate this bipartisan, bicameral work underway to address this important issue and welcome the opportunity to continue to work with Congress to ensure defrauded retail investors can get their investment dollars back while being true to the principles embedded in statutes of limitations.

#### IMPORTANCE OF DISGORGEMENT AS A REMEDY

The SEC's longstanding ability to obtain disgorgement of ill-gotten gains in federal district court is an important tool for our enforcement program and has allowed the agency to return billions of dollars to innocent investors victimized by perpetrators of fraud. For many—if not most—of these victims, disgorgement awards in SEC cases are the only practical way to recoup what was stolen from them. The Commission is committed to returning money to harmed investors promptly and has worked hard to improve the effectiveness of our distribution program over recent years. Since the beginning of Fiscal Year 2017, the hard work of the women and men of the SEC has led to the return of over \$3 billion to harmed investors.

#### IMPACT OF KOKESH ON MAIN STREET INVESTORS

Notwithstanding these successes, the Supreme Court's decision in *Kokesh* has impacted the SEC's ability to return funds fraudulently taken from Main Street investors. In *Kokesh*, the Supreme Court found our use of the disgorgement remedy operated as a penalty, which subjected the Commission's ability to seek disgorgement of ill-gotten gains to a five-year statute of limitations.

The *Kokesh* case itself highlights this problem in stark terms. Of the \$34.9 million that Charles Kokesh misappropriated, \$29.9 million fell outside of the 5-year statute of limitations. The SEC was unable to collect that \$29.9 million from him for distribution to his victims, who largely consisted of small-dollar Main Street investors.

Overall, since *Kokesh* was decided, at least \$1.1 billion in ill-gotten gains has been unavailable for possible distribution to harmed investors. Much of this is tied to losses by investors.

#### IMPORTANCE OF STATUTES OF LIMITATIONS

The SEC's authority to seek disgorgement should not be unbounded. I agree that statutes of limitations serve important functions in our legal system, and as a general matter, our remedial authority should be subject to reasonable limitations periods. However, as I look across the scope of misconduct we encounter, including most notably Ponzi schemes and affinity frauds, I believe a period longer than five years from the date of the misconduct is appropriate in various circumstances. This is especially the case in our private, retail markets where there are fewer causes of action and safeguards available compared to the public capital markets. Further, we often see fraudsters target certain categories of investors. These investors—notably teachers, military service personnel, the elderly, and religious-affiliated groups—need and deserve legal protection and the SEC's attention, particularly in the case of private, targeted frauds.

#### H.R. 4344, THE INVESTOR PROTECTION AND CAPITAL MARKETS FAIRNESS ACT

H.R. 4344 would address two important issues. First, the bill addresses the result of

the Supreme Court's ruling in *Kokesh* that SEC disgorgement claims are subject to a five-year statute of limitations. The Court's holding has had the anomalous effect of allowing the most “successful” perpetrators of fraud—those who prevent the discovery of their schemes for longer than the limitations period—to keep their ill-gotten gains. H.R. 4344 will ensure that sophisticated fraudsters who carry out some of the most harmful frauds, including Ponzi schemes that can defraud investors for long periods of time before being uncovered, cannot keep their victims' money.

Second, some perpetrators of fraud have tried to keep their ill-gotten gains arguing that district courts lack the power to order disgorgement in any Commission action. The primary objective of disgorgement is to return circumstances to the pre-fraud status quo. The Supreme Court recently granted certiorari to address this question in *Liu v. SEC*, No. 18-1501. H.R. 4344 would confirm and ratify district courts' authority to do what they have been doing for decades—order violators to surrender the money they obtained by breaking the securities laws so that victims have a chance to be compensated.

H.R. 4344 is an important response to real harms suffered by innocent victims of the worst types of securities frauds. These are frauds that undermine the public confidence in our markets that the 4,400 women and men of the SEC strive to preserve every day.

Thank you for your continuing commitment to America's investors and our markets.

Very truly yours,

JAY CLAYTON,  
Chairman.

Mr. GREEN of Texas. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), who happens to be the chairperson of the Subcommittee on Investor Protection, Entrepreneurship, and Capital Markets.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding and for his leadership on this issue and so many others.

I want to thank Mr. MCADAMS for all of his work on this crucial issue. I also want to thank Ranking Member HUIZENGA, who has been a leader on this issue for a long time. And I want to thank the chairwoman and the ranking member for getting this bipartisan deal done.

Proper enforcement of the securities laws helps maintain investor confidence in our markets. Investors need to know that if a bad actor is caught, and the SEC proves that the bad actor committed fraud, then the investors will get their money back.

Unfortunately, the 2017 Supreme Court decision in *Kokesh* versus SEC significantly damaged the SEC's ability to return funds to harmed investors, by holding that SEC claims for disgorgement of ill-gotten profits are subject to a 5-year statute of limitations. This means that for long-running frauds like Bernie Madoff's Ponzi scheme, the SEC would not be able to claw back all of the bad actor's profits. The *Kokesh* decision has already cost investors about \$900 million in disgorgement of illegal profits according to the SEC.

Mr. MCADAMS' bill would fix this issue and would lengthen the statute of

limitations from 5 years to 14 years. This is only fair. So I strongly urge a “yes” vote on this bill that my colleagues on both sides of the aisle support, which will claw back bad actor's money and put money back in investors' pockets.

Mr. GREEN of Texas. I reserve the balance of my time.

Mrs. WAGNER. Mr. Speaker, I urge support of this bill, and I yield back the balance of my time.

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

I, too, urge support of this bill, specifically because it would protect the SEC's longstanding authority to recover for investors the unjust enrichment from defendants and set a reasonable time limit to do so. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. GREEN) that the House suspend the rules and pass the bill, H.R. 4344, 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. DAVIDSON of Ohio. 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.

#### TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT OF 2019

Ms. WATERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4634) to reauthorize the Terrorism Risk Insurance Act of 2002, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4634

*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 “Terrorism Risk Insurance Program Reauthorization Act of 2019”.

#### SEC. 2. 7-YEAR EXTENSION OF TERRORISM RISK INSURANCE PROGRAM.

(a) TERMINATION DATE.—Section 108(a) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by striking “2020” and inserting “2027”.

(b) TIMING OF MANDATORY RECOUPMENT.—Section 103(e)(7)(E)(i) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) in subclause (I)—

(A) by striking “2017” and inserting “2022”; and

(B) by striking “2019” and inserting “2024”;

(2) in subclause (II)—

(A) by striking “2018” and inserting “2023”;

(B) by striking “2019” and inserting “2024”;

and

(C) by striking “2024” and inserting “2029”;

and

(3) in subclause (III)—

(A) by striking “2019” and inserting “2024”;

and

(B) by striking “2024” and inserting “2029”.

(C) ONGOING REPORTS REGARDING MARKET CONDITIONS FOR TERRORISM RISK INSURANCE.—Paragraph (2) of section 104(h) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) by redesignating subparagraphs (B) through (E) as subparagraphs (C) through (F), respectively; and

(2) by inserting after subparagraph (A) the following new subparagraph:

“(B) an evaluation of the availability and affordability of terrorism risk insurance, which shall include an analysis of such availability and affordability specifically for places of worship;”.

(D) STUDY AND REPORT ON CYBER TERRORISM.—Not later than the expiration of the 180-day period beginning on the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study and report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, which shall—

(1) analyze and address—

(A) overall vulnerabilities and potential costs of cyber attacks to the United States public and private infrastructure that could result in physical or digital damage;

(B) whether State-defined cyber liability under a property and casualty line of insurance is adequate coverage for an act of cyber terrorism;

(C) whether such risks can be adequately priced by the private market; and

(D) whether the current risk-share system under the Terrorism Risk Insurance Act of 2002 is appropriate for a cyber terrorism event; and

(2) set forth recommendations on how the Congress could amend such Act to meet the next generation of cyber threats.

### SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATERS) and the gentleman from North Carolina (Mr. MCHENRY) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

#### GENERAL LEAVE

Ms. WATERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

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

Mr. Speaker, I am very pleased that we are considering H.R. 4634 to reauthorize the Terrorism Risk Insurance Act, or TRIA, for 7 years. This is a bipartisan bill that passed unanimously out of our committee.

I would like to thank Chairwoman MALONEY, Chairman CLAY, and Chair-

man CLEAVER for their efforts to bring this bill to the floor today. I would also like to thank Ranking Member MCHENRY for working with me to ensure the availability of affordable terrorism risk insurance coverage across our country for small businesses, nonprofit organizations, hospitals, and educational institutions to name just a few of the entities that rely on this Federal program.

The Terrorism Risk Insurance Act was enacted in the aftermath of the tragic September 11 terrorist attacks, which resulted in the largest insured losses on record from a nonnatural event. Insurance and reinsurance companies reeled from the losses, and terrorism risk insurance became unavailable or extremely expensive, complicating the recovery efforts due to the importance of insurance in many business transactions.

Congress passed TRIA to ensure that the terrorism risk insurance coverage would remain available and affordable, and since that time, the program has been effective at doing just that. Treasury data show the program has been successful with nearly 80 percent of all TRIA-eligible policies, including terrorism risk coverage, and policyholders paying an average of only 2.5 percent of their total premiums for terrorism risk coverage. Treasury data also demonstrates that TRIA is important across America and not just in densely populated urban areas. In fact, the take-up rate is higher in the Midwest than it is in the northeast.

This bill is supported by a broad coalition of over 300 organizations, including the American Property Casualty Insurance Association, the Reinsurance Association of America, the U.S. Chamber of Commerce, and the American Bankers Association.

I understand that the Senate Banking Committee is considering identical legislation this week, and I hope that we can act quickly to get this bill signed into law. I would urge all my colleagues to support this important legislation.

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

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

Mr. Speaker, today I rise in support of H.R. 4634, the Terrorism Risk Insurance Program Reauthorization Act of 2019.

For the last 17 years, TRIA has provided an important Federal backstop for businesses that insure against the large-scale devastation caused by terrorist attacks. This Federal backstop provides much needed stability for the private terrorism risk insurance market, ensuring that small and large businesses alike have access to affordable coverage.

Without Federal involvement, the private market cannot adequately price for this type of risk, causing insurers to exit the market, and leaving businesses without coverage. That would be a market failure, and it ne-

cessitates us acting in order to ensure that that market failure does not persist. That is why we have this important program.

That bipartisanship continues today with Democrats and Republicans alike agreeing on the need to reauthorize the TRIA program for an additional 7 years. This long-term extension will give certainty to insurance markets, businesses and the broader American economy. A wide range of businesses have come to rely on the protections included in this act.

From real estate to manufacturing to entertainment, H.R. 4634 will help these companies insure against acts of terrorism. In addition, the bill takes the first step in understanding how the TRIA program can be modernized to meet the advances made by our adversaries in the 21st century.

When we began our bipartisan conversations regarding the TRIA reauthorization, I emphasized the need to study how this program would react in the aftermath of a wide-scale cyberattack. We generally know what the threats are broadly, but how the threats will evolve over the next 7 years we need to know. What we do know is that America's public and private infrastructure is currently under attack every single day. And so we want to make sure that we are broadly set for this next generation of attack.

In the aftermath of 9/11, insurance companies and policymakers quickly became aware of the hidden risks that acts of terrorism could pose to their balance sheets. It was a hidden risk then. Insurers also realized that they would be unable to adequately price this risk, spurring the need for Federal assistance.

What I am concerned about is this: I am concerned a large-scale cyberattack could pose these same hidden risks to insurers and to the market, since we don't fully understand the effects of a large-scale cyberattack and how that would play out today.

Moreover, the digital capabilities of our adversaries only continue to grow. Just look at Russia. In 2015, a Russian cyberattack shut down Ukraine's power grid for as long as 6 hours. If it is not Russia, it is China, Iran, North Korea. State sponsors of terror want to cause as much damage to the United States as they can. And that is not just the government's fear or utilities, it is every part of our economy.

It is our duty to make sure that this program is adaptable to respond to any event that could become a reality.

I appreciate Chairwoman WATERS agreeing to this additional language in the bill, as well as her work for a long-term reauthorization. I commend her work here to ensure that this is a bipartisan product here on the House floor. And from time to time we may not agree, but on this important bill we do see eye to eye. So bipartisanship is not always dead here in Washington.

I believe this bill, when enacted, will give our economy certainty and will

show that we can respond to threats and we can talk across the aisle and come to rational conclusions.

□ 1800

Mr. Speaker, again, I thank Chairwoman WATERS for engaging in this bipartisan, collaborative process to reauthorize this important program.

I am also glad to know the Senate will be marking up a similar version of the bill this week. That is an encouraging sign. I am optimistic it will become law once it goes to the President's desk in short order.

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

Ms. WATERS. Mr. Speaker, to the Members, I cannot express how pleased I am at the effort that was put together by Mr. MCHENRY to make this a bipartisan bill. I am very appreciative of that.

Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the chairwoman for the Subcommittee on Investor Protection, Entrepreneurship, and Capital Markets.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the gentlewoman for yielding and for her leadership on this issue.

Mr. Speaker, I rise in strong support of H.R. 4634, which would reauthorize the Terrorism Risk Insurance Act, or TRIA, for 7 years.

Mr. Speaker, I thank Chairwoman WATERS and Ranking Member MCHENRY for working together to reach a compromise on this critically important bill that can get broad bipartisan support. I also thank my colleagues, Congressmen CLAY and CLEAVER, for holding field hearings and for their tremendous support.

This issue is deeply personal to me because I represent New York City, and I remember all too well the terrorist attack of 9/11. After that terrible attack, the market for terrorism insurance completely shut down. Without terrorism insurance, all construction stopped, and thousands of jobs were lost. We could not insure anything.

In response, Congress came together in a bipartisan way and passed the Terrorism Risk Insurance Act, which provides a government backstop for terrorism insurance. The goal of TRIA was to make terrorism insurance both available and affordable. That is exactly what has happened because of this bill, and all of this has come at no cost, not one cost whatsoever, to our taxpayers.

This bill would reauthorize TRIA for 7 years without any changes to the underlying program. I am pleased that there is broad agreement that the program doesn't need any additional changes.

Mr. Speaker, I include in the RECORD a letter with a listing of over 300 major business leaders from every State in our country that are supporting this important legislation.

SEPTEMBER 17, 2019.

TO THE MEMBERS OF THE UNITED STATES CONGRESS: The undersigned organizations,

representing a wide variety of business interests, urge Congress to work swiftly to pass a long-term reauthorization of the Terrorism Risk Insurance Act (TRIA) which is currently set to expire at the end of 2020.

The tragic terrorist attacks on September 11, 2001, fundamentally changed the landscape for insuring against the risk of terrorism in the United States. Struck with an inability to model frequency, location, and the potentially devastating scale of modern terrorism, insurers were forced to pull out of the marketplace, and in the months following the attacks, the inability of insurance policyholders to secure terrorism risk insurance contributed to a paralysis in the economy, especially in the construction, travel and tourism, and real estate finance sectors.

Since its initial enactment in 2002, TRIA has served as a vital public-private risk sharing mechanism, ensuring that private terrorism risk insurance coverage remains available to commercial businesses, educational institutions and non-profit organizations at virtually no cost to the taxpayer. According to a 2019 Marsh study, the education, media, financial institutions, real estate, hospitality and gaming, and health care sectors had the highest 'take-up' rates among the 17 industry segments surveyed—all above 70%. TRIA fosters certainty in the marketplace and allows all of these interconnected elements of the economy to continue to move forward.

In 2018, the Treasury Department reported that "the Program has made terrorism risk insurance available and affordable in the United States, and the market for terrorism risk insurance has been relatively stable for the past decade." Absent TRIA, there is not sufficient insurance and reinsurance capital available to provide comprehensive terrorism coverage to U.S. insurance buyers.

To this end, the undersigned organizations urge Congress to promptly enact a "clean" long-term extension of this vital program. Previous reforms to the program have minimized taxpayer exposure making further reforms unnecessary. In fact, the key "dials" are already effectively indexed to premium growth at both the company and industry level, and the federal share will continue to decrease in future years even if Congress makes no changes to the program beyond a simple change of the expiration date.

Making changes to the TRIA mechanism to increase insurer retentions could affect the ability of many insurers, particularly smaller and mid-sized companies, to write risks or markets altogether, which ultimately impacts the ability of policyholders to secure adequate coverage. Maintaining a workable federal terrorism insurance mechanism is vital for our nation's economic security, and without adequate coverage, our ability to mitigate further economic fallout in the event of an attack would be greatly impaired. There is no homeland security without economic security.

The American business community remembers all too well the twelve-day lapse in the program in early 2015 and the disruption that lapse played in a variety of markets. We urge Congress to help provide much needed certainty by passing a long-term reauthorization of this important program without delay.

Sincerely,

A.I.M. Mutual Insurance Companies, ACIG Insurance Company, Alliance Security, Allianz Global Corporate & Specialty, American Association of Port Authorities, American Bankers Association, American Council on Engineering Companies, American Council on Education, American Family Insurance, American Gaming Association, American Property Casualty Insurance Association,

American Public Power Association, American Resort Development Association, American Short Line and Regional Railroad Association, Anderson Area Chamber of Commerce, Aon, Apache Junction Chamber of Commerce and Visitor Center, ARCTRUST.

Argo Group, Arrow Mutual Liability Insurance Company, Associated General Contractors of America, Associated Wire Rope Fabricators, Association of American Railroads, Atlantic Charter Insurance Company, AvalonBay Communities Inc., AXA XL, Ballard Spahr LLP, Barron Mutual Insurance Company, Barton Mutual Insurance Company, Beacon Capital Partners, LLC, Beaver Creek Mutual Insurance Company, Benton Mutual Insurance Association, Black Hawk Mutual Insurance Company, Bloomfield Mutual Insurance Company, Boise Metro Chamber, Bolingbrook Area Chamber of Commerce, Boston Properties.

Bradford Victor-Adams Mutual Insurance Company, Bremer Mutual Insurance Association, Broad Reach Retail Partners, LLC, Brookfield Properties, Broome Co-operative Insurance Company, Brotherhood Mutual Insurance Company, Buckeye Valley Chamber of Commerce, Bucksbaum Properties, Builders Mutual Insurance Company, California Association of Boutique & Breakfast Inns, California Hotel & Lodging Association, Camarillo Chamber of Commerce, CapSpecialty, CCIM Institute, Celina Mutual Insurance Company, Central Illinois Mutual Insurance Company, Century Mutual Insurance Association, Chautauqua Patrons Insurance Company.

Chester County Chamber, Chubb, CM Group, CNA Financial, Coalition to Insure Against Terrorism (CIAT), Columbia Insurance Group, Community Associations Institute, Community Insurance Company, Co-operative Insurance Companies, Corporate Office Properties Trust, Cousins Properties, Decatur Chamber of Commerce, CRE Finance Council, CSX, Cumberland Mutual Fire Insurance Company, CUNA Mutual Group, Cushman & Wakefield Inc., Davis Chamber of Commerce.

Donahue Schriber Realty Group, Draper Area Chamber of Commerce, Dundee Mutual Insurance Company, Dunham & Chemung Mutual Insurance Company, East Tennessee Mutual Insurance Company, Eastern Iowa Mutual Insurance Association, EastGroup Properties, Edison Electric Institute, Edwardsville/Glen Carbon Chamber of Commerce, El Centro Chamber of Commerce, El Dorado County Chamber of Commerce, Electric Insurance Company, Erie Insurance, Essex Property Trust, Inc., Extra Space Storage, Falls City Mutual Insurance Company Inc. Farmers Home Fire Insurance Company of West Virginia, Inc., Farmers Home Insurance Company, Farmers Insurance Company of Flemington, Farmers Mutual Fire Insurance Company of Marble.

Farmers Mutual Insurance Company, Farmers Mutual Insurance Company Manchester, Farmers Pioneer Mutual Insurance Company, Farmers Protective Mutual Insurance Company, Farmers Union Mutual Insurance Company (AR), Farmers Union Mutual Insurance Company (ND), Farmers' and Mechanics' Mutual Insurance Company, Farmland Partners Inc., First Maxfield Mutual Insurance Association, Food Marketing Institute, Foodservice Equipment Distributors Association (FEDA), Forrester Mutual Insurance Company, Forward Mutual Insurance Company, Frankenmuth Mutual Insurance Company, Gallagher Real Estate & Hospitality Services, General Reinsurance Corporation, German-American Farm Mutual Insurance Company, Gilroy Chamber of Commerce, Governmental Interinsurance Exchange.

Grange Insurance, Great American Insurance Group, Greater Boca Raton Chamber of Commerce, Greater Coachella Valley Chamber of Commerce, Greater Conejo Valley Chamber of Commerce, Greater Flagstaff Chamber of Commerce, Greater New York Mutual Insurance Company, Greater Phoenix Chamber of Commerce, Greater Springfield Chamber of Commerce, Greater Yakima Chamber of Commerce, Grinnell Mutual Reinsurance Company, Hamel Mutual Insurance Company, Hamlet Mutual Insurance Company, Hanover Area Chamber of Commerce, Harding & Perkins Farm Mutual Insurance Company, Harford Mutual Insurance Company, Hawaii Employers Mutual Insurance Company, Heritage Mutual Insurance Association, Hilton, Hochheim Prairie Farm Mutual Insurance Association, Horse Prairie Mutual Insurance Company, Host Hotels & Resorts.

Hotel Association of Los Angeles, Household & Commercial Products Association, Hueneme Chamber of Commerce, Humboldt Mutual Insurance Association, Hutensky Capital Partners, International Council of Shopping Centers (ICSC), IFG Companies, Illinois Association of Mutual Insurance Companies, Illinois Chamber of Commerce, IMT Insurance Company, Independence Realty Trust, Independent Insurance Agents & Brokers of America, Indiana Chamber of Commerce, Innovative Signal Analysis, International Franchise Association, International Speedway Corporation, International Safety Equipment Association, Island Insurance Companies, Jo Daviess Mutual Insurance Company, Kane County Mutual Insurance Company.

Kilroy Realty Corporation, Kite Realty, Lake Havasu Area Chamber of Commerce, Lamar Advertising Company, Lansing Regional Chamber of Commerce, LaPrairie Mutual Insurance Company, Laredo Chamber of Commerce, Las Vegas Metro Chamber of Commerce, Lexington Chamber of Commerce, Liberty Mutual Insurance, Liberty Property Trust, Lincoln City Chamber of Commerce, Lititz Mutual Insurance Company, Livingston Mutual Insurance Company, Lloyd's of London, Lodi Chamber of Commerce, Loews Hotels & Co, Long Beach Area Chamber of Commerce, Long Beach Hospitality Alliance, Los Angeles Area Chamber of Commerce.

Lubbock Chamber of Commerce, LWD Inc., Major League Baseball (MLB), Marana Chamber of Commerce, Marriott International, Marshalltown Area Chamber of Commerce, Medical Properties Trust, Inc., Mendota Mutual Insurance Company, Menonite Mutual Insurance Company, Merchants Mutual Insurance Company, Mesa Chamber of Commerce, MetLife, MFS Mutual Insurance Company, MGM Resorts International, Mid-State Farmers Mutual Insurance Company, Millers Mutual Group, Monmouth Real Estate Investment Corporation, Mortgage Bankers Association, Mound Prairie Mutual Insurance Company, Mower County Farmers Mutual Insurance Company.

MS & AD Insurance Group, Munich Reinsurance America, Inc., Muscatine Mutual Insurance Association, Mutual of Indiana Insurance Company, Mutual of Wausau Group, NAMA—The National Automatic Merchandising Association, National Association of Real Estate Investment Trusts (Nareit), National Apartment Association, National Association for Stock Car Auto Racing (NASCAR), National Association of College and University Business Officers (NACUBO), National Association of Home Builders, National Association of Mutual Insurance Companies (NAMIC), National Association of Professional Employer Organizations, National Association of REALTORS®, National Association of Surety Bond Producers, Na-

tional Association of Wholesaler-Distributors, National Black Chamber of Commerce, National Electrical Contractors Association, National Fire & Casualty Company, National Fire & Indemnity Exchange.

National Hockey League, National Investor Relations Institute, National Multifamily Housing Council, National Restaurant Association, National Retail Federation, National Rural Electric Cooperative Association, National Waste & Recycling Association, Nationwide Mutual Fire Insurance Company, New Prague-Ceska-Louisville Mutual Insurance Company, New Vienna Mutual Insurance Association, Nonprofits Insurance Alliance, Norfolk & Dedham Mutual Fire Insurance Company, North Country Chamber of Commerce, North Orange County Chamber, North Star Mutual Insurance Company, Northern Finnish Mutual Insurance Company, Norwegian Mutual Insurance Association, Nuclear Energy Institute (NEI), Oakwood Mutual Insurance Company, Ohio Mutual Insurance Group.

OneBeacon Insurance Group, LLC, Orthopaedic Research Society, Oxnard Chamber of Commerce, Palm Desert Area Chamber of Commerce, Park Hotels & Resorts, Partnership for New York City, Pasadena Chamber of Commerce, Patriot Insurance Company, Pella Mutual Insurance Company, Penn Charter Mutual Insurance Company, Penn National Insurance, Pennsylvania Chamber of Business and Industry, Pennsylvania Lumbermens Mutual Insurance Company, Peoples Mutual Insurance Association, Peru Waltham Mutual Insurance, Pharmacists Mutual Insurance Group, Pioneer State Mutual Insurance Company, PMA Companies, Poweshiek Mutual Insurance Association, Prescott Valley Chamber of Commerce.

Prophetstown Farmers Mutual Insurance Company, Rayonier, Inc., Real Estate Board of New York, Regional Chamber of Commerce—San Gabriel Valley, Reinsurance Association of America, Reno + Sparks Chamber of Commerce, Restoration Risk Retention Group, Inc., Riverton Chamber of Commerce, Rockford Mutual Insurance Company, Rolling Meadows Chamber, Rudin Management Company, Inc., Safety National Casualty Corp., Safety Specialty Insurance Company, San Gabriel Valley Economic Partnership, Schuylkill Chamber of Commerce, Seaview Investors LLC, SeaWorld Parks & Entertainment, SECURA Insurance Companies, Selma and Dallas County Chamber of Commerce and Tourism, Information Seneca, Sigel Mutual Insurance Company.

Sentry Insurance, Shelbyville Mutual Insurance Company, Shelter Insurance, Shopping Center Interests, LLC, Sierra Vista Area Chamber of Commerce, Securities Industry and Financial Markets Association (SIFMA), Society Insurance, A Mutual Company, South Jordan Chamber of Commerce, Southeast Mutual Insurance Company, Southern Company, Southwest California Legislative Council, Southwest Iowa Mutual Insurance Association, Spirit Realty Capital, Spring Vale Mutual Insurance Company, Starr Companies, Steele Traill County Mutual Insurance Company, Stephenson County Mutual Insurance Company, Sterling Insurance Company, Stirling Properties, LLC, STORE Capital.

Surprise Regional Chamber of Commerce, Svea Mutual Insurance Company, Sverdrup Mutual Insurance Company, Swiss Re Americas, Tama County Mutual Insurance Association, Taubman Centers, Tenaska, Texas Hospital Insurance Exchange, The Building Owners and Managers Association (BOMA) International, The Chamber of Medford/Jackson County, The Council of Insurance Agents and Brokers, The Durst Organization, The Gray Insurance Company, The Hanover

Insurance Company, The Hartford, The Macerich Company, The MEMIC Group, The Philadelphia Contributionship, The Port Authority of New York, New Jersey, The Real Estate Roundtable.

The Taubman Company, The Travelers Companies, Inc., The Victor Chamber of Commerce, The Walt Disney Company, Torrance Area Chamber of Commerce, Tucson Metro Chamber, Tulsa Regional Chamber, U.S. Chamber of Commerce, U.S. Travel Association, UDR, Inc., UJA-Federation of New York, United Mutual Insurance Company, University Risk Management and Insurance Association, Inc. (URMIA), Upland Mutual Insurance, Inc. Utica First Insurance Company.

Utica National Insurance Group, Valley Mutual Insurance Association, W.R. Berkley Corporation, Watseka Mutual Insurance Company, Wayne Mutual Insurance Company, Weingarten Realty Investor, Welltower, Inc., Western Iowa Mutual Insurance Association, Western National Mutual Insurance Company, Westfield, Westfield Insurance Company, Westminster American Insurance Company, Wholesale & Specialty Insurance Association, Wisconsin Association of Mutual Insurance Companies, Zurich North America.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, again, I thank Chairwoman WATERS for her leadership and Ranking Member MCHENRY for working with us in good faith to come up with a bipartisan compromise.

This bill is incredibly important to our economy. I support it completely.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this bill.

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

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. MEEKS), the chair of our Consumer Protection and Financial Institutions Subcommittee.

Mr. MEEKS. Mr. Speaker, I rise in strong support of H.R. 4634, the Terrorism Risk Insurance Program Reauthorization Act of 2019.

Mr. Speaker, let me take my hat off to Chairwoman WATERS and Ranking Member MCHENRY for working closely together to make sure that this is a bipartisan bill, bringing us all together in that regard, as well as the other chairs of the subcommittees that worked very hard on this bill.

Terrorism risk remains real and present. It is a present risk.

This is especially true for my beloved city of New York, which terrorists seek to target not only for its large population and notable landmarks but also because they seek to disrupt the New York capital markets, which are the financial nervous system of America and the world.

In October, I had the privilege to participate in a New York Police Department counterterrorism unit briefing on the continuing terrorism threats to New York City. There have been dozens of foiled plots and a handful of realized attacks. We cannot let our guard down.

TRIA deserves, and in the House has won, broad bipartisan support.

Companies and residents of cities and States that are at risk of terrorism urgently need Congress to finalize passage of a clean, long-term reauthorization of TRIA to provide the certainty that they need for long-term planning. That is exactly what the chair and ranking member have worked so hard to accomplish.

As we consider this legislation, it is critical to keep in mind that terrorism insurance is a covenant in many business and real estate loans and contracts. As such, as we saw after the 9/11 attacks on New York, any lapse risks triggering defaults or freezing commerce and housing markets.

Capital markets and insurance policies are typically written on long-term contracts, so new insurance policies are already being written today that extend beyond the potential expiration date of the current TRIA authorization.

As we look at the U.S. economy, we must make sure to not allow any lapse in TRIA, which could exacerbate a slowdown by freezing funding in the real estate market and funding to business and markets considered most at risk, such as in New York.

Mr. Speaker, I close by simply saying, as I started, to the chairwoman, who relentlessly worked together with Mr. MCHENRY to make sure that this is a bill that we could work closely together on, because this is a bill that benefits all of us in the United States of America, that that job is a job well done, and I thank the chair and ranking member very much for pulling us together and getting this bill across the finish line.

Mr. MCHENRY. Mr. Speaker, I yield as much time as he may consume to the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. Mr. Speaker, I thank the ranking member and my colleagues on both sides of the aisle for their passionate advocacy on behalf of this important issue.

Listening to my colleague, GREGORY MEEKS, I will remind everyone, as he heads toward the back of the Chamber, I represent the greatest congressional district in New York, the First Congressional District of New York.

We as New Yorkers, but really all of us in this Chamber as Americans, Republicans and Democrats, have worked together and need to continue to work together.

Ranking Member MCHENRY has had a great open door for Republicans, to hear our feedback and concerns on this important issue, to make sure there is not a lapse.

Mr. Speaker, I am rising in support of H.R. 4634, the Terrorism Risk Insurance Program Reauthorization Act of 2019, which builds on our continued efforts to keep our promise to the victims of terrorism through the Never Forget the Heroes Act, which was signed into law earlier this year.

The U.S. continues to face one of the most challenging threat environments,

and terrorists will try to find any way to instill fear and destroy the American values and way of life that we hold dear, love, and cherish.

For the terrorists, their efforts include destabilizing our financial markets and economy.

We must combat terrorism through every means possible. The Terrorism Risk Insurance Act is a critical insurance backstop that provides important protections for construction jobs, venues, and regional economies across America in the event of a catastrophic terrorist attack.

Failure to reauthorize this program could cause major market disruption, which is why I am proud to cosponsor this important legislation.

Mr. Speaker, I urge all of my colleagues to support this bill to bolster both our national and economic security. I rise not just as a New Yorker but with my colleagues together as Americans.

Mr. Speaker, I thank the chair and the ranking member for bringing this bill to the floor.

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

Mr. Speaker, and to the Members, we heard Mr. MEEKS a moment ago, and we heard from Mrs. MALONEY. I can't tell everyone how much time and effort they have put into making sure that we get TRIA reauthorized.

What is interesting about what happened in our committee, aside from the fact that Mr. MCHENRY and I worked well together, we had the East and the Midwest working very well together. We had roundtables by Mr. MEEKS and Mrs. MALONEY in New York, and then in Missouri, we had Mr. CLEAVER and Mr. CLAY working together.

This has been a wonderful opportunity for all of us to work together to see to it that we do the right thing as it relates to responding to the possibility of terrorism and how we handle that.

Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. CLAY), the chair of the Subcommittee on Housing, Community Development and Insurance.

Mr. CLAY. Mr. Speaker, I thank Chairwoman WATERS and Ranking Member MCHENRY for getting us to this day.

The Terrorism Risk Insurance Program before us this afternoon is one of the most important bills in the ongoing fight against terror.

TRIA helps to support the private market in providing coverage for terrorism risks by providing Federal reinsurance in the event of catastrophic losses from terrorism. The lack of public data on the scope and nature of terrorism risk makes it very difficult for private companies to model these risks, and as a result, a Federal backstop is important and necessary.

When businesses in my State of Missouri can purchase terrorism risk insurance, it provides confidence, promotes public safety, and undergirds the

overall economy. TRIA also protects key healthcare and research facilities in St. Louis that not only work on life-saving cures but also employ thousands of our constituents.

Overall, the TRIA program has been extremely successful in ensuring economic stability in the post-9/11 environment and has done so at virtually no cost to the taxpayer due to its cost-sharing structure.

In 2019, the threat of terrorism has not abated, and insurers still face challenges in underwriting risk with such a high potential loss. Without TRIA, many policyholders in Missouri and elsewhere would lose terrorism coverage; commercial lending would be significantly diminished; and the Federal Government would likely be called upon to provide assistance at great cost to taxpayers in the event of an attack.

Mr. Speaker, I urge my colleagues to vote for this critical piece of legislation.

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

Mr. Speaker, this is a very good bill. This is a constructive conversation we have had from the Republicans on the Financial Services Committee and the Democrats on the Financial Services Committee.

This is a priority that Chairwoman WATERS set out in our first conversation about her agenda for the committee this Congress and an area where I offered to be supportive. So I am grateful that we are, in this policy set, a year ahead of time. It is a rare circumstance where Congress has acted so early on a key reauthorization. It is a rare thing, especially given the import of this Terrorism Risk Insurance Act.

We are 1 year ahead of schedule in reporting this bill off the House floor, and I expect a wide bipartisan vote, thankfully. I am grateful that in the committee markup process, we had great bipartisan support.

The New York delegation, having experienced 9/11, with four key policymakers from the city and the New York metro area, was very active in the original construct of this bill.

□ 1815

Mr. MEEKS, Mrs. MALONEY, and Ms. VELÁZQUEZ on the Democrat side, and Mr. KING on the Republican side, the combination of their expertise and also their legislative history, that they were here and helped construct the original act that we are reauthorizing now, today, is quite helpful. And their experience in the immediate reaction of the 9/11 terrorist attacks on New York City as well as the Pentagon across the street from us, or across the river from us, here, today, and the loss in Shanksville, Pennsylvania, that immediate reaction was swift by Congress and bipartisan.

Today, we are carrying on that legacy, and I am grateful for it. I think the American people are grateful when we are able to act in that accord. This

is a very good day of bipartisanship that has taken months to bring us to this type of conclusion.

I thank Chairwoman WATERS for her willingness. When you are in the majority, you have got more votes than the minority. That is obvious with being in the majority. It is not all the time that you reach across the aisle when you are in the majority; I understand that. But in this act, Chairwoman WATERS said it is imperative that we work together, and we have.

We have got a good result here today. I think it shows the Financial Services Committee, when brought together, can do big and important things. This is certainly a big and important thing that will have a lasting impact on the American economy.

We are hopeful that we will never have to use this piece of law in response to a terrorist attack; but, if we are, the work that we have done on the Financial Services Committee, the expertise that we have had on the committee, we believe, means that this act will work in response to some cataclysmic event.

We are hopeful, and we plan to ensure that no further terrorist attacks happen or befall our country and our people like happened on 9/11. However, we are also in the disaster planning business, as well, and it is important and imperative that Members of Congress are engaged in that.

So the Financial Services Committee in this House has come to a good conclusion on a good piece of law, and we have a very good reauthorization. Mr. Speaker, I encourage a "yes" vote by all Members, and I yield back the balance of my time.

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

Mr. Speaker, I am so pleased and so proud that we are on the floor today on a bipartisan bill, and I certainly expect the support from both sides of the aisle.

America stands united against terrorism and the hatred and violence that it represents, and we are stronger as a country when we take steps to ensure that our country can quickly respond to terrorism. By reauthorizing TRIA, we are helping to do just that.

Again, I thank Ranking Member MCHENRY for working with me on this important bill, as well as all of the members on the committee who have shown real leadership on this issue. We heard from some of them today, particularly Representative MALONEY, who has worked for a long time on this legislation. This was so important to her.

Mr. CLEAVER, Mr. CLAY, and Mr. MEEKS have contributed mightily to the organizing of this bill, to work on any difficulties that we may have had, and I am very pleased about that.

Once again, I must say to Mr. MCHENRY, we have shown that it is possible. Despite the fact that we may not agree on a lot of other things, we came together on this legislation. We

agreed, we worked together, and we provided leadership and inspiration to others, understanding that this was possible.

Mr. Speaker, I urge my colleagues to join me in supporting this important piece of legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATERS) that the House suspend the rules and pass the bill, H.R. 4634, 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.

Ms. WATERS. 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.

### FOSTERING STABLE HOUSING OPPORTUNITIES ACT OF 2019

Mr. GREEN of Texas. Mr. Speaker, I move to suspend the rules and pass bill (H.R. 4300) to provide Federal housing assistance on behalf of youths who are aging out of foster care, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4300

*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 "Fostering Stable Housing Opportunities Act of 2019".

#### SEC. 2. DEFINITION OF FAMILY.

Subparagraph (A) of section 3(b)(3) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(A)) is amended—

(1) in the first sentence—

(A) by striking "(v)" and inserting "(vi)"; and

(B) by inserting after "tenant family," the following: "(v) a youth described in section 8(x)(2)(B)."; and

(2) in the second sentence, by inserting "or (vi)" after "clause (v)".

#### SEC. 3. HOUSING CHOICE VOUCHERS FOR FOSTERING STABLE HOUSING OPPORTUNITIES.

(a) ASSISTANCE FOR YOUTH AGING OUT OF FOSTER CARE.—Section 8(x) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)) is amended—

(1) in paragraph (2), by inserting "subject to paragraph (5)," after "(B)";

(2) in paragraph (3)—

(A) by striking "(3) ALLOCATION.—The" and inserting the following:

"(3) ALLOCATION.—

"(A) IN GENERAL.—The"; and

(B) by adding at the end the following new subparagraph:

"(B) ASSISTANCE FOR YOUTH AGING OUT OF FOSTER CARE.—Notwithstanding any other provision of law, the Secretary shall, subject only to the availability of funds, allocate such assistance to any public housing agencies that (i) administer assistance pursuant to paragraph (2)(B), or seek to administer such assistance, consistent with procedures established by the Secretary, (ii) have requested such assistance so that they may

provide timely assistance to eligible youth, and (iii) have submitted to the Secretary a statement describing how the agency will connect assisted youths with local community resources and self-sufficiency services, to the extent they are available, and obtain referrals from public child welfare agencies regarding youths in foster care who become eligible for such assistance.";

(3) by redesignating paragraph (5) as paragraph (6); and

(4) by inserting after paragraph (4) the following new paragraph:

"(5) REQUIREMENTS FOR ASSISTANCE FOR YOUTH AGING OUT OF FOSTER CARE.—Assistance provided under this subsection for an eligible youth pursuant to paragraph (2)(B) shall be subject to the following requirements:

"(A) REQUIREMENTS TO EXTEND ASSISTANCE.—

"(i) PARTICIPATION IN FAMILY SELF-SUFFICIENCY.—In the case of a public housing agency that is providing such assistance under this subsection on behalf of an eligible youth and that is carrying out a family self-sufficiency program under section 23, the agency shall, subject only to the availability of such assistance, extend the provision of such assistance for up to 24 months beyond the period referred to in paragraph (2)(B), but only during such period that the youth is in compliance with the terms and conditions applicable under section 23 and the regulations implementing such section to a person participating in a family self-sufficiency program.

"(ii) EDUCATION, WORKFORCE DEVELOPMENT, OR EMPLOYMENT.—In the case of a public housing agency that is providing such assistance under this subsection on behalf of an eligible youth and that is not carrying out a family self-sufficiency program under section 23, or is carrying out such a program in which the youth has been unable to enroll, the agency shall, subject only to the availability of such assistance, extend the provision of such assistance for two successive 12-month periods, after the period referred to in paragraph (2)(B), but only if for not less than 9 months of the 12-month period preceding each such extension the youth was—

"(I) engaged in obtaining a recognized postsecondary credential or a secondary school diploma or its recognized equivalent;

"(II) enrolled in an institution of higher education, as such term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) and including the institutions described in subparagraphs (A) and (B) of section 102(a)(1) of such Act (20 U.S.C. 1002(a)(1)); or

"(III) participating in a career pathway, as such term is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

Notwithstanding any other provision of this clause, a public housing agency shall consider employment as satisfying the requirements under this subparagraph.

"(iii) EXCEPTIONS.—Notwithstanding clauses (i) and (ii), a public housing agency that is providing such assistance under this subsection on behalf of an eligible youth shall extend the provision of such assistance for up to 24 months beyond the period referred to in paragraph (2)(B), and clauses (i) and (ii) of this subparagraph shall not apply, if the eligible youth certifies that he or she is—

"(I) a parent or other household member responsible for the care of a dependent child under the age of 6 or for the care of an incapacitated person;

"(II) a person who is regularly and actively participating in a drug addiction or alcohol treatment and rehabilitation program; or