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6 MARKUP OF

7 H. RES. 1476, _OF INQUIRY REQUESTING THE PRESIDENT TO PROVIDE
8 TO THE HOUSE OF REPRESENTATIVES CERTAIN DOCUMENTS OR RECORDS
9 RELATING TO COORDINATION BETWEEN SOCIAL MEDIA COMPANIES AND
10 THE BIDEN ADMINISTRATION ON INFORMATION, CENSORSHIP, AND
11 CENSORSHIP MEETINGS IN ORDER TO SUPPRESS OR DEPLATFORM
12 PERSONS OR INFORMATION THE ADMINISTRATION VIEWS AS
13 MISINFORMATION, DISINFORMATION, AND MALINFORMATION ON COVID-
14 19, HUNTER BIDEN, AND ELECTIONS, AND CERTAIN DOCUMENTS OR
15 RECORDS RELATING TO PLANS TO PROVIDE GRANT FUNDING TO
16 CONSORTIUMS, INCLUDING THE DEMOCRATIC NATIONAL COMMITTEE, IN
17 THE UNITED STATES

18 WEDNESDAY, DECEMBER 14, 2022

19 House of Representatives,

20 Committee on Energy and Commerce,

21 Washington, D.C.

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27 The committee met, pursuant to call, at 10:42 a.m. in

28 the John D. Dingell Room, Room 2123, Rayburn House Office
29 Building, Hon. Frank Pallone [chairman of the committee]
30 presiding.

31

32 Present: Representatives Pallone, Eshoo, DeGette,
33 Doyle, Schakowsky, Butterfield, Matsui, Sarbanes, McNerney,
34 Welch, Tonko, Clarke, Schrader, Cardenas, Ruiz, Peters,
35 Dingell, Veasey, Kuster, Kelly, Barragan, McEachin, Blunt
36 Rochester, Soto, O'Halleran, Rice, Craig, Schrier, Trahan,
37 Fletcher; Rodgers, Upton, Burgess, Scalise, Latta, Guthrie,
38 McKinley, Griffith, Bilirakis, Johnson, Long, Bucshon,
39 Hudson, Walberg, Carter, Duncan, Palmer, Curtis, Lesko,
40 Pence, Crenshaw, Joyce, and Armstrong.

41

42 Staff Present: Hannah Anton, Staff Assistant; Jennifer
43 Epperson, Senior Counsel; Waverly Gordon, Deputy Staff
44 Director and General Counsel; Tiffany Guarascio, Staff
45 Director; Perry Hamilton, Clerk; Rick Kessler, Senior Advisor
46 and Staff Director, Energy and Environment; Mackenzie Kuhl,
47 Digital Assistant; Dan Miller, Professional Staff Member;
48 Elysa Montfort, Press Secretary; Joe Orlando, Policy Analyst;
49 Greg Pugh, Staff Assistant; Chloe Rodriguez, Clerk; Michael
50 Scurato, FCC Detailee; Andrew Souvall, Director of
51 Communications, Outreach, and Member Services; Johanna
52 Thomas, Counsel; Kate Arey, Minority Content Manager and
53 Digital Assistant; Sarah Burke, Deputy Staff Director;
54 Michael Cameron, Minority Policy Analyst, CPC, Energy,
55 Environment; Nate Hodson, Minority Staff Director; Peter
56 Kielty, General Counsel; Emily King, Minority Member Services
57 Director; Tim Kurth, Minority Chief Counsel, CPC; Kate
58 O'Connor, Minority Chief Counsel, C&T; Brannon Rains,
59 Minority Professional Staff Member, CPC; Michael Taggart,
60 Minority Policy Director; and Evan Viau, Minority
61 Professional Staff Member, C&T.

62

63 *The Chairman. The committee will come to order.

64 We are meeting today to consider one resolution. But I
65 want to go through the process, because this is hybrid.

66 Due to the COVID-19 public health emergency, members can
67 participate in today's markup either in person or remotely
68 via online video conferencing.

69 For members participating remotely, your microphones
70 will be set on mute for the purpose of eliminating
71 inadvertent background noise. Members participating remotely
72 will need to unmute your microphone each time you wish to
73 speak. Please note that, once you unmute your microphone,
74 anything that is said in Webex will be heard over the
75 loudspeakers, in the committee room, and subject to be heard
76 by the livestream and C-SPAN.

77 Additionally, I ask that members participating remotely
78 use the raise hand feature of the software platform when you
79 wish to be recognized. During recorded votes you will need
80 to unmute yourself to respond to the clerk once your name is
81 called. In responding to the clerk I ask, as I have in the
82 past, that instead of just saying aye or nay, that you
83 respond with a phrase like, "Frank Pallone from New Jersey
84 votes aye.'" This will provide additional time for the
85 voting member to be identified and made visible on the
86 platform.

87 Now, since members are participating from different

88 locations at today's markup, all recognition of members will
89 be in the order of full committee seniority.

90 And during this markup amendments will be sent to
91 members electronically.

92 Amendments, motions, and documents for the record should
93 be sent to Chloe Rodriguez and Perry at the email addresses
94 we have provided to staff.

95 I now recognize myself for an opening statement.

96 I wanted to begin by mentioning that a lot of our
97 members are leaving, some for different reasons. Some are
98 going to the Senate, some are going -- have retired, some
99 were not reelected. But we are missing -- we will be missing
100 a lot of members. And I, obviously, wish them all well. I
101 am not going to identify everybody by name, but we wish you
102 well. We really appreciate your -- what you have done, and
103 helped us in the last year, which was an incredibly
104 productive year.

105 But I do have to single out Don McEachin, who, as you
106 know, passed away. Many of us went to his funeral in the
107 last week or two. It was a beautiful, uplifting funeral
108 service. I don't think I have ever been to one that was so
109 uplifting and so celebratory. But he was a tireless champion
110 in the fight to tackle the climate crisis, and a courageous
111 advocate on behalf of environmental justice communities. He
112 has left behind an incredible legacy of hard work, and I know

113 all of our thoughts are with his family and staff during this
114 time, and we will be keeping his legacy in mind as we
115 continue that hard work.

116 Now, today's markup comes at the end of a tremendously
117 productive congressional session. Over the last two years we
118 have turned some of the biggest legislative solutions into
119 the law of the land, thanks to the hard work of the committee
120 members and staff. And it has been an honor of a lifetime to
121 serve as chairman, I have to say.

122 The committee has reported out 76 bills, of which 25
123 have become law. We passed the most significant climate law
124 in our nation's history, empowered Medicare to negotiate the
125 cost of prescription drugs for seniors, made historic
126 investments to rebuild our nation's drinking water
127 infrastructure, and connect rural and under-served Americans
128 with high-speed Internet service, and responded to the COVID
129 19 pandemic by providing both the health and financial
130 resources that Americans desperately needed during such an
131 unprecedented crisis.

132 And our work is not yet done. We continue -- the
133 ranking member, Mrs. Rodgers, continues to work, and all of
134 us, on bipartisan bills that came out of the committee. And
135 our hope is to see some of those included in the final
136 omnibus bill that comes up next week or so.

137 But I do say that, with all that, today's markup is

138 disappointing to me because, in stark contrast to all the
139 accomplishments that I mentioned, we are marking up a
140 partisan Republican resolution of inquiry that will, in my
141 opinion, have no real impact on everyday Americans. So I
142 hope we can put aside these partisan issues, and instead
143 prioritize work that actually benefits the American people.
144 I hope we are able to quickly report this resolution
145 adversely to the House.

146 And as I demonstrated back in July, this committee can
147 come together in strong bipartisan fashion to hold Big Tech
148 accountable. I know that this resolution deals with tech,
149 but I do think that, generally speaking, we can do things in
150 a bipartisan way to hold them accountable. Committee
151 Democrats remain committed to taking action on urgent issues
152 in this space that are ripe for and, in some cases, have
153 already yielded bipartisan collaboration, like working to
154 pass a national data privacy standard, creating a safer
155 Internet for our kids and teens, cracking down on rampant
156 online scammers, tackling increasing levels of disinformation
157 and misinformation, and ensuring all Americans can
158 participate safely in our digital world.

159 So I urge my colleagues to put people over politics, and
160 report this resolution adversely to the House, and with that
161 I would recognize Mrs. Rodgers, the ranking member, for her
162 opening statement.

163 *Mrs. Rodgers. Thank you, Mr. Chairman. As the 117th
164 Congress comes to a close, I too want to express appreciation
165 to every member of the committee for their hard work during
166 this Congress for the many issues that we were able to
167 address during this Congress, all very important.

168 And I also want to say we are going to miss all of you
169 who are not returning.

170 On our side of the aisle, in particular, Mr. Upton,
171 former chairman of the Energy and Commerce Committee, just an
172 extraordinary leader of this committee. I will always
173 remember when you were in the chair prioritizing the
174 bipartisan work, you wanted to encourage that tradition on
175 this committee, and encourage the members to come together
176 wherever possible.

177 And I also will remember you for your leadership on 21st
178 Century Cures with Diana DeGette and so many others on the
179 committee, but making sure that America continued to lead in
180 cures and breakthroughs. And you led the charge there, you
181 set the high bar for all of us. And you are -- you have been
182 just an extraordinary representative.

183 And I also want to call out Mr. McKinley, who was our
184 ranking member. And again, just such commitment to the
185 people of West Virginia, as well as the country.

186 And to all of the members who aren't returning -- and we
187 are going to -- Steve Scalise, this is your last picture, I

188 guess, for a little bit, while you go be in a different role
189 in the new Congress -- but I just appreciate everyone, and
190 hope we can wrap up soon, and get home, and come back for the
191 118th Congress.

192 But I also -- yes, Mr. Billy Long, Mr. Kinzinger,
193 Markwayne Mullin are all -- who is the other one on our side?

194 Anyway, okay, so just a big thank you to everybody.

195 As far as today's resolution of inquiry, this is
196 absolutely everything about putting people over politics. If
197 there ever was a resolution that is about putting people over
198 politics, it is this one. I think this is very important to
199 the people all across this country.

200 For years, Big Tech has been flagging, suppressing,
201 outright banning conservatives on their platforms simply for
202 not adhering to their political agenda. They have denied all
203 of these accusations, of course, including in front of this
204 committee. And now, thanks to the recent Twitter files, we
205 know that they were not being honest. Top Twitter executives
206 were shadow banning conservatives, despite Jack Dorsey
207 claiming otherwise when he was before this committee in 2018.

208 And there has been similar reports showing that the
209 Biden Administration has been colluding with Big Tech to shut
210 down speech, especially speech that runs counter to the
211 President's agenda. In March, the surgeon general stood at
212 the White House podium and urged Big Tech to "do more" to

213 silence people online. Fauci, the CDC, and others have used
214 their official government positions to directly ask social
215 media companies to pull down content, or even deactivate
216 their accounts.

217 At every turn, Energy and Commerce Republicans have
218 condemned these actions and demanded transparency from the
219 Administration and Big Tech.

220 Free speech is foundational to America and our way of
221 life. Free speech has led to ingenuity and innovation in
222 everything from science to art. Free speech has been
223 essential for entrepreneurs succeeding in every industry,
224 including the tech industry. Our country was founded on
225 this. Our founding fathers and mothers enshrined the First
226 Amendment to protect against government officials abusing
227 their positions of power and public trust to try to silence
228 the voices of those with whom they disagree. Free speech
229 should be cherished and preserved, and any attempt by the
230 government to force, coerce, or suggest private companies
231 censor people's free speech is incredibly alarming and
232 warrants scrutiny.

233 I am pleased to report this resolution asking for more
234 evidence of these conversations between Big Tech and the
235 Administration.

236 I yield back.

237 *The Chairman. Thank you, Mrs. Rodgers.

238 Now, any other member can give an opening statement --
239 three minutes if you are the subcommittee chair for the
240 committees, which would be Consumer Protection and
241 Communications, on either side, and then one minute for
242 anyone else.

243 Does anyone want to give an opening statement at this
244 time?

245 *Voice. Ms. Eshoo.

246 *The Chairman. Ms. Eshoo is recognized for one minute.

247 *Ms. Eshoo. Thank you, Mr. Chairman. I have read this
248 resolution. It requests the President provide extensive
249 records on the White House's interactions on a range of
250 topics, including the work of the Election Integrity Project
251 at Stanford University and the University of Washington. I
252 believe this is a misguided effort, and I believe it is a
253 poor use of our time.

254 Here are some points about the Election Integrity
255 Project to consider.

256 First, it is a non-partisan collaboration -- non-
257 partisan collaboration, I highlight that -- between the
258 Stanford Internet Observatory and the University of
259 Washington Center for an Informed Public. Its mission is to
260 find and investigate false rumors and disinformation about
261 election processes and procedures.

262 Secondly, it focuses on a narrow scope of topics that

263 are proven to harm the democratic process, such as attempts
264 to suppress voting, reduce participation, confuse voters, or
265 delegitimize election results without evidence.

266 Finally, it does not investigate or evaluate anything
267 regarding candidates, political parties, or their positions.
268 That is not part of its mission.

269 The people at the Election Integrity Partnership at
270 Stanford and the University of Washington are trying to find
271 ways to help us protect our democracy. This is a sacred
272 system, our voting system. And I think, at the end of the
273 day, we all want this to be protected. We must protect it
274 and we must preserve it. And I, for one, appreciate the good
275 work that these people are doing. And that is why I urge all
276 of my colleagues to vote an unfavorable recommendation of
277 this resolution, and I yield back.

278 *The Chairman. I thank the gentlewoman.

279 Mr. Latta, you are recognized for three minutes, because
280 the resolution comes under your subcommittee.

281 *Mr. Latta. Well, thank you very much, Mr. Chairman,
282 and I also want to wish all of our retiring members all the
283 best, especially our friend, the gentleman from Michigan, our
284 -- Mr. Upton, the former chair of the committee, on his
285 retirement and leaving our committee.

286 Today we will consider a resolution of inquiry sponsored
287 by Mr. Clyde of Georgia to obtain information from the Biden

288 Administration regarding the attempts to silence voices
289 online that haven't fit into the accepted liberal orthodoxy.

290 This committee has a duty to conduct oversight of the
291 Biden Administration, especially when it comes to the
292 government influencing what speech is deemed acceptable.

293 At a time when the Administration should be focused on
294 lowering prices, unleashing American energy, securing our
295 southern border, and fighting the fentanyl crisis, we have
296 instead seen that voices being pressured (sic) in the social
297 media companies to silence the voice of those with whom they
298 disagree.

299 Repeatedly, the Biden Administration officials have used
300 their role to persuade Big Tech companies to shut down
301 conservative viewpoints. This Administration continues its
302 attempts to regulate free speech, and its officials need to
303 come before this committee to answer for their censorship
304 efforts. This is fundamentally un-American, what has been
305 occurring.

306 I look forward to today's discussion. I urge my
307 colleagues to vote to forward this request for information to
308 the floor.

309 And, Mr. Chairman, I again thank you for holding today's
310 hearing, and I yield back the balance of my time.

311 *The Chairman. Thank you. Does anyone on the
312 Democratic side wish to make an opening statement?

313 On the Republican side?

314 All right, then that will conclude our opening
315 statements, and we will go to the resolution. But before we
316 do that, let me just say that, pursuant to committee rules,
317 members' written opening statements shall be made part of the
318 record, and please submit written opening statements
319 electronically to the email address we have provided if you
320 decide that that is what you would like to do.

321 So the chair now calls up H.Res. 1476, and the clerk
322 will report the bill.

323 *The Clerk. H.Res. 1476, a resolution of inquiry
324 requesting the President to provide to the House of
325 Representatives --

326 *The Chairman. And, Madam Clerk, without objection, the
327 first reading of the bill will be dispensed with. The bill
328 is now considered as read.

329 Without objection, the bill is considered as read and
330 open for amendment at any point.

331 [The bill follows:]

332

333 *****COMMITTEE INSERT*****

334

335 *The Chairman. I am going to recognize myself for five
336 minutes on the resolution, and then we will see if others
337 would like to also speak on it.

338 I wanted to start by saying it is unfortunate, again,
339 that in the waning days of this Congress we are marking up a
340 Republican resolution of inquiry. This resolution actually
341 comes from a Member who is not on the committee seeking
342 documents from the President that have not been previously
343 requested, and all concerning what I consider a rather right-
344 wing conspiracy theory.

345 Just a few months ago we wasted a lot of time, in my
346 opinion, in this room considering other partisan Republican
347 resolutions of inquiry. There were 18 in total. And I think
348 that the problem here is that this is not a resolution that
349 really seeks information or conducts oversight, but is rather
350 an abuse of the process, and designed to keep us sitting here
351 listening to attacks on the Biden Administration.

352 So while the lack of substance is beside the point, I
353 guess, I would speak briefly on the issue as -- that it
354 appears to raise.

355 The resolution seems primarily concerned with the
356 Election Integrity Partnership, a non-partisan research
357 collaboration founded in 2020 by Stanford University and the
358 University of Washington, among others, to investigate
359 disinformation spread on social media about elections, such

360 as content telling voters to vote on the wrong day or vote
361 illegally. These are well-meaning, qualified researchers
362 collaborating with one another in an effort to protect the
363 right to vote. And this is the type of work we should be
364 encouraging.

365 And it is particularly problematic that the resolution
366 targets certain private citizens by name. The unrelenting
367 attacks on government officials like Dr. Fauci result in
368 harassment and, in some cases, death threats that discourage
369 smart, qualified people from seeking out a career in public
370 service. Similarly, attacks on private citizens that devote
371 their time and efforts to pursuing big ideas to make our
372 country better will only be discouraged, and others will be
373 -- like them will be discouraged from -- in the future from
374 doing the same.

375 So I am proud that, under the Democratic leadership,
376 this committee has worked to hold social media platforms
377 accountable for the real-world harms that they have failed to
378 address, including disinformation that threatens our
379 democracy. And I am proud that Democrats on this committee
380 have consistently stood up and supported the First Amendment,
381 particularly during the Trump Administration, when it was
382 under constant attack. It is my hope that this work will
383 continue in a meaningful, bipartisan way during the next
384 Congress.

385 Unfortunately, this resolution is neither meaningful nor
386 bipartisan. In fact, I think it is a waste of time,
387 particularly right now, when so many of us are working so
388 hard to avert a government shutdown and consider legislation
389 that must be passed before the end of the year. Having this
390 type of resolution introduced by an off-committee member
391 without any attempt at all to engage the committee does not
392 suggest serious oversight.

393 And so I urge my colleagues to report this resolution
394 adversely.

395 I yield back the remainder of my time, and ask if the
396 ranking member or any other -- anyone on the Republican side
397 would like to address the resolution at this time.

398 Mr. Carter is recognized.

399 *Mr. Carter. Mr. Chairman, I move to strike the last
400 word.

401 *The Chairman. The gentleman is recognized for five
402 minutes.

403 *Mr. Carter. Mr. Chairman, I thank my colleague from
404 Georgia for introducing this resolution of inquiry.

405 Mr. Chairman, I support this resolution of inquiry
406 because the American people deserve transparency. For too
407 long, Big Tech companies have been exploiting the ambiguity
408 of current law.

409 Additionally, the current administration has taken

410 advantage of the well-known political bias of Big Tech by
411 asking for favors.

412 Republicans on this very committee, along with others in
413 Congress, have repeatedly asked for any and all
414 correspondence relating to the coordination between the two.
415 We have yet to receive that information, and instead have
416 seen emails uncovered in the media.

417 I do not wish to stifle the innovations and success that
418 the Internet has produced, but we now see a blatant violation
419 of the American people's trust that their voices are truly --
420 are being truly heard. It is clear that Big Tech companies
421 are no longer providing a truly open forum for all points of
422 view.

423 I am committed to holding Big Tech accountable. I am
424 disappointed we haven't used our committee to its fullest
425 potential to do just that. But I am eager to address these
426 important issues in the new Congress.

427 We must also restore accountability and transparency.
428 We now know that when former Twitter CEO Jack Dorsey
429 testified before this very committee and claimed that Twitter
430 does not use political ideology to make any decisions, that
431 that was a lie. In fact, Twitter used tactics such as shadow
432 banning and putting certain users on search and trend
433 blacklists.

434 Big Tech also decides when to suppress legitimate

435 sources of information when it does not align with their
436 political leanings. I strongly believe in dialogue and
437 diversity of opinions. It is imperative that Congress enact
438 meaningful changes and ensure Big Tech and the Administration
439 are not colluding and targeting conservatives.

440 I urge my colleagues to support this resolution of
441 inquiry, and I yield back.

442 *The Chairman. I thank the gentleman. Does anyone else
443 want to speak on this?

444 Is there anyone on the Democratic side?

445 If not, we go to -- Mrs. Lesko is recognized.

446 *Mrs. Lesko. Thank you, Mr. Chair. I move to strike
447 the last word.

448 *The Chairman. The gentlewoman is recognized for five
449 minutes.

450 *Mrs. Lesko. Thank you, Mr. Chair. I am in support of
451 this resolution of inquiry.

452 Since Elon Musk released the Twitter files, Americans
453 can now see what Republicans, quite frankly, have always
454 assumed. Twitter -- and I think we can assume other social
455 medias -- was censoring the Hunter Biden laptop story, and
456 conservatives, and the Federal Government was feeding social
457 media companies with stories and people to ban or censor.

458 Now it is apparent that mainstream media is really
459 trying hard to cover up this story. In fact, CBS, ABC, and

460 NBC News haven't even covered this story at all.

461 Be assured that Republicans, now that we are in the
462 majority, are going to get to the bottom of this. We are
463 going to get to the bottom of the cover-ups and collusion
464 with the Federal Government to silence free speech.
465 Americans deserve this, and we will deliver.

466 And I yield back.

467 *The Chairman. The gentlewoman yields back. Did I see
468 Mr. Soto's hand is up?

469 You are recognized for five minutes.

470 *Mr. Soto. Thank you, Chairman.

471 On January 10th, just days after the violent January 6th
472 insurrection, a congressional leader stood up. He lamented
473 that social media companies should ban some GOP lawmakers who
474 were outspoken in favor of the insurrection. He said, "We
475 can't put up with that.'" He questioned aloud, "Can't they
476 take their Twitter accounts away, too,'" as reported by two
477 New York Times reporters. That leader was Kevin McCarthy.

478 Of course, it is understandable, since we had just had a
479 violent insurrection, and these traitors sought to overthrow
480 the government. They stopped -- they tried to stop a
481 peaceful transfer of power. And I called them traitors
482 because they have officially now been convicted of sedition.

483 Indeed, we have a robust First Amendment right, and we
484 also know it is unlimited. Calls for violence,

485 disinformation regarding a legally valid election, or lies
486 about the vaccine, they can be regulated. The terms of
487 service for a lot of these social media companies may also
488 apply.

489 Given the Republican leader's reported attempts to
490 silence your own colleagues, perhaps you should be
491 investigating yourselves, as well.

492 And I yield back.

493 *The Chairman. All right. The gentleman has yielded
494 back.

495 *Voice. Mr. Joyce?

496 *The Chairman. Mr. Joyce. I just want to apologize --
497 not apologize, but we have our steering committee voting on
498 not me, but other members to be leaders, ranking members of
499 the committee. So we are not going to take a break, but, you
500 know, some of us are voting electronically at the same time
501 that we are here, so it is a little disconcerting is all.

502 All right, Mr. Joyce is recognized.

503 *Dr. Joyce. Mr. Chairman, I move to strike the last
504 word.

505 *The Chairman. The gentleman is recognized for five
506 minutes.

507 *Dr. Joyce. Thank you, Mr. Chair. It is clear that the
508 Biden Administration was working with Big Tech to censor
509 conservatives.

510 For the last two years we have seen no oversight and,
511 unfortunately, no accountability. Requests for information
512 have been ignored, and our constituents have been left
513 without the answers that they deserve. That is all going to
514 change with the new majority of the House come January.

515 Americans deserve to know how the Biden Administration
516 has been collaborating in order to oppress free speech and
517 limit access to viewpoints that it disagrees with. As we
518 move into the new Congress, I look forward to finding those
519 answers. I look forward to having that accountability to the
520 American people.

521 Thank you, and I yield.

522 *The Chairman. Does anyone else want to speak on the
523 resolution on either side?

524 No? All right. Hearing none, we will proceed.

525 Do you want a recorded vote?

526 *Mrs. Rodgers. Yes.

527 *The Chairman. We will proceed to a recorded vote. A
528 recorded vote is ordered.

529 Those in favor of adversely -- so the motion is to
530 adversely report -- those in favor of adversely reporting
531 H.Res. 1478 -- as amended?

532 *Voice. Yes.

533 *The Chairman. H.Res. 1478 to the House will say aye,
534 those opposed will say no, and the clerk shall call the roll.

535 So it is H.Res. 1476. So if you are -- yes, if you are
536 against reporting it adversely -- if you are for it --
537 reporting adversely, you should vote aye.

538 [Laughter.]

539 *The Chairman. I am not -- you want to know how I am
540 voting? I am voting yes. And so it -- and if you want it --
541 if you would like it to be reported favorably, you are
542 supposed to vote no. Okay? Everybody got it?

543 You probably all had it. I am the only one that didn't.
544 All right. The clerk will report -- I mean, will call the
545 roll.

546 *The Clerk. Mr. Rush?

547 [No response.]

548 *The Clerk. Ms. Eshoo?

549 *Ms. Eshoo. [Inaudible.]

550 *The Clerk. Ms. Eshoo votes aye.

551 Ms. DeGette?

552 *Ms. DeGette. Aye.

553 *The Clerk. Ms. DeGette votes aye.

554 Mr. Doyle?

555 *Mr. Doyle. Doyle of Pennsylvania votes aye.

556 *The Clerk. Mr. Doyle votes aye.

557 Ms. Schakowsky?

558 [No response.]

559 *The Clerk. Mr. Butterfield?

560 *Mr. Butterfield. Butterfield votes aye.
561 *The Clerk. Mr. Butterfield votes aye.
562 Ms. Matsui?
563 *Ms. Matsui. Matsui votes aye.
564 *The Clerk. Ms. Matsui votes aye.
565 Ms. Castor?
566 [No response.]
567 *The Clerk. Mr. Sarbanes?
568 *Mr. Sarbanes. Sarbanes votes aye.
569 *The Clerk. Mr. Sarbanes votes aye.
570 Mr. McNerney?
571 *Mr. McNerney. [Inaudible.]
572 *The Clerk. Mr. McNerney votes aye.
573 Mr. Welch?
574 *Mr. Welch. Votes aye.
575 *The Clerk. Mr. Welch votes aye.
576 Mr. Tonko?
577 *Mr. Tonko. [Inaudible.]
578 *The Clerk. Mr. Tonko votes aye.
579 Ms. Clarke?
580 *Ms. Clarke. [Inaudible.]
581 *The Clerk. Ms. Clarke votes aye.
582 Mr. Schrader?
583 *Mr. Schrader. Schrader votes aye.
584 *The Clerk. Mr. Schrader votes aye.

585 Mr. Cardenas?
586 *Mr. Cardenas. Cardenas votes aye.
587 *The Clerk. Mr. Cardenas votes aye.
588 Mr. Ruiz?
589 [No response.]
590 *The Clerk. Mr. Peters?
591 *Mr. Peters. [Inaudible.]
592 *The Clerk. Mr. Peters votes aye.
593 Mrs. Dingell?
594 *Mrs. Dingell. Dingell votes aye.
595 *The Clerk. Mrs. Dingell votes aye.
596 Mr. Veasey?
597 [No response.]
598 *The Clerk. Ms. Kuster?
599 *Ms. Kuster. Kuster votes aye.
600 *The Clerk. Ms. Kuster votes aye.
601 Ms. Kelly?
602 *Ms. Kelly. Kelly votes aye.
603 *The Clerk. Ms. Kelly votes aye.
604 Ms. Barragan?
605 *Ms. Barragan. Barragan votes aye.
606 *The Clerk. Ms. Barragan votes aye.
607 Ms. Blunt Rochester?
608 *Ms. Blunt Rochester. Aye.
609 *The Clerk. Ms. Blunt Rochester votes aye.

610 Mr. Soto?

611 *Mr. Soto. Soto votes aye.

612 *The Clerk. Mr. Soto votes aye.

613 Mr. O'Halleran?

614 *Mr. O'Halleran. O'Halleran votes aye.

615 *The Clerk. Mr. O'Halleran votes aye.

616 Miss Rice?

617 *Miss Rice. [Inaudible.]

618 *The Clerk. Miss Rice votes aye.

619 Ms. Craig?

620 *Ms. Craig. Craig votes aye.

621 *The Clerk. Ms. Craig votes aye.

622 Ms. Schrier?

623 *Ms. Schrier. Schrier votes aye.

624 *The Clerk. Ms. Schrier votes aye.

625 Mrs. Trahan?

626 *Mrs. Trahan. [Inaudible.]

627 *The Clerk. Mrs. Trahan votes aye.

628 Mrs. Fletcher?

629 *Mrs. Fletcher. Fletcher votes aye.

630 *The Clerk. Mrs. Fletcher votes aye.

631 Mrs. Rodgers?

632 *Mrs. Rodgers. [Inaudible.]

633 *The Clerk. Mrs. Rodgers votes no.

634 Mr. Upton?

635 *Mr. Upton. No.
636 *The Clerk. Mr. Upton votes no.
637 Mr. Burgess?
638 *Mr. Burgess. No.
639 *The Clerk. Mr. Burgess votes no.
640 Mr. Scalise?
641 *Mr. Scalise. [Inaudible.]
642 *The Clerk. Mr. Scalise votes no.
643 Mr. Latta?
644 *Mr. Latta. No.
645 *The Clerk. Mr. Latta votes no.
646 Mr. Guthrie?
647 *Mr. Guthrie. No.
648 *The Clerk. Mr. Guthrie votes no.
649 Mr. McKinley?
650 *Mr. McKinley. [Inaudible.]
651 *The Clerk. Mr. McKinley votes no.
652 Mr. Kinzinger?
653 [No response.]
654 *The Clerk. Mr. Griffith?
655 *Mr. Griffith. No.
656 *The Clerk. Mr. Griffith votes no.
657 Mr. Bilirakis?
658 *Mr. Bilirakis. No.
659 *The Clerk. Mr. Bilirakis votes no.

660 Mr. Johnson?
661 *Mr. Johnson. No.
662 *The Clerk. Mr. Johnson votes no.
663 Mr. Long?
664 *Mr. Long. No.
665 *The Clerk. Mr. Long votes no.
666 Mr. Bucshon?
667 *Mr. Bucshon. No.
668 *The Clerk. Mr. Bucshon votes no.
669 Mr. Mullin?
670 [No response.]
671 *The Clerk. Mr. Hudson?
672 *Mr. Hudson. [Inaudible.]
673 *The Clerk. Mr. Hudson votes no.
674 Mr. Walberg?
675 *Mr. Walberg. [Inaudible.]
676 *The Clerk. Mr. Walberg votes no.
677 Mr. Carter?
678 *Mr. Carter. Carter from Georgia votes no.
679 *The Clerk. Mr. Carter votes no.
680 Mr. Duncan?
681 *Mr. Duncan. No.
682 *The Clerk. Mr. Duncan votes no.
683 Mr. Palmer?
684 *Mr. Palmer. [Inaudible.]

685 *The Clerk. Mr. Palmer votes no.
686 Mr. Dunn?
687 [No response.]
688 *The Clerk. Mr. Curtis?
689 *Mr. Curtis. [Inaudible.]
690 *The Clerk. Mr. Curtis votes no.
691 Mrs. Lesko?
692 *Mrs. Lesko. No.
693 *The Clerk. Mrs. Lesko votes no.
694 Mr. Pence?
695 *Mr. Pence. No.
696 *The Clerk. Mr. Pence votes no.
697 Mr. Crenshaw?
698 *Mr. Crenshaw. No.
699 *The Clerk. Mr. Crenshaw votes no.
700 Mr. Joyce?
701 *Mr. Joyce. No.
702 *The Clerk. Mr. Joyce votes no.
703 Mr. Armstrong?
704 *Mr. Armstrong. No.
705 *The Clerk. Mr. Armstrong votes no.
706 Chairman Pallone?
707 *The Chairman. [Inaudible.]
708 *The Clerk. Chairman Pallone votes aye.
709 *Dr. Ruiz. Chairman, how is Ruiz recorded?

710 *The Clerk. Mr. Ruiz is not recorded.

711 *Dr. Ruiz. I vote aye.

712 *The Clerk. Mr. Ruiz votes aye.

713 *The Chairman. Any other member who is not recorded?

714 Ms. Schakowsky?

715 *The Clerk. Ms. Schakowsky is not recorded.

716 *Ms. Schakowsky. Ms. Schakowsky votes aye.

717 *The Clerk. Ms. Schakowsky votes aye.

718 *The Chairman. Anyone else who is not recorded? Anyone
719 else we are expecting to arrive?

720 All right, you are all set?

721 Okay, the clerk will report the tally.

722 *The Clerk. On that vote, Mr. Chairman, the yeas were
723 28 and the nays were 23.

724 *The Chairman. Okay, so the vote is 28 ayes to 23 noes.
725 H.R. 1476 is reported adversely to the House.

726 Now we are about to adjourn, and I think this will be
727 likely the last time that the committee meets this Congress.
728 So once again, I do want to thank everyone, and wish
729 everybody a happy holiday. And of course, we are looking
730 forward to the new Congress and the new committee in the next
731 year.

732 So without objection, the staff is authorized to make
733 technical and conforming changes to the committee prints
734 consistent with the actions taken by the committee today.

735 And the committee stands adjourned.

736 [Whereupon, at 11:18 a.m., the subcommittee was

737 adjourned.]