The Conferees included language intended to clarify that the requirements under the Conference Report and the FHSA shall not be construed to preempt or affect State warning requirements under State laws, such as California's Proposition 65, that were enacted prior to August 31, 2003.

*Section 232. All-Terrain Vehicles.*

The House receded to the Senate amendment with modifications.

*Section 233. Cost-Benefit Analysis Under the Poison Packaging Prevention Act of 1970.*

The House receded to the Senate amendment with a technical modification.

*Section 234. Study on Use of Formaldehyde in Manufacturing of Textile and Apparel Articles.*

The House receded to the Senate amendment with a modification that the GAO shall conduct the study instead of the Commission.

*Section 235. Technical and Conforming Changes.*

The Conferees agreed to conforming changes throughout the CPSA.

The Senate receded to the House bill and agreed to include the House position that a children's product means a consumer product designed or intended primarily for children 12 years of age or younger.

*Section 236. Expedited Judicial Review.*

The Conferees agreed to language that would streamline the judicial review of rules promulgated under certain Acts enforced by the Commission.

*Section 237. Repeal.*

The Conferees agreed to the identical provisions in the House bill and the Senate amendment to repeal section 30(d) of the CPSA.

*Section 238. Pool and Spa Safety Act Technical Amendments.*

The Conferees agreed to technical amendments to the Virginia Graeme Baker Pool and Spa Safety Act (15 U.S.C. 8001 et seq.).

*Section 239. Effective Dates and Severability.*

The Conferees agreed to language regarding the effective date of the Conference Report and the effective dates of the amendments to all the Acts under the Commission's jurisdiction as established by the Conference Report. The Conferees also agreed to language with regard to the severability of the Conference Report.

5. SPECIAL ISSUES

The Senate amendment contained several single-product issues that Senate Members believed important for the Commission to address. The House bill contained no title relating to single-product issues because the House Members believed consumers were better served by keeping the House bill focused on the task of reforming the Commission. Many of these issues were raised by Members of the House Committee on Energy and Commerce in colloquies or discussions of amendments that were offered and withdrawn.

While the Conference Report addresses certain single-product issues, other single-product issues from the Senate amendment were not included. Nevertheless, the Conferees believe certain single-product issues require heightened regulatory scrutiny and greater attention.

The Conferees believe the Commission must take additional action to reduce the number of preventable deaths and serious injuries resulting from accidental carbon monoxide poisoning. To that end, the Conferees direct the Commission to expeditiously issue a final rule in its proceeding entitled ''Portable Generators'' for which the Commission issued an Advance Notice of Proposed Rulemaking on December 12, 2006 (71 Fed. Reg. 74472). The Conferees also direct the Commission to review the effectiveness of its labeling requirements for charcoal briquettes (16 CFR 150014(b)(6)) given the events that occurred during the windstorm that struck the Pacific Northwest beginning on December 14, 2006; identify any specific challenges faced by non-English speaking populations with use of the current standards; and make recommendations, if warranted, for improving the labels on bags of charcoal briquettes.

The Conferees support carbon monoxide devices being installed in all residential dwelling units and support the efforts of individual States that have enacted legislation requiring the installation of carbon monoxide devices in homes and other dwelling places. The Conferees believe the Commission should consider the adoption of the American National Standards Institute/Underwriters Laboratories standards ANSI/UL 2034 and ANSI/US 2075 for carbon monoxide devices sold in the United States. The Conferees also direct the Commission to conduct a public awareness campaign to educate consumers about carbon monoxide poisoning and the importance of residential carbon monoxide alarms including recommendations for the effective use and maintenance of carbon monoxide alarms.

The Conferees direct the Commission to conduct a public awareness campaign to educate consumers about the importance of residential smoke alarms and improved smoke detector technology, including the difference between ionization type and photoelectric type alarms. The campaign should include recommendations for effective use and maintenance of smoke alarms.

The Conferees direct the Commission to issue a final rule in its proceeding entitled, ''Safety Standard for Cigarette Lighters'' for which the Commission issued an Advance Notice of Proposed Rulemaking on April 11, 2005 (70 Fed Reg 18339).

The Conferees believe that the Commission must take strong action to reduce the number of preventable fatal traumatic brain injuries resulting from inadequate equestrian helmets. The Conferees direct the Commission to consider establishing a mandatory consumer product safety rule for equestrian helmets that is consistent with current voluntary standards, such as the ASTM standard designated as F 1163 and the Snell Memorial Foundation standard designated as E2001, to the extent such standards would increase safety.

The Conferees believe that the Commission must take action to prevent deaths and serious injuries resulting from garage door entrapment. To that end, the Conferees direct the Commission, in consultation with interested parties consistent with Commission practices, to expeditiously review, revise, and consider the adoption of standards as necessary to ensure the safety and effectiveness of both inherent and external secondary entrapment protection devices that cause the garage door to reverse, including contact and non-contact sensors.

The Conferees believe the Commission should take appropriate action with respect to lead included in any ceramic product within its jurisdiction.

The Conferees direct the Commission to examine its current authority with respect to toys intended for use by household pets, especially those that could become children's play things. If the Commission determines that it has the appropriate authority to regulate such products, the Conferees direct the Commission to consider the adoption of limits regarding the use of lead and lead paint in household pet toys.

The Conferees are aware of tipping dangers presented by furniture, ovens, other large appliances, and television sets that have resulted in serious injuries. In order to help stem preventable accidents and injuries, the Conferees direct the Commission to examine these matters, and, where appropriate, to require stabilizing mechanisms such as braces and clear and conspicuous warning labels, and to make available on its Internet website recommendations on tip-over prevention.

The Conferees intend for the Commission to give priority to the timely and effective implementation of this Conference Report. Nonetheless, the Conferees request that these special issues be given consideration. The Commission's House and Senate authorizing committees intend to review the status of these issues at appropriate intervals to make sure that they are addressed with reasonable diligence.

JOHN D. DINGELL,
HENRY A. WAXMAN,
BOBBY L. RUSH,
DIANA DEGETTE,
JAN SCHAKOWSKY,
JOE BARTON,
ED WHITFIELD,
CLIFF STEARNS,
*Managers on the Part of the House.*

DANIEL K. INOUYE,
BARBARA BOXER,
MARK PRYOR,
AMY KLOBUCHAR,
TED STEVENS,
KAY BAILEY HUTCHISON,
JOHN E. SUNUNU,
*Managers on the Part of the Senate.*

## REDUCING INFORMATION CONTROL DESIGNATIONS ACT

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6576) to require the Archivist of the United States to promulgate regulations regarding the use of information control designations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6576

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Reducing Information Control Designations Act''.

**SEC. 2. PURPOSE.**

The purpose of this Act is to increase Governmentwide information sharing and the availability of information to the public by standardizing and limiting the use of information control designations.

**SEC. 3. REGULATIONS RELATING TO INFORMATION CONTROL DESIGNATIONS WITHIN THE FEDERAL GOVERNMENT.**

(a) REQUIREMENT TO REDUCE AND MINIMIZE INFORMATION CONTROL DESIGNATIONS.—Each Federal agency shall reduce and minimize its use of information control designations on information that is not classified.

(b) ARCHIVIST RESPONSIBILITIES.—

(1) REGULATIONS.—The Archivist of the United States shall promulgate regulations regarding the use of information control designations.

(2) REQUIREMENTS.—The regulations under this subsection shall address, at a minimum, the following:

(A) Standards for utilizing the information control designations in a manner that is narrowly tailored to maximize public access to information.

(B) The process by which information control designations will be removed.

(C) Procedures for identifying, marking, dating, and tracking information assigned the information control designations, including the identity of officials making the designations.

(D) Provisions to ensure that the use of information control designations is minimized and cannot be used on information—

(i) to conceal violations of law, inefficiency, or administrative error;

(ii) to prevent embarrassment to Federal, State, local, tribal, or territorial governments or any official, agency, or organization thereof; any agency; or any organization;

(iii) to improperly or unlawfully interfere with competition in the private sector;

(iv) to prevent or delay the release of information that does not require such protection;

(v) if it is required to be made available to the public; or

(vi) if it has already been released to the public under proper authority.

(E) Provisions to ensure that the presumption shall be that information control designations are not necessary.

(F) Methods to ensure that compliance with this Act protects national security and privacy rights.

(G) The establishment of requirements that Federal agencies, subject to chapter 71 of title 5, United States Code, implement the following:

(i) A process whereby an individual may challenge without retribution the application of information control designations by another individual and be rewarded with specific incentives for successful challenges resulting in—

(I) the removal of improper information control designations; or

(II) the correct application of appropriate information control designations.

(ii) A method for informing individuals that repeated failure to comply with the policies, procedures, and programs established under this section could subject them to a series of penalties.

(iii) Penalties for individuals who repeatedly fail to comply with the policies, procedures, and programs established under this section after having received both notice of their noncompliance and appropriate training or re-training to address such noncompliance.

(H) Procedures for members of the public to be heard regarding improper applications of information control designations.

(I) A procedure to ensure that all agency policies and standards for utilizing information control designations that are issued pursuant to subsection (c) be provided to the Archivist and that such policies and standards are made publicly available on the website of the National Archives and Records Administration.

(3) CONSULTATION.—In promulgating the regulations, the Archivist shall consult with the heads of Federal agencies and with representatives of State, local, tribal, and territorial governments; law enforcement entities; organizations with expertise in civil rights, employee and labor rights, civil liberties, and government oversight; and the private sector, as appropriate.

(c) AGENCY RESPONSIBILITIES.—The head of each Federal agency shall implement the regulations promulgated by the Archivist under subsection (b) in the agency in a manner that ensures that—

(1) information can be shared within the agency, with other agencies, and with State, local, tribal, and territorial governments, the private sector, and the public, as appropriate;

(2) all policies and standards for utilizing information control designations are consistent with such regulations;

(3) the number of individuals with authority to apply information control designations is limited; and

(4) information control designations may be placed only on the portion of information that requires control and not on the entire material.

**SEC. 4. ENFORCEMENT OF INFORMATION CONTROL DESIGNATION REGULATIONS WITHIN THE FEDERAL GOVERNMENT.**

(a) INSPECTOR GENERAL RESPONSIBILITIES.—The Inspector General of each Federal agency, in consultation with the Archivist, shall randomly audit unclassified information with information control designations. In conducting any such audit, the Inspector General shall—

(1) assess whether applicable policies, procedures, rules, and regulations have been followed;

(2) describe any problems with the administration of the applicable policies, procedures, rules and regulations, including specific non-compliance issues;

(3) recommend improvements in awareness and training to address any problems identified under paragraph (2); and

(4) report to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Archivist, and the public on the findings of the Inspector General's audits under this section.

(b) PERSONAL IDENTIFIERS.—

(1) IN GENERAL.—For purposes described in paragraph (2), the Archivist of the United States shall require that, at the time of designation of information, the following shall appear on the information:

(A) The name or personal identifier of the individual applying information control designations to the information.

(B) The agency, office, and position of the individual.

(2) PURPOSES.—The purposes described in this paragraph are as follows:

(A) To enable the agency to identify and address misuse of information control designations, including the misapplication of information control designations to information that does not merit such markings.

(B) To assess the information sharing impact of any such problems or misuse.

(c) TRAINING.—The Archivist, subject to chapter 71 of title 5, United States Code, and in coordination with the heads of Federal agencies, shall—

(1) require training as needed for each individual who applies information control designations, including—

(A) instruction on the prevention of the overuse of information control designations;

(B) the standards for applying information control designations;

(C) the proper application of information control designations, including portion markings;

(D) the consequences of repeated improper application of information control designations, including the misapplication of information control designations to information that does not merit such markings, and of failing to comply with the policies and procedures established under or pursuant to this section; and

(E) information relating to lessons learned about improper application of information control designations, including lessons learned pursuant to the regulations and Inspector General audits required under this Act and any internal agency audits; and

(2) ensure that such program is conducted efficiently, in conjunction with any other security, intelligence, or other training programs required by the agency to reduce the costs and administrative burdens associated with the additional training required by this section.

(d) DETAILEE PROGRAM.—

(1) REQUIREMENT FOR PROGRAM.—The Archivist, subject to chapter 71 of title 5, United States Code, shall implement a detailee program to detail Federal agency personnel, on a nonreimbursable basis, to the National Archives and Records Administration, for the purpose of—

(A) training and educational benefit for agency personnel assigned so that they may better understand the policies, procedures, and laws governing information control designations;

(B) bolstering the ability of the National Archives and Records Administration to conduct its oversight authorities over agencies; and

(C) ensuring that the policies and procedures established by the agencies remain consistent with those established by the Archivist of the United States.

(2) SUNSET OF DETAILEE PROGRAM.—Except as otherwise provided by law, this subsection shall cease to have effect on December 31, 2012.

**SEC. 5. RELEASING INFORMATION PURSUANT TO THE FREEDOM OF INFORMATION ACT.**

(a) AGENCY RESPONSIBILITIES.—The head of each Federal agency shall ensure that—

(1) information control designations are not a determinant of public disclosure pursuant to section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act''); and

(2) all information in the agency's possession that is releasable is made available to members of the public pursuant to an appropriate request under such section 552.

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to prevent or discourage any Federal agency from voluntarily releasing to the public any unclassified information that is not exempt from disclosure under section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act'').

**SEC. 6. DEFINITIONS.**

In this Act:

(1) INFORMATION CONTROL DESIGNATIONS.—The term ''information control designations'' means information dissemination controls, not defined by Federal statute or by an Executive order relating to the classification of national security information, that are used to manage, direct, or route information, or control the accessibility of information, regardless of its form or format. The term includes, but is not limited to, the designations of ''controlled unclassified information'', ''sensitive but unclassified'', and ''for official use only''.

(2) INFORMATION.—The term ''information'' means any communicable knowledge or documentary material, regardless of its physical form or characteristics, that is owned by, is produced by or for, or is under the control of the Federal Government.

(3) FEDERAL AGENCY.—The term ''Federal agency'' means—

(A) any Executive agency, as that term is defined in section 105 of title 5, United States Code;

(B) any military department, as that term is defined in section 102 of such title; and

(C) any other entity within the executive branch that comes into the possession of classified information.

**SEC. 7. DEADLINE FOR REGULATIONS AND IMPLEMENTATION.**

Regulations shall be promulgated in final form under this Act, and implementation of

the requirements of this Act shall begin, not later than 24 months after the date of the enactment of this Act.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS from Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I would like to yield to the chairman of the Committee on Oversight and Government Reform, Chairman HENRY WAXMAN, for whatever time he might consume.

Mr. WAXMAN. I thank the gentleman for yielding to me.

Representative TOM DAVIS and I introduced H.R. 6576, the Reducing Information Control Designations Act to address the growing number of information controlled designations used by the Federal Government. The Committee on Oversight and Government Reform has held numerous hearings on this issue. Committee investigations have found that there has been a proliferation of pseudo-classification designation such as ''sensitive but unclassified'' or ''for official use only.'' These often vague and undefined markings can be used to prevent or delay information sharing with interested stakeholders or public release of information.

The National Archives and Records Administration reports that currently there are more than 100 information controlled designations applied across the Federal Government. New categories of information controlled designations are being created by the agencies, yet these designations lack a statutory basis, and there is no Federal entity monitoring their use.

This bill addresses all types of information use across the government. Its goal is to promote open government by reducing the number and use of restrictive designations used on government information.

Specifically, this bill calls on the archivists to promulgate regulations to reduce and minimize the use of information controlled designations and to maximize public access to information. The bill allows individuals to challenge designations, requires that agencies' inspectors general conduct random audits to determine whether information controls are being used properly, and requires personal identifiers to be placed on information with an information designation control so agencies identify the individual who made the designation.

This bill also clarifies that agencies may not use information controlled designations in considering whether to release information under the Freedom of Information Act.

Mr. Speaker, I want to thank Ranking Member DAVIS for working with us to improve this bill and to move it quickly to the House floor. The legislation before us includes changes that have been made since the bill passed out of full committee. These changes were made to address concerns raised by the administration and several interested Members of the Congress.

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These changes include ensuring that the Archivist's training responds to lessons learned about improper application of control designations and deleting language requiring the regulations to address the duration of a control designation.

Secret government is rarely good government. This bill is an important step in restoring openness to the executive branch.

Mr. Speaker, Representative TOM DAVIS and I introduced H.R. 6576, the Reducing Information Control Designations Act, to address the growing number of information control designations used by the Federal Government.

The Committee on Oversight and Government Reform has held numerous hearings on this issue. Committee investigations have found that there has been a proliferation of pseudoclassification designations such as "sensitive but unclassified" or "for official use only." These often vague and undefined markings can be used to prevent or delay information sharing with interested stakeholders or public release of information.

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Specifically, this bill calls on the Archivist to promulgate regulations to reduce and minimize the use of information control designations and to maximize public access to information. The bill allows individuals to challenge designations, requires that agency inspectors general conduct random audits to determine whether information controls are being used properly, and requires personal identifiers to be placed on information with an information designation control so agencies can identify the individual who made the designation. This bill also clarifies that agencies may not use information control designations in considering whether to release information under the Freedom of Information Act.

Mr. Speaker, I want to thank Ranking Member DAVIS for working with me to move this bill quickly to the House floor. The legislation before us includes changes that have been made since the bill passed out of full Committee. These changes were made to address concerns raised by the Administration and several interested members of Congress. These changes include: ensuring that the Archivist's training responds to lessons learned about improper application of control designations and deleting language requiring the regulations to address the duration of a control designation.

Secret government is rarely good government. This bill is an important step in restoring openness to the executive branch.

I am submitting for the RECORD the cost estimate for H.R. 6576 from the Congressional Budget Office.

I urge my colleagues to support this bill.

JULY 29, 2008.

Hon. HENRY A. WAXMAN,
*Chairman, Committee on Oversight and Government Reform, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 6576, the Reducing Information Control Designations Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

PETER R. ORSZAG.

Enclosure.

*H.R. 6576—Reducing Information Control Designations Act*

Summary: H.R. 6576 would amend federal law concerning the security classification of government documents. The legislation would require the National Archives and Records Administration (NARA), in consultation with the Director of National Intelligence and other affected federal agencies, to develop regulations that minimize and reduce the government's use of information-control designations on information that is not classified. The bill also would require training for employees and contractors on using classifications and random audits by inspectors general on the proper use of information-control designations.

CBO estimates that implementing H.R. 6576 would have a discretionary cost of $15 million in 2009 and $45 million over the 2009–2013 period to implement the new regulations, provide training, and conduct audits that would be required under the bill. Although the legislation could affect agencies not funded through annual appropriations (such as the Tennessee Valley Authority or the U. S. Postal Service), CBO estimates that any net increase in spending by those agencies would not be significant. As a result, enacting the bill would have no significant impact on direct spending or revenues.

H.R.6576 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 6576 is shown in the following table. The costs of this legislation fall within most budget functions that contain salaries and expenses.

| | By fiscal year in millions of dollars— | | | | | |
|---|---|---|---|---|---|---|
| | 2009 | 2010 | 2011 | 2012 | 2013 | 2009–2013 |
| CHANGES IN SPENDING SUBJECT TO APPROPRIATION | | | | | | |
| Estimated Authorization Level | 15 | 15 | 5 | 5 | 5 | 45 |
| Estimated Outlays | 15 | 15 | 5 | 5 | 5 | 45 |

Basis of estimate: For this estimate, CBO assumes that the bill will be enacted near the start of fiscal year 2009 I and that spending would follow historical patterns for similar programs.

Under current law, agencies are required to develop policies for handling terrorism-related and homeland security information. However, the Government Accountability Office (GAO) , has reported that there are no governmentwide policies and procedures for agencies to use to . classify sensitive, but unclassified information.

Based on the information provided by GAO, NARA, and selected federal agencies. and inspectors general about the current use of information-control designations, CBO estimates that implementing H.R. 6576 would cost $15 million in 2009 and $45 million over the 2009–2013 period, assuming appropriation of the necessary amounts. Initial costs would total about $20 million and would be incurred over the first two years. Ongoing costs would total about $25 million over the 2009–2013 period, mostly for subsequent training and random audits by inspectors general.

Intergovernmental and private-sector impact: H.R. 6576 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

Estimate prepared by: Federal Costs: Matthew Pickford; Impact on State, Local, and Tribal Governments: Elizabeth Cove; Impact on the Private-Sector: Paige Piper/Bach.

Estimate approved by: Peter H. Fontaine, Assistant Director for Budget Analysis.

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

Mr. Speaker, in recent years, we've seen an exponential growth in the number and types of non-classified information control designations. These designations carry little, if any, statutory authority, and no Federal entity is monitoring their use. So there is a need for some legislative control over the creation and use of those vague designations. H.R. 6576 attempts to achieve that goal.

This legislation makes it clear Congress intends agencies to limit the use of information control designations, so that government-wide information-sharing is increased and information is more available to the public.

One important component to this legislation is it creates a government-wide solution to this problem, as opposed to allowing each agency to create its own rules for how these designations are handled.

For too long, Federal departments have insisted on treating information they develop as their information. To protect their information, agencies have imposed a variety of sanctions on employees. The net effect of this hyper-protectiveness has been to create an environment where everyone knew something, but no one knew everything.

In May of this year, the President issued a memo establishing new procedures designating the National Archives as responsible for overseeing and managing the implementation of the controlled unclassified information framework.

Our intent with this legislation, for the most part, is to codify the processes laid out in that memo so future administrations cannot roll back these modernizing procedures. The proliferation of ''sensitive but unclassified'' and ''for official use only'' designations is clogging the arteries meant to take critical information to Federal, State and local agencies, and the public.

This legislation instructs the Archivist to establish regulations regarding the use of information control designations, with an emphasis on minimizing agency use, and establishes a process allowing the public to review these documents at the appropriate time.

One section which deviates from the President's plan is a section which would provide an incentive for employees to challenge control designations and be rewarded for succeeding in these challenges.

Upon reflection, I'm concerned this creates the wrong incentive. Are we putting employee personal gain at odds with agency security?

And, how would this system actually work? Who will make awards decisions? When is such a challenge eligible for an award? I expect we will need to clarify this system before the bill becomes law.

On the whole, I am satisfied this legislation will go a long way toward clarifying what types of control designations may be used and when they are not appropriate.

Mr. Speaker, as the security needs of our country change, we need to adjust with them. Our future safety depends on moving from a need-to-know culture to a need-to-share culture.

This legislation will help us reach that goal, and I urge my colleagues to support it.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, H.R. 6576, the Reducing Information Control Designations Act, limits the Federal Government's use of information control designations.

Investigations by the Committee on Oversight and Government Reform have found that Federal agencies have increasingly placed restrictions on unclassified information by using information control designations such as ''sensitive but unclassified.'' These designations are dangerous because they impede information-sharing with State and local governments and the public.

There is no statutory authority for agency use of information control designations. Thus, these designations are not used consistently and are often overused and confusing. In May, the White House issued a memorandum to address this issue. That memo did not go far enough. While it addressed the number of designations, it did not try to limit their use.

This bill further seeks to limit the use of these designations to improve information-sharing within the government and with the public.

I support this bill and urge my colleagues to do the same.

I would reserve the balance of my time.

Ms. FOXX. Mr. Speaker, this is an important bill and it should pass. However, we should be dealing with what is most on the minds of Americans today, the high cost of gasoline brought on since the Democrats gained control of the Congress.

Poll after poll underscores the American people's strong support for increased American energy production to help bring down gas prices. And an increasing number of rank-and-file Democrats in Congress are listening to them and calling for a vote on more environmentally safe oil and gas drilling here at home.

We know that at least two House Democrats have spoken up about this issue and are asking the Democratic leadership to call for more drilling to help lower gas prices, and I want to quote from two of them. It's in Congressional Quarterly, 7/28/08, by Subcommittee Chairman PETER VISCLOSKY: ''We ought to have a vote in the House of Representatives about it,'' meaning lower gas prices.

Representative TIM HOLDEN from Pennsylvania has said: ''Drill everywhere . . . I'm for off-shore (oil) drilling. It needs to be part of a multi-pronged approach.'' This appeared in the Pottsville Republican Herald, 7/28/08.

So how does Speaker PELOSI respond to these ever-intensifying calls for more American energy? She calls it a hoax, and I want to quote from a press release from the Leader's office. In an appearance this morning on NBC's Today show, Speaker PELOSI coldly dismissed the views held by a solid majority of the American people, not to mention a bipartisan majority in Congress, saying, ''It's really a hoax. It's really a hoax on the American people.''

This is just the latest illustration of how out of touch the Speaker and her colleagues in the Democratic leadership are with American families and

small businesses who are being pummeled day in and day out by soaring energy prices.

So, Mr. Speaker, I support the passage of this bill, but I call on the Speaker and the Democratic leadership to bring for a vote bills, among them the American Energy Act introduced last week by the House Republicans, to explore for more oil and to lower the cost of energy in this country.

Mr. Speaker, I yield back.

Mr. DAVIS of Illinois. Mr. Speaker, to get us back to H.R. 6576, the Reducing Information Control Designations Act, I urge its passage.

I yield back the balance of our time.

The SPEAKER pro tempore (Mr. SIRES). The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 6576, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. FOXX. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

## OPTIONAL ELECTRONIC PAY STUBS FOR FEDERAL EMPLOYEES

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6073) to provide that Federal employees receiving their pay by electronic funds transfer shall be given the option of receiving their pay stubs electronically.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6073

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. ELECTRONIC PAY STUBS.**

(a) IN GENERAL.—The Office of Personnel Management shall take such measures as may be appropriate to ensure that all employees who receive their pay by electronic funds transfer shall be given the option of receiving their pay stubs electronically.

(b) DEFINITIONS.—For purposes of this section—

(1) the term ''electronic funds transfer'' has the meaning given such term by section 3332 of title 31, United States Code;

(2) the term ''employee'' means an individual employed in or under an Executive agency; and

(3) the term ''Executive agency'' has the meaning given such term by section 105 of title 5, United States Code.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself as much time as I may consume.

H.R. 6073 would require the Office of Personnel Management to allow Federal employees to receive electronic pay stubs. Most Federal employees receive their pay electronically, which is faster and less costly than using paper checks. This bill helps extend that cost savings to the rest of the payroll process.

More than a decade ago, Congress passed a law requiring that almost all Federal employees be paid by electronic funds transfer, commonly known as direct deposit. Electronic funds transfer is more secure and costs less than printing and distributing paper checks. Employees also have access to their funds sooner, because they do not have to deposit or cash their checks. However, many Federal agencies still print and distribute paper pay stubs for their employees, limiting the gains in efficiency from using electronic funds transfer.

This bill will encourage agencies to handle their entire payroll process electronically. The Office of Personnel Management and the Office of Management and Budget have no objections to this bill. It's a commonsense measure that will help make payroll faster and more efficient, and I want to commend and thank Representative FOXX for introducing it. I appreciate her work in helping us get this bill to the floor and all of her work on the committee.

I also want to thank Chairmen WAXMAN and TOWNS and Ranking Member TOM DAVIS for their support for the bill and urge its swift adoption.

I reserve the balance of my time.

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

Mr. Speaker, I also want to thank Chairman WAXMAN, Ranking Member DAVIS, and Mr. DAVIS from Illinois for their assistance in bringing this bill out of committee and to the floor. I think it is our responsibility as Members of Congress to seek every way possible to save money for the taxpayers of this country, and I appreciate the fact that we're moving this bill along because it is an excellent way for us to save the taxpayers of this country some money.

There are currently 2.7 million Federal employees. Many of these 2.7 million Federal employees have the option of accessing their leave and earnings statement, pay stubs electronically rather than the paper version which we receive in our mailboxes. But there are still executive branch agencies that do not offer this option to their employees. H.R. 6073 would direct the Office of Personnel Management to take such measures as they see appropriate to ensure that all executive agency employees have the option of receiving their pay stub electronically.

The reason that H.R. 6073 affects only the executive branch agencies and not the legislative branch or the judicial branch is because each branch of the Federal Government has different rules and means of payment regulations. Currently, there are 17 executive branch agencies that do not offer their employees the option of receiving their pay stubs electronically. H.R. 6073 would give these employees the option of having access to their pay stubs electronically. This is not a mandate.

Finally, this sensible legislation will save millions of taxpayer dollars and immeasurable amounts of paper.

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

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve.

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Ms. FOXX. Mr. Speaker, again I want to thank the folks who have helped bring this bill to the floor.

I am pleased, again, that we have the potential for saving taxpayers much money, but I hope that by the end of this week we're also going to vote on legislation that would bring down gas prices and save much, much more money on behalf of the American people. I think that we need to do that as responsible Members of this Congress.

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

Mr. DAVIS of Illinois. Mr. Speaker, I urge passage of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 6073.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. FOXX. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

## PAPERWORK ASSISTANCE ACT

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6113) to amend title 44, United States Code, to require each agency to include a contact telephone number in its collection of information, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows: