

[Roll No. 821]

YEAS—241

Adams	Gowdy	Olson
Aderholt	Granger	Palazzo
Akin	Graves (GA)	Paul
Alexander	Graves (MO)	Paulsen
Amash	Griffin (AR)	Pearce
Amodei	Griffith (VA)	Pence
Bachus	Grimm	Petri
Barletta	Guinta	Pitts
Bartlett	Guthrie	Platts
Barton (TX)	Hall	Poe (TX)
Bass (NH)	Hanna	Pompeo
Benishkek	Harper	Posey
Berg	Harris	Price (GA)
Biggert	Hartzler	Quayle
Bilbray	Hastings (WA)	Reed
Bishop (UT)	Hayworth	Rehberg
Black	Heck	Reichert
Blackburn	Hensarling	Renacci
Bonner	Herger	Ribble
Bono Mack	Herrera Beutler	Richardson
Boustany	Huelskamp	Rigell
Brady (TX)	Huizenga (MI)	Rivera
Brooks	Hultgren	Roby
Broun (GA)	Hunter	Roe (TN)
Buchanan	Hurt	Rogers (AL)
Bucshon	Issa	Rogers (KY)
Buerkle	Jenkins	Rogers (MI)
Burgess	Johnson (IL)	Rohrabacher
Burton (IN)	Johnson (OH)	Rokita
Calvert	Johnson, Sam	Rooney
Camp	Jones	Ros-Lehtinen
Campbell	Jordan	Roskam
Canseco	Kelly	Ross (FL)
Cantor	King (IA)	Royce
Capito	King (NY)	Runyan
Carter	Kingston	Ryan (WI)
Cassidy	Kinzinger (IL)	Scalise
Chabot	Kline	Schilling
Chaffetz	Labrador	Schmidt
Coble	Lamborn	Schock
Coffman (CO)	Lance	Schweikert
Cole	Landry	Scott (SC)
Conaway	Lankford	Scott, Austin
Cravaack	Latham	Sensenbrenner
Crawford	LaTourette	Sessions
Crenshaw	Latta	Shimkus
Culberson	Lewis (CA)	Shuler
Davis (KY)	LoBiondo	Shuster
Denham	Long	Simpson
Dent	Lucas	Smith (NE)
DesJarlais	Luetkemeyer	Smith (NJ)
Diaz-Balart	Lummis	Smith (TX)
Dold	Lungren, Daniel	Southerland
Dreier	E.	Stearns
Duffy	Mack	Stivers
Duncan (SC)	Manzullo	Stutzman
Duncan (TN)	Marchant	Sullivan
Ellmers	Marino	Terry
Emerson	Matheson	Thompson (PA)
Farenthold	McCarthy (CA)	Thornberry
Fincher	McCaul	Tiberi
Fitzpatrick	McClintock	Tipton
Flake	McCotter	Turner (NY)
Fleischmann	McHenry	Turner (OH)
Fleming	McKeon	Upton
Flores	McKinley	Walberg
Forbes	McMorris	Walden
Fortenberry	Rodgers	Walsh (IL)
Fox	Meehan	Webster
Franks (AZ)	Mica	West
Frelinghuysen	Miller (FL)	Westmoreland
Gallely	Miller (MI)	Whitfield
Gardner	Miller, Gary	Wilson (SC)
Garrett	Mulvaney	Wittman
Gerlach	Murphy (PA)	Wolf
Gibbs	Myrick	Womack
Gibson	Neugebauer	Woodall
Gingrey (GA)	Noem	Yoder
Gohmert	Nugent	Young (AK)
Goodlatte	Nunes	Young (FL)
Gosar	Nunnelee	Young (IN)

NAYS—184

Ackerman	Boren	Chandler
Altmire	Boswell	Chu
Andrews	Brady (PA)	Cicilline
Baca	Braley (IA)	Clarke (MI)
Baldwin	Brown (FL)	Clarke (NY)
Barrow	Butterfield	Clay
Bass (CA)	Capps	Cleaver
Becerra	Capuano	Clyburn
Berkley	Cardoza	Cohen
Berman	Carnahan	Connolly (VA)
Bishop (GA)	Carney	Conyers
Bishop (NY)	Carson (IN)	Cooper
Blumenauer	Castor (FL)	Costa

Costello	Johnson (GA)	Quigley
Courtney	Johnson, E. B.	Rahall
Critz	Kaptur	Rangel
Crowley	Keating	Reyes
Cuellar	Kildee	Richmond
Cummings	Kind	Ross (AR)
Davis (CA)	Kissell	Rothman (NJ)
Davis (IL)	Kucinich	Roybal-Allard
DeFazio	Langevin	Rush
DeGette	Larsen (WA)	Ryan (OH)
DeLauro	Lee (CA)	Sánchez, Linda
Deutch	Levin	T.
Dicks	Lewis (GA)	Sanchez, Loretta
Dingell	Lipinski	Sarbanes
Doggett	Loebback	Schakowsky
Donnelly (IN)	Lofgren, Zoe	Schiff
Doyle	Lowey	Schrader
Edwards	Lujan	Schwartz
Ellison	Lynch	Scott (VA)
Engel	Maloney	Scott, David
Eshoo	Markey	Serrano
Farr	Matsui	Sewell
Fattah	McCarthy (NY)	Sherman
Filner	McCollum	Sires
Frank (MA)	McDermott	Slaughter
Fudge	McGovern	Smith (WA)
Garamendi	McIntyre	Speier
Gonzalez	McNerney	Stark
Green, Al	Meeks	Sutton
Green, Gene	Michaud	Thompson (CA)
Grijalva	Miller (NC)	Thompson (MS)
Gutierrez	Miller, George	Tierney
Hahn	Moore	Tonko
Hanabusa	Moran	Towns
Hastings (FL)	Nadler	Tsongas
Heinrich	Napolitano	Van Hollen
Higgins	Neal	Velázquez
Himes	Oliver	Wasserman
Hinchee	Owens	Schultz
Hinojosa	Pallone	Waters
Hochul	Pascrell	Watt
Holden	Pastor (AZ)	Waxman
Holt	Payne	Welch
Honda	Pelosi	Wilson (FL)
Hoyer	Perlmutter	Woolsey
Inslee	Peters	Yarmuth
Israel	Peterson	
Jackson (IL)	Pingree (ME)	
Jackson Lee	Polis	
(TX)	Price (NC)	

NOT VOTING—8

Austria	Giffords	Murphy (CT)
Bachmann	Hirono	Ruppersberger
Bilirakis	Larson (CT)	

□ 1444

Ms. MCCOLLUM, Mr. HOYER, and Ms. PINGREE of Maine changed their vote from “yea” to “nay.”

Ms. RICHARDSON, Mr. GINGREY of Georgia, and Mrs. McMORRIS RODGERS changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to. A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 2112, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 2112 offered by the gentleman from Washington (Mr. DICKS) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion. The SPEAKER pro tempore. The question is on the motion to instruct.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 265, nays 160, not voting 8, as follows:

[Roll No. 822]

YEAS—265

Ackerman	Garamendi	Napolitano
Aderholt	Gerlach	Neal
Alexander	Gibson	Noem
Altmire	Gingrey (GA)	Olver
Andrews	Gonzalez	Owens
Baca	Gosar	Pallone
Baldwin	Green, Al	Pascrell
Barletta	Green, Gene	Pastor (AZ)
Barrow	Griffin (AR)	Paulsen
Bass (CA)	Grijalva	Payne
Bass (NH)	Grimm	Pelosi
Becerra	Guinta	Perlmutter
Benishkek	Gutierrez	Peters
Berg	Hahn	Peterson
Berkley	Hanabusa	Pingree (ME)
Berman	Hastings (FL)	Platts
Biggert	Hayworth	Polis
Bilbray	Heck	Price (NC)
Bishop (GA)	Heinrich	Quigley
Bishop (NY)	Higgins	Rahall
Blumenauer	Himes	Rangel
Bonner	Hinchee	Rehberg
Boren	Hinojosa	Reichert
Boswell	Hochul	Reyes
Brady (PA)	Holden	Richardson
Braley (IA)	Holt	Richmond
Brown (FL)	Honda	Rivera
Buchanan	Hoyer	Rogers (AL)
Bucshon	Inslee	Rogers (KY)
Burgess	Israel	Rogers (MI)
Burton (IN)	Jackson (IL)	Ros-Lehtinen
Calvert	Jackson Lee	Ross (AR)
Capito	(TX)	Rothman (NJ)
Capps	Johnson (GA)	Roybal-Allard
Capuano	Johnson (OH)	Runyan
Cardoza	Johnson, E. B.	Rush
Carnahan	Jones	Ryan (OH)
Carney	Kaptur	Sánchez, Linda
Carson (IN)	Keating	T.
Castor (FL)	Kelly	Sanchez, Loretta
Chandler	Kildee	Sarbanes
Chu	Kind	Scalise
Cicilline	King (NY)	Schakowsky
Clarke (MI)	Kinzinger (IL)	Schiff
Clarke (NY)	Kissell	Schilling
Clay	Kucinich	Schrader
Cleaver	Lance	Schwartz
Clyburn	Langevin	Schwartz (VA)
Coffman (CO)	Lankford	Scott, David
Cohen	Larsen (WA)	Serrano
Cole	Larson (CT)	Sewell
Connolly (VA)	Latham	Sherman
Conyers	LaTourette	Shuler
Cooper	Lee (CA)	Shuster
Costa	Levin	Simpson
Costello	Lewis (GA)	Sires
Courtney	Lipinski	Slaughter
Cravaack	LoBiondo	Smith (NE)
Crawford	Loebback	Smith (WA)
Critz	Lofgren, Zoe	Speier
Crowley	Lowey	Stark
Cuellar	Lucas	Stivers
Cummings	Lujan	Sutton
Davis (CA)	Lungren, Daniel	Terry
Davis (IL)	E.	Thompson (CA)
DeFazio	Lynch	Thompson (MS)
DeGette	Maloney	Thompson (PA)
DeLauro	Manzullo	Tiberi
Denham	Marino	Tierney
Dent	Markey	Thomson
Deutch	Matheson	Tonko
Diaz-Balart	Matsui	Towns
Dicks	McCarthy (NY)	Tsongas
Dingell	McCaul	Turner (NY)
Dold	McColum	Turner (OH)
Donnelly (IN)	McCotter	Van Hollen
Doyle	McDermott	Velázquez
Edwards	McGovern	Visclosky
Ellison	McIntyre	Walz (MN)
Engel	McNerney	Wasserman
Eshoo	Meehan	Schultz
Farr	Meeks	Waters
Fattah	Michaud	Watt
Filner	Miller (MI)	Waxman
Fitzpatrick	Miller (NC)	Welch
Forbes	Miller, George	Wilson (FL)
Fortenberry	Moore	Wittman
Frank (MA)	Moran	Womack
Frelinghuysen	Murphy (PA)	Woolsey
Fudge	Nadler	Yarmuth

NAYS—160

Adams	Graves (MO)	Pearce
Akin	Griffith (VA)	Pence
Amash	Guthrie	Petri
Amodei	Hall	Pitts
Bachus	Hanna	Poe (TX)
Bartlett	Harper	Pompeo
Barton (TX)	Harris	Posey
Bishop (UT)	Hartzler	Price (GA)
Black	Hastings (WA)	Quayle
Blackburn	Hensarling	Reed
Bono Mack	Herger	Renacci
Boustany	Herrera Beutler	Ribble
Brady (TX)	Huelskamp	Rigell
Brooks	Huizenga (MI)	Roby
Broun (GA)	Hultgren	Roe (TN)
Buerkle	Hunter	Rohrabacher
Camp	Hurt	Rokita
Campbell	Issa	Rooney
Canseco	Jenkins	Roskam
Cantor	Johnson (IL)	Ross (FL)
Carter	Johnson, Sam	Royce
Cassidy	Jordan	Ryan (WI)
Chabot	King (IA)	Schmidt
Chaffetz	Kingston	Schock
Coble	Kline	Schweikert
Conaway	Labrador	Scott (SC)
Crenshaw	Lamborn	Scott, Austin
Culberson	Landry	Sensenbrenner
Davis (KY)	Latta	Sessions
DesJarlais	Lewis (CA)	Shimkus
Doggett	Long	Smith (NJ)
Dreier	Luetkemeyer	Smith (TX)
Duffy	Lummis	Southerland
Duncan (SC)	Mack	Stearns
Duncan (TN)	Marchant	Stutzman
Ellmers	McCarthy (CA)	Sullivan
Emerson	McClintock	Thornberry
Farenthold	McHenry	Tipton
Fincher	McKeon	Upton
Flake	McKinley	Walberg
Fleischmann	McMorris	Walden
Fleming	Rodgers	Walsh (IL)
Flores	Mica	Webster
Foxx	Miller (FL)	West
Franks (AZ)	Miller, Gary	Westmoreland
Gallagher	Mulvaney	Whitfield
Gardner	Myrick	Wilson (SC)
Garrett	Neugebauer	Wolf
Gibbs	Nugent	Woodall
Gohmert	Nunes	Yoder
Goodlatte	Nunnelee	Young (AK)
Gowdy	Olson	Young (FL)
Granger	Palazzo	Young (IN)
Graves (GA)	Paul	

NOT VOTING—8

Austria	Butterfield	Murphy (CT)
Bachmann	Giffords	Ruppersberger
Bilirakis	Hirono	

□ 1452

Messrs. NUNES and FLEMING changed their vote from “yea” to “nay.”

Messrs. FRANK of Massachusetts and MCDERMOTT changed their vote from “nay” to “yea.”

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 2112:

Messrs. ROGERS of Kentucky, YOUNG of Florida, LEWIS of California, WOLF, KINGSTON, LATHAM, ADERHOLT, Mrs. EMERSON, Messrs. CULBERSON, CARTER, BONNER, LATOURETTE, DICKS, Ms. DELAURO, Messrs. OLVER, PASTOR of Arizona, PRICE of North Carolina, FARR, FATTAH, and SCHIFF.

There was no objection.

ACCESS TO CAPITAL FOR JOB CREATORS ACT

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2940 and to insert extraneous material therein.

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

There was no objection.

Mr. BACHUS. Mr. Speaker, pursuant to the rule just adopted, I call up the bill (H.R. 2940) to direct the Securities and Exchange Commission to eliminate the prohibition against general solicitation as a requirement for a certain exemption under Regulation D, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 453, the amendment in the nature of a substitute recommended by the Committee on Financial Services printed in the bill is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2940

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 “Access to Capital for Job Creators Act”.

SEC. 2. MODIFICATION OF EXEMPTION.

(a) *REMOVAL OF RESTRICTION.*—Section 4(2) of the Securities Act of 1933 (15 U.S.C. 77d(2)) is amended by adding before the period the following: “, whether or not such transactions involve general solicitation or general advertising”.

(b) *MODIFICATION OF RULES.*—Not later than 90 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise its rules issued in section 230.506 of title 17, Code of Federal Regulations, to provide that the prohibition against general solicitation or general advertising contained in section 230.502(c) of such title shall not apply to offers and sales of securities made pursuant to section 230.506, provided that all purchasers of the securities are accredited investors. Such rules shall require the issuer to take reasonable steps to verify that purchasers of the securities are accredited investors, using such methods as determined by the Commission.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in part B of House Report 112–265, if offered by the gentleman from North Carolina (Mr. MILLER) or his designee, which shall be considered read, and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

The gentleman from Alabama (Mr. BACHUS) and the gentlewoman from California (Ms. WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Alabama.

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

I rise today in strong support of H.R. 2940, the Access to Capital for Job Creators Act.

Throughout this week, the House is considering several jobs bills that are sponsored by members of the Financial Services Committee and that have recently been approved by the committee. They have been sponsored by both Republicans and Democrats. Yesterday, we passed two of those bills overwhelmingly, and today we will consider the other two.

Presently, we’re considering H.R. 2940, which was introduced by Mr. MCCARTHY, a member of the committee and of leadership. What this bill does is create jobs. It gives entrepreneurs the ability to raise capital, and that capital translates into jobs.

The President, in his State of the Union, called on the Congress to create ways, additional ways, alternative ways for entrepreneurs to raise capital. He also called on Congress to address burdensome regulations and restrictions imposed on American businesses that create American jobs, and that’s what brings us on the floor today.

I received a letter last week from EMANUEL CLEAVER, a member of our committee who voted in favor of all four of these bills in committee. And this is what he said—and this is, I think, what we’re doing today: “As we attempt to breach the divide in Congress, I want to share an insightful civility story.

“Two young boys went to a neighborhood park to have some play time before their respective mothers called them in for dinner. But upon arriving, a controversy ensued. One boy said, ‘let’s play on the seesaw.’ ‘No,’ the other replied, ‘I want to play catch.’ One boy got on the seesaw, but because no one sat on the other end, he never got off the ground. The other boy threw the ball, but no one threw it back. That sounds a lot like the two sides in Congress: Both sides have come to Congress for the same purpose but with different priorities.

“As representatives of the people of the greatest Nation on Earth, we must be willing to alter one preference in order to acquire another, often resulting in accommodation of both.” It was signed by my colleague, EMANUEL CLEAVER, a Member of Congress from Missouri.

□ 1500

That’s why we’re here today. We’re here today to set aside our differences and do what the American people have asked us to do, and that’s create jobs. I can’t think of a better way to create jobs, particularly for small and middle-sized businesses, than the legislation of the gentleman from California (Mr. MCCARTHY), and I’m happy to report that the Democratic members of Financial Services overwhelmingly agreed with us.

Yesterday the job numbers came out, and it showed that while large corporations actually lost 1,000 jobs last month, small- and medium-sized businesses created 107,000 or 108,000 jobs. They did that despite what was described as “restrictions.” The greatest restriction was the lack of capital.