

STATE OF NORTH CAROLINA, DEPARTMENT OF THE SECRETARY OF STATE,

Raleigh, NC, November 3, 2011.

Re H.R. 2930—"Entrepreneur Access to Capital Act of 2011"

Hon. MELVIN WATT,
Rayburn HOB,
Washington, DC.

DEAR REPRESENTATIVE WATT: I am writing to express my concern with H.R. 2930, the Entrepreneur Access to Capital Act, which could be voted on by the House this week. This legislation, intended to promote an internet-based fundraising technique known as "crowd-funding" as a tool for investment, will preempt state investor protection laws and weaken important investor protections.

Crowdfunding is an online money-raising strategy that began as a way for the public to donate small amounts of money, often through social networking websites, to help artists, musicians, filmmakers and other creative people finance their projects. The concept has recently been suggested as a way of assisting small businesses and start-ups looking for investment capital to get their business ventures off the ground.

Soliciting charitable donations from strangers online to advance a goal or cause is one thing. Selling shares in a business online to strangers who expect to realize a potential return on their investment is something very different.

H.R. 2930 contains a preemption provision that would prohibit my agency from requiring the filing or disclosure of information about these investment opportunities before they are offered to the public in my state. I believe enacting this preemption would be a serious mistake because, based on our previous experience, many of the crowdfunding opportunities will be targeted at Mom and Pop retail investors. The authority to require filings is critical to my office's ability to "get under the hood" of an offering to make sure that it really is what it says it is.

I appreciate efforts by Congressman Ed Perlmutter (D-CO) to work with the bill's sponsor to produce a bipartisan amendment that would alleviate the states' concern with the preemptive provisions of H.R. 2930. Unfortunately, the Perlmutter-McHenry Amendment made in order by the Rules Committee on November 2 does not achieve this goal. Indeed, by simply clarifying that states "retain jurisdiction . . . to investigate and bring enforcement actions with respect to fraud or deceit," the amendment essentially restates the preemptive provisions as they existed in the original bill.

H.R. 2930 may be well intended, but I am concerned that it could create serious enforcement challenges and potentially open the door to the possibility of significant increases in investment fraud. Small businesses are vital to job growth and to improving the economy in our state, but by displacing significant safeguards currently provided by the crucial role of state securities regulators, Congress could enact policies intended to strengthen the economy that have precisely the opposite effect.

As North Carolina's top investor protection official, I urge you not to support H.R. 2930 in its current form. I understand the North American Securities Administrators Association (NASAA), of which I am a member, is already hard at work on a state level model rule on crowdfunding that would preserve a state's ability to prevent scam artists from using crowdfunding offerings as the latest method for ripping off Main Street investors. I urge you to remove the state preemption section from the bill.

Thank you for your attention to this important matter. Please don't hesitate to con-

tact me if I may be of any assistance, or if you or your staff have questions regarding the legislation in question.

Sincerely,

ELAINE F. MARSHALL.

Mr. PERLMUTTER. Madam Chair, how much time remains?

The Acting CHAIR. The gentleman from Colorado has 2 minutes remaining. The gentleman from North Carolina has 2 minutes remaining.

Mr. MCHENRY. Will my colleague yield?

Mr. PERLMUTTER. I yield to my other friend from North Carolina.

Mr. MCHENRY. I thank my colleague Mr. PERLMUTTER for working diligently with us on this language. He raised significant concerns. The language that we have that the gentleman was integral in crafting actually is perhaps part of the reason why the President supports the legislation. And I appreciate Mr. PERLMUTTER's working diligently on this.

I want to remind my colleagues that in our legislative hearing on this bill, the Democrat witness before the committee said that crowdfunding will not work but for this exemption from individual State registration. It is a very key part of this process. When it costs \$150 to register a security in Connecticut, and all you're trying to do is raise \$150 from Connecticut, you net zero. And beyond that, asking a lawyer to file the paperwork. What we want to do is preserve that anti-fraud bit that the States do very well at, and we have done that with this language.

I thank my colleague for yielding.

Mr. PERLMUTTER. I reserve the balance of my time.

Mr. WATT. Madam Chair, I yield myself the balance of my time, although I won't take it.

I want to express my thanks also to Mr. PERLMUTTER, and to my colleague from North Carolina (Mr. MCHENRY). As I indicated, they made an effort to move this in the right direction. They, in fact, moved it. This amendment is better than the underlying bill, which totally preempted State law. So it moves in the right direction, it just does not move far enough in the right direction. Because of that—I mean, I'm not going to vote against the amendment. I'm not even going to ask for a recorded vote on the amendment itself. But it will make it necessary for me to oppose the bill itself. And I thought it was important enough for me to come down and express this because there are a significant number of people out there, including a number of State Attorneys General and/or Secretaries of State who believe this does not go far enough.

With that, I yield back the balance of my time.

Mr. PERLMUTTER. In closing, Madam Chair, I appreciate Mr. WATT's comments. They're legitimate, except that the purpose of this is to have in effect a national solicitation notification nationally to the SEC, and then the powers of the States kick in, as op-

posed to individual notification State by State. And I appreciate his concern—it's legitimate, but to make this work, you have to have a structure that allows for the national offering, notice to the States, and then the States' police powers kick in. And the SEC has its police powers as well if there is any fraud, manipulation, misrepresentation, or the like.

With that, I would urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. PERLMUTTER).

The amendment was agreed to.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. MCHENRY) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate as passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2112. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2112) "An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes," agree to a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and appoints Mr. KOHL, Mr. HARKIN, Mrs. FEINSTEIN, Mr. JOHNSON (SD), Mr. NELSON (NE), Mr. PRYOR, Mr. BROWN (OH), Mr. INOUE, Mrs. MURRAY, Ms. MIKULSKI, Mr. BLUNT, Mr. COCHRAN, Mr. MCCONNELL, Ms. COLLINS, Mr. MORAN, Mr. HOEVEN, Mrs. HUTCHISON, and Mr. SHELBY, to be the conferees on the part of the Senate.

The SPEAKER pro tempore. The Committee will resume its sitting.

ENTREPRENEUR ACCESS TO CAPITAL ACT

The Committee resumed its sitting.

AMENDMENT NO. 4 OFFERED BY MS. VELÁZQUEZ

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 234, not voting 10, as follows:

[Roll No. 823]

AYES—189

Ackerman	Gonzalez	Napolitano
Altmire	Green, Al	Neal
Andrews	Green, Gene	Olver
Baca	Griffith (VA)	Owens
Baldwin	Grijalva	Pallone
Barrow	Gutierrez	Pascrell
Bass (CA)	Hahn	Pastor (AZ)
Becerra	Hanabusa	Payne
Berkley	Hanna	Perlosi
Berman	Hastings (FL)	Perlmutter
Bishop (GA)	Heinrich	Peters
Bishop (NY)	Higgins	Peterson
Blumenauer	Himes	Pingree (ME)
Boren	Hinchee	Polis
Boswell	Hinojosa	Price (NC)
Brady (PA)	Hirono	Quigley
Brown (FL)	Hochul	Rahall
Butterfield	Holden	Rangel
Capps	Holt	Reyes
Capuano	Honda	Richardson
Cardoza	Hoyer	Richmond
Carnahan	Inslee	Ross (AR)
Carney	Israel	Rothman (NJ)
Carson (IN)	Jackson (IL)	Roybal-Allard
Castor (FL)	Jackson Lee	Rush
Chandler	(TX)	Sánchez, Linda
Chu	Johnson (GA)	T.
Cicilline	Johnson, E. B.	Sanchez, Loretta
Clarke (MI)	Jones	Sarbanes
Clarke (NY)	Kaptur	Schakowsky
Clay	Keating	Schiff
Cleaver	Kildee	Schrader
Clyburn	Kind	Schwartz
Cohen	Kissell	Scott (VA)
Connolly (VA)	Kucinich	Scott, David
Conyers	Langevin	Serrano
Cooper	Larsen (WA)	Sewell
Costa	Larson (CT)	Sherman
Costello	Lee (CA)	Shuler
Courtney	Levin	Sires
Critz	Lewis (GA)	Slaughter
Crowley	Lipinski	Smith (WA)
Cuellar	Loebsock	Speier
Cummings	Lofgren, Zoe	Stark
Davis (CA)	Lowey	Sutton
Davis (IL)	Luján	Thompson (CA)
DeFazio	Lynch	Thompson (MS)
DeGette	Maloney	Tierney
DeLauro	Markey	Tonko
Deutch	Matheson	Towns
Dicks	Matsui	Tsongas
Dingell	McCarthy (NY)	Van Hollen
Doggett	McCollum	Velázquez
Donnelly (IN)	McDermott	Visclosky
Doyle	McGovern	Walz (MN)
Edwards	McIntyre	Wasserman
Ellison	McNerney	Schultz
Engel	Meeks	Waters
Eshoo	Michaud	Watt
Farr	Miller (NC)	Waxman
Fattah	Miller, George	Welch
Frank (MA)	Moore	Wilson (FL)
Fudge	Moran	Woolsey
Garamendi	Nadler	Yarmuth

NOES—234

Adams	Bucshon	DesJarlais
Aderholt	Buerkle	Diaz-Balart
Akin	Burgess	Dold
Alexander	Burton (IN)	Dreier
Amash	Calvert	Duffy
Amodei	Camp	Duncan (SC)
Bachus	Campbell	Duncan (TN)
Barletta	Canseco	Ellmers
Bartlett	Cantor	Emerson
Barton (TX)	Capito	Farenthold
Bass (NH)	Carter	Fincher
Benishkek	Cassidy	Fitzpatrick
Berg	Chabot	Flake
Biggert	Chaffetz	Fleischmann
Bilbray	Coble	Fleming
Bishop (UT)	Coffman (CO)	Flores
Black	Cole	Forbes
Blackburn	Conaway	Fortenberry
Bonner	Cravaack	Fox
Bono Mack	Crawford	Franks (AZ)
Boustany	Crenshaw	Frelinghuysen
Brady (TX)	Culberson	Galleghy
Brooks	Davis (KY)	Gardner
Broun (GA)	Denham	Garrett
Buchanan	Dent	Gerlach

Gibbs	Lungren, Daniel	Rohrabacher
Gibson	E.	Rokita
Gingrey (GA)	Mack	Rooney
Gohmert	Manzullo	Ros-Lehtinen
Goodlatte	Marchant	Roskam
Gosar	Marino	Ross (FL)
Gowdy	McCarthy (CA)	Royce
Granger	McCaul	Runyan
Graves (GA)	McClintock	Ryan (WI)
Graves (MO)	McCotter	Scalise
Griffin (AR)	McHenry	Schilling
Grimm	McKeon	Schmidt
Guinta	McKinley	Schock
Guthrie	McMorris	Schweikert
Hall	Rodgers	Scott (SC)
Harper	Meehan	Scott, Austin
Harris	Mica	Sensenbrenner
Hartzler	Miller (FL)	Sessions
Hastings (WA)	Miller (MI)	Shimkus
Hayworth	Miller, Gary	Shuster
Heck	Mulvaney	Simpson
Hensarling	Murphy (PA)	Smith (NE)
Herger	Myrick	Smith (NJ)
Herrera Beutler	Neugebauer	Smith (TX)
Huelskamp	Noem	Smith (TX)
Huizenga (MI)	Nugent	Southerland
Hultgren	Nunes	Stearns
Hunter	Nunnelee	Stivers
Hurt	Olson	Stutzman
Jenkins	Palazzo	Sullivan
Johnson (IL)	Paul	Terry
Johnson (OH)	Paulsen	Thompson (PA)
Johnson, Sam	Pearce	Thornberry
Jordan	Pence	Tiberi
Kelly	Petri	Tipton
King (IA)	Pitts	Turner (NY)
King (NY)	Platts	Turner (OH)
Kingston	Kingston	Upton
Kinzinger (IL)	Poe (TX)	Walberg
Kline	Pompeo	Walden
Labrador	Posey	Walsh (IL)
Lamborn	Price (GA)	Webster
Lance	Quayle	West
Landry	Reed	Westmoreland
Lankford	Rehberg	Whitfield
Latham	Reichert	Wilson (SC)
LaTourette	Renacci	Wittman
Latta	Ribble	Wolf
Lewis (CA)	Rigell	Womack
LoBiondo	Rivera	Woodall
Long	Roby	Yoder
Lucas	Roe (TN)	Young (AK)
Luetkemeyer	Rogers (AL)	Young (FL)
Lummis	Rogers (KY)	Young (IN)
	Rogers (MI)	

NOT VOTING—10

Austria	Filner	Ruppersberger
Bachmann	Giffords	Ryan (OH)
Bilirakis	Issa	
Braley (IA)	Murphy (CT)	

□ 1743

Ms. HERRERA BEUTLER, Messrs. CANSECO, BURTON of Indiana, LANDRY, Mrs. LUMMIS, and Mrs. McMORRIS RODGERS changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, On rollcall No. 823, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “aye.”

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CHAFFETZ) having assumed the chair, Mrs. MILLER of Michigan, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2930) to amend the securities laws to provide for registration exemptions for certain

crowdfunded securities, and for other purposes, and, pursuant to House Resolution 453, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. HOLT. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HOLT. I am opposed.

Mr. MCHENRY. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Holt moves to recommit the bill H.R. 2930 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 5, line 22, strike “section 4A(a)” and insert “subsections (a) and (g) of section 4A”.

Page 11, line 20, strike the quotation mark and following period and insert after such line the following:

“(g) PROHIBITION ON INTERMEDIARY DOING BUSINESS WITH IRAN.—

“(1) IN GENERAL.—For purposes of section 4(6), a person acting as an intermediary in a transaction involving the issuance of securities may not, directly or indirectly—

“(A) own any share or interest in a person doing business with the Government of Iran; or

“(B) be affiliated with any person who is, or who directly or indirectly owns any share or interest in a person who is, doing business with the Government of Iran.

“(2) CONSTRUCTION.—For purposes of this subsection, the term ‘Government of Iran’ shall include any agent or instrumentality owned or controlled by the Government of Iran.”.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. Mr. Speaker, at the outset, I want to make one thing clear, which is that the passage of this amendment will not prevent the passage of the underlying bill. If this amendment were to be adopted, it would be incorporated into the bill, and the bill would be immediately voted upon.

As written, Mr. Speaker, the underlying bill would not prevent potential beneficiaries of this act from doing business with the Government of Iran, whose rogue actions threaten our interests and, through their terrorist

intermediaries, the interests of our ally Israel. It's a gaping loophole that this final amendment would close.

The U.S. has a comprehensive embargo against the Government of Iran. Recent events have reminded us exactly how clever the agents of the Government of Iran can be in circumventing U.S. and international law in an effort to keep funds flowing to the Iranian clerical dictatorship. We saw that in the debate last week over a mining bill, during which a link between an American company and an Iran foreign investment company was discussed at length.

Last week, our colleague from Florida (Mr. DEUTCH) offered the Republican majority an opportunity to close the loopholes in the mining bill that could benefit Iranian entities. Regrettably, that amendment was defeated on a party-line vote.

I come to offer the majority another chance.

The bill on the floor today would leave the door open to similar abuses. This final amendment would close any loopholes in the embargo by targeting intermediaries—those who run Web sites or act as broker-dealers—who are seeking to provide help to unaffiliated issuers to do business around the globe.

This final amendment mandates that those who want to benefit from the provisions of this bill must not have any interest in doing business with the Government of Iran. Furthermore, they cannot be affiliated with any person who is doing business directly or indirectly with the Government of Iran.

Yes, Mr. Speaker, this is a serious amendment.

□ 1750

This final amendment is really a commonsense safeguard measure. We all know that money is fungible, including securities. We all know that Iran's dictatorial regime is feeling the pinch from the sanctions the United States has already imposed. The radical clerics that control Iran's government are constantly searching to get the money and goods they need to stay in power and to threaten our interests and, through their terrorist intermediaries, threaten the interests of our allies in Israel. Without this final amendment, this bill would provide them with a possible opening to do so. This final amendment to the bill will help slam shut the door for that option.

I urge all of us to support this final amendment to the bill, and I yield back the balance of my time.

Mr. MCHENRY. Mr. Speaker, I withdraw my point of order.

The SPEAKER pro tempore. The gentleman withdraws the point of order.

Mr. MCHENRY. I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. We have had two subcommittee hearings on capital forma-

tion. This issue was not raised. We had a subcommittee legislative hearing. This issue was not raised. We had a subcommittee markup. This issue was not raised. We had a full committee markup where we incorporated every Democrat idea into this legislation. It is outrageous for the minority party to stoop to this level of taking our important national security issues—

Through hours of debate and crafting a bipartisan bill, I thought they were better than that. I did. I thought we could get through this and pass this bill. The President announced his support. A statement of administrative policy says, Pass this bill. He says, We can't wait. And what does his party in Congress do? Offer an amendment that is already existing law. It is outrageous to play this political stunt with something so important as our national security.

I ask my colleague to withdraw this motion to recommit so we can get to final passage and get going.

Will my colleague withdraw?

Mr. HOLT. Is the gentleman seeking to yield time to me?

Mr. MCHENRY. Will the gentleman withdraw, yes or no?

Mr. HOLT. If this is such a non-controversial amendment, I ask the gentleman to accept it.

Mr. MCHENRY. Reclaiming my time, I ask my colleagues, do you want to allow small businesses that are starved for capital to raise capital? Do you want to allow that to happen? Then vote this down. Let's get to final passage. Let's get this economy moving. We can't wait.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. HOLT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 2930, if ordered, and adoption of amendment No. 1 to H.R. 2940 by Mr. MILLER of North Carolina.

The vote was taken by electronic device, and there were—ayes 187, noes 237, not voting 9, as follows:

[Roll No. 824]

AYES—187

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

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

NOES—237

Adams	Conaway	Griffin (AR)
Aderholt	Cravaack	Griffith (VA)
Akin	Crawford	Grimm
Alexander	Crenshaw	Guinta
Amash	Culberson	Guthrie
Amodei	Davis (KY)	Hall
Bachus	Denham	Hanna
Barletta	Dent	Harper
Bartlett	DesJarlais	Harris
Barton (TX)	Diaz-Balart	Hartzler
Bass (NH)	Dold	Hastings (WA)
Benishek	Dreier	Hayworth
Berg	Duffy	Heck
Biggart	Duncan (SC)	Hensarling
Bilbray	Duncan (TN)	Herger
Bilirakis	Ellmers	Herrera Beutler
Bishop (UT)	Emerson	Huelskamp
Black	Farenthold	Huizenga (MI)
Blackburn	Fincher	Hultgren
Bonner	Fitzpatrick	Hunter
Bono Mack	Flake	Hurt
Boustany	Fleischmann	Jenkins
Brady (TX)	Fleming	Johnson (IL)
Brooks	Forbes	Johnson (OH)
Broun (GA)	Fortenberry	Johnson, Sam
Buchanan	Fox	Jones
Bucshon	Franks (AZ)	Jordan
Buerkle	Frelinghuysen	Kelly
Burgess	Galle	King (IA)
Burton (IN)	Gardner	King (NY)
Calvert	Garrett	Kingston
Camp	Gerlach	Kinzinger (IL)
Campbell	Gibbs	Kline
Canseco	Gibson	Labrador
Cantor	Gingrey (GA)	Lamborn
Capito	Gohmert	Lance
Carter	Goodlatte	Landry
Cassidy	Gosar	Lankford
Chabot	Gowdy	Latham
Chaffetz	Granger	LaTourette
Coble	Graves (GA)	Latta
Coffman (CO)	Graves (MO)	Lewis (CA)
Cole		LoBiondo

Long	Pence	Sensenbrenner	Brooks	Gonzalez	Marino	Sarbanes	Smith (TX)	Walden
Lucas	Petri	Sessions	Broun (GA)	Goodlatte	Matheson	Scalise	Smith (WA)	Walsh (IL)
Luetkemeyer	Pitts	Shimkus	Brown (FL)	Gosar	Matsui	Schiff	Southerland	Walz (MN)
Lummis	Platts	Shuster	Buchanan	Gowdy	McCarthy (CA)	Schilling	Speier	Wasserman
Lungren, Daniel	Poe (TX)	Smith (NE)	Buchanan	Granger	McCarthy (NY)	Schmidt	Stark	Schultz
E.	Pompeo	Smith (NJ)	Buerkle	Graves (GA)	McCaul	Schock	Stearns	Waters
Mack	Posey	Smith (TX)	Burgess	Graves (MO)	McClintock	Schrader	Stivers	Webster
Manzullo	Price (GA)	Southerland	Canseco	Green, Al	McCollum	Schwartz	Stutzman	Waxman
Marchant	Quayle	Stearns	Calvert	Green, Gene	McCotter	Schweikert	Sullivan	Webster
Marino	Reed	Stivers	Camp	Griffin (AR)	McDermott	Scott (SC)	Sutton	Welch
McCarthy (CA)	Rehberg	Stutzman	Campbell	Griffith (VA)	McGovern	Scott (VA)	Terry	West
McCaul	Reichert	Sullivan	Grijalva	Grimm	McHenry	Scott, Austin	Thompson (CA)	Westmoreland
McClintock	Renacci	Terry	Cantor	Guinta	McIntyre	Scott, David	Thompson (MS)	Whitfield
McCotter	Ribble	Thompson (PA)	Capito	Guthrie	McKeon	Sensenbrenner	Thompson (PA)	Wilson (FL)
McHenry	Rigell	Thornberry	Capps	Gutierrez	McKinley	Serrano	Thornberry	Wilson (SC)
McKeon	Rivera	Tiberi	Cardoza	Hahn	McMorris	Sessions	Tiberi	Wittman
McKinley	Roby	Tipton	Carmahan	Hall	Rodgers	Sewell	Tipton	Wolf
McMorris	Roe (TN)	Turner (NY)	Carney	Hanabusa	McNerney	Sherman	Tonko	Womack
Rodgers	Rogers (AL)	Turner (OH)	Carson (IN)	Hanna	Meehan	Shimkus	Towns	Woodall
Meehan	Rogers (KY)	Upton	Carter	Harper	Meeks	Shuler	Tsongas	Woolsey
Mica	Rogers (MI)	Walberg	Cassidy	Harris	Mica	Shuster	Turner (NY)	Yarmuth
Miller (FL)	Rohrabacher	Walsh (IL)	Castor (FL)	Hartzler	Michaud	Simpson	Turner (OH)	Yoder
Miller (MI)	Rokita	Walsh (IL)	Chabot	Hastings (FL)	Miller (FL)	Sires	Upton	Young (AK)
Miller, Gary	Rooney	Webster	Chaffetz	Hastings (WA)	Miller (MI)	Miller, Gary	Van Hollen	Young (FL)
Mulvaney	Ros-Lehtinen	West	Chandler	Hayworth	Miller, George	Miller, Gary	Velázquez	Young (IN)
Murphy (PA)	Roskam	Westmoreland	Chu	Heck	Moore	Miller, George	Walberg	
Myrick	Ross (FL)	Whitfield	Cicilline	Heinrich	Moran			
Neugebauer	Royce	Wilson (SC)	Clarke (MI)	Hensarling	Mulvaney			
Noem	Runyan	Wittman	Clarke (NY)	Hergert	Murphy (PA)			
Nugent	Ryan (WI)	Wolf	Cleaver	Herrera Beutler	Myrick			
Nunes	Scalise	Womack	Clyburn	Higgins	Nadler			
Nunnelee	Schilling	Woodall	Coble	Himes	Napolitano			
Olson	Schmidt	Yoder	Coffman (CO)	Hinche	Neal			
Palazzo	Schock	Young (AK)	Cohen	Hinojosa	Neugebauer			
Paul	Schweikert	Young (FL)	Cole	Hirono	Noem			
Paulsen	Scott (SC)	Young (IN)	Conaway	Hochul	Nugent			
Pearce	Scott, Austin		Connolly (VA)	Holden	Nunes			
			Conyers	Holt	Nunnelee			
			Cooper	Honda	Olson			
			Costa	Hoyer	Owens			
			Costello	Huelskamp	Palazzo			
			Courtney	Huizenga (MI)	Pallone			
			Cravaack	Hultgren	Pascarell			
			Crawford	Hunter	Pastor (AZ)			
			Crenshaw	Hurt	Paul			
			Critz	Inslee	Paulsen			
			Crowley	Israel	Payne			
			Cuellar	Jackson (IL)	Pearce			
			Culberson	Jackson Lee	Pelosi			
			Davis (CA)	(TX)	Pence			
			Davis (IL)	Jenkins	Perlmutter			
			Davis (KY)	Johnson (GA)	Peters			
			DeFazio	Johnson (IL)	Peterson			
			DeGette	Johnson (OH)	Petri			
			DeLauro	Johnson, E. B.	Pingree (ME)			
			Denham	Johnson, Sam	Pitts			
			Dent	Jones	Platts			
			DesJarlais	Jordan	Poe (TX)			
			Deutch	Kaptur	Polis			
			Diaz-Balart	Keating	Pompeo			
			Dicks	Kelly	Posey			
			Doggett	Kind	Price (GA)			
			Dold	King (IA)	Quayle			
			Donnelly (IN)	King (NY)	Quigley			
			Doyle	Kingston	Rahall			
			Dreier	Kinzinger (IL)	Rangel			
			Duffy	Kissell	Reed			
			Duncan (SC)	Kline	Rehberg			
			Duncan (TN)	Labrador	Reichert			
			Ellison	Lamborn	Renacci			
			Ellmers	Lance	Reyes			
			Emerson	Landry	Ribble			
			Engel	Langevin	Richardson			
			Eshoo	Lankford	Richmond			
			Farenthold	Larsen (WA)	Rigell			
			Farr	Larson (CT)	Rivera			
			Fattah	Latham	Roby			
			Fincher	LaTourette	Roe (TN)			
			Fitzpatrick	Latta	Rogers (AL)			
			Flake	Lee (CA)	Rogers (KY)			
			Fleischmann	Levin	Rogers (MI)			
			Fleming	Lewis (CA)	Rohrabacher			
			Flores	Lipinski	Rokita			
			Forbes	LoBiondo	Rooney			
			Fortenberry	Loebsack	Ros-Lehtinen			
			Fox	Lofgren, Zoe	Roskam			
			Frank (MA)	Long	Ross (AR)			
			Franks (AZ)	Lowey	Ross (FL)			
			Frelinghuysen	Lucas	Rothman (NJ)			
			Fudge	Luetkemeyer	Roybal-Allard			
			Gallegly	Luján	Royce			
			Gardner	Lummis	Runyan			
			Garrett	Lungren, Daniel	Rush			
			Gerlach	E.	Ryan (OH)			
			Gibbs	Mack	Ryan (WI)			
			Gibson	Maloney	Sánchez, Linda			
			Gingrey (GA)	Manzullo	T.			
			Gohmert	Marchant	Sanchez, Loretta			

NOT VOTING—9

Austria Filner Murphy (CT)
 Bachmann Giffords Ruppertsberger
 Ellison Issa Simpson

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1811

Mr. ROHRABACHER changed his vote from “aye” to “no.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 824, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “aye.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCHENRY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 407, noes 17, not voting 9, as follows:

[Roll No. 825]

AYES—407

Adams	Bartlett	Bishop (NY)
Aderholt	Barton (TX)	Bishop (UT)
Akin	Bass (CA)	Black
Alexander	Bass (NH)	Blackburn
Altmire	Becerra	Blumenauer
Amash	Benishek	Bonner
Amodei	Berg	Bono Mack
Andrews	Berkley	Boren
Baca	Berman	Boswell
Bachus	Biggart	Boustany
Baldwin	Bilbray	Brady (PA)
Barletta	Bilirakis	Brady (TX)
Barrow	Bishop (GA)	Braleley (IA)
		Bishop (NY)
		Blumenauer
		Boswell
		Brady (PA)
		Berman
		Braleley (IA)
		Brown (FL)
		Butterfield

NOES—17

Ackerman Kildee Olver
 Butterfield Kucinich Price (NC)
 Capuano Lewis (GA) Schakowsky
 Cummings Lynch Tierney
 Dingell Markey Watt
 Edwards Miller (NC)

NOT VOTING—9

Austria Garamendi Murphy (CT)
 Bachmann Giffords Ruppertsberger
 Filner Issa Vislosky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1818

Ms. EDWARDS and Mr. BUTTERFIELD changed their vote from “aye” to “no.”

So 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. FILNER. Mr. Speaker, on rollcall No. 825, I was away from the Capitol due to prior commitments to my constituents. Had I been present I would have voted “aye.”

ACCESS TO CAPITAL FOR JOB CREATORS ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of amendment No. 1 printed in part B of House Report 112-265 by the gentleman from North Carolina (Mr. MILLER) on which the yeas and nays were ordered.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 190, nays 234, not voting 9, as follows:

[Roll No. 826]

YEAS—190

Ackerman	Bass (CA)	Blumenauer
Altmire	Becerra	Boswell
Andrews	Berkley	Brady (PA)
Baca	Berman	Braleley (IA)
Baldwin	Bishop (GA)	Brown (FL)
Barrow	Bishop (NY)	Butterfield