

1 ALDERSON COURT REPORTING

2 CHRISTINE ALLEN

3 HJU072000

4 MARKUP OF H.R. 1585, THE "VIOLENCE AGAINST WOMEN

5 REAUTHORIZATION ACT OF 2019."

6 Wednesday, March 13, 2019

7 House of Representatives

8 Committee on the Judiciary

9 Washington, D.C.

10       The committee met, pursuant to call, at 10:07 a.m., in  
11 Room 2141, Rayburn Office Building, Hon. Jerrold Nadler  
12 [chairman of the committee] presiding.

13       Present: Representatives Nadler, Lofgren, Jackson Lee,  
14 Cohen, Johnson of Georgia, Deutch, Bass, Richmond, Jeffries,  
15 Cicilline, Swalwell, Lieu, Raskin, Jayapal, Demings, Correa,  
16 Scanlon, Garcia, Neguse, McBath, Stanton, Dean, Murcarsel-  
17 Powell, Escobar, Collins, Sensenbrenner, Chabot, Gohmert,  
18 Jordan, Buck, Ratcliffe, Roby, Gaetz, Johnson of Louisiana,  
19 Biggs, McClintock, Lesko, Reschenthaler, Cline, Armstrong,  
20 and Steube.

21           Staff Present: David Greengrass, Senior Counsel; John  
22 Doty, Senior Advisor; Lisette Morton, Director of Policy,  
23 Planning, and Member Services; Madeline Strasser, Chief  
24 Clerk; Moh Sharma, Member Services and Outreach Advisor;  
25 Susan Jensen, Parliamentarian/Senior Counsel; Ben Hernandez,  
26 Counsel, Crime Subcommittee; Joe Graupensperger, Chief  
27 Counsel, Crime Subcommittee; Milagros Cisneros, Detailee,  
28 Crime Subcommittee; Monalisa Dugue, Deputy Chief Counsel,  
29 Crime Subcommittee; Rachel Rossi, Counsel, Crime  
30 Subcommittee; Veronica Eligan, Professional Staff Member,  
31 Crime Subcommittee; Brendan Belair, Minority Chief of Staff;  
32 Robert Parmiter, Minority Deputy Chief of Staff; Jon Ferro,  
33 Minority Parliamentarian; Erica Barker, Minority Clerk;  
34 Andrea Woodard, Minority Professional Staff; and Jason  
35 Cervenak, Minority Counsel.

36

37 Chairman Nadler. The Judiciary Committee will please  
38 come to order.

39 A quorum being present, without objection, the chair is  
40 authorized to declare a recess at any time.

41 Pursuant to Committee Rule 2 and House Rule 11, Clause  
42 2, the chairman may postpone further proceedings today on the  
43 question of approving any measure or matter or adopting an  
44 amendment for which a recorded vote for the yeas and nays are  
45 ordered.

46 Pursuant to notice, I now call up H.R. 1585, the  
47 Violence Against Women Reauthorization Act of 2019 for  
48 purposes of markup, and move that the committee report the  
49 bill favorably to the House.

50 The clerk will report the bill.

51 Ms. Strasser. H.R. 1585, to reauthorize the Violence  
52 Against Women's Act of 1994 and for other purposes.

53 Chairman Nadler. Without objection, the bill is  
54 considered as read and open for amendment at any point.

55 [The bill follows:]

56

57 Chairman Nadler. I will begin by recognizing myself for  
58 an opening statement.

59 Today the committee will consider H.R. 1585, the  
60 Violence Against Women Reauthorization Act of 2019. This  
61 follows the hearing held last week by the Subcommittee on  
62 Crime, Terrorism, and Homeland Security of the need to  
63 reauthorize the Violence Against Women Act, which we often  
64 refer to as VAWA. At this hearing, it became clear that VAWA  
65 needs to be not only reauthorized, but also that its critical  
66 programs must be expanded and strengthened. The bill before  
67 us today would accomplish both of these important goals.

68 I want to thank the gentlewoman from California, Ms.  
69 Bass, the chair of the Crime Subcommittee and the sponsor of  
70 this legislation, for her leadership in the effort to  
71 reauthorize VAWA. I also want to thank Ms. Jackson Lee for  
72 her longstanding and tireless efforts over the years to  
73 protect and strengthen the act.

74 VAWA was signed into law in 1994 to help ensure that  
75 women in America are free from violence and free from fear.  
76 At the time VAWA was enacted, it was all too common for  
77 violent crimes against women to go without appropriate  
78 response and to remain unaddressed by the criminal justice  
79 system. But through programs implemented under VAWA,  
80 Congress began to provide communities in America the  
81 assistance they need to combat the crimes of domestic

82 violence, dating violence, sexual assault, and stalking.  
83 These programs and resources are unfortunately still  
84 necessary. Every year, approximately 7.9 million women are  
85 victims of rape, physical violence, or stalking by an  
86 intimate partner, and an average of 3 women are killed every  
87 day by a current or former intimate partner.

88 VAWA, which is not gender exclusive, addresses the needs  
89 of men and women, children, persons with disabilities,  
90 homeless persons, and LGBTQ people among others.  
91 Importantly, H.R. 1585 includes new protections for  
92 transgender individuals by making them newly eligible for  
93 certain DOJ grants, and by ensuring that their gender  
94 identity is properly recognized by the Bureau of Prisons.

95 The range of individuals VAWA helps is broad and should  
96 be as diverse as our communities around the country. I am  
97 pleased that this reauthorization continues our commitment to  
98 this principal. VAWA has had and continues to have a  
99 positive impact on people who rely on its assistance, whether  
100 directly or indirectly. Through grants of State and local  
101 governments, the Office on Violence Against Women in the  
102 Department of Justice funds the work of thousands of  
103 advocates in preventing and addressing domestic violence,  
104 dating violence, sexual assault, and stalking, and in  
105 assisting and training law enforcement and victim advocates.

106 In addition, grants administered through the Department

107 of Health and Human Services provide funds for shelters, rape  
108 prevention, and education, programs to address and reduce the  
109 sexual abuse of runaway and homeless youth, and programs to  
110 educate the community on domestic violence. The reach of the  
111 work carried out under VAWA is vast, and we must continue to  
112 support it.

113 Because of its important and its success, VAWA was  
114 reauthorized on a bipartisan basis in 2000 and 2005 and in  
115 2013. Unfortunately, not only has VAWA has now expired  
116 without being reauthorized, but because of the foolish  
117 government shutdown, we even had a lapse in appropriations  
118 for VAWA earlier this year, which jeopardized funding for  
119 domestic violence shelters.

120 It is time for us to act, but it would not be enough to  
121 merely extend the dates of authorization for existing VAWA  
122 programs as some of have suggested. We must set our goal  
123 appropriately higher, and our task now is not just to  
124 reauthorize VAWA, but to enhance and expand it to make it  
125 more effective.

126 H.R. 1585, the bill before us today, is a significant  
127 update to VAWA that will strengthen and enhance the vital  
128 services currently provided under the law to victims of  
129 domestic violence, dating violence, sexual assault, and  
130 stalking. Among the provisions without jurisdiction that  
131 this committee will now consider, the bill reauthorizes the

132 Services Training Offices Prosecutors, or STOP grants,  
133 administered by the Department of Justice, and it preserves  
134 funding for sexual assault services programs.

135 The bill also strengthen the non-discrimination  
136 provisions of the STOP Program as well as provide for greater  
137 protections for survivors during the prosecution of  
138 perpetrators. In addition, this legislation expands services  
139 for older survivors of abuse and for programs targeting  
140 domestic violence, dating violence, sexual assault, stalking,  
141 and child abuse enforcement in rural areas.

142 H.R. 1585 also expands protection against gun violence  
143 in domestic abuse situations, including provisions that  
144 extend current federal gun prohibitions to include  
145 individuals who have misdemeanor stalking convictions and  
146 dating partners convicted of misdemeanor crimes of domestic  
147 violence. Another critical improvement over current law is  
148 the expansion of jurisdiction of some tribal authorities over  
149 non-Indians who commit certain crimes, such as assaulting a  
150 law enforcement or corrections officer, obstruction of  
151 justice, sex trafficking, sexual violence, and stalking on  
152 tribal lands.

153 The Violence Against Women Reauthorization Act of 2019  
154 is comprehensive and inclusive legislation that I hope will  
155 earn bipartisan support in the long tradition of this vital  
156 law. It is fitting that the committee's efforts on this

157 important bill take place during Women's History Month as we  
158 seek to put an end to domestic violence, dating violence,  
159 sexual assault, and stalking once and for all.

160 I now recognize the ranking member of the Judiciary  
161 Committee, the gentleman from Georgia, Mr. Collins, for his  
162 opening statement.

163 Mr. Collins. Thank you, Mr. Chairman, and thanks for  
164 holding the markup of H.R. 1585, the Violence Against Women  
165 Reauthorization Act, authored by my friend, Congresswoman  
166 Bass. I am sad today that is a missed opportunity. I, like  
167 the vast majority of my colleagues, believe the Violence  
168 Against Women Act should be authorized and have been looking  
169 to do that ever since last fall. In fact, I supported a  
170 short-term extension of the Violence Against Women's Act  
171 through the end of the Fiscal Year to ensure the law remained  
172 authorized while we negotiated how best to improve in a  
173 bicameral, bipartisan way.

174 As you know, Congressman Lesko, who, by the way, has  
175 worked tirelessly on this issue from our side, and I  
176 appreciate all of her work, introduced a short-term extension  
177 and tried to have it added to the funding bill, but the  
178 Democrats blocked that extension. The Violence Against  
179 Women's Act funds critical programs that protect vulnerable  
180 women. The goals of VAWA remain as important today as they  
181 were when the bill was first enacted to protect and prevent

182 domestic violence and to service victims.

183       Unfortunately, rather than working with us to find an  
184 agreement on how to move this critical law forward, Democrats  
185 have decided to rush to mark up a bill that would actually,  
186 in our opinion, endanger women. Even if this bill had a  
187 glide path in the Senate, that wouldn't make sense, but  
188 Democrats can't even agree that because the Senate is engaged  
189 in its own set of negotiations.

190       It is my sincere hope we can ultimately work together to  
191 reauthorize VAWA in a thoughtful, meaningful way that  
192 preserves the intent of the law. I cannot, however, support  
193 the legislation my colleagues have put forward. It  
194 politicizes and weaponizes a program and a law that for years  
195 was non-controversial and bipartisan.

196       My goal is to reauthorize VAWA and I remain ready to do  
197 that in a way that protects women and girls, and insists law  
198 enforcement as they respond to domestic violence, prevent  
199 violence, and provides services to the vulnerable. We can  
200 find a path forward that doesn't sacrifice the safety of  
201 women and girls in this process.

202       And with that, I yield back.

203       Chairman Nadler. Thank you, Mr. Collins. I now  
204 recognize the chair of the Subcommittee on Crime, Terrorism,  
205 and Homeland Security, who is also the author of this  
206 important legislation, the gentlewoman from California, Ms.

207 Bass, for her opening statement.

208 Ms. Bass. Thank you, Mr. Chair. I am pleased that the  
209 committee will mark up H.R. 1585, the Violence Against Women  
210 Reauthorization Act of 2019. Last week, on March 7th, the  
211 Crime Subcommittee held a hearing on the importance of  
212 reauthorizing VAWA. It was on that day in 2013 that  
213 President Barack Obama signed our last VAWA into law. That  
214 law has since lapsed on September 30th, 2018, and America has  
215 asked Congress to respond immediately.

216 As such, my co-sponsor, Mr. Fitzpatrick, and I did just  
217 that by introducing this bill, H.R. 1585. I want to  
218 acknowledge the tremendous work done by Representative Sheila  
219 Jackson Lee on this bill specifically and on this issue in  
220 general.

221 This year, we celebrate the 25th anniversary of VAWA as  
222 the first VAWA was signed into law on September 13th, 1994 by  
223 President Bill Clinton. Today's markup is a reminder of the  
224 urgency of now in reauthorizing this vital legislation, which  
225 addresses the needs of all victims and survivors that are  
226 looking at Congress to act. H.R. 1585 is a sensible and  
227 commonsense bipartisan measure that has received a great deal  
228 of support from an overwhelming number of advocates that have  
229 spent the last 25 years working on these very important  
230 issues in their respective fields.

231 H.R. 1585 is a product of thoughtful consideration.

232 After listening to victims and survivors, working closely  
233 with service providers, visiting shelters, engaging advocates  
234 on these issues, and reviewing the startling statistic on  
235 domestic violence, dating violence, sexual assault, and  
236 stalking in America. This was a collaborative effort  
237 supported by a broad coalition of experts and advocates,  
238 including law enforcement officers, prosecutors, judges,  
239 victim service providers, faith leaders, healthcare  
240 professionals, and survivors.

241 Many of them are here today. They have spoken and  
242 identified the salient, practical, and non-discriminative  
243 issues that plague their communities when servicing victims  
244 and survivors of domestic violence, dating violence, sexual  
245 assault, harassment, and stalking. While much success has  
246 resulted from the passing of VAWA in 1994, 2000, 2005, and  
247 2013, much remain. With each reauthorization, VAWA has been  
248 improved in meaningful ways to reflect a growing  
249 understanding of how best to meet the varied and changing  
250 needs of survivors. VAWA 2019, therefore, is no different in  
251 that regard.

252 H.R. 1585 builds upon the improvements of previous VAWAs  
253 and closes the gaps identified since implementation in 2013.  
254 Times have changed, people have changed, and circumstances  
255 have as well. H.R. 1585 reflects those changes and  
256 recognizes the need to arm service providers with the

257 necessary tools and resources to assist those most in need of  
258 victim services.

259 H.R. 1585 provides resources to allow tribes to  
260 prosecute wrongdoers that are inflicting mayhem in their  
261 communities in alarming numbers and holding perpetrators  
262 accountable. This bill protects victims and survivors from  
263 harm and death because statistics show that firearms in the  
264 hands of those who perpetrate domestic violence, dating  
265 violence, sexual assault, and stalking increases the  
266 likelihood for tragedy in an already dangerous situation for  
267 the victim.

268 Domestic violence claims at least 2,000 lives each yea.  
269 An astounding 17,000 victims disclosed the use or threat of  
270 firearms being used against them during abuse. H.R. 1585  
271 invests in prevention by increasing the authorization of the  
272 Rape Prevention and Education Program, and specifically  
273 includes sexual harassment to its authorized use. It adds  
274 sexual harassment to the allowable uses of the workplace's  
275 response to domestic and sexual violence, a National Resource  
276 Center, which provides tools, resources, and training to  
277 private employers and Federal agencies.

278 H.R. 1585 removes barriers and enforces housing rights  
279 for survivors and victims, and creates a position at HUD  
280 specifically tasked with this work. It increases survivors'  
281 options to maintain housing and strengthens the emergency

282 transfer protections in Federal housing programs.

283 As we celebrate Women's History Month, we are given an  
284 opportunity to send a message to perpetrators of these  
285 abhorrent crimes and let women, men, and children know that  
286 we stand with them. As Shirley Chisholm once said, "You  
287 don't make progress by standing on the sidelines whimpering  
288 and complaining. You make progress by implementing ideas."  
289 And H.R. 1585 is a sound, practical, and smart idea we need  
290 to implement.

291 H.R. 1585 is fair, and I look forward to moving it  
292 through this committee. I yield back the balance of my time.

293 Chairman Nadler. Thank you, Ms. Bass. I now recognize  
294 the ranking member of the Crime Subcommittee, the gentleman  
295 from Texas, Mr. Ratcliffe, for his opening statement.

296 Mr. Ratcliffe. Thank you, Chairman Nadler, Ranking  
297 Member Collins for the opportunity to discuss and mark up  
298 this piece of legislation and move forward with the important  
299 conversation about the Violence Against Women Act and how to  
300 best serve and protectors survivors and victims of domestic  
301 violence around the country.

302 Last week, the Crime Subcommittee had the chance to  
303 examine VAWA and hear from four different witnesses with  
304 varied backgrounds. And our job was to listen and to learn  
305 from different perspectives at that hearing and at markups  
306 like this one, whether it is from witnesses or from fellow

307 members. And it is normal and to be expected to hear  
308 opinions that are different from one's own in Congress.

309 It is not appropriate, however, to shout down those with  
310 whom we disagree. Yet in the span of 1 week, Democrats have  
311 introduced a Violence Against Women Act Reauthorization that  
312 is not designed to prosecute and hold accountable abusers,  
313 one that is not designed to further the mitigation, the  
314 reduction, or the prevention of domestic violence against  
315 women. Instead, this bill is a Democrat wish list of  
316 campaign promises. It is not a good faith effort to pass a  
317 bipartisan and non-controversial reauthorization. It is  
318 instead discrimination against faith-based providers and  
319 religious organizations, which serve survivors of domestic  
320 violence. It is instead an expansion of VAWA protection  
321 beyond women and girls to include men.

322 And I can tell you what is not in this bill, what is  
323 missing from this bill. This bill clearly and tragically  
324 reduces the ability of prosecutors and judges to hold  
325 domestic abusers accountable. Providing VAWA grant dollars  
326 for the development and implementation of a "alternative  
327 justice response" is a foolish and misguided proposal that  
328 will actually harm survivors and victims of domestic violence  
329 because just what is an alternate justice response? Well, it  
330 is a process that involves the abusers and those they have  
331 harmed, the victims, sitting in a room and hoping that the

332 abuser will take responsibility for his actions. And to what  
333 end? Because none of the information used during these  
334 sessions can be used for any law enforcement purposes without  
335 the express permission of all participants, including the  
336 abuser.

337       So to be clear, what this means is that when a victim,  
338 traumatized after being battered again and again, feels this  
339 alternative justice response is the best approach for a  
340 variety of reasons -- to keep a roof over her head, to keep  
341 her children safe, to find a safe harbor free from violence  
342 and abuse -- and engages in this process, and if by chance  
343 the process results in her abusing admitting to abusing her,  
344 to harming her, to despising her or her children, then what?

345       This bill clearly states that "information disclosed  
346 during such process may not be used for any other law  
347 enforcement purpose including impeachment or prosecution."  
348 As a Federal prosecutor, I see this alternative justice  
349 response approach for what it is, a mockery of survivors and  
350 victims of domestic violence, and a get out of jail free card  
351 for abusers. As a Nation, we should be vigilant in putting  
352 abusers behind bars and ensuring that women and children are  
353 kept safe. As a member of this Judiciary Committee, I wonder  
354 what kind of message this bill actually sends.

355       There are some things that are more important than  
356 politics, and protecting women who need protection from

357 violence should not and cannot be a partisan issue, subject  
358 to the whims of special interest groups. But I fear this  
359 bill is more of the same from the majority. Instead of a  
360 partisan bill, we should strive to work on a bipartisan and  
361 bicameral basis to reauthorize the Violence Against Women  
362 Act.

363 We should offer a bill that truly serves women, that  
364 speaks for all of the women who have survived abuse and  
365 violence and speaks also for those victims who were not so  
366 fortunate. I yield back.

367 Chairman Nadler. Thank you, Mr. Ratcliffe. Without  
368 objection, all other opening statements will be included in  
369 the record.

370 [The information follows:]

371

372 Chairman Nadler. I now recognize myself for purposes of  
373 offering an amendment in the nature of a substitute. The  
374 clerk will report the amendment.

375 Ms. Strasser. Amendment in the nature of a substitute  
376 to H.R. 1585, offered by Mr. Nadler.

377 Chairman Nadler. Without objection, the amendment in  
378 the nature of a substitute will be considered as read and  
379 shall be considered as base text for purpose of amendment.

380 [The amendment of Mr. Nadler follows:]

381

382 Chairman Nadler. I will recognize myself to explain the  
383 amendment.

384 I offer this amendment in the nature of a substitute to  
385 H.R. 1585 in order to make two minor changes to the bill.  
386 Specifically, this amendment first addresses an oversight in  
387 drafting and changes the heading for Section 102 of the bill  
388 to reflect the name of the subchapter in Title 34 in current  
389 law that it is amending. The heading will now be "Grants to  
390 Improve the Criminal Justice Response," which more closely  
391 reflects the title of the relevant subchapter and Section  
392 102's broad goal of improving the criminal justice system.  
393 Secondly, this amendment removes from Section 104 of the bill  
394 duplicative text concerning the recovery and storage of  
395 certain firearms, which is also included more appropriately  
396 in Section 102 of the bill.

397 These changes do not alter the policies advanced by the  
398 bill or scale back its reforms in any way. Therefore, I ask  
399 that my colleagues support this amendment in the nature of a  
400 substitute to reauthorize and enhance the Violence Against  
401 Women Act. I yield back the balance of my time.

402 I will now recognize the ranking member of the full  
403 committee, Mr. Collins, for any comments he may have on the  
404 amendment in the nature of a substitute.

405 Mr. Collins. Thank you, Mr. Chairman. I oppose this  
406 amendment in the nature of a substitute. Unfortunately, this

407 amendment continues with many of the same concerns that I  
408 have with the underlying bill, and I think were so well laid  
409 out by the ranking member of the subcommittee just a moment  
410 ago. I believe this legislation should serve the needs of  
411 victims and work to prevent violence, and it should be  
412 focused on women and girls who should be protected in due  
413 process, and should provide sensible tools for law  
414 enforcement.

415 Unfortunately, this amendment does not do that and it  
416 does not solve those concerns, so I will oppose it. I yield  
417 back.

418 Chairman Nadler. All right. I thank the gentleman.  
419 Are there any amendments to the amendment in the nature of a  
420 substitute?

421 Mr. Sensenbrenner. Mr. Chairman?

422 Chairman Nadler. The gentleman from Wisconsin?

423 Mr. Sensenbrenner. Mr. Chairman, I have an amendment at  
424 the desk.

425 Chairman Nadler. The clerk will report the amendment.

426 Ms. Strasser. Amendment to the amendment in the nature  
427 of a substitute to H.R. 1585, offered by Mr. Sensenbrenner of  
428 Wisconsin.

429 Mr. Sensenbrenner. Mr. Chairman, I ask unanimous  
430 consent the amendment be considered as read.

431 Chairman Nadler. Without objection. Did somebody

432 reserve a point of order? Without objection.

433 [The amendment of Mr. Sensenbrenner follows:]

434

435 Mr. Sensenbrenner. Mr. Chairman, combatting domestic  
436 violence is a shared goal for members of this committee, and  
437 VAWA has traditionally enjoyed bipartisan support. As the  
438 former chairman, I authorized reauthorizations and worked to  
439 strengthen VAWA programs. However, we are straying further  
440 and further from the bill's original intent.

441 In 2013, I ended up voting against the reauthorization  
442 because I found it to be constitutionally problematic. For  
443 the first time, a provision in the statute, Section 904,  
444 extended the criminal jurisdiction of the tribal courts to  
445 people who are not members of an Indian tribe and who are  
446 accused of domestic violence that allegedly occurred on  
447 tribal territory. Tribal courts do not necessarily adhere to  
448 the same constitutional provisions that protect the rights of  
449 all defendants in Federal and State courts. This sets us  
450 down the road to a dangerous path.

451 In other words, some tribal courts say that if you are  
452 tried before a tribal court, the protections of the U.S.  
453 Constitution, of which there are many, particularly in the  
454 Fourth, Fifth, and Fourteenth Amendments, do not apply. They  
455 apply for someone who is accused of the same type of crime,  
456 either in a Federal or a State court. This committee has not  
457 looked at this question, and, in effect, the 2013  
458 reauthorization ended up taking away the constitutional  
459 rights of someone who happens to cross a reservation line and

460 ends up being accused of domestic violence.

461       What this amendment does is to strip the special  
462 domestic violence criminal jurisdiction for Indian tribes  
463 provision. Congress has a right to be concerned about  
464 spousal abuse, and I think every member of this committee is  
465 concerned about spousal abuse, and our voting records and our  
466 public and private statements have indicated it. On other  
467 forms of domestic violence on Indian reservations, this issue  
468 should be addressed in a constitutionally sound manner.

469       I have been on this committee for 40 years. We have  
470 never had a hearing on whether we should take away the  
471 constitutional rights of non-Indians who end up being charged  
472 in tribal courts. That is why this amendment should be  
473 adopted. And I think that those who are in support of the  
474 amendment should be allowed to talk about it, and those who  
475 are in support of continuing the current provision in law,  
476 you know, should have more than the debate on an amendment on  
477 an important reauthorization bill the 5-minute rule.

478       I yield to the gentleman from Georgia.

479       Mr. Collins. Thank you to my good friend. And I agree  
480 with this amendment. I support this amendment. Again, it  
481 goes to the process issue here and also taking into account  
482 some of the concerns that we have had. This is one that  
483 needs to be, I think, approved. It still does not overall  
484 make this bill anymore palatable, but it makes it at least be

485 more consistent with tribal structure and also law, and I  
486 will support that. And I yield back to the gentleman from  
487 Wisconsin.

488 Mr. Sensenbrenner. I yield back.

489 Chairman Nadler. I thank the gentleman. I recognize  
490 myself in opposition to this amendment. I opposed this  
491 amendment and urge my colleagues to do the same. The 2013  
492 VAWA reauthorization included a provision, and, therefore, it  
493 is included in current law, included a provision that  
494 reaffirmed the inherent sovereign authority of Indian tribal  
495 governments to exercise criminal jurisdiction over certain  
496 non-Indians. The provision was limited to crimes of domestic  
497 violence, dating violence, and criminal violations of  
498 protection orders.

499 By exercising this jurisdiction, tribal communities have  
500 increased safety and justice for some victims. There are no  
501 constitutional concerns with this provision. This amendment  
502 seeks to do away with all of this that we have had operating  
503 in the law since 2013. It is a salutary provision of the  
504 law. It should not be abolished, and, therefore, I oppose  
505 the amendment. I yield back.

506 Are there any further -- is there any further discussion  
507 of this amendment?

508 [No response.]

509 Chairman Nadler. If not, the question is on the

510 amendment.

511 All in favor, say aye.

512 Opposed, nay?

513 The nays have it.

514 Mr. Sensenbrenner. Roll call, please.

515 Chairman Nadler. A roll is requested. The clerk will  
516 call the roll.

517 Ms. Strasser. Mr. Nadler?

518 Chairman Nadler. No.

519 Ms. Strasser. Mr. Nadler votes no.

520 Ms. Lofgren?

521 Ms. Jackson Lee?

522 Ms. Jackson Lee. No.

523 Ms. Strasser. Ms. Jackson Lee votes no.

524 Mr. Cohen?

525 Mr. Johnson of Georgia?

526 Mr. Johnson of Georgia. No.

527 Ms. Strasser. Mr. Johnson of Georgia votes no.

528 Ms. Bass?

529 Ms. Bass. No.

530 Ms. Strasser. Ms. Bass votes no.

531 Mr. Richmond?

532 Mr. Jeffries?

533 Mr. Cicilline?

534 Mr. Swalwell?

535 Mr. Lieu?  
536 Mr. Raskin?  
537 Ms. Jayapal?  
538 Mrs. Demings?  
539 Mr. Correa?  
540 Ms. Scanlon?  
541 Ms. Scanlon. No.  
542 Ms. Strasser. Ms. Scanlon votes no.  
543 Ms. Garcia?  
544 Ms. Garcia. No.  
545 Ms. Strasser. Ms. Garcia votes no.  
546 Mr. Neguse?  
547 Mrs. McBath?  
548 Mr. Stanton?  
549 Mr. Stanton. No.  
550 Ms. Strasser. Mr. Stanton votes no.  
551 Ms. Dean?  
552 Ms. Dean. No.  
553 Ms. Strasser. Ms. Dean votes no.  
554 Ms. Mucarsel-Powell?  
555 Ms. Mucarsel-Powell. No.  
556 Ms. Strasser. Ms. Mucarsel-Powell votes no.  
557 Ms. Escobar?  
558 Mr. Collins?  
559 Mr. Collins. Aye.

560 Ms. Strasser. Mr. Collins votes aye.  
561 Mr. Sensenbrenner?  
562 Mr. Sensenbrenner. Aye.  
563 Ms. Strasser. Mr. Sensenbrenner votes aye.  
564 Mr. Chabot?  
565 Mr. Gohmert?  
566 Mr. Jordan?  
567 Mr. Buck?  
568 Mr. Buck. Aye.  
569 Ms. Strasser. Mr. Buck votes aye.  
570 Mr. Ratcliffe?  
571 Mrs. Roby?  
572 Mr. Gaetz?  
573 Mr. Johnson of Louisiana?  
574 Mr. Johnson of Louisiana. Aye.  
575 Ms. Strasser. Mr. Johnson of Louisiana votes aye.  
576 Mr. Biggs?  
577 Mr. McClintock?  
578 Mr. McClintock. Aye.  
579 Ms. Strasser. Mr. McClintock votes aye.  
580 Mrs. Lesko?  
581 Mr. Reschenthaler?  
582 Mr. Cline?  
583 Mr. Cline. Aye.  
584 Ms. Strasser. Mr. Cline votes aye.

585 Mr. Armstrong?

586 Mr. Steube?

587 Mr. Steube. Aye.

588 Ms. Strasser. Mr. Steube votes aye.

589 Ms. Lofgren. Mr. Chairman?

590 Chairman Nadler. Does any other member wish to vote?

591 Ms. Lofgren?

592 Ms. Lofgren. No.

593 Ms. Strasser. Ms. Lofgren votes no.

594 Chairman Nadler. Mr. Cohen?

595 Mr. Cohen. No.

596 Ms. Strasser. Mr. Cohen votes no.

597 Ms. Escobar. Escobar, no.

598 Chairman Nadler. Ms. Escobar of Texas?

599 Ms. Escobar. No.

600 Ms. Strasser. Ms. Escobar votes no.

601 Chairman Nadler. Mr. Jordan?

602 Mr. Jordan. Yes.

603 Ms. Strasser. Mr. Jordan votes aye.

604 Chairman Nadler. Mr. Cicilline?

605 Mr. Cicilline. No.

606 Ms. Strasser. Mr. Cicilline votes no.

607 Chairman Nadler. Mr. Lieu?

608 Mr. Lieu. No.

609 Ms. Strasser. Mr. Lieu votes no.

610 Chairman Nadler. Does any other member of the committee  
611 wish to vote who hasn't voted?

612 [No response.]

613 Chairman Nadler. The clerk will report the result. The  
614 clerk will suspend. Mr. Biggs?

615 Mr. Biggs. Aye.

616 Ms. Strasser. Mr. Biggs votes aye.

617 Chairman Nadler. One moment.

618 What happened? Ms. Jayapal?

619 Ms. Jayapal. No.

620 Ms. Strasser. Ms. Jayapal votes no.

621 Chairman Nadler. Mrs. McBath?

622 Mrs. McBath. No.

623 Ms. Strasser. Mrs. McBath votes no.

624 Chairman Nadler. Anybody else?

625 [No response.]

626 Chairman Nadler. The clerk will report.

627 Ms. Strasser. Mr. Chairman, the vote is 16 noes, 9  
628 ayes.

629 Chairman Nadler. The amendment is not agreed to.

630 For what purpose does the gentlelady from Texas seek  
631 recognition?

632 Ms. Jackson Lee. Mr. Chairman, I have an amendment at  
633 the desk.

634 Chairman Nadler. The clerk will report the amendment.

635 Mr. Buck. Mr. Chairman, I reserve on this. Thank you.

636 Chairman Nadler. The gentleman reserves a point of

637 order. The clerk will report the amendment.

638 Ms. Strasser. Amendment to the amendment in the nature

639 of a substitute to H.R. 1585, offered by Ms. Jackson Lee of

640 Texas.

641 Chairman Nadler. Without objection, the amendment is

642 considered as read.

643 [The amendment of Ms. Jackson Lee follows:]

644

645 Chairman Nadler. The gentlelady is recognized to  
646 explain her amendment.

647 Ms. Jackson Lee. I thank the chairman very much. Let  
648 me make note of one of our colleagues not on the committee  
649 from California, who has diligently reviewed this matter over  
650 the years and introduced legislation even in the last  
651 Congress to deal with the issue of the violence against  
652 Indian women. This amendment is a simple amendment, and it  
653 responds to the question of getting information.

654 It is a reporting requirement that the attorney general  
655 and the secretary of the Interior shall jointly prepare and  
656 submit a report to Congress, including known statistics on  
657 missing and murdered Indian women in the United States,  
658 including statistics relating to incidents of sexual abuse,  
659 of sexual assault suffered the victims, and recommendations  
660 regarding how to improve data collection on missing on  
661 missing and murdered Indian women. And as well the  
662 straightforward amendment will simply add language that  
663 reinforces what we have been discussing, that every woman  
664 deserves the same protections under VAWA.

665 On some reservations, native women face murder rates  
666 that are more than 10 times the national average. More than  
667 80 percent of American Indian and Alaska Native women have  
668 experienced violence in their lifetime. Most of these cases  
669 are crimes of sexual violence committed by non-Indian

670 perpetrators.

671 Finally, to my colleagues, these findings show that the  
672 special domestic violence criminal jurisdiction successfully  
673 protects native victims, help victims find justice, improve  
674 the tribal court systems, effectively uphold due process for  
675 non-defendants. If the provisions of this bill, underlying  
676 bill, is implemented, my amendment would ensure that the  
677 legislative intent is clear around these protections, that we  
678 learn to improve how to collect the data, and that we show  
679 that the incidences, because of the work that we are doing,  
680 finally diminishes.

681 And I share with my colleague this pie, Native American  
682 Raped Who Experience Other Physical Abuse, 96 percent.  
683 Ninety-six percent. And I would hope that we would want to  
684 get the facts. When we get the facts, I know this Congress  
685 acts in a bipartisan and deliberative way. I ask my  
686 colleagues to support the Jackson Lee amendment.

687 Chairman Nadler. Would the gentlelady yield to me?

688 Ms. Jackson Lee. I would be happy to yield.

689 Chairman Nadler. I will simply say that I support the  
690 amendment. It simply establishes a reporting requirement to  
691 help us deal with the large number of Indian women who are  
692 assaulted and sometimes murdered. So I support the  
693 amendment. I yield back.

694 Ms. Jackson Lee. I thank the gentleman, and I will

695 yield back. I do want to take note of the women who  
696 organized around this, which is the gentlelady from  
697 California, Mrs. Torres. So I thank you very much, and I  
698 will yield back and ask my colleagues to support the  
699 amendment.

700 Chairman Nadler. And does the gentleman from Colorado  
701 insist on his point of order?

702 Mr. Buck. No, I withdraw my point of order.

703 Chairman Nadler. Thank you very much. Does anyone else  
704 wish to be heard on the amendment?

705 Mr. Buck. Mr. Chairman, I move to strike the last word.

706 Chairman Nadler. The gentleman is recognized.

707 Mr. Buck. I just want to speak in support of this, and  
708 I thank the gentlelady from Texas for bringing this  
709 amendment. In Colorado and as a member of the U.S.  
710 Attorney's Office in Colorado, we had jurisdiction over  
711 crimes on reservations. And can speak firsthand to the fact  
712 that there is a very large population that is ignored and  
713 underserved. And I thank my friend from Texas for bringing  
714 this amendment.

715 Ms. Jackson Lee. I thank the gentleman.

716 Chairman Nadler. Is there anyone else who wishes to be  
717 recognized on this amendment?

718 [No response.]

719 Chairman Nadler. If not --

720 Ms. Jackson Lee. Ms. Jayapal.

721 Chairman Nadler. Ms. Jayapal, yes.

722 Ms. Jayapal. Thank you, Mr. Chairman. I thank my  
723 colleague from Texas for bringing this very important  
724 amendment. And, Mr. Chairman, I ask unanimous consent to  
725 insert into the report from Seattle's Urban Indian Health  
726 Institute. It actually documented that Seattle has the most  
727 number of missing and murdered Native American women in the  
728 country, of major cities in the country. And so this is a  
729 critical amendment for us.

730 Again, I thank my colleague from Texas for offering it,  
731 and I support the amendment.

732 Chairman Nadler. And you yield back. Does any other  
733 member wish to be heard on the amendment?

734 [No response.]

735 Chairman Nadler. If not, the question occurs on the  
736 amendment.

737 All those in favor will signify by saying aye.

738 Those opposed, no?

739 The ayes have it, and the amendment is agreed to.

740 Are there any other amendments?

741 Mr. Buck. Mr. Chairman, I have an amendment at the  
742 desk.

743 Mr. Buck. The clerk will report the amendment.

744 Ms. Strasser. Amendment to the amendment in the nature

745 of a substitute to H.R. 1585, offered by Mr. Buck of  
746 Colorado.

747 Ms. Jackson Lee. Mr. Chairman, I reserve a point of  
748 order.

749 Chairman Nadler. Without objection, the amendment will  
750 be considered as read.

751 [The amendment of Mr. Buck follows:]

752

753 Chairman Nadler. The gentlelady from Texas?

754 Ms. Jackson Lee. Reserves a point of order.

755 Chairman Nadler. The gentlelady from Texas reserves a  
756 point of order. The order is considered as read.

757 The gentleman from Colorado is recognized to explain his  
758 amendment.

759 Mr. Buck. I thank the chairman. As a former Federal  
760 prosecutor, I have seen firsthand the issue of domestic  
761 violence and the other crimes addressed in this bill. I  
762 agree Congress should focus on ways to address these issues.  
763 I do have to say, however, that I think the approach to this  
764 bill is unnecessarily partisan. In the past, VAWA enjoyed  
765 the broad support of members of both parties. Unfortunately,  
766 that cannot be said with this year's VAWA reauthorization  
767 bill.

768 One area that is unnecessarily partisan involves  
769 findings related to the connection between guns and female  
770 deaths in domestic situations. I would urge the majority to  
771 review your findings. I think you have mischaracterized what  
772 certain studies have found. In fact, this bill also cherry  
773 picks data. In one such case, your bill uses data to support  
774 your political objectives while you fail to mention the most  
775 significant finding in one of the studies you cite. I want  
776 to bring the conclusion of this study to the attention of the  
777 committee.

778           To quote the study, "An abuser's lack of employment was  
779 the only" -- the only -- "demographic factor that  
780 significantly predicted femicide risks after we controlled  
781 for a comprehensive list of more proximate risk factors."  
782 This committee should take note how important job creation is  
783 for curbing domestic violence. Thankfully, the actions of  
784 the current Administration and its focus on job creation is  
785 working. This will have an important impact in reducing  
786 domestic violence. Second, the tax modification bill passed  
787 last Congress is helping to create jobs and this, too, will  
788 reduce female deaths due to domestic violence according to  
789 the study that Democrats cite in their bill.

790           In terms of my amendment, it will do two things. First,  
791 it adds an additional conclusion to the findings in the bill  
792 from one of the key studies the majority has cited in their  
793 bill. This study concluded that after accounting for  
794 variables, when a woman who had been a victim of domestic  
795 violence has sole access to a firearm, she is safer. The  
796 reason for this is obvious. She is able to defend herself.

797           Second, consistent with the important scientific data,  
798 this amendment would allow the attorney general to provide  
799 VAWA grant money to organizations that conduct firearms  
800 training courses for victims of domestic violence. Proper  
801 training will empower victims, giving them a sense of  
802 security. It will allow them to protect themselves, curbing

803 future instances of domestic violence.

804 The studies Ms. Bass has used in her bill support this  
805 commonsense approach, and I urge the committee to adopt my  
806 amendment. And I yield back.

807 Chairman Nadler. Thank you. Does the gentleman yield  
808 back?

809 Mr. Buck. Yes, I do yield back.

810 Chairman Nadler. Does the gentlelady insist on her  
811 point of order?

812 Ms. Jackson Lee. I do not insist on my point of order.

813 Chairman Nadler. The point of order is not insisted  
814 upon and is withdrawn. I recognize myself in opposition to  
815 the amendment.

816 This amendment is too broad and risks gutting grant  
817 resources that are sorely needed to address the VAWA  
818 purposes. The grants that are authorized for the purposes of  
819 domestic violence, dating violence, sexual assault, stalking,  
820 and other crimes, firearms training is really beyond the  
821 scope and it is a different question. And I don't think we  
822 ought to use these funds for firearms training, and,  
823 therefore, I opposed the amendment and urge my colleagues to  
824 do so.

825 Is there any other discussion on the amendment?

826 [No response.]

827 Chairman Nadler. Hearing none, the question occurs on

828 the amendment.

829 All those in favor will signify by saying aye.

830 Opposed, no?

831 In the opinion of the chair, the noes have it. The noes  
832 have it, and the amendment is not --

833 Mr. Buck. Mr. Chairman, I ask for a roll call vote on  
834 that.

835 Chairman Nadler. A roll call vote has been requested.  
836 As your name is called, all those in favor of the amendment  
837 will signify by saying aye. All opposed, no. The clerk will  
838 call the roll.

839 Ms. Strasser. Mr. Nadler?

840 Chairman Nadler. No.

841 Ms. Strasser. Mr. Nadler votes no.

842 Ms. Lofgren?

843 Ms. Jackson Lee?

844 Ms. Jackson Lee. No.

845 Ms. Strasser. Ms. Jackson Lee votes no.

846 Mr. Cohen?

847 Mr. Cohen. No.

848 Ms. Strasser. Mr. Cohen votes no.

849 Mr. Johnson of Georgia?

850 Mr. Johnson of Georgia. No.

851 Ms. Strasser. Mr. Johnson of Georgia votes no.

852 Mr. Deutch?

853 Ms. Bass?  
854 Mr. Richmond?  
855 Mr. Jeffries?  
856 Mr. Jeffries. No.  
857 Ms. Strasser. Mr. Jeffries votes no.  
858 Mr. Cicilline?  
859 Mr. Cicilline. No.  
860 Ms. Strasser. Mr. Cicilline votes no.  
861 Mr. Swalwell?  
862 Mr. Lieu?  
863 Mr. Raskin?  
864 Mr. Raskin. No.  
865 Ms. Strasser. Mr. Raskin votes no.  
866 Ms. Jayapal?  
867 Ms. Jayapal. No.  
868 Ms. Strasser. Ms. Jayapal votes no.  
869 Mrs. Demings?  
870 Mr. Correa?  
871 Ms. Scanlon?  
872 Ms. Scanlon. No.  
873 Ms. Strasser. Ms. Scanlon votes no.  
874 Ms. Garcia?  
875 Ms. Garcia. No.  
876 Ms. Strasser. Ms. Garcia votes no.  
877 Mr. Neguse?

878 Mrs. McBath?  
879 Mrs. McBath. No.  
880 Ms. Strasser. Mrs. McBath votes no.  
881 Mr. Stanton?  
882 Mr. Stanton. No.  
883 Ms. Strasser. Mr. Stanton votes no.  
884 Ms. Dean?  
885 Ms. Dean. No.  
886 Ms. Strasser. Ms. Dean votes no.  
887 Ms. Mucarsel-Powell?  
888 Ms. Mucarsel-Powell. No.  
889 Ms. Strasser. Ms. Mucarsel-Powell votes no.  
890 Ms. Escobar?  
891 Ms. Escobar. No.  
892 Ms. Strasser. Ms. Escobar votes no.  
893 Mr. Collins?  
894 Mr. Collins. Aye.  
895 Ms. Strasser. Mr. Collins votes aye.  
896 Mr. Sensenbrenner?  
897 Mr. Sensenbrenner. Aye.  
898 Ms. Strasser. Mr. Sensenbrenner votes aye.  
899 Mr. Chabot?  
900 Mr. Chabot. Aye.  
901 Ms. Strasser. Mr. Chabot votes aye.  
902 Mr. Gohmert?

903 Mr. Gohmert. Aye.

904 Ms. Strasser. Mr. Gohmert votes aye.

905 Mr. Jordan?

906 Mr. Buck?

907 Mr. Buck. Aye.

908 Ms. Strasser. Mr. Buck votes aye.

909 Mr. Ratcliffe?

910 Mrs. Roby?

911 Mr. Gaetz?

912 Mr. Johnson of Louisiana?

913 Mr. Johnson of Louisiana. Aye.

914 Ms. Strasser. Mr. Johnson of Louisiana votes aye.

915 Mr. Biggs?

916 Mr. Biggs. Yes.

917 Ms. Strasser. Mr. Biggs votes aye.

918 Mr. McClintock?

919 Mr. McClintock. Aye.

920 Ms. Strasser. Mr. McClintock votes aye.

921 Mrs. Lesko?

922 Mr. Reschenthaler?

923 Mr. Cline?

924 Mr. Cline. Aye.

925 Ms. Strasser. Mr. Cline votes aye.

926 Mr. Armstrong?

927 Mr. Armstrong. Yes.

928 Ms. Strasser. Mr. Armstrong votes aye.  
929 Mr. Steube?  
930 Mr. Steube. Yes.  
931 Ms. Strasser. Mr. Steube votes aye.  
932 Chairman Nadler. Ms. Lofgren?  
933 Ms. Lofgren. No.  
934 Ms. Strasser. Ms. Lofgren votes no.  
935 Chairman Nadler. Mr. Deutch?  
936 Mr. Deutch. No.  
937 Ms. Strasser. Mr. Deutch votes no.  
938 Chairman Nadler. Mr. Jordan?  
939 Mr. Jordan. Yes.  
940 Ms. Strasser. Mr. Jordan votes aye.  
941 Chairman Nadler. Mr. Gaetz?  
942 Mr. Gaetz. Aye.  
943 Ms. Strasser. Mr. Gaetz votes aye.  
944 Chairman Nadler. (Off audio.)  
945 Ms. Strasser. Ms. Bass votes no.  
946 Mr. Reschenthaler votes aye.  
947 Chairman Nadler. Mr. Lieu?  
948 Mr. Lieu. No.  
949 Ms. Strasser. Mr. Lieu votes no.  
950 Chairman Nadler. Are there any members --  
951 Voice. Mr. Chairman, your mike, please. Microphone.  
952 Chairman Nadler. Are there any other members of the

953 committee who wish to vote who haven't been recorded yet?

954 [No response.]

955 Chairman Nadler. If not, the clerk will report.

956 Ms. Strasser. Mr. Chairman, there are 14 ayes and 19  
957 noes.

958 Chairman Nadler. A majority having voted against the  
959 amendment, the amendment is not agreed to.

960 Are there any other amendments?

961 Mr. Johnson of Louisiana. Mr. Chairman, I have an  
962 amendment at the desk.

963 Chairman Nadler. Mr. Johnson. The clerk will report  
964 the amendment.

965 Ms. Strasser. Amendment to the amendment in the nature  
966 of a substitute to H.R. 1585, offered by Mr. Johnson of  
967 Louisiana.

968 [The amendment of Mr. Johnson of Louisiana follows:]

969

970 Ms. Jackson Lee. Mr. Chairman, I reserve a point of  
971 order.

972 Chairman Nadler. The gentlelady from Texas reserves a  
973 point of order. The gentleman from Louisiana is recognized  
974 to explain his amendment.

975 Mr. Johnson of Louisiana. Thank you, Mr. Chairman. My  
976 amendment would simply require all entities that receive  
977 funding authorized through the Violence Against Women Act to  
978 certify that none of the funds will be used to perform an  
979 abortion. Make no mistake, we believe the reauthorization of  
980 the Violence Against Women Act is important, and it is  
981 unfortunate that this Congress has turned the law into such a  
982 partisan instrument.

983 It is critical whatever we do to ensure that women and  
984 children are protected from violence, and this is exactly why  
985 the best organizations should be equipped to provide the best  
986 care to those that need it most. That said, unfortunately,  
987 the current legislation, as it is written, opens the door to  
988 Federal funds being channeled to organizations with a long  
989 track record of providing abortions. In fact, the U.S.  
990 Government Accountability Office released a report in 2018  
991 stating that Planned Parenthood received \$340,000 over a 2-  
992 year period through grants administered under VAWA.

993 The question we must ask ourselves today is, as we seek  
994 to provide care, should an organization fraught with cases of

995 sexual abuse cover up be on the receiving end of these  
996 grants? Our hearts break when we hear stories, shocking as  
997 they are, like this one, the young daughter of George Savanna  
998 in the State of Washington who in 2014 was found to have  
999 taken his daughter three different times to a Planned  
1000 Parenthood clinic, each time for a forced abortion, after he  
1001 impregnated her, once when he was 14, again at age 15, and  
1002 again at age 17. What did Planned Parenthood do to prevent  
1003 such abuse? Not a thing.

1004 So, again, I ask, does this sound like a type of  
1005 organization that seriously believes in bringing justice to  
1006 the abused? Nearly 4,000 innocent lives were lost to  
1007 abortion in my district in 2016 alone. And since *Roe v.*  
1008 *Wade*, we all know the statistics: nearly 60 million children  
1009 have been aborted in the United States, and the statistics on  
1010 abortion are staggering, and they should not be.

1011 In Louisiana, over 770 children are taken each year from  
1012 what times at times is an abusive situation, much like the  
1013 ones we are discussing today, and they are welcomed into  
1014 loving arms all across the State through foster care and  
1015 adoption. That is a statistic we can be proud of and should  
1016 support. Programs like these provide opportunities to  
1017 advance the cause of justice for vulnerable women and  
1018 children. VAWA should never be used as a tool to harm or  
1019 terminate innocent lives or to promote organizations engaged

1020 in the cover-up of sexual abuse cases.

1021 I urge my colleagues to support this amendment. I yield  
1022 back the balance of my time.

1023 Mr. Cicilline. Will the gentleman yield, Mr. Johnson,  
1024 for a question?

1025 Mr. Johnson of Louisiana. I will yield, sure.

1026 Mr. Cicilline. Thank you. In the description you just  
1027 gave, I think you said that this amendment was intended to be  
1028 sure that no money could be used for an abortion. But of  
1029 course the language of the amendment is much more expansive  
1030 because, of course, that prohibition already exists under the  
1031 Hyde Amendment. But your language in this amendment says,  
1032 "No Federal funds may be provided, directly or indirectly, to  
1033 an entity unless the entity certifies that during the period  
1034 for which such funds are provided, the entity will not  
1035 perform and will not provide any funds to any other entity  
1036 that performs an abortion."

1037 So an entity, for example, like Planned Parenthood that  
1038 has spectacular domestic violence programs, would be  
1039 prohibited from providing desperately-needed services to  
1040 women who are victims of domestic violence because that  
1041 agency may, in fact, perform abortions. So it is --

1042 Mr. Johnson of Louisiana. With other funds.

1043 Mr. Cicilline. That is right. So it seems that, I  
1044 mean, just to be clear, your description about no Federal

1045 funds for abortion is actually not what the amendment does.  
1046 It says we are going to punish any agency that exercises what  
1047 our Supreme Court has says is a constitutionally-protected  
1048 right to provide services to terminate a pregnancy by denying  
1049 them resources to provide these desperately-needed domestic  
1050 violence services. And so I obviously strongly oppose this  
1051 amendment, but I think we need to be honest with our  
1052 committee members about what it actually does.

1053 If that wasn't your intention, then perhaps you can  
1054 withdraw the amendment and make another stab at it.

1055 Mr. Johnson of Louisiana. Well --

1056 Ms. Jackson Lee. Let's not make another stab.

1057 Mr. Johnson of Louisiana. -- reclaiming my time,  
1058 delighted that you weighed in. That is an astute  
1059 observation. If we can fine tune the language, I would  
1060 certainly welcome your assistance in doing that, to target to  
1061 make sure that these funds are not provided for abortion. If  
1062 Planned Parenthood or any other organization wants to do  
1063 these worthwhile services for preventing violence against  
1064 women, we are all for that.

1065 One of the concerns we have is that it was announced  
1066 over the weekend that the Democrat leadership is intending to  
1067 try to take a strike at the Hyde Amendment, and we were all  
1068 surprised to hear that. I hope it is just a rumor. I hope I  
1069 am wrong. But our intention is to make sure that that

1070 prohibition remains in Federal law --

1071 Mr. Cicilline. If you will just yield one more time, I  
1072 take you at your word that that is your intention. I hope  
1073 you will agree that is not the language is. So if that is  
1074 your intention, I would at least ask you to at least offer an  
1075 amendment that captures that versus this --

1076 Mr. Johnson of Louisiana. We can change one or two  
1077 words to fine tune that language, but I think the intent of  
1078 the amendment hopefully is something that we should agree to  
1079 in a bipartisan fashion. The purpose of VAWA is not to fund  
1080 abortion. Obviously it is to protect women and children.  
1081 Abortion is obviously the opposite of that. It takes the  
1082 life of an unborn child. So for that reason, I will modify  
1083 the language and reintroduce it. Thank you.

1084 Chairman Nadler. Does the gentlelady insist on her  
1085 point of order?

1086 Ms. Jackson Lee. I insist on my point of order, Mr.  
1087 Chairman. I insist on my point of order because the  
1088 amendment adds a new title to the bill. It is outside the  
1089 scope of the bill. It does not amend any existing part of  
1090 the bill, and it falls, as I indicated, outside the scope.  
1091 Therefore, this amendment is non-germane.

1092 Chairman Nadler. Does the gentleman --

1093 Mr. Cicilline. Point of order, Mr. Chairman. I think  
1094 -- point of order.

1095 Chairman Nadler. There is no point of order right now.

1096 Does the gentleman wish to be heard on the point of order,

1097 unless you want to withdraw the amendment all together.

1098 Mr. Johnson of Louisiana. I believe it is germane. I

1099 think it is perfectly consistent with the intent, the spirit

1100 of the law, and with the language. And so we will fine tune

1101 the language and I will reintroduce it.

1102 Chairman Nadler. So withdraw the amendment?

1103 Mr. Johnson of Louisiana. I am going to withdraw it at

1104 the moment and reintroduce it.

1105 Chairman Nadler. The amendment is withdrawn.

1106 Ms. Jackson Lee. Been withdrawn.

1107 Chairman Nadler. I do not have to rule on the point of

1108 order. The amendment is withdrawn. The gentleman may wish

1109 to offer another amendment later. That is his privilege.

1110 Does any other member have another amendment?

1111 Mrs. Lesko. Yes, Mr. Chair.

1112 Chairman Nadler. Who is seeking recognition? Mrs.

1113 Lesko.

1114 Mrs. Lesko. Yes, thank you. Thank you, Mr. Chair. I

1115 offer an amendment, and --

1116 Chairman Nadler. Do you have an amendment at the desk?

1117 Ms. Jackson Lee. I do have an amendment at the desk.

1118 Chairman Nadler. The clerk will report.

1119 Ms. Jackson Lee. Thank you.

1120 Ms. Strasser. Amendment to the amendment in the nature  
1121 of a substitute, ordered by Ms. Lesko of Arizona.

1122 Mrs. Lesko. Thank you. Mr. Chairman --

1123 Chairman Nadler. Without objection, the amendment will  
1124 be considered as read.

1125 [The amendment of Mrs. Lesko follows:]

1126

1127 Ms. Jackson Lee. Mr. Chairman, I raise a point of  
1128 order.

1129 Chairman Nadler. The gentlelady is recognized to  
1130 reserve a point of order. The gentlelady from Arizona is  
1131 recognized to explain to explain her amendment.

1132 Mrs. Lesko. Thank you, Mr. Chairman. I appreciate it.  
1133 As I have said before, I am a survivor of domestic violence.  
1134 I also serve on the advisory council in Arizona for a  
1135 domestic violence shelter, and I am a co-chairwoman of the  
1136 Congressional Working Committee on Domestic Violence here in  
1137 Congress. As you know, I moved on the floor to extend an  
1138 extension until September 30th of the current Violence  
1139 Against Women Act so that we could work in a bipartisan  
1140 fashion to protect women and children.

1141 And so my amendment I call the privacy and safety for  
1142 women amendment, and I really believe as the title entails,  
1143 Violence Against Women Act should be about protecting women.  
1144 And so simply put, my amendment says "Nothing in this act or  
1145 the amendments made by this act may be construed to compel a  
1146 victim service provider, as such term is defined in Section  
1147 40002 of the Violence Against Women Act of 1994, to place a  
1148 woman or child into a circumstance in which the woman or  
1149 child has grounds to fear for a violation of privacy or for  
1150 his or her safety." I think this is common sense. I think  
1151 we need to have common sense in this bill to protect women

1152 and children.

1153       And let me tell you why I feel I need to offer this  
1154 amendment. Basically there are several examples, but one  
1155 example is what we talked about briefly, or actually not  
1156 briefly, in our last hearing on VAWA. And it is because this  
1157 VAWA bill that we are putting forth today has the government  
1158 forcing organizations to take in men in women shelters. And  
1159 there is an example in *Downtown Hope Center v. the*  
1160 *Municipality of Anchorage*. And it is Downtown Hope Center  
1161 who has been helping men and women for years not only with  
1162 homelessness, but domestic violence, actually the  
1163 municipality is suing them and the Downtown Hope Center for  
1164 allegedly violating a law by providing a safe shelter only to  
1165 biological women.

1166       And so in their center, because all centers are  
1167 different. I mean, some centers in Arizona, domestic  
1168 violence shelter have separate rooms where men could be next  
1169 to a woman, but some are congregated. And so in this case,  
1170 at night the Hope Center serves homeless women, most of whom  
1171 have suffered rape, physical abuse, and domestic violence, by  
1172 providing them a safe place to sleep at night. The Hope  
1173 Center's women's shelter consists of one room with mattresses  
1174 set 3 to 5 feet apart from one another.

1175       So what my amendment does is say, listen, the shelter  
1176 should be able to protect women and children. And so

1177 sometimes if there is a situation where there is a biological  
1178 man right next to a biological woman, that that woman would  
1179 not feel safe. And that is why I think this amendment is a  
1180 good amendment, and I encourage my colleagues to vote yes on  
1181 it. I yield back my time.

1182 Chairman Nadler. The gentlelady yields back. Does the  
1183 gentlelady insist on her point of order?

1184 Ms. Jackson Lee. Mr. Chairman, I do not insist on my  
1185 point of order.

1186 Chairman Nadler. The gentlelady does not insist on her  
1187 point of order. I recognize myself in opposition to the  
1188 amendment.

1189 The amendment's apparent purpose, based on the language  
1190 in the amendment, appears benign, but I don't know what it  
1191 means. "Nothing in this act may be construed to compel a  
1192 victim service provider, as defined," that is clear, "to  
1193 place a woman or child in a circumstance in which the woman  
1194 or child has grounds to fear for violation of privacy or for  
1195 his or her safety." I don't know how a court would interpret  
1196 that. The language is extremely broad. What is a violation  
1197 of privacy? What is grounds to fear for violation of privacy  
1198 or safety. Obviously common sense has to rule. You wouldn't  
1199 put someone where there is a problem, but I think this  
1200 amendment is very vague.

1201 Service providers from rape crisis centers, shelters,

1202 and others who work each and every day to meet the needs of  
1203 all survivors and reduce sexual assault and domestic violence  
1204 throughout society, I think can be trusted to try to avoid  
1205 placing women or children in circumstances in which they have  
1206 grounds to fear for a violation of privacy or for their  
1207 safety. Insofar as the amendment, and I heard the  
1208 explanation from the gentlelady, it is not what the amendment  
1209 says. But insofar as it is intended to deal with transgender  
1210 people, I will simply say that service providers from these  
1211 organizations, rape crisis centers, shelters, and others, who  
1212 work each and every day to meet the need of all survivors and  
1213 reduce sexual assault and domestic violence throughout  
1214 society overwhelmingly agree that the claim that transgender  
1215 women are a danger to other women in shelters is false.

1216       So insofar as this amendment is directed at transgender  
1217 individual and their placement, I would oppose it because  
1218 there is not a threat. But I would oppose it further because  
1219 we don't know what it means. I mean, it might mean a lot  
1220 more. The language is extremely vague, and we should not put  
1221 into the law language that we really don't know what it  
1222 means. We know what the sponsor says she intends, but  
1223 language that simply says "circumstances in which the woman  
1224 or child has grounds to fear for a violation of privacy or  
1225 for safety," is that a subjective judgment? Is it an  
1226 objective judgment? Whose judgment is it? What does it

1227 mean? I don't know.

1228       And for that reason, I urge the defeat of this  
1229 amendment. And if it is directed at transgender individuals,  
1230 insofar as it may be held to be directed there because it  
1231 doesn't say that. But insofar as that is the intent, then it  
1232 is an invalid intent because, as I said, everybody deals with  
1233 this knows that there is no particular reason to think that  
1234 transgender women are a danger to other women in shelters.

1235       Mrs. Lesko. Mr. Chairman?

1236       Chairman Nadler. So I oppose the amendment. I urge my  
1237 colleagues to --

1238       Mrs. Lesko. Mr. Chairman?

1239       Chairman Nadler. I urge my colleagues to oppose the  
1240 amendment. Does anyone else seeks recognition?

1241       Mrs. Lesko. Mr. Chairman, would the gentleman yield his  
1242 time?

1243       Chairman Nadler. All right. I will yield. Who  
1244 requested I yield?

1245       Ms. Jackson Lee. Mrs. Lesko.

1246       Chairman Nadler. I will yield to the gentlelady.

1247       Mrs. Lesko. Thank you, Mr. Chairman. I appreciate the  
1248 yield of time. I do think it is valid, and I do think that  
1249 there is a concern if a biological male is put right next to  
1250 a biological woman, so there are women that are in these  
1251 shelters, and some of them have been raped. Most have been

1252 abused. And it is not fair to the woman. If this is called  
1253 the "Violence Against Women Act," it is not fair for the  
1254 women that the government is forcing these organizations to  
1255 take in biological males to be sleeping right next to  
1256 biological women. I don't think that is fair to the woman.  
1257 And so --

1258 Chairman Nadler. Reclaiming --

1259 Mrs. Lesko. Yes, Mr. Chairman.

1260 Chairman Nadler. Reclaiming my time. I think you have  
1261 made the point. Let me just say that I disagree with you  
1262 because transgender women are not biological males. They are  
1263 transgender women, and that is simply a reality. I know  
1264 there are people who deny that reality, but I think it is a  
1265 reality. So I would oppose the amendment on that basis.

1266 But, again, even if I agreed with you on that, I would  
1267 oppose the amendment because the amendment does not even say  
1268 that. The amendment is very vague. I will yield the balance  
1269 of my time. Does anyone --

1270 Mr. Cicilline. Mr. Chairman?

1271 Chairman Nadler. Does anyone else seek recognition?

1272 The gentleman from Maryland.

1273 Mr. Raskin. Thank you, Mr. Chairman. Just two points  
1274 here. One is to hear the gentlelady describe the amendment,  
1275 I think she wants to use the word "allow" rather than the  
1276 word "compel." That is, she doesn't want to allow a victim

1277 service provider to do the things that she considers  
1278 objectionable or dangerous. So she really wants to override  
1279 whatever the providers are doing because she hasn't stated  
1280 any case in which the act has been interpreted to compel  
1281 anyone to have any particular policy on the matter that is  
1282 troubling her.

1283 Mr. Raskin. So we have got one confusing amendment  
1284 following another confusing amendment. And, in fact this one  
1285 is very much in tension with the last one because if it has  
1286 any meaning, the last one, I mean, it seems that the way that  
1287 it was corrected by the gentleman from Louisiana, it is just  
1288 redundant and duplicative of the Hyde Amendment. But the way  
1289 that it is read, it would actually deny the ability of women  
1290 to receive abortions when their own health is at stake. And  
1291 this one says that you can't place a woman in fear for  
1292 violation of her privacy or for her safety, and that is  
1293 precisely what the other one would do.

1294 So one bad amendment follows another. I just say we  
1295 reject them both. I yield back to you, Mr. Chairman.

1296 Ms. Jackson Lee. Mr. Chairman.

1297 Chairman Nadler. Does anyone else seek recognition?

1298 Ms. Jackson Lee. Mr. Chairman?

1299 Chairman Nadler. Mr. Cicilline sought first recognition  
1300 first.

1301 Mr. Cicilline. Thank you, Mr. Chairman. I thank the

1302 author of the amendment for providing clarification of what  
1303 the purpose of this amendment is, and it is clearly designed  
1304 to deny services to transgender individuals. It is important  
1305 to remember we heard from a witness who made the same claim  
1306 that transgender people just don't exist. There are only men  
1307 and women, period, as if you can eviscerate the existence of  
1308 transgender women or transgender men.

1309       The reality is transgender, gender nonconforming, and  
1310 gender fluid people are disproportionately survivors of  
1311 violence. They deserve access to services consistent with  
1312 their needs, and it is important that we recognize that  
1313 according to the U.S. Transgender Survey, which surveyed  
1314 nearly 28,000 transgender adults, almost half of those  
1315 individuals have been sexually assaulted in their lifetime.  
1316 According to the latest FBI statistics, more than 17 percent  
1317 of all hate crimes reported in 2017 were based on the  
1318 victim's sexual orientation or gender identity. And the  
1319 Human Rights Campaign found that at least 128 transgender  
1320 individuals have been killed since 2013.

1321       There is no evidence to suggest that placing transgender  
1322 women into shelters poses any danger to anybody. In fact,  
1323 all it does is ensure that transgender people are safe.  
1324 Transgender people are disproportionately survivors of sexual  
1325 assault, and they deserve access to services consistent with  
1326 their gender identity.

1327 Domestic violence providers and law enforcement agree  
1328 that transgender women being in the same space as other women  
1329 does not make them less safe. Laws that prohibit  
1330 discrimination based on gender identity have been in place  
1331 for years, including specifically for VAWA programs, and  
1332 there is no evidence that this has caused any problems. And  
1333 there are hundreds of organizations that voiced their strong  
1334 support for these protections. And the National Consensus  
1335 Statement of Anti-Sexual Assault and Domestic Violence  
1336 Organizations in support of full and equal access for the  
1337 transgender community. Law enforcement leaders also agree  
1338 that protections like these are not associated with any  
1339 increase in safety-related instances, and witnesses from the  
1340 National Coalition Against Domestic Violence and the National  
1341 Council of Juvenile and Family Court Judges voiced their  
1342 support in this hearing lawsuit week.

1343 So this is about ensuring that everyone has access to  
1344 the protection and services they need.

1345 This notion that we can somehow deny a whole category of  
1346 individuals, that is transgender women, the same services  
1347 because of some conjured-up notion in someone's head that it  
1348 is a danger would be a grave mistake.

1349 I find it particularly painful and ironic that on the  
1350 day that we will introduce the Equality Act that will once  
1351 and for all end discrimination against members of the LGBT

1352 community in housing, employment, public accommodations, jury  
1353 service, credit, education, and Federal funding, to once and  
1354 for all say citizens are fully equal in the eyes of the law  
1355 in this country, on the very day we will do that with the  
1356 support of virtually the entire Democratic Caucus and several  
1357 of our Republican colleagues in a bipartisan way, that this  
1358 amendment is put forward in direct contradiction to that  
1359 bill's values and to our aspirations, and I urge my  
1360 colleagues to vote no on this amendment.

1361 Mr. Buck. Mr. Chairman?

1362 Chairman Nadler. The gentleman from Arizona? No, from  
1363 California. I am sorry.

1364 Mr. Buck. Colorado.

1365 Chairman Nadler. Colorado.

1366 [Laughter.]

1367 Mr. Buck. It is one of those Western States. I move to  
1368 strike the last word. I move to strike the last word.

1369 Chairman Nadler. The gentleman is recognized.

1370 Mr. Buck. Thank you.

1371 First of all, Mr. Cicilline, nowhere in this amendment  
1372 does it say that word "transgender." So I take the  
1373 gentlelady from Arizona at her word that this is not aimed at  
1374 transgender, but I would like to ask the --

1375 Mr. Cicilline. Will the gentleman yield? That is  
1376 exactly what she said. She explained it as "biological

1377 women," which is distinguishing transgender women from women  
1378 that she believes were born or biological women. So that was  
1379 what she provided in her explanation.

1380 I didn't make that up. That is her argument in support  
1381 of this amendment, which has innocuous language but is  
1382 clearly designed to permit discrimination against transgender  
1383 women.

1384 Mr. Buck. Reclaiming my time, I would like to ask the  
1385 proponent of the bill, the sponsor the bill a question, if I  
1386 may? Ms. Bass, may I ask you a question?

1387 Ms. Bass. Maybe.

1388 Mr. Buck. It is my --

1389 Chairman Nadler. You can yield time to Ms. Bass if you  
1390 want.

1391 Mr. Buck. I will -- let me ask the question, and  
1392 actually, anybody can answer. But it is my understanding  
1393 that the intention of this bill is to expand coverage for  
1394 domestic violence to men also. Is that fair? Is part of the  
1395 intention of this bill?

1396 Ms. Bass. It is the Violence Against Women Act. But  
1397 you know, again, let me go back to what my colleague said. A  
1398 transgender woman is not a man.

1399 Mr. Buck. I am not -- that is not my point at all. I  
1400 am not dealing with that.

1401 Ms. Bass. No, but I do think that is the --

1402 Mr. Buck. But I think the --

1403 Ms. Bass. -- congresswoman's point.

1404 Mr. Buck. But my point is that I represent a very rural  
1405 area of the country, and I want to make sure that there is an  
1406 understanding that we are not trying to place men in women's  
1407 shelters. In my jurisdiction, we would rent -- or the police  
1408 department would get a hotel room if a man was a victim of  
1409 domestic violence, for example.

1410 Ms. Bass. Yes.

1411 Mr. Buck. And that is the intention of this bill --

1412 Ms. Bass. Yes.

1413 Mr. Buck. -- is not to have some sort of coed or forced  
1414 --

1415 Ms. Bass. No, no. And I mean, of all of the hundreds  
1416 of shelters around the country, I have never heard of such a  
1417 thing, which is why I said where I think the gentlelady is  
1418 coming from is talking about transgender women.

1419 Mr. Buck. Okay. I just wanted -- I wanted to clarify  
1420 that. That is all. I appreciate it.

1421 I yield back.

1422 Ms. Bass. No problem.

1423 Chairman Nadler. The gentleman from --

1424 Mr. Buck. I am sorry. Mr. Chairman, if I may, I want  
1425 to yield to the gentlelady from Arizona.

1426 Chairman Nadler. The gentleman yields to the gentlelady

1427 from Arizona.

1428 Mrs. Lesko. Thank you, sir.

1429 Actually, there have been several statements says there  
1430 is no evidence that there are any problems. Actually, there  
1431 is evidence. Right now, there is a civil suit going on in  
1432 Fresno, California. Downtown Fresno's Poverello House is  
1433 being sued in Federal court by nine women who say they were  
1434 subject to sexual harassment by a transgender individual and  
1435 that that staff failed to take action to stop it.

1436 One of the reasons came up was showering, that they were  
1437 allowing the transgender individual who was preoperative  
1438 transgender, meaning that she was a male, biological male, to  
1439 shower with the other women. And so I would like to offer  
1440 this into the record that there is evidence that there is a  
1441 problem.

1442 Now nothing, nothing in my amendment prevents any  
1443 organization from taking in anyone. But what this bill does  
1444 is it forces, according to the Obama Department of Justice --  
1445 actually, they had an opinion, and I am going to read it.  
1446 Obama's Department of Justice said that VAWA grantees should  
1447 ensure that services don't isolate/segregate victims based on  
1448 gender identity. Grantees can't make a services  
1449 determination for a beneficiary based on the complaints of  
1450 other beneficiaries.

1451 Meaning that you are prioritizing the transgender woman,

1452 who is a biological male, over the rights of the women. And  
1453 so all I am saying is on a case-by-case basis in this  
1454 amendment, if there is a privacy issue or a safety issue of  
1455 any victim, no matter what their sex is, the organization  
1456 should not be forced by the Government to do what is in this  
1457 law.

1458 And thank you. I yield back.

1459 Ms. Jackson Lee. Mr. Chairman?

1460 Chairman Nadler. The gentlelady from Texas?

1461 Mr. Buck. Mr. Chairman, my time is not expired yet.

1462 Chairman Nadler. The gentlelady from --

1463 Mr. Collins. He is yielding to me, sir.

1464 Chairman Nadler. Mr. Buck is yielding to --

1465 Mr. Buck. I am yielding to Mr. Collins.

1466 Chairman Nadler. The gentleman is recognized.

1467 Mr. Collins. Thank you.

1468 And I won't take long. I just support the gentlelady's  
1469 amendment. I think the evidence has been put in, and this is  
1470 something, again as we work through this bill to find a  
1471 solution, this is one that I believe needs to be supported.  
1472 And I just wanted to make sure that that was on the record.

1473 I yield back to the gentleman from Colorado.

1474 Ms. Jackson Lee. Mr. Chairman?

1475 Chairman Nadler. Does the gentleman from Colorado yield  
1476 back?

1477 Mr. Buck. I yield back.

1478 Chairman Nadler. Thank you.

1479 The gentlelady from Pennsylvania, Ms. Scanlon?

1480 Ms. Scanlon. Thank you.

1481 I just wanted to speak on behalf of transgender women,  
1482 particularly transgender women of color, who suffer from  
1483 tragically high levels of violence. In one week in September  
1484 last year, three black transgender women were murdered,  
1485 including Shantee Tucker from Philadelphia, and this is amid  
1486 an uptick in violence against transgender women of color.

1487 I don't think there is anything in the act or the act,  
1488 as amended, that we are considering that would require  
1489 violations of poverty, and I would concur with Mr. Nadler  
1490 that the amendment is just not tightly drawn enough to  
1491 address the situation that my colleague from Arizona is  
1492 concerned about, apparently.

1493 And I would also ask to submit into the record this  
1494 letter from the National Task Force to End Sexual and  
1495 Domestic Violence, supporting nondiscrimination protections  
1496 for transgender people.

1497 Chairman Nadler. Without objection.

1498 [The information follows:]

1499

1500 Ms. Scanlon. And I would yield back.

1501 Ms. Jackson Lee. Mr. Chairman?

1502 Chairman Nadler. The gentlelady from Texas?

1503 Ms. Jackson Lee. First of all, I want to say thank you,

1504 Mr. Chairman, to the gentlelady from Arizona. We

1505 meticulously crafted this bill to embrace and protect. We

1506 crafted it in the backdrop of constitutional protections that

1507 deal with privacy. We also crafted it in the backdrop of

1508 ensuring that people who had experienced violence would find

1509 a place of refuge.

1510 When Judge Gonzalez testified here last week, she made

1511 it very clear that persons who came before her, transgender

1512 and otherwise, were not in any way attempting to fraudulently

1513 represent who they were and that they needed protection. We

1514 want to make sure that that protection continues and occurs,

1515 and the court case that you are speaking of will be judged

1516 accordingly.

1517 But it is well known that Federal courts have ruled

1518 again and again that it is not a violation of privacy simply

1519 to have to share a space with a transgender person. This act

1520 does not condone bad acts. It provides a protection for

1521 those who need refuge, comfort, a bed. And I would hope that

1522 the gentlelady would understand or see that we will not want

1523 to exclude anyone that has suffered abuse.

1524 And I would indicate to the gentlelady that I think the

1525 protections that she is looking for is within the four  
1526 corners of this bill, and the opportunity for the individual  
1527 agencies to make their case, if there is danger, can be made  
1528 locally with local law enforcement. And by the way, we  
1529 provide \$291 million to enhance local law enforcement for any  
1530 necessities of protecting people who have experienced  
1531 violence.

1532 And I think that that would certainly be the case in  
1533 your particular case that you speak of. And unfortunately,  
1534 although I understand your intent, I have to oppose the  
1535 amendment.

1536 Ms. Lofgren. Would the gentlelady yield?

1537 Ms. Jackson Lee. I would be happy to yield.

1538 Ms. Lofgren. I would just like to note, you know, on  
1539 the policy issues, I don't disagree with the comments that  
1540 have been made. But we are the Judiciary Committee, and it  
1541 falls to us to craft legislation that is certain and precise  
1542 so that judges can know what it means.

1543 And this is so loosely crafted, it falls short of what  
1544 we would need as a standard of excellence in terms of  
1545 legislation. So whatever one thinks about the underlying  
1546 issue, and I agree with the comments made to protect  
1547 transgender individuals, this could never be accepted because  
1548 of its -- how loosely it is crafted.

1549 And I thank the gentlelady for yielding.

1550 Ms. Jackson Lee. Thank you.

1551 Reclaiming my time, the gentlelady from California has  
1552 made a very precise statement on, I think, the general  
1553 impression that we got when we saw the amendment, the  
1554 difficulty of understanding its place. And I just conclude  
1555 by saying not only would it be the difficulty of the courts  
1556 interpreting it, it would be the difficulty of the  
1557 beneficiaries of the Violence Against Women Act to interpret  
1558 what that provision would mean, and who in the  
1559 administration, meaning what agency would be enforcing this  
1560 aspect of the language or of the provision.

1561 So I thank the gentlelady from Arizona for her concern,  
1562 but I think the weight of the law, the weight of the issues  
1563 of violence against all people that would experience it, and  
1564 the desire of the bill as we have it to protect all who have  
1565 been experiencing that is -- would cause me to oppose the  
1566 amendment.

1567 And I yield back.

1568 Mr. Collins. Mr. Chairman? Mr. Chairman?

1569 Chairman Nadler. The gentlelady has yielded back. For  
1570 what purpose does the gentleman seek recognition?

1571 Mr. Collins. Move to strike the last word.

1572 Chairman Nadler. The gentleman is recognized.

1573 Mr. Collins. Thank you.

1574 I just want to comment on the gentlelady from California

1575 and, I think it was said of her, preciseness. I think the  
1576 interesting issue here is if we use the standard of  
1577 preciseness and nonambiguity, then H.R. 1 would have never  
1578 came to the floor, and then we would have had some other  
1579 issues with this thing.

1580 So I appreciate the gentlelady's concern. I think the  
1581 amendment, though, is good. And the written -- the way it is  
1582 written, again, I just want to point out that we have had  
1583 disagreements on the preciseness not only of H.R. 1, H.R. 8,  
1584 and others as we have gone though. So I think this one  
1585 actually says what she wants it to say.

1586 But when you actually have other language written into  
1587 statute that we have already passed that is completely  
1588 imprecise and also would lead to a result, I just wanted to  
1589 point that out as we go forward.

1590 I yield back.

1591 Mrs. Lesko. Representative Collins?

1592 Chairman Nadler. I thank the gentleman for yielding  
1593 back. I simply want to say I hope we can get to a vote on  
1594 the amendment without debating H.R. 1 or H.R. 8.

1595 Is there any further discussion on the amendment?

1596 Mr. McClintock. Mr. Chairman?

1597 Chairman Nadler. Who seeks recognition?

1598 Mr. McClintock. I do. Move to strike the last word.

1599 Chairman Nadler. The gentleman is recognized.

1600 Mr. McClintock. I yield to the gentlelady from Arizona.

1601 Mrs. Lesko. Thank you, Mr. Chairman and Members.

1602 I appreciate the comments from the gentlewoman from  
1603 California, Representative Bass, and I want to point out that  
1604 I really wanted this to be a bipartisan bill. And I reached  
1605 out to your office, I reached out to other Democrat offices  
1606 to try to craft language that could be bipartisan because I,  
1607 too, share the goal that we need to protect individuals that  
1608 are abused.

1609 In no way does my amendment discriminate against anyone,  
1610 but what it does do is say that the Government shouldn't be  
1611 forcing organizations to take in biological males if a woman  
1612 feels in some way her safety or privacy is threatened.

1613 As to the vagueness of the language, would the  
1614 gentlewoman from California be amenable to working with me if  
1615 the goal -- if you share my goal in protecting women to  
1616 design, to design that you view as not as vague. My goal and  
1617 your goal are the same, and that is to protect women.

1618 But I do have a serious concern, and I don't think we  
1619 can just dismiss it, that if a biological male has to sleep  
1620 right next to a biological woman, there may be a concern.  
1621 There may not, but there may be. And under the Obama  
1622 administration's Department of Justice interpretation, the  
1623 woman in that case, even if she complained, the other  
1624 person's, the biological male's priorities -- is prioritized

1625 over the woman.

1626 And if this is about Violence Against Women Act, I  
1627 really think we need to protect women. And so my question  
1628 is, would the gentlelady from California, Representative  
1629 Bass, be amenable to working together, if you think this  
1630 language is too vague, on less vague language?

1631 And I yield back my time.

1632 Chairman Nadler. The gentlelady yields back.

1633 Ms. Bass. Mr. Chair?

1634 Chairman Nadler. For what purpose does the gentlelady  
1635 from California?

1636 Ms. Bass. Well, let me just say to my colleague on the  
1637 other side of the aisle that I would be more than -- more  
1638 than happy to work with you so that we could come up with  
1639 language that we could both agree -- we could both agree  
1640 with.

1641 And I think, in the course of us working together, I  
1642 think it would be really helpful if we worked together to  
1643 understand the transgender community, to understand what  
1644 transgender is, to understand what it is to go through the  
1645 process. Years before coming here, I worked in a clinic that  
1646 took care of transgender individuals through each stage of  
1647 the process, and so maybe we could visit shelters together.  
1648 Maybe we could really get at the bottom of whether or not  
1649 this is a serious problem or whether or not one incident

1650 happened.

1651 So I would be happy to work with my colleague, and we  
1652 will both learn together.

1653 Thank you.

1654 Chairman Nadler. The question occurs on the amendment.

1655 All in favor, say aye.

1656 Opposed, no.

1657 The noes have it.

1658 Mrs. Lesko. I call for a roll call vote.

1659 Chairman Nadler. The noes have it. The amendment is  
1660 not agreed to.

1661 A roll call vote is requested. The clerk will call the  
1662 roll.

1663 Ms. Strasser. Mr. Nadler?

1664 Chairman Nadler. No.

1665 Ms. Strasser. Mr. Nadler votes no.

1666 Ms. Lofgren?

1667 Ms. Lofgren. No.

1668 Ms. Strasser. Ms. Lofgren votes no.

1669 Ms. Jackson Lee?

1670 Ms. Jackson Lee. No.

1671 Ms. Strasser. Ms. Jackson Lee votes no.

1672 Mr. Cohen?

1673 Mr. Cohen. No.

1674 Ms. Strasser. Mr. Cohen votes no.

1675 Mr. Johnson of Georgia?  
1676 Mr. Deutch?  
1677 Ms. Bass?  
1678 Ms. Bass. No.  
1679 Ms. Strasser. Ms. Bass votes no.  
1680 Mr. Richmond?  
1681 Mr. Jeffries?  
1682 Mr. Jeffries. No.  
1683 Ms. Strasser. Mr. Jeffries votes no.  
1684 Mr. Cicilline?  
1685 Mr. Cicilline. No.  
1686 Ms. Strasser. Mr. Cicilline votes no.  
1687 Mr. Swalwell?  
1688 Mr. Swalwell. No.  
1689 Ms. Strasser. Mr. Swalwell votes no.  
1690 Mr. Lieu?  
1691 Mr. Lieu. No.  
1692 Ms. Strasser. Mr. Lieu votes no.  
1693 Mr. Raskin?  
1694 Mr. Raskin. No.  
1695 Ms. Strasser. Mr. Raskin votes no.  
1696 Ms. Jayapal?  
1697 Ms. Jayapal. No.  
1698 Ms. Strasser. Ms. Jayapal votes no.  
1699 Mrs. Demings?

1700 Mrs. Demings. No.

1701 Ms. Strasser. Mrs. Demings votes no.

1702 Mr. Correa?

1703 Mr. Correa. No.

1704 Ms. Strasser. Mr. Correa votes no.

1705 Ms. Scanlon?

1706 Ms. Scanlon. No.

1707 Ms. Strasser. Ms. Scanlon votes no.

1708 Ms. Garcia?

1709 Ms. Garcia. No.

1710 Ms. Strasser. Ms. Garcia votes no.

1711 Mr. Neguse?

1712 Mrs. McBath?

1713 Mrs. McBath. No.

1714 Ms. Strasser. Mrs. McBath votes no.

1715 Mr. Stanton?

1716 Mr. Stanton. No.

1717 Ms. Strasser. Mr. Stanton votes no.

1718 Ms. Dean?

1719 Ms. Dean. No.

1720 Ms. Strasser. Ms. Dean votes no.

1721 Ms. Mucarsel-Powell?

1722 Ms. Mucarsel-Powell. No.

1723 Ms. Strasser. Ms. Mucarsel-Powell votes no.

1724 Ms. Escobar?

1725 Ms. Escobar. No.

1726 Ms. Strasser. Ms. Escobar votes no.

1727 Mr. Collins?

1728 Mr. Collins. Aye.

1729 Ms. Strasser. Mr. Collins votes aye.

1730 Mr. Sensenbrenner?

1731 Mr. Sensenbrenner. Aye.

1732 Ms. Strasser. Mr. Sensenbrenner votes aye.

1733 Mr. Chabot?

1734 Mr. Chabot. Aye.

1735 Ms. Strasser. Mr. Chabot votes aye.

1736 Mr. Gohmert?

1737 Mr. Gohmert. Aye.

1738 Ms. Strasser. Mr. Gohmert votes aye.

1739 Mr. Jordan?

1740 Mr. Buck?

1741 Mr. Ratcliffe?

1742 Mrs. Roby?

1743 Mr. Gaetz?

1744 Mr. Johnson?

1745 Mr. Johnson of Louisiana. Aye.

1746 Ms. Strasser. Mr. Johnson votes aye.

1747 Mr. Biggs?

1748 Mr. McClintock?

1749 Mr. McClintock. Aye.

1750 Ms. Strasser. Mr. McClintock votes aye.  
1751 Mrs. Lesko?  
1752 Mrs. Lesko. Aye.  
1753 Ms. Strasser. Mrs. Lesko votes aye.  
1754 Mr. Reschenthaler?  
1755 Mr. Reschenthaler. Aye.  
1756 Ms. Strasser. Mr. Reschenthaler votes aye.  
1757 Mr. Cline?  
1758 Mr. Cline. Aye.  
1759 Ms. Strasser. Mr. Cline votes aye.  
1760 Mr. Armstrong?  
1761 Mr. Armstrong. Yes.  
1762 Ms. Strasser. Mr. Armstrong votes aye.  
1763 Mr. Steube?  
1764 Mr. Steube. Yes.  
1765 Ms. Strasser. Mr. Steube votes aye.  
1766 Chairman Nadler. Mr. Deutch?  
1767 Mr. Deutch. No.  
1768 Ms. Strasser. Mr. Deutch votes no.  
1769 Chairman Nadler. Mr. Johnson of Georgia?  
1770 Mr. Johnson of Georgia. No.  
1771 Ms. Strasser. Mr. Johnson of Georgia votes no.  
1772 Chairman Nadler. Does anyone else wish to vote who  
1773 hasn't voted?  
1774 [No response.]

1775 Chairman Nadler. The clerk will report.

1776 [Pause.]

1777 Ms. Strasser. Mr. Chairman, there are 11 ayes and 22  
1778 noes.

1779 Chairman Nadler. The amendment is not agreed to.

1780 Are there any further amendments?

1781 Mr. Gohmert. Mr. Chairman?

1782 Chairman Nadler. The gentleman from Texas is  
1783 recognized.

1784 Mr. Gohmert. Mr. Chairman, I have an amendment at the  
1785 desk.

1786 Chairman Nadler. The clerk will report.

1787 Ms. Strasser. Amendment to the amendment in the nature  
1788 of a substitute to H.R. 1585, offered by Mr. Gohmert of  
1789 Texas.

1790 Chairman Nadler. Without objection, the amendment will  
1791 be considered as read.

1792 [The amendment of Mr. Gohmert follows:]

1793

1794 Chairman Nadler. The gentleman from Texas is  
1795 recognized.

1796 Mr. Gohmert. Thank you, Mr. Chairman.

1797 This amendment to the amendment in the nature of a  
1798 substitute would ensure that girls and women who are victims  
1799 of female genital mutilation or female circumcision are  
1800 eligible to receive assistance through the Violence Against  
1801 Women Act programs. This amendment is badly needed because  
1802 female genital mutilation and female circumcision is a very  
1803 real and horrific procedure performed on countless girls and  
1804 women around the world, including right here in the United  
1805 States.

1806 Unfortunately, the Office of Violence Against Women does  
1807 not have the authority to target funding to these very  
1808 victims and assist them with their problems. If a girl or a  
1809 woman seeks assistance from a Violence Against Women Act  
1810 grantee because she is a victim of female genital mutilation  
1811 or threatened with mutilation, right now and under this  
1812 amendment in the nature of a substitute, she will be  
1813 ineligible for any of the services under this bill.

1814 The way the law stands now, a victim of female genital  
1815 mutilation must also be a victim of some additional  
1816 qualifying crime just to get the help that we have put in the  
1817 Violence Against Women Act, including domestic violence and  
1818 sexual assault.

1819 Female genital mutilation is already a heinous crime,  
1820 and a victim should not be burdened with having to prove  
1821 additional abuses in order to just receive the help and care  
1822 that she needs from a grantee under this bill. The amendment  
1823 is very similar to the Empower Our Girls Act, introduced by  
1824 Representative Scott Perry of Pennsylvania, and I thank him  
1825 for his efforts.

1826 But I urge my colleagues to help protect women and girls  
1827 by supporting this amendment. This is something they really  
1828 need help with, and I hope that we can embrace this within  
1829 the Violence Against Women Act.

1830 I yield to Mr. Collins.

1831 Mr. Collins. I thank the gentleman from Texas.

1832 I think this is an excellent amendment. I think the way  
1833 it has been worded, I think there is probably going to be  
1834 agreement on this side to work to get this into the bill, and  
1835 I just want to say I support what you are doing here. I  
1836 appreciate the intent in which it is offered, and I think  
1837 this is something that we can work with.

1838 With that, I yield back to the gentleman.

1839 Ms. Jackson Lee. Would the gentleman yield?

1840 Mr. Gohmert. I will yield to my friend from Texas.

1841 Ms. Jackson Lee. Let me thank the gentleman from Texas.  
1842 Over the years, I have offered legislation dealing with  
1843 female mutilation, and I think this is constructive. And it

1844 is no doubt that more of it happens than not and in this  
1845 country, and therefore, it looks and appears constructive for  
1846 helping those who have heretofore had to be silenced.

1847 And so I thank the gentleman. I yield back to the  
1848 gentleman.

1849 Mr. Gohmert. I appreciate --

1850 Chairman Nadler. I recognize myself on the amendment --

1851 Mr. Gohmert. Well, I still had some time left. She  
1852 yielded back to me. And I just wanted to thank her for her  
1853 efforts over the years. I recall those efforts and applaud  
1854 them and appreciate the gentlelady's comments. And I yield -  
1855 -

1856 Ms. Lofgren. Would the gentleman yield?

1857 Mr. Gohmert. I yield to my friend from California.

1858 Ms. Lofgren. I think whether or not -- you know, this  
1859 is three pages, and we don't have the underlying bill. So I  
1860 think we want to work and make sure that we agree in the  
1861 drafting of it, but I completely agree with what you are  
1862 trying to do.

1863 Mr. Gohmert. Okay.

1864 Ms. Lofgren. And I think it is a good addition to the  
1865 bill. I mean, I remember when I was in local government, we  
1866 made a big effort to try and stamp this out. Some of it is  
1867 educational, but you can't do this. And I appreciate your  
1868 raising it, and I hope that we can work together between now

1869 and the floor to make sure it is tightly drawn.

1870 And I thank the gentleman for yielding.

1871 Mr. Gohmert. And I appreciate your point. I think we  
1872 got everything that needed to be there, but I am open to the  
1873 possibility we missed something that needed to be fixed.

1874 And I yield to the chairman.

1875 Chairman Nadler. Let me say that, first of all, I want  
1876 to thank -- I want to thank you for raising this. This is a  
1877 good -- this is a good -- any female genital mutilation to  
1878 the bill is a good addition to the bill. I thank you for  
1879 raising it.

1880 There are some problems with the way you have drafted  
1881 it. I would ask that if you withdraw the amendment, we will  
1882 work with you to craft an amendment to the bill by the time  
1883 it goes to the Rules Committee that will accomplish this  
1884 purpose. If you want, I can say what some of the problems  
1885 with the amendment as drafted are, but it is not necessary.  
1886 We can -- I am sure we can work out an amendment that will do  
1887 exactly what you want.

1888 Mr. Gohmert. And I have your assurance that we will  
1889 address this --

1890 Chairman Nadler. You do.

1891 Mr. Gohmert. -- and the funds will be available for  
1892 women that are victims of female genital mutilation?

1893 Chairman Nadler. Well, you have my assurances that we

1894 will have an amendment to allow all this. Do we appropriate  
1895 -- does your amendment appropriate funds? I didn't see that.

1896 Mr. Gohmert. No, it doesn't. It just allows funds  
1897 already --

1898 Chairman Nadler. It makes it eligible.

1899 Mr. Gohmert. Yes.

1900 Chairman Nadler. Yes, we will certainly -- you have my  
1901 assurance on that point. We will have an amendment which  
1902 will make -- victims of female -- programs dealing with  
1903 victims of female genital mutilation eligible for all these  
1904 funds.

1905 Mr. Gohmert. So I do want to know. Is this amendment  
1906 considered in order?

1907 Chairman Nadler. The amendment -- yes, as far as --  
1908 yes, the amendment is in order, but the way it is worded, the  
1909 way it is worded, we would have to oppose it now. If you  
1910 will withdraw it, we will do the same thing in a way that we  
1911 all agree on drafting.

1912 Mr. Gohmert. I just want to be sure I understand that  
1913 to which we are agreeing. If the chairman is saying we are  
1914 going to have an amendment and make sure there is an  
1915 amendment, and it is not part of the bill --

1916 Chairman Nadler. No, no, no. We will endeavor --

1917 Mr. Gohmert. -- that we agree --

1918 Chairman Nadler. We will endeavor --

1919 Mr. Gohmert. -- then Mr. McGovern may not let it be  
1920 part of --

1921 Chairman Nadler. No, we will endeavor to make it part  
1922 of the bill.

1923 Mr. Gohmert. Okay. So it would be part of the bill,  
1924 and we wouldn't have to go fight at Rules to try to get it --

1925 Chairman Nadler. It will be part -- we will endeavor to  
1926 make it part of the substitute reported by the Rules  
1927 Committee.

1928 Mr. Gohmert. With that, I appreciate the chair, and I  
1929 will withdraw the amendment.

1930 Chairman Nadler. I thank the gentleman. Are there any  
1931 further --

1932 Mr. Gohmert. I appreciate that.

1933 Chairman Nadler. And we will work with your office on  
1934 this.

1935 Mr. Collins. Yes, and I just wanted to thank the  
1936 gentleman, the chairman for yielding, and I thank the  
1937 gentleman from Texas. But we will -- and I will be going to  
1938 the Rules as well. So we will make sure that this happens.

1939 Chairman Nadler. And I just want to assure, we will  
1940 work with the gentleman's office on this, and I again want to  
1941 thank the gentleman for bringing up the subject. It is a  
1942 very important one.

1943 Are there any further amendments?

1944 Mr. Gohmert. Mr. Chairman?

1945 Chairman Nadler. For what purpose does the gentleman  
1946 seek recognition?

1947 Mr. Gohmert. I have an amendment at the desk.

1948 Chairman Nadler. Another amendment?

1949 Mr. Gohmert. Another amendment.

1950 Chairman Nadler. The clerk will report the amendment.

1951 Ms. Strasser. Amendment to the amendment in the nature  
1952 of a substitute to H.R. 1585, offered by Mr. Gohmert of  
1953 Texas.

1954 Chairman Nadler. Without objection, the amendment is  
1955 considered as read.

1956 [The amendment of Mr. Gohmert follows:]

1957

1958 Chairman Nadler. The gentleman is recognized to explain  
1959 his amendment.

1960 Mr. Gohmert. Thank you, Mr. Chairman.

1961 This amendment to the amendment in the nature of a  
1962 substitute would remove the gender identity language from the  
1963 bill and return Violence Against Women Act to its original  
1964 purpose of protecting women and girls. As we have heard in  
1965 the hearing on this bill, predators -- and I know there are  
1966 people that said they are not aware of such things happening.  
1967 They are happening. There is numerous examples of problems  
1968 that have arisen. But abused women and girls need their own  
1969 space for their own safety and to recover from their trauma.

1970 There is plenty of psychological evidence about the  
1971 damage that is done to women who are victims of abuse, sexual  
1972 abuse, sexual assault, domestic abuse. They are particularly  
1973 vulnerable to post traumatic stress disorder, and it is  
1974 interesting, the more you read, the more you find that  
1975 according to the evidence, the medical evidence, the  
1976 psychological evidence, women are more likely -- who are  
1977 victims of sexual assault are more likely to suffer post  
1978 traumatic stress disorder than are even soldiers.

1979 Because the thinking of the shrinks is that soldiers are  
1980 trained for the violence, but there is no proper training for  
1981 a woman who is going to be or is sexually assaulted. From  
1982 Health.com, the quote is from Dr. Ritchie, "In some ways, the

1983 trauma from sexual assault may be worse than the trauma from  
1984 combat because, normally, soldiers are prepared and trained  
1985 for combat."

1986       But further data indicate 94 percent of sexual assault  
1987 victims, female sexual assault victims experience symptoms  
1988 during the first 2 weeks after the incident, and up to 50  
1989 percent struggle long term. For these survivors, day-to-day  
1990 events can hit especially hard, and like any mental health  
1991 issue, PTSD can be debilitating. Whether you are trying to  
1992 support a sexual assault survivor or just seeking to  
1993 understand the MeToo movement more clearly, there are other  
1994 things that are important.

1995       PTSD is commonly associated with combat veterans. About  
1996 50 percent of PTSD cases are soldiers. But being sexually  
1997 assaulted or abused is such an invasion of a woman's body,  
1998 personal space, and safety that people can't move past that  
1999 point. The brain does not perform well for a victim during a  
2000 sexual assault, and there is -- this is because the "fight or  
2001 flight" response kicks in.

2002       Unfortunately, victims are overpowered, and they can do  
2003 neither. That may instead dissociate themselves from the  
2004 act, and that is where the mind escapes the body until the  
2005 assault is over. Because dissociation is common among sexual  
2006 assault survivors during and after the event, a 2015 study  
2007 showed and found strong links between dissociation and PTSD.

2008           We have not only the lawsuit that my friend from Arizona  
2009 mentioned, but -- and that was the women in a homeless  
2010 shelter suing because what occurred by having a biological  
2011 man in the private area for women. And look, I understand  
2012 the reason for the majority pushing for transgender. It is  
2013 born out of a sense of wanting to help those who are  
2014 suffering, and that is a very noble intention.

2015           But my friend Mr. Cicilline mentioned about the equal -  
2016 - Equality Act, and I would humbly submit that it is actually  
2017 going to do more harm. You are going to change sports into  
2018 men's sports and coed sports. So anyway, we need to protect  
2019 women. They are particularly vulnerable after a sexual abuse  
2020 attack. For heaven's sake, give them some privacy where  
2021 biological men will not come in and traumatize them yet  
2022 again.

2023           And I appreciate the chair's --

2024           Chairman Nadler. The time of the gentleman has expired.

2025           I recognize myself for 5 minutes in opposition to the  
2026 amendment.

2027           This amendment seeks to do two things. Number one, it  
2028 removes all references to gender identity from the bill.  
2029 Gender identity has been included in VAWA since the last  
2030 reauthorization in 2013. Any legislation that seeks to deny  
2031 protections to LGBTQ victims of the VAWA crimes would be a  
2032 rollback and extremely detrimental to individual people and

2033 their communities because LGBTQ victims face discrimination  
2034 in accessing protection and services, and this language in  
2035 this amendment would roll back the 2013 amendments to the  
2036 disadvantage of people -- of victims in those communities.

2037       The second thing it does is it strikes the ability of  
2038 the department -- of the Bureau of Prisons to consider on a  
2039 case-by-case basis circumstances -- certain circumstances  
2040 with reference to their placement, including people's --  
2041 prisoner's views with respect to their statement.

2042 Transgender people in prison are exposed to horrific rates of  
2043 abuse by both staff and their fellow inmates, facing physical  
2044 and sexual assault at much higher rates than their  
2045 counterparts.

2046       The 2015 U.S. Transgender Survey found that transgender  
2047 people in prison are 10 times more likely to be assaulted by  
2048 their fellow inmates and 5 times more likely to be assaulted  
2049 by staff. Transgender prisoners also face numerous other  
2050 challenges behind bars, including denials of medical care.

2051       The Bipartisan National Prison Rape Elimination  
2052 Commission, established by President George Bush -- George W.  
2053 Bush -- developed regulations for the Federal Bureau of  
2054 Prisons that require case-by-case placement decisions that  
2055 only sex-appropriate correctional officers be authorized to  
2056 conduct strip searches or enter bathrooms that prohibit  
2057 searches to assess a person's genitals.

2058 H.R. -- this bill simply codifies already-existing  
2059 Federal regulations existing since the Bush administration, I  
2060 believe, or since the National Prison Rape Elimination  
2061 Commission's recommendations. He established it.

2062 The bill simply codifies already-existing Federal  
2063 regulations that pertain to transgender inmates. The  
2064 amendment would get -- would prohibit such -- would undo the  
2065 codification that the bill would do and would undo the  
2066 existing regulations that have been in place for years.  
2067 There is no good reason to roll back protections that have  
2068 been afforded for many years to transgender Federal inmates.

2069 For these two reasons, this amendment is aimed or will  
2070 have the effect of -- I shouldn't say aimed -- will have the  
2071 effect of greatly reducing protections for Federal inmates  
2072 who are transgender, reducing the discretion of the Bureau of  
2073 Prisons to be able to protect them properly. For those  
2074 reasons, I urge everyone to oppose the amendment.

2075 Are there any further discussion of the amendment?

2076 Mr. Collins. Mr. Chairman? Mr. Chairman?

2077 Chairman Nadler. The gentleman from Georgia?

2078 Mr. Collins. Thank you, Mr. Chairman. I move to strike  
2079 the last word.

2080 I appreciate the conversation from both the chairman,  
2081 but I also appreciate the gentleman from Texas bringing this.  
2082 I think it is something that does need to be discussed. And

2083 I will support this amendment and yield to the gentleman from  
2084 Texas.

2085 Thank you.

2086 Mr. Gohmert. And I appreciate that. And I did note a  
2087 very good concern that was being addressed in the bill by  
2088 saying that, you know, no custodial officer could do a strip  
2089 search just for the sole purposes, it says, of determining  
2090 sex. So you can see that is dealing with an obvious problem.

2091 You could have people working in prisons that abuse  
2092 that, and so the way that has been addressed in the amendment  
2093 is you would only allow licensed medical doctors or a  
2094 licensed RN, registered nurse, to make such checks.

2095 But we have a case from Toronto was mentioned where a  
2096 guy claimed to be transgender, ended up being a dangerous  
2097 offender, attacking women in the restroom. We have this case  
2098 from the UK where supermarket toilet or restroom had a sexual  
2099 assault of victims.

2100 But I want to go back to the point of how traumatizing  
2101 it is. In my days on the bench, I heard the testimony over  
2102 and over, but to have a man come into a confined space where  
2103 a woman is who has been sexually assaulted, it puts her so  
2104 often right back through that same trauma again. And this  
2105 act is intended to help women.

2106 It might surprise some people here. I still, after 16  
2107 years off the bench, have women come up to me and thank me

2108 for being the only judge that did the right thing by the  
2109 perpetrator of violence against women because it was clear  
2110 what was going on. My heart here really is for the women. I  
2111 am sympathetic to the harassment and problems and even  
2112 attacks that transgender have, but there is a solution  
2113 besides further traumatizing women that this act really does  
2114 want to help but is going to condemn them to suffer continued  
2115 PTSD because we are allowing biological men, whether they are  
2116 claiming to be transgender, some may be. But it is also  
2117 important to just look at the DSM-5. And so much that is in  
2118 there has been affected by politics as much as medicine.

2119 But when we talk about transgender, we are talking about  
2120 gender dysphoria. Dysphoria, you know, is the opposite,  
2121 basically, of euphoria. Gender dysphoria, what we call  
2122 informally transgendered, is distress that accompanies the  
2123 incongruence between one's experience and expressed gender  
2124 and one's assigned or natal gender. And dysphoria then is  
2125 defined a condition in which a person experiences intense  
2126 feelings of depression, discontent, and in some cases  
2127 indifference to the world around them. That is not a healthy  
2128 situation.

2129 But the best 30 -- is a 30-year study in an area, many  
2130 areas of which transgender was totally accepted. Transgender  
2131 or people suffering gender dysphoria were 20 times more  
2132 likely to kill themselves. It is an alarming rate.

2133 Johns Hopkins that did the first trans -- or gender  
2134 change surgery, after 20 years quit doing it because they  
2135 could not find evidence they were improving the lives of the  
2136 people that they removed functioning organs from. So they  
2137 stopped. It has now been started back after they were  
2138 threatened with cut off of Federal funds if they didn't start  
2139 the process of cutting off the functioning organs again.

2140 But this gender dysphoria is an important issue. But  
2141 for heaven's sake, let us deal with it in a way that we don't  
2142 further traumatize women who have already been assaulted.  
2143 And that is the reason I am bringing this. I have just seen  
2144 too many women traumatized too many times, and they need  
2145 help.

2146 And as I pointed out before, though, at some point, my  
2147 friends are going to look back and go, wow, we destroyed  
2148 women's sports because now there is coed sports, and there is  
2149 men's sports, and it really needs further evaluation.

2150 I yield back.

2151 Ms. Lofgren. Mr. Chairman?

2152 Chairman Nadler. The gentlelady from California?

2153 Ms. Lofgren. I move to strike the last word, and I  
2154 would yield to the chairman such time as he may consume.

2155 Chairman Nadler. I thank the gentlelady for yielding.

2156 I will be very brief.

2157 Mr. Gohmert. What do you think?

2158 Chairman Nadler. We should not, to deal with the case,  
2159 with a possible case of one -- of misconduct by one  
2160 correction officer, amend the law to prohibit the Bureau of  
2161 Prisons from properly dealing with transgender and other  
2162 prisoners. And again, this language simply codifies  
2163 regulations that have been working very well with --  
2164 basically very well, I am not aware of any complaints about  
2165 it, since the George Bush's National Prison Rape Elimination  
2166 Commission.

2167 People of different genders need different protections  
2168 and perhaps different placements. The Bureau of Prisons  
2169 under current regulations and, by this bill, under the law  
2170 would be able to give serious consideration to the prisoner's  
2171 own views with respect to their safety and with respect to  
2172 health and safety to other prisoners of the facility.

2173 It is good language. We should not remove it. I,  
2174 therefore, oppose the amendment.

2175 I yield back, and hopefully, we can take the vote now.

2176 Mr. McClintock. Mr. Chairman?

2177 Chairman Nadler. Who seeks recognition?

2178 Mr. McClintock. I move to strike the last word.

2179 Chairman Nadler. The gentleman is recognized.

2180 Mr. McClintock. I yield to the gentleman from Texas.

2181 Mr. Gohmert. Thank you.

2182 Another case from Decatur, Georgia, where a transgender

2183 bathroom policy, as the headline says, led to a kindergarten  
2184 assault. A boy in elementary school claiming to be, and  
2185 maybe he felt he was, a girl, but he went in and sexually  
2186 assaulted a girl in the restroom.

2187 I understand the intention, but for heaven's sake, let  
2188 us don't use the Violence Against Women Act to allow further  
2189 traumatizing and, in this case in Georgia, additional  
2190 assaults on women. It is a sensitive issue, but talk to the  
2191 women of sexual assault that have found themselves confined  
2192 in a small area like a bathroom with a biological man. He  
2193 can say he is transgender all he wants to, but it is  
2194 traumatic to the woman, and I really hope that we can give  
2195 these victims, these female victims of sexual assault more  
2196 consideration that is being given here.

2197 And with that, I yield back.

2198 Chairman Nadler. The question occurs on the amendment.  
2199 All those in favor will signify by saying aye.

2200 Opposed, no.

2201 In the opinion of the chair, the noes have it.

2202 Mr. Gohmert. The gentleman asks for a roll call vote.

2203 Chairman Nadler. The gentleman requests a roll call  
2204 vote. The clerk will call the roll.

2205 Ms. Strasser. Mr. Nadler?

2206 Chairman Nadler. No.

2207 Ms. Strasser. Mr. Nadler votes no.

2208 Ms. Lofgren?  
2209 Ms. Lofgren. No.  
2210 Ms. Strasser. Ms. Lofgren votes no.  
2211 Ms. Jackson Lee?  
2212 Ms. Jackson Lee. No.  
2213 Ms. Strasser. Ms. Jackson Lee votes no.  
2214 Mr. Cohen?  
2215 Mr. Cohen. No.  
2216 Ms. Strasser. Mr. Cohen votes no.  
2217 Mr. Johnson of Georgia?  
2218 Mr. Deutch?  
2219 Ms. Bass?  
2220 Ms. Bass. No.  
2221 Ms. Strasser. Ms. Bass votes no.  
2222 Mr. Richmond?  
2223 Mr. Richmond. No.  
2224 Ms. Strasser. Mr. Richmond votes no.  
2225 Mr. Jeffries?  
2226 Mr. Cicilline?  
2227 Mr. Cicilline. No.  
2228 Ms. Strasser. Mr. Cicilline votes no.  
2229 Mr. Swalwell?  
2230 Mr. Swalwell. No.  
2231 Ms. Strasser. Mr. Swalwell votes no.  
2232 Mr. Lieu?

2233 Mr. Raskin?  
2234 Mr. Raskin. No.  
2235 Ms. Strasser. Mr. Raskin votes no.  
2236 Ms. Jayapal?  
2237 Ms. Jayapal. No.  
2238 Ms. Strasser. Ms. Jayapal votes no.  
2239 Mrs. Demings?  
2240 Mrs. Demings. No.  
2241 Ms. Strasser. Mrs. Demings votes no.  
2242 Mr. Correa?  
2243 Ms. Scanlon?  
2244 Ms. Scanlon. No.  
2245 Ms. Strasser. Ms. Scanlon votes no.  
2246 Ms. Garcia?  
2247 Ms. Garcia. No.  
2248 Ms. Strasser. Ms. Garcia votes no.  
2249 Mr. Neguse?  
2250 Mrs. McBath?  
2251 Mrs. McBath. No.  
2252 Ms. Strasser. Mrs. McBath votes no.  
2253 Mr. Stanton?  
2254 Mr. Stanton. No.  
2255 Ms. Strasser. Mr. Stanton votes no.  
2256 Ms. Dean?  
2257 Ms. Dean. No.

2258 Ms. Strasser. Ms. Dean votes no.

2259 Ms. Mucarsel-Powell?

2260 Ms. Mucarsel-Powell. No.

2261 Ms. Strasser. Ms. Mucarsel-Powell votes no.

2262 Ms. Escobar?

2263 Ms. Escobar. No.

2264 Ms. Strasser. Ms. Escobar votes no.

2265 Mr. Collins?

2266 Mr. Collins. Aye.

2267 Ms. Strasser. Mr. Collins votes aye.

2268 Mr. Sensenbrenner?

2269 Mr. Sensenbrenner. Aye.

2270 Ms. Strasser. Mr. Sensenbrenner votes aye.

2271 Mr. Chabot?

2272 Mr. Chabot. Aye.

2273 Ms. Strasser. Mr. Chabot votes aye.

2274 Mr. Gohmert?

2275 Mr. Gohmert. Aye.

2276 Ms. Strasser. Mr. Gohmert votes aye.

2277 Mr. Jordan?

2278 Mr. Jordan. Aye.

2279 Ms. Strasser. Mr. Jordan votes aye.

2280 Mr. Buck?

2281 Mr. Ratcliffe?

2282 Mrs. Roby?

2283 Mr. Gaetz?

2284 Mr. Johnson of Louisiana?

2285 Mr. Biggs?

2286 Mr. Biggs. Aye.

2287 Ms. Strasser. Mr. Biggs votes aye.

2288 Mr. McClintock?

2289 Mr. McClintock. Aye.

2290 Ms. Strasser. Mr. McClintock votes aye.

2291 Mrs. Lesko?

2292 Mrs. Lesko. Aye.

2293 Ms. Strasser. Mrs. Lesko votes aye.

2294 Mr. Reschenthaler?

2295 Mr. Reschenthaler. Aye.

2296 Ms. Strasser. Mr. Reschenthaler votes aye.

2297 Mr. Cline?

2298 Mr. Cline. Aye.

2299 Ms. Strasser. Mr. Cline votes aye.

2300 Mr. Armstrong?

2301 Mr. Steube?

2302 Mr. Steube. Aye.

2303 Ms. Strasser. Mr. Steube votes aye.

2304 Chairman Nadler. Are there any Members who haven't --

2305 Mr. Neguse?

2306 Mr. Neguse. No.

2307 Ms. Strasser. Mr. Neguse votes no.

2308 Chairman Nadler. Mr. Johnson of Georgia?

2309 Mr. Johnson of Georgia. No.

2310 Ms. Strasser. Mr. Johnson of Georgia votes no.

2311 Chairman Nadler. Mr. Lieu?

2312 Mr. Lieu. No.

2313 Ms. Strasser. Mr. Lieu votes no.

2314 Chairman Nadler. Mr. Deutch?

2315 Mr. Deutch. No.

2316 Ms. Strasser. Mr. Deutch votes no.

2317 Chairman Nadler. Are there any other Members who wish

2318 to be recorded who haven't voted yet?

2319 [No response.]

2320 Chairman Nadler. The clerk will report.

2321 [Pause.]

2322 Ms. Strasser. Mr. Chairman, there are 11 ayes and 22

2323 noes.

2324 Chairman Nadler. The amendment is not agreed to.

2325 Are there any other amendments?

2326 Mrs. Lesko. Mr. Chair?

2327 Chairman Nadler. For what purpose does the gentlelady

2328 seek recognition?

2329 Mrs. Lesko. Thank you, Mr. Chair.

2330 I have an amendment at the desk.

2331 Chairman Nadler. The clerk will report the amendment.

2332 Ms. Strasser. Amendment to the amendment in the nature

2333 of a substitute to H.R. 1585, offered by Mrs. Lesko of  
2334 Arizona and Mr. Chabot of Ohio.

2335 Chairman Nadler. Without objection, the amendment will  
2336 be considered as read.

2337 [The amendment of Mrs. Lesko and Mr. Chabot follows:]

2338

2339 Chairman Nadler. The gentlelady is recognized to  
2340 explain her amendment.

2341 Mrs. Lesko. Thank you, Mr. Chair and Members.

2342 This amendment, I just want to reiterate that none of  
2343 these amendments that I am offering or we are offering would  
2344 prevent any organization, any shelter from taking in whoever  
2345 they want. But what we want to prevent in my amendment is  
2346 the Government forcing a religious-affiliated organization to  
2347 take in people that is against their faith, meaning if they  
2348 choose not to take in, let us say, biological males in a  
2349 women's shelter, and they are a religious-affiliated  
2350 organization, that the Government wouldn't be forcing them  
2351 under this amendment to violate their --

2352 Ms. Bass. Mr. Chairman, I reserve a point of order,  
2353 please.

2354 Chairman Nadler. The gentlelady reserves a point of  
2355 order. The gentlelady will continue.

2356 Mrs. Lesko. And thank you, Madam, Mr. Chair, and I  
2357 yield back my time.

2358 Mr. Collins. Would the gentlelady yield? Would the  
2359 gentlelady yield?

2360 Mrs. Lesko. I will yield time to Mr. Collins.

2361 Mr. Collins. Thank you.

2362 And again, I just wanted to before you -- I appreciate  
2363 the gentlelady bringing this amendment. I appreciate again

2364 all the hard work that has been performed on this in the  
2365 attempt to clarify the various things, and I do appreciate  
2366 the gentlelady's amendment and will be voting for it.

2367 And that, I will yield back to the gentlelady.

2368 Mrs. Lesko. Thank you, Mr. Collins.

2369 And I will yield to Mr. Chabot.

2370 Mr. Chabot. I will move to strike the last word,

2371 Mr. Chairman.

2372 Chairman Nadler. Well, you don't have to move to strike  
2373 the last word. The gentlelady yielded to you.

2374 Mr. Chabot. I will --

2375 Chairman Nadler. She struck the last word. It has been  
2376 struck.

2377 Mr. Chabot. Well, we may not get it all in here. I am  
2378 pleased to join the gentlelady from Arizona, Mrs. Lesko, for  
2379 offering this important amendment.

2380 I was moved by her sharing her story of domestic  
2381 violence at our last hearing on this legislation, and I  
2382 welcome the opportunity to join her in introducing this  
2383 thoughtful amendment.

2384 Protecting women against violence is an issue that is  
2385 not only important to me and many on this side, but it is an  
2386 issue of great importance to many of my constituents back in  
2387 southwest Ohio, as I am sure it is in districts all over the  
2388 country.

2389           Just a few months before I was first elected to my seat  
2390 in the House, Congress passed into law the first iteration of  
2391 our legislation, this legislation. And since I have been in  
2392 Congress, I voted at least 10 times to continue to expand  
2393 these important protections for women who have been subject  
2394 to domestic violence abuse and harassment. That is both in  
2395 this committee and on the floor, at least 10 times.

2396           Historically, this legislation had been bipartisan. In  
2397 fact, in 2006, all but four members of Congress voted for its  
2398 reauthorization. So what has happened between then and now?

2399           Well, it seems to me that some on the left have decided  
2400 that they can use this critical legislation that is intended  
2401 to protect women and girls from violence as a vehicle to  
2402 promote a far-left agenda. To me, this is a disturbing  
2403 developing as the safety and well-being of women and girls in  
2404 this country is far too important to jeopardize with cynical  
2405 political calculations that could further divide the American  
2406 people.

2407           It is time to put politics and political agendas aside  
2408 and reauthorize the Violence Against Women Act that provides  
2409 protections for women and girls. And that is a goal on which  
2410 I and many on this side sincerely hope that we can all agree  
2411 on.

2412           I joined Ms. Lesko on this amendment because as this  
2413 legislation is currently drafted, faith-based organizations

2414 who provide services to women and girls who experience  
2415 domestic violence, sexual assault, harassment, stalking, or  
2416 other kinds of violence will no longer be able to do so in  
2417 accordance with their faith. And that is a mistake that we  
2418 can avoid, that we should avoid.

2419       Whether it be in instances of hiring or in implementing  
2420 grants or contracts authorized by the Violence Against Women  
2421 Act, these organizations should be protected from being  
2422 forced to provide services that are inconsistent with their  
2423 organization's teaching or the spirit or the intent of the  
2424 law that I voted in favor of and many of us have voted in  
2425 favor of in the past. In fact, it is possible that passing  
2426 this legislation offered by the majority in its current form  
2427 could result in some faith-based institutions shutting their  
2428 shelter doors that so many women and girls have relied on for  
2429 help, support, and protection over the years.

2430       And that, to me, would be truly unconscionable. We must  
2431 do all we can to protect the most vulnerable members of our  
2432 society. And as a Member of Congress, I work consistently to  
2433 do just that, as many of us on this side have.

2434       To protect the religious freedom of the American people  
2435 and to make sure that many important shelters remain open, I  
2436 gladly join the gentlelady from Arizona, Mrs. Lesko, in our  
2437 amendment, and I would urge my colleagues -- particularly  
2438 those on the other side of the aisle, but certainly those on

2439 this side of the aisle -- to support it as well.

2440 And with that, I yield back whatever remaining time

2441 there is to Mrs. Lesko.

2442 Chairman Nadler. I thank the gentleman for yielding.

2443 I yield myself 5 minutes in opposition to the amendment.

2444 What this amendment seeks to do is two things. Number  
2445 one, it says that any religious entity described in the Civil  
2446 Rights Act, and I don't have that definition in front of me,  
2447 but not described in this bill. But any religious entity may  
2448 not be subject to any prohibition of workplace discrimination  
2449 on the basis of religion.

2450 Second, it says that a faith-based organization may  
2451 adopt standards with respect to employee conduct and to  
2452 delivery of services. In other words, they can say we don't  
2453 want to deliver services to gay people who were sexually  
2454 abused or to transgender people or, for that matter, to  
2455 Protestant people. They can -- based on their religious  
2456 beliefs, they can decide not to deliver services to any class  
2457 of people that they say violates their religious belief  
2458 because providing services would violate their religious  
2459 beliefs, and they can discriminate in hiring on the basis of  
2460 religious beliefs.

2461 I make three points. One, the bill, regardless of any  
2462 -- I wasn't completely -- I was busy trying to figure out  
2463 what the amendment does. So I missed some of what Mr. Chabot

2464 said. But regardless of any alleged leftwing agenda or far  
2465 rightwing -- leftwing plot or anything, the bill doesn't  
2466 change anything in this respect.

2467 The bill doesn't deal with the subject. The amendment  
2468 would seek to introduce a new idea into the bill, namely what  
2469 we were just talking about. Insofar as there are problems  
2470 that exist in current law, and the bill would not change that  
2471 in any way, number one.

2472 Number two, the law generally permits a religious entity  
2473 to discriminate in employment on the basis of religion when  
2474 you are dealing with people who have some role in  
2475 promulgating the religious doctrine -- the minister, the  
2476 rabbi, the lay leader -- but not when you are dealing with  
2477 completely secular jobs. So that if Federal funds are  
2478 provided for a church-operated food dispensing -- food  
2479 pantry, the church can certainly discriminate on who the  
2480 minister is, but they cannot discriminate on the basis of  
2481 religion who serves the food or who the janitor is.

2482 This would permit them to do that, and that is, frankly,  
2483 wrong. It is against religious freedom, basically.

2484 It also would allow faith-based organizations to deny  
2485 the delivery of services based on their religious beliefs.  
2486 If they have a religious belief that denies service to a  
2487 segment of the population, they should not be taking Federal  
2488 money to do so. Federal money must be dispensed in a

2489 nondiscriminatory manner.

2490 Religious organizations can have any belief they want  
2491 to. If they want to use Federal money to provide certain  
2492 services, they have got to be able to provide those services  
2493 to whoever meets the requirements set by law for the receipt  
2494 of those services and cannot be heard to say we will not  
2495 provide food in a food operation -- in a food pantry, or we  
2496 will not provide domestic violence services to people of a  
2497 different religion or to people who our religion doesn't  
2498 particularly hold in great respect, like gay people, period.  
2499 If they want to do that, they are free to do it, but not with  
2500 Federal money.

2501 And that is the basic reason why this amendment is  
2502 wholly unacceptable in its concept, in its purpose. I would  
2503 also add that the bill doesn't deal with this at all. It is  
2504 misplaced in this bill. But even if it were placed properly  
2505 in the bill, and I am not going to raise a point of order,  
2506 though, that is debatable.

2507 But even if it is properly in the bill, it is wholly  
2508 improper in its intent because it would enshrine the right of  
2509 any religious group to discriminate on any basis. We do not  
2510 permit someone to -- a religious group to operate a for-  
2511 profit business or a nonprofit business with Federal funds  
2512 and to discriminate on the basis of religious belief or on  
2513 the basis of status. We won't -- what if you had a religious

2514 group that says we don't like to serve black people. We  
2515 don't think black people should get help when they are  
2516 victims of domestic violence.

2517 So I completely urge all my colleagues to vote against  
2518 this, and I yield the balance of my time to the gentleman  
2519 from Maryland.

2520 Mr. Raskin. Thank you, Mr. Chairman.

2521 Just to elaborate on that point, is your reading akin to  
2522 mine that under this amendment, a domestic violence provider  
2523 would be able to refuse services to interracial couples, to  
2524 interfaith couples, to same-sex couples if there is a claim  
2525 that it offends the moral convictions or religious ideas of  
2526 the provider?

2527 Chairman Nadler. You yield back. The question occurs  
2528 on the amendment.

2529 All those in favor will signify by saying aye.

2530 Opposed, no.

2531 In the opinion of the chair, the noes have it. The  
2532 amendment is not agreed to.

2533 A roll call vote is requested. The clerk will call the  
2534 roll.

2535 Ms. Strasser. Mr. Nadler?

2536 Chairman Nadler. No.

2537 Ms. Strasser. Mr. Nadler votes no.

2538 Ms. Lofgren?

2539 Ms. Lofgren. No.

2540 Ms. Strasser. Ms. Lofgren votes no.

2541 Ms. Jackson Lee?

2542 Ms. Jackson Lee. No.

2543 Ms. Strasser. Ms. Jackson Lee votes no.

2544 Mr. Cohen?

2545 Mr. Johnson of Georgia?

2546 Mr. Johnson of Georgia. No.

2547 Ms. Strasser. Mr. Johnson of Georgia votes no.

2548 Mr. Deutch?

2549 Ms. Bass?

2550 Ms. Bass. No.

2551 Ms. Strasser. Ms. Bass votes no.

2552 Mr. Richmond?

2553 Mr. Richmond. No.

2554 Ms. Strasser. Mr. Richmond votes no.

2555 Mr. Jeffries?

2556 Mr. Cicilline?

2557 Mr. Cicilline. No.

2558 Ms. Strasser. Mr. Cicilline votes no.

2559 Mr. Swalwell?

2560 Mr. Swalwell. No.

2561 Ms. Strasser. Mr. Swalwell votes no.

2562 Mr. Lieu?

2563 Mr. Lieu. No.

2564 Ms. Strasser. Mr. Lieu votes no.  
2565 Mr. Raskin?  
2566 Mr. Raskin. No.  
2567 Ms. Strasser. Mr. Raskin votes no.  
2568 Ms. Jayapal?  
2569 Ms. Jayapal. No.  
2570 Ms. Strasser. Ms. Jayapal votes no.  
2571 Mrs. Demings?  
2572 Mrs. Demings. No.  
2573 Ms. Strasser. Mrs. Demings votes no.  
2574 Mr. Correa?  
2575 Mr. Correa. No.  
2576 Ms. Strasser. Mr. Correa votes no.  
2577 Ms. Scanlon?  
2578 Ms. Scanlon. No.  
2579 Ms. Strasser. Ms. Scanlon votes no.  
2580 Ms. Garcia?  
2581 Mr. Neguse?  
2582 Mr. Neguse. No.  
2583 Ms. Strasser. Mr. Neguse votes no.  
2584 Mrs. McBath?  
2585 Mrs. McBath. No.  
2586 Ms. Strasser. Mrs. McBath votes no.  
2587 Mr. Stanton?  
2588 Mr. Stanton. No.

2589 Ms. Strasser. Mr. Stanton votes no.  
2590 Ms. Dean?  
2591 Ms. Dean. No.  
2592 Ms. Strasser. Ms. Dean votes no.  
2593 Ms. Mucarsel-Powell?  
2594 Ms. Mucarsel-Powell. No.  
2595 Ms. Strasser. Ms. Mucarsel-Powell votes no.  
2596 Ms. Escobar?  
2597 Ms. Escobar. No.  
2598 Ms. Strasser. Ms. Escobar votes no.  
2599 Mr. Collins?  
2600 Mr. Collins. Aye.  
2601 Ms. Strasser. Mr. Collins votes aye.  
2602 Mr. Sensenbrenner?  
2603 Mr. Sensenbrenner. No.  
2604 Ms. Strasser. Mr. Sensenbrenner votes no.  
2605 Mr. Chabot?  
2606 Mr. Chabot. Aye.  
2607 Ms. Strasser. Mr. Chabot votes aye.  
2608 Mr. Gohmert?  
2609 Mr. Gohmert. Aye.  
2610 Ms. Strasser. Mr. Gohmert votes aye.  
2611 Mr. Jordan?  
2612 Mr. Buck?  
2613 Mr. Ratcliffe?

2614 Mrs. Roby?  
2615 Mr. Gaetz?  
2616 Mr. Gaetz. Aye.  
2617 Ms. Strasser. Mr. Gaetz votes aye.  
2618 Mr. Johnson of Louisiana?  
2619 Mr. Biggs?  
2620 Mr. Biggs. Aye.  
2621 Ms. Strasser. Mr. Biggs votes aye.  
2622 Mr. McClintock?  
2623 Mr. McClintock. Aye.  
2624 Ms. Strasser. Mr. McClintock votes aye.  
2625 Mrs. Lesko?  
2626 Mrs. Lesko. Aye.  
2627 Ms. Strasser. Mrs. Lesko votes aye.  
2628 Mr. Reschenthaler?  
2629 Mr. Reschenthaler. Aye.  
2630 Ms. Strasser. Mr. Reschenthaler votes aye.  
2631 Mr. Cline?  
2632 Mr. Cline. Aye.  
2633 Ms. Strasser. Mr. Cline votes aye.  
2634 Mr. Armstrong?  
2635 Mr. Armstrong. Aye.  
2636 Ms. Strasser. Mr. Armstrong votes aye.  
2637 Mr. Steube?  
2638 Mr. Steube. Aye.

2639 Ms. Strasser. Mr. Steube votes aye.

2640 Chairman Nadler. Have all Members voted? The  
2641 gentlelady from Texas?

2642 Ms. Garcia. No.

2643 Ms. Strasser. Ms. Garcia votes no.

2644 Chairman Nadler. The gentleman from Tennessee?

2645 Mr. Cohen. No.

2646 Ms. Strasser. Mr. Cohen votes no.

2647 Chairman Nadler. The gentlelady from Texas?

2648 Ms. Jackson Lee. No.

2649 Ms. Strasser. Ms. Jackson Lee votes no.

2650 Chairman Nadler. The gentleman from Ohio?

2651 Mr. Jordan. Aye.

2652 Ms. Strasser. Mr. Jordan votes aye.

2653 Chairman Nadler. Does anyone else -- does any other  
2654 member of the committee wish to be recorded who hasn't been  
2655 recorded?

2656 [No response.]

2657 Chairman Nadler. The clerk will report the result.

2658 [Pause.]

2659 Ms. Strasser. Mr. Chairman, there are 12 ayes and 23  
2660 noes.

2661 Chairman Nadler. The amendment is not agreed to.

2662 The question now occurs on the amendment in the nature  
2663 of a substitute.

2664 All those in favor, respond by saying aye.

2665 Opposed, no.

2666 In the opinion of the chair, the ayes have it, and the  
2667 amendment in the nature of a substitute is agreed to.

2668 Mr. Collins. Roll call.

2669 Chairman Nadler. Do you want a roll call?

2670 Mr. Collins. Roll call, yes.

2671 Chairman Nadler. A roll call is requested on the  
2672 amendment in the nature of a substitute. The clerk will call  
2673 the roll.

2674 Ms. Strasser. Mr. Nadler?

2675 Chairman Nadler. Aye.

2676 Ms. Strasser. Mr. Nadler votes aye.

2677 Ms. Lofgren?

2678 Ms. Lofgren. Aye.

2679 Ms. Strasser. Ms. Lofgren votes aye.

2680 Ms. Jackson Lee?

2681 Mr. Cohen?

2682 Mr. Cohen. Aye.

2683 Ms. Strasser. Mr. Cohen votes aye.

2684 Mr. Johnson of Georgia?

2685 Mr. Johnson of Georgia. Aye.

2686 Ms. Strasser. Mr. Johnson of Georgia votes aye.

2687 Mr. Deutch?

2688 Ms. Bass?

2689 Ms. Bass. Aye.

2690 Ms. Strasser. Ms. Bass votes aye.

2691 Chairman Nadler. Would the clerk suspend for a moment?

2692 Let me just make clear this is a vote on the amendment in the

2693 nature of a substitute. Immediately following this vote,

2694 assuming it is approved, we will vote on the bill. So this

2695 is the next-to-last vote. It is not the last vote. So

2696 please understand that on both sides of the aisle.

2697 The clerk will continue.

2698 Ms. Strasser. Mr. Richmond?

2699 Mr. Richmond. Aye.

2700 Ms. Strasser. Mr. Richmond votes aye.

2701 Mr. Jeffries?

2702 Mr. Cicilline?

2703 Mr. Cicilline. Aye.

2704 Ms. Strasser. Mr. Cicilline votes aye.

2705 Mr. Swalwell?

2706 Mr. Swalwell. Aye.

2707 Ms. Strasser. Mr. Swalwell votes aye.

2708 Mr. Lieu?

2709 Mr. Lieu. Aye.

2710 Ms. Strasser. Mr. Lieu votes aye.

2711 Mr. Raskin?

2712 Mr. Raskin. Aye.

2713 Ms. Strasser. Mr. Raskin votes aye.

2714 Ms. Jayapal?

2715 Ms. Jayapal. Aye.

2716 Ms. Strasser. Ms. Jayapal votes aye.

2717 Mrs. Demings?

2718 Mrs. Demings. Aye.

2719 Ms. Strasser. Mrs. Demings votes aye.

2720 Mr. Correa?

2721 Mr. Correa. Aye.

2722 Ms. Strasser. Mr. Correa votes aye.

2723 Ms. Scanlon?

2724 Ms. Scanlon. Aye.

2725 Ms. Strasser. Ms. Scanlon votes aye.

2726 Ms. Garcia?

2727 Ms. Garcia. Aye.

2728 Ms. Strasser. Ms. Garcia votes aye.

2729 Mr. Neguse?

2730 Mr. Neguse. Aye.

2731 Ms. Strasser. Mr. Neguse votes aye.

2732 Mrs. McBath?

2733 Mr. Stanton?

2734 Mr. Stanton. Aye.

2735 Ms. Strasser. Mr. Stanton votes aye.

2736 Ms. Dean?

2737 Ms. Dean. Aye.

2738 Ms. Strasser. Ms. Dean votes aye.

2739 Ms. Mucarsel-Powell?

2740 Ms. Mucarsel-Powell. Aye.

2741 Ms. Strasser. Ms. Mucarsel-Powell votes aye.

2742 Ms. Escobar?

2743 Ms. Escobar. Aye.

2744 Ms. Strasser. Ms. Escobar votes aye.

2745 Mr. Collins?

2746 Mr. Collins. No.

2747 Ms. Strasser. Mr. Collins votes no.

2748 Mr. Sensenbrenner?

2749 Mr. Chabot?

2750 Mr. Gohmert?

2751 Mr. Gohmert. Aye.

2752 Ms. Strasser. Mr. Gohmert votes aye.

2753 Mr. Gohmert. I vote no.

2754 Ms. Strasser. Mr. Gohmert votes no.

2755 Mr. Jordan?

2756 Mr. Buck?

2757 Mr. Ratcliffe?

2758 Mr. Ratcliffe. No.

2759 Ms. Strasser. Mr. Ratcliffe votes no.

2760 Mrs. Roby?

2761 Mr. Gaetz?

2762 Mr. Johnson of Louisiana?

2763 Mr. Biggs?

2764 Mr. Biggs. No.

2765 Ms. Strasser. Mr. Biggs votes no.

2766 Mr. McClintock?

2767 Mr. McClintock. No.

2768 Ms. Strasser. Mr. McClintock votes no.

2769 Mrs. Lesko?

2770 Mrs. Lesko. No.

2771 Ms. Strasser. Mrs. Lesko votes no.

2772 Mr. Reschenthaler?

2773 Mr. Reschenthaler. No.

2774 Ms. Strasser. Mr. Reschenthaler votes no.

2775 Mr. Cline?

2776 Mr. Cline. No.

2777 Ms. Strasser. Mr. Cline votes no.

2778 Mr. Armstrong?

2779 Mr. Armstrong. No.

2780 Ms. Strasser. Mr. Armstrong votes no.

2781 Mr. Steube?

2782 Mr. Steube. No.

2783 Ms. Strasser. Mr. Steube votes no.

2784 Chairman Nadler. Ms. Jackson Lee?

2785 Ms. Jackson Lee. How am I recorded?

2786 Ms. Strasser. You are not recorded.

2787 Ms. Jackson Lee. Let me record enthusiastically aye.

2788 Ms. Strasser. Ms. Jackson Lee votes aye.

2789 Chairman Nadler. Has anyone else not -- Mr. Correa?  
2790 Mr. Correa. Aye.  
2791 Ms. Strasser. Mr. Correa votes aye.  
2792 Chairman Nadler. Is there any other member of the  
2793 committee who wishes to vote who hasn't been recorded?  
2794 [No response.]  
2795 Chairman Nadler. The clerk will report.  
2796 [Pause.]  
2797 Ms. Strasser. Mr. Chairman, there are 21 ayes and 10  
2798 noes.  
2799 Chairman Nadler. The amendment in the nature of a  
2800 substitute -- who? The amendment in the nature of a  
2801 substitute is approved.  
2802 Well, we will reopen the vote. Mrs. McBath?  
2803 Mrs. McBath. Yes.  
2804 Ms. Strasser. Mrs. McBath votes aye.  
2805 Chairman Nadler. And the amendment in the nature of a  
2806 substitute is still approved.  
2807 A reporting quorum being present, the question now is on  
2808 the motion to report the bill, H.R. 1585, as amended,  
2809 favorably to the House.  
2810 Those in favor, respond by saying aye.  
2811 Those opposed, no.  
2812 The ayes have it.  
2813 Mr. Collins. Roll call.

2814 Chairman Nadler. A roll call is requested. The clerk  
2815 will call the roll.

2816 Ms. Strasser. Mr. Nadler?

2817 Chairman Nadler. Aye.

2818 Ms. Strasser. Mr. Nadler votes aye.

2819 Ms. Lofgren?

2820 Ms. Lofgren. Aye.

2821 Ms. Strasser. Ms. Lofgren votes aye.

2822 Ms. Jackson Lee?

2823 Ms. Jackson Lee. Aye.

2824 Ms. Strasser. Ms. Jackson Lee votes aye.

2825 Mr. Cohen?

2826 Mr. Cohen. Aye.

2827 Ms. Strasser. Mr. Cohen votes aye.

2828 Mr. Johnson of Georgia?

2829 Mr. Johnson of Georgia. Aye.

2830 Ms. Strasser. Mr. Johnson of Georgia votes aye.

2831 Mr. Deutch?

2832 Ms. Bass?

2833 Ms. Bass. Aye.

2834 Ms. Strasser. Ms. Bass votes aye.

2835 Mr. Richmond?

2836 Mr. Richmond. Aye.

2837 Ms. Strasser. Mr. Richmond votes aye.

2838 Mr. Jeffries?

2839 Mr. Cicilline?  
2840 Mr. Cicilline. Aye.  
2841 Ms. Strasser. Mr. Cicilline votes aye.  
2842 Mr. Swalwell?  
2843 Mr. Swalwell. Aye.  
2844 Ms. Strasser. Mr. Swalwell votes aye.  
2845 Mr. Lieu?  
2846 Mr. Lieu. Aye.  
2847 Ms. Strasser. Mr. Lieu votes aye.  
2848 Mr. Raskin?  
2849 Mr. Raskin. Aye.  
2850 Ms. Strasser. Mr. Raskin votes aye.  
2851 Ms. Jayapal?  
2852 Ms. Jayapal. Aye.  
2853 Ms. Strasser. Ms. Jayapal votes aye.  
2854 Mrs. Demings?  
2855 Mrs. Demings. Aye.  
2856 Ms. Strasser. Mrs. Demings votes aye.  
2857 Mr. Correa?  
2858 Mr. Correa. Aye.  
2859 Ms. Strasser. Mr. Correa votes aye.  
2860 Ms. Scanlon?  
2861 Ms. Scanlon. Aye.  
2862 Ms. Strasser. Ms. Scanlon votes aye.  
2863 Ms. Garcia?

2864 Ms. Garcia. Aye.

2865 Ms. Strasser. Ms. Garcia votes aye.

2866 Mr. Neguse?

2867 Mr. Neguse. Aye.

2868 Ms. Strasser. Mr. Neguse votes aye.

2869 Mrs. McBath?

2870 Mrs. McBath. Aye.

2871 Ms. Strasser. Mrs. McBath votes aye.

2872 Mr. Stanton?

2873 Mr. Stanton. Aye.

2874 Ms. Strasser. Mr. Stanton votes aye.

2875 Ms. Dean?

2876 Ms. Dean. Aye.

2877 Ms. Strasser. Ms. Dean votes aye.

2878 Ms. Mucarsel-Powell?

2879 Ms. Mucarsel-Powell. Aye.

2880 Ms. Strasser. Ms. Mucarsel-Powell votes aye.

2881 Ms. Escobar?

2882 Ms. Escobar. Aye.

2883 Ms. Strasser. Ms. Escobar votes aye.

2884 Mr. Collins?

2885 Mr. Collins. No.

2886 Ms. Strasser. Mr. Collins votes no.

2887 Mr. Sensenbrenner?

2888 Mr. Chabot?

2889 Mr. Gohmert?  
2890 Mr. Jordan?  
2891 Mr. Buck?  
2892 Mr. Ratcliffe?  
2893 Mr. Ratcliffe. No.  
2894 Ms. Strasser. Mr. Ratcliffe votes no.  
2895 Mrs. Roby?  
2896 Mr. Gaetz?  
2897 Mr. Johnson of Louisiana?  
2898 Mr. Biggs?  
2899 Mr. Biggs. No.  
2900 Ms. Strasser. Mr. Biggs votes no.  
2901 Mr. McClintock?  
2902 Mr. McClintock. No.  
2903 Ms. Strasser. Mr. McClintock votes no.  
2904 Mrs. Lesko?  
2905 Mrs. Lesko. No.  
2906 Ms. Strasser. Mrs. Lesko votes no.  
2907 Mr. Reschenthaler?  
2908 Mr. Reschenthaler. No.  
2909 Ms. Strasser. Mr. Reschenthaler votes no.  
2910 Mr. Cline?  
2911 Mr. Cline. No.  
2912 Ms. Strasser. Mr. Cline votes no.  
2913 Mr. Armstrong?

2914 Mr. Armstrong. No.

2915 Ms. Strasser. Mr. Armstrong votes no.

2916 Mr. Steube?

2917 Mr. Steube. No.

2918 Ms. Strasser. Mr. Steube votes no.

2919 Chairman Nadler. Has every Member who wishes to be

2920 recorded been recorded?

2921 Mr. Gohmert. Mr. Chairman?

2922 Chairman Nadler. Mr. Gohmert?

2923 Mr. Gohmert. No.

2924 Ms. Strasser. Mr. Gohmert votes no.

2925 Chairman Nadler. Mr. Jordan?

2926 Mr. Jordan. No.

2927 Ms. Strasser. Mr. Jordan votes no.

2928 Chairman Nadler. Has everyone been recorded who wishes

2929 to be recorded?

2930 [No response.]

2931 Chairman Nadler. The clerk will report.

2932 [Pause.]

2933 Ms. Strasser. Mr. Chairman, there are 22 ayes and 11

2934 noes.

2935 Chairman Nadler. The ayes have it. The bill, as

2936 amended, is ordered reported favorably to the House. Members

2937 will have 2 days to submit views. The bill will be reported

2938 as a single amendment in the nature of a substitute

2939 incorporating all adopted amendments.

2940 And without objection, staff is authorized to make

2941 technical and conforming changes.

2942 This concludes our business for today. Thanks to all of

2943 our remaining Members for attending.

2944 The markup is adjourned.

2945 [Whereupon, at 12:19 p.m., the committee was adjourned.]