struck for, basically, common people and victims.

I think that is exactly what we are doing here, because one of the things that the underlying bills do not do is they do not close the courthouse. They do not do the things that, if you look in history, as I pointed out in my opening statement, if you look at every time the Congress has taken up the class action issue, there has been the falling-of-the-sky phenomenon, that it is going to tear the courthouse down, nobody is going to get anything done.

The actual truth is the class action has increased and efficiency was found. And for the true victims, they find their compensation.

The courthouse that I have had the wonderful privilege of practicing in is a place where people find justice. It is not a place to be abused. It is not a place to sometimes take advantage of an open system. That is what we are doing here, and that is what I want people who read and understand this opportunity, because these are the same arguments that have been had before.

But, you know, Mr. Speaker, I appreciate the opportunity to come before this body, explore the differences between the Republican majority's vision for our country and that of this administration and those who share the President's view.

The Republican majority is fighting for a legal system that is victim-focused; a legal system that supports our veterans and ensures that those injured have their day in court and receive compensation.

A legal system full of fraud, abuse, and waste is a legal system ill-equipped to provide justice to victims.

The Republican majority is committed to making life better for all Americans. We have done that this week through reducing the regulatory burden on families and small businesses so we can jump-start our economy.

We have done that this week by sending to the President's desk a bill that rescinds ObamaCare so that we can get to work on restoring a patient-centered healthcare system, such as the Empowering Patients First Act proposed by my colleague, Dr. PRICE.

And let it be said, just as has been said over the centuries, doing the right thing over and over is still the right thing. And I believe if it is 62 times, it can be 62 more times, because this Congressman from the Ninth District of Georgia believes, as his constituents have found in the Ninth District, that ObamaCare is not for the people and needs to be gone and replaced with a patient-centered approach that we can do as a Republican majority.

You see, we have also sent to the President's desk a measure to stop Planned Parenthood from destroying our next generation of men and women and directing those funds to organizations that provide mammograms and true women's health care.

And we will continue to fight to keep our Nation safe from enemies, foreign and domestic, while preserving the sacred constitutional rights of all Americans.

Mr. Speaker, I urge my colleagues to support this rule and H.R. 1927.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 581 OFFERED BY MR. HASTINGS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. HOLDING). The question is on ordering the previous question.

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

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1315

SUNSHINE FOR REGULATORY DECREES AND SETTLEMENTS ACT OF 2015

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous remarks on H.R. 712.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 580 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 712.

The Chair appoints the gentleman from Illinois (Mr. BOST) to preside over the Committee of the Whole.

□ 1316

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 712) to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes, with Mr. BOST in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 1 hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes. The gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 10 minutes.

The Chair recognizes the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015. H.R. 712 includes H.R. 1759, the All Economic Regulations are Transparent Act of 2015, or the ALERT Act, which the Committee on Oversight and Government Reform favorably reported on May 29, 2015.

We have had some good pieces of legislation that made their way through the process, and we really do appreciate the great work of Congressman RATCLIFFE.

I yield 5 minutes to the gentleman from Texas (Mr. RATCLIFFE).

Mr. RATCLIFFE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of the Sunshine for Regulatory Decrees and Settlements Act of 2015.

I want to thank Chairman CHAFFETZ and Chairman GOODLATTE for their hard work on this package of bills that will help push the government out of the way of the American people. I am especially grateful that the ALERT Act, which I introduced earlier this Congress, is included as title II of the bill.

The constituents that I represent in northeast Texas work hard every day to provide for their families and to contribute to their communities. But I can tell you from countless conversations that they are fed up with a Federal Government that has been invading every aspect of their lives. They are frustrated with unaccountable, unelected bureaucrats who create regulations that have the force of law, regulations that typically appear out of nowhere and bring with them huge price tags for the cost of compliance, often with little time to prepare and implement them.

In some cases, regulators are unforgiving to those who either can't or don't timely comply by imposing criminal penalties. Now, let's pause to think about that. Bureaucrats hammering otherwise law-abiding Americans with criminal penalties for regulatory violations at a time when the same administration is giving a free pass to millions of illegal aliens for breaking immigration laws, giving early release to tens of thousands of prisoners—violent criminals—and turning loose radical Islamic terrorists from Guantanamo. It is little wonder that my constituents are outraged.

And if it were up to this administration, the problem would get worse, not better. To underscore that point, we need only look at the Federal Register where agencies publish their mandates. That document contained 82,000 pages last year, meaning that this administration averaged more than 224 pages of new regulations every day of the year.

Americans have every right to demand to know what we are doing here in Congress to stop them from being crushed by this snowball of regulations.

Part of the answer should be that current law requires an update twice a year on Federal regulations being developed by Federal agencies. But guess what. Under this administration, these updates have either been late or not issued at all, and until now, there hasn't been a way to hold these unelected bureaucrats accountable.

My bill does just that. This bill forces the executive branch to make the American people aware of regulations that are coming down the track, and it prohibits any regulations from going into effect unless and until detailed information on the cost of that regulation—its impact on jobs and the legal bases for it—is made available to the public for at least 6 months.

Predictably, the President and others argue that this bill is too tough on regulators. But do you know what? I am here to fight for hardworking Americans, not for unelected Washington bureaucrats.

Mr. Chairman, ensuring that folks aren't steamrolled by new regulations should be a no-brainer. Transparency shouldn't be controversial, it shouldn't be optional, and it shouldn't be a partisan issue. That is why I was honored to introduce the ALERT Act and why I am grateful that it has been included in this bill.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to H.R. 712. This legislation represents yet another attack by House Republicans on critical public health, safety, and environmental protections. I oppose this unnecessary and potentially dangerous legislation in its entirety. However, I will focus my remarks today on title II of this bill, which is in the jurisdiction of the Oversight and Government Reform Committee.

Title II, also known as the ALERT Act, is an attack on agency rulemaking that is inaccurately advertised as an effort to improve transparency. In fact, this bill explicitly prohibits the Office of Information and Regulatory Affairs from taking into account benefits when providing estimated cumulative costs to proposed and final rules. That is not providing transparency. That is providing one side of the story.

The Coalition for Sensible Safeguards, which represents over 150 good government, labor, scientific, and health organizations, sent a letter opposing the ALERT Act when it was marked up in the Oversight and Government Reform Committee. The letter states:

''The requirements of the ALERT Act, which would delay important public protections and waste scarce government resources, fail to provide needed transparency improvements in the regulatory review process. Instead, the reporting requirements mandated under the ALERT Act would undermine transparency by generating cherry-picked data that seems calculated to provide a distorted picture of the U.S. regulatory system.''

The bill would also prevent a rule from taking effect until certain information is posted online for at least 6 months. The only exceptions to this requirement would be if an agency exempts the rule from the notice and comment requirements of the Administrative Procedure Act or if the President issues an executive order. This is an unnecessary roadblock that jeopardizes public health and public safety.

One example of a rule that would be affected by this bill is the recently published ATF regulation that closes a loophole that allowed individuals to avoid required background checks when purchasing some of the most dangerous weapons through trusts or legal entities. Under the bill, this rule could not take effect until certain information had been posted online by the Office of Information and Regulatory Affairs for 6 months. That is 6 months, that delay, in putting commonsense gun safety procedures in place and would delay them.

Many of the disclosure requirements in this legislation are redundant. Agencies already publish regulatory plans twice a year. This bill would require agencies to provide monthly updates to

their regulatory plans. This is unnecessarily burdensome and would require agencies to divert already scarce resources to comply.

Mr. Chairman, I urge my colleagues to reject H.R. 712.

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

Mr. CHAFFETZ. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. COLLINS). He is the author and lead sponsor of the underlying bill.

Mr. COLLINS of Georgia. Mr. Chairman, I rise in support today of H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act.

I would like to thank Chairman GOODLATTE, who will be coming along shortly, as my chairman on the Judiciary Committee for his support and work, and the Judiciary Committee staff. I would also like to thank the chairman of the Oversight and Government Reform Committee, my friend, Mr. CHAFFETZ, a committee which I have served on that continues to do great work, along with the ranking member. It is good to be with you today.

This is legislation—to me, especially H.R. 712—that addresses a problem and has been passed by the House on three separate occasions to address sue and settle practices that serve special interests at the expense of the American people. This is something I have been dealing with since I have been in Congress because it goes to the heart of what I have spoken to many times about the Republican majority and our interest in fairness and our interest in making the court system work for people.

What this bill actually does is actually—the heart and the core of it—goes after sue and settle litigation, consent decrees, that are taken behind closed doors without, many times, those that are affected even having the ability to give input into those and then being affected by that.

So, if I had a problem with someone and I couldn't resolve it, I would just go to the agency, such as the EPA or others who may have sympathetic leanings, and I say, ''You are not doing what you are supposed to be doing.'' I threaten to sue. We get behind closed doors. We settle something. The judge makes a consent order, and then I take it back to the areas that are affected, and they have no input into that. That is just not fair, inherently not fair.

This bill simply is about transparency. To be against this bill is to be against transparency. To be against this legislation is to say that we believe it is okay to cut people out when they are affected.

Just to let you know how this is affected, between 2009 and 2012, 71 lawsuits were settled as sue and settle cases and directly led to the issuance of more than 100 new Federal Rules—100 new Federal Rules—out of consent decrees, including several with a compliance cost—listen to this. We want to talk about small business, we want to talk about local governments being burdened. Listen to this compliance cost: $100 million in excess.

This issue is not partisan. Cass Sunstein, President Obama's former regulatory czar, called the idea of reforming the sue and settle process excellent.

The CHAIR. The time of the gentleman has expired.

Mr. CHAFFETZ. I yield the gentleman an additional 30 seconds.

Mr. COLLINS of Georgia. He stated: ''In some cases, agencies don't really disagree but have refrained from acting in part because of political constraints.''

He is right. Agencies use sue and settle to skirt potentially political issues.

This is about fairness. This is about simplicity. This is a bill that is brought forward to take care of the American people and the burdensome regulations—not to stop it, but to simply get our country working again.

JANUARY 6, 2016.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The 250 undersigned groups strongly support efforts by the House of Representatives to make federal agencies more accountable to the American public and improve the transparency of agency actions. The federal rulemaking process was founded on principles of open government and public participation.

We are pleased, therefore, that the House is voting on a comprehensive regulatory reform bill, H.R. 712, the ''Sunshine for Regulatory Decrees and Settlements Act,'' which would take important steps to stop the abusive practice known as ''sue and settle'' and give the public and affected parties a greater ability to know about potential rulemakings and to participate.

H.R. 712 embodies several major principles of accountability, transparency, and fairness, drawn directly from three regulatory reform bills:

Title I—the ''Sunshine for Regulatory Decrees and Settlements Act.'' Behind closed doors, organizations and agencies enter into consent decrees or settlement agreements compelling the agencies to issue rules on an expedited timeframe. The states and the public are not given notice of the lawsuits, nor do they have a meaningful voice in the process, despite the adverse impact that rushed, sloppy regulations have on them. This title would improve the ''sue and settle'' process by requiring agencies to give early notice and take public comment on proposed settlement agreements obligating agencies to initiate a rulemaking or take other action on a specified timetable. These settlement agreements allow interest groups to commandeer an agency's agenda and regulatory priorities. The bill would allow affected parties to get notice of draft settlements and provide some opportunity to participate.

Title II—the ''All Economic Rules are Transparent (ALERT) Act.'' This title would require agencies to disclose rulemakings the agency plans to propose or finalize to OMB's Office of Information and Regulatory Affairs (OIRA). OIRA would disseminate information about these planned rules to the public, including their estimated costs and benefits.

Title III—the ''Providing Accountability Through Transparency Act.'' This title would require federal agencies to notify the public of proposed rules each month by posting a brief, plain-English summary of each proposed regulation on regulations.gov.

Taken together, these reforms would help Congress to reassert control over federal regulatory agency actions that have become opaque, unaccountable, and often unfair. Congress must perform its critical role as overseer of the federal agencies.

The undersigned groups strongly support H.R. 712, the ''Sunshine for Regulatory Decrees and Settlements Act,'' and its comprehensive approach to regulatory reform. We urge you to pass this important bill.

Sincerely,

Alabama: Alabama Forestry Association, Business Council of Alabama, Mobile Area Chamber of Commerce.

Alaska: Alaska Chamber, Greater Fairbanks Chamber of Commerce.

Arizona: Arizona Chamber of Commerce and Industry, Arizona Mining Association, Gilbert Chamber of Commerce, Greater Phoenix Chamber of Commerce, Lake Havasu Area Chamber of Commerce, Marana Chamber of Commerce, Tucson Metro Chamber.

Arkansas: Arkansas Independent Producers & Royalty Owners Association (AIPRO), Arkansas State Chamber of Commerce, Associated Industries of Arkansas.

California: American Concrete Pressure Pipe Association, California Asphalt Pavement Association (CalAPA), California Association of Boutique & Breakfast Inns, California Hotel & Lodging Association, Cerritos Regional Chamber of Commerce, Far West Equipment Dealers Association, Gateway Chambers Alliance, Los Angeles Area Chamber of Commerce, Milk Producers Council, Motorcycle Industry Council, Orange County Business Council, Plumbing-Heating-Cooling of California, San Diego Regional Chamber of Commerce, San Gabriel Valley Economic Partnership.

Colorado: Associated General Contractors of Colorado, Colorado Business Roundtable, Colorado Timber Industry Association, Home Builders Association of Northern Colorado, Western Energy Alliance.

Connecticut: Connecticut Business & Industry Association, Gasoline & Automotive Service Dealers of America, Inc.

Delaware: Rehoboth Beach-Dewey Beach Chamber of Commerce & Visitor Center.

Florida: Associated Industries of Florida, Florida Chamber of Commerce, Florida Transportation Builders' Association Orlando, Inc.

Georgia: Georgia Chamber, Georgia Mining Association, Georgia Paper & Forest Products Association, Southeastern Lumber Manufacturers Association.

Idaho: Associated Logging Contractors, Inc.—Idaho, Idaho Trucking Association.

Illinois: American Foundry Society, Greater Oak Brook Chamber of Commerce, ISSA—The Worldwide Cleaning Industry Association, Land Improvement Contractors of America (LICA), Mason Contractors Association of America, National Roofing Contractors Association, Non-Ferrous Founders' Society, North American Association of Food Equipment Manufacturers (NAFEM), North American Die Casting Association, Property Casualty Insurers Association of America, STI/SPFA, The Illinois Chamber of Commerce, Western DuPage Chamber of Commerce.

Indiana: Indiana Cast Metals Association (INCMA), Indiana Chamber of Commerce, Indiana Motor Truck Association.

Iowa: Ames Chamber of Commerce, Mason City Chamber of Commerce.

Kansas: Kansas Chamber of Commerce.

Kentucky: Greater Louisville Inc., Kentucky Chamber of Commerce, Kentucky Coal Association, Kentucky Forest Industries Association, Kentucky Petroleum Marketers Association.

Louisiana: Houma-Terrebonne Chamber of Commerce, Louisiana Association of Business and Industry (LABI), Louisiana Landowners Association, Louisiana Oil & Gas Association.

Maryland: Flexible Packaging Association, Maryland Asphalt Association, Inc., National Ready Mixed Concrete Association.

Massachusetts: Metro South Chamber of Commerce.

Michigan: AGC of Michigan, Associated Wire Rope Fabricators, Foundry Association of Michigan, Michigan Chamber of Commerce.

Minnesota: Associated General Contractors of Minnesota, Grand Rapids Area Chamber of Commerce.

Mississippi: Mississippi Petroleum Marketers and Convenience Stores Association, Mississippi Propane Gas Association.

Missouri: Equipment Dealers Association, Missouri Chamber, Missouri Grocers Association, Missouri Pest Management Association, National Corn Growers Association, Western Equipment Dealers Association.

Montana: Billings Chamber of Commerce, Kalispell Chamber of Commerce, Montana Chamber of Commerce, Montana Petroleum Marketers & Convenience Store Association.

Nebraska: Lincoln Chamber of Commerce, Nebraska Chamber of Commerce & Industry.

Nevada: Carson Valley Chamber of Commerce, The Chamber of Reno, Sparks, and Northern Nevada.

New Jersey: Morris County Chamber of Commerce, New Jersey Business & Industry Association, New Jersey Motor Truck Association, New Jersey State Chamber of Commerce.

New Mexico: New Mexico Cattle Growers' Association, New Mexico Wool Growers, Inc.

New York: Buffalo Niagara Partnership, North Country Chamber of Commerce, Northeastern Retail Lumber Association.

North Carolina: Motor & Equipment Manufacturers Association, North Carolina Manufacturers Alliance.

North Dakota: Bismarck-Mandan Chamber of Commerce, Bismarck-Mandan Home Builders Association, Dickinson Area Builders Association, Forx Builders Association, Greater North Dakota Chamber, Home Builders Association of Fargo-Moorhead, Minot Association of Builders, North Dakota Association of Builders, Williston Area Builders Association.

Ohio: Cellulose Insulation Manufacturers Association, Forging Industry Association, Heating, Air-Conditioning & Refrigeration Distributors International (HARDI), Industrial Fasteners Institute, National Tooling and Machining Association, Ohio Cast Metals Association (OCMA), Ohio Chamber of Commerce, Ohio Forestry Association, Ohio Trucking Association, Precision Machined Products Association, Precision Metalforming Association, Youngstown/Warren Regional Chamber.

Oklahoma: Gas Processors Association, Greater Oklahoma City Chamber, Oklahoma Independent Petroleum Association, The State Chamber of Oklahoma, Tulsa Regional Chamber.

Oregon: Associated Oregon Industries, Associated Oregon Loggers, Inc., Klamath County Chamber of Commerce, Oregon Retail Council, Roseburg Area Chamber of Commerce, The Chamber of Medford/Jackson County.

Pennsylvania: Chester County Chamber of Business & Industry, Pennsylvania Chamber of Business and Industry, Pennsylvania Forest Products Association, Pennsylvania Foundry Association, Pennsylvania Independent Oil & Gas Association, Printing Industries of America, Schuylkill Chamber of Commerce, The Pennsylvania Corn Growers Association Inc.

South Carolina: Charleston Metro Chamber of Commerce, Myrtle Beach Area Chamber of Commerce, North Myrtle Beach Chamber of Commerce, CVB South Carolina Timber Producers Association.

South Dakota: Black Hills Forest Resource Association, Intermountain Forest Association.

Tennessee: Johnson City, TN Chamber of Commerce, National Cotton Council, Tennessee Cattlemen's Association, Tennessee Chamber of Commerce & Industry, Tennessee Paper Council.

Texas: American Loggers Council, Consumer Energy Alliance, Electronic Security Association (ESA), Laredo Chamber of Commerce, Longview Chamber of Commerce, McAllen Chamber of Commerce, Texas Association of Business, Texas Cast Metals Association, Texas Mining and Reclamation Association (TMRA), Texas Wildlife Association.

Utah: Salt Lake Chamber, Utah Mining Association.

Virginia: American Composites Manufacturers Association, American Feed Industry Association, American, Subcontractors Association, Inc., American Trucking Associations, American Wood Council, AMT—The Association For Manufacturing Technology, Automotive Recyclers Association, Brick Industry Association, Construction Industry Round Table (CIRT), Council of Industrial Boiler Owners, Global Cold Chain Alliance. Independent Electrical Contractors, Meat Import Council of America, National Association of Chemical Distributors, National Association of Convenience Stores, National Renderers Association, National Rural Electric Cooperative Association, National Stone, Sand and Gravel Association, Outdoor Power Equipment Institute.

Petroleum Marketers Association of America, Small Business & Entrepreneurship Council, Truck Renting and Leasing Association, Virginia Chamber of Commerce, Virginia Forest Products Association.

Washington: American Exploration & Mining Association, Greater Yakima Chamber of Commerce, Washington Cattle Feeders Association, Washington Retail Association.

Washington D.C.: Agricultural Retailers Association, American Coatings Association, American Coke and Coal Chemicals Institute, American Council of Engineering Companies, American Forest & Paper Association, American Fuel & Petrochemical Manufacturers, American Highway Users Alliance, American Iron and Steel Institute, American Petroleum Institute, American Public Gas Association, American Road & Transportation Builders Association, Associated Builders and Contractors, Building Owners and Managers Association (BOMA) International, Independent Petroleum Association of America, Industrial Energy Consumers of America, Industrial Minerals Association—North America, Institute of Makers of Explosives, National Association of Home Builders, National Association of Manufacturers.

National Association of Wholesaler-Distributors, National Black Chamber of Commerce, National Council of Textile Organizations, National Federation of Independent Business, National Grain and Feed Association, National Industrial Sand Association, National Lumber and Building Material Dealers Association, National Mining Association, National Oilseed Processors Association, North American Meat Institute, SPI: The Plastics Industry Trade Association, Treated Wood Council, U.S. Chamber of Commerce, United States Hide, Skin and Leather Association, Vinyl Building Council, Vinyl Institute, Window and Door Manufacturers Association.

West Virginia: West Virginia Chamber, West Virginia Oil Marketers and Grocers Association.

Wisconsin: Greater Green Bay Chamber, Midwest Food Processors Association, Wisconsin Cast Metals Association, Wisconsin Grocers Association, Wisconsin Industrial Energy, Wisconsin Manufacturers & Commerce.

Wyoming: Petroleum Association of Wyoming, Wyoming Rural Electric Association, Wyoming Stock Growers Association.

ASSOCIATED BUILDERS
AND CONTRACTORS, INC.,
Washington, DC, January 6, 2016.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of Associated Builders and Contractors (ABC), a national construction industry trade association with 70 chapters representing nearly 21,000 chapter members, I am writing in regard to the Sunshine for Regulatory Decrees and Settlements Act (H.R. 712) introduced by Rep. Doug Collins (R–GA).

ABC supports increased transparency and opportunities for public feedback in situations where agencies promulgate rulemakings via consent decrees and settlement agreements, and opposes regulation through litigation. The Sunshine for Regulatory Decrees and Settlements Act (H.R. 712) would promote enhanced openness and transparency in the regulatory process by requiring early disclosure of proposed consent decrees and regulatory settlements.

The practice of regulation through litigation (or ''sue and settle'' as it is sometimes described) is used and often abused by advocacy groups in order to initiate rulemakings when they feel federal agencies are not moving quickly enough to draft and issue these policies. Organizations routinely file lawsuits against federal agencies claiming they have not satisfied particular regulatory requirements, at which point agencies can opt to settle. When settlements are agreed to, they often mandate that rulemakings go forward and frequently establish arbitrary timeframes for completion—without stakeholder review or public comment. These settlements are agreed to behind closed doors and their details kept confidential. Agencies release their rulemaking proposals for public comment after the settlement has been agreed upon, but this is often too late for adequate and meaningful feedback.

H.R. 712 would require agencies to solicit public comment prior to entering into a consent decree with courts, which would provide affected parties proper notice of proposed regulatory settlements, and would make it possible for affected industries to participate in the actual settlement negotiations.

Thank you for your attention on this important matter and we urge the House to pass the Sunshine for Regulatory Decrees and Settlements Act when it comes to the floor for a vote.

Sincerely,

KRISTEN SWEARINGEN,
Senior Director, Legislative Affairs.

SMALL BUSINESS &
ENTREPRENEURSHIP COUNCIL,
Vienna, VA, January 4, 2016.

Hon. DOUG COLLINS,
Washington, DC.

DEAR REPRESENTATIVE COLLINS: On behalf of the Small Business & Entrepreneurship Council (SBE Council) and its 100,000 members, I am writing to express our strong support for H.R. 712, the ''Sunshine and Regulatory Decrees and Settlement Act of 2015.'' SBE Council is grateful for your ongoing leadership in calling attention to and working to fix the sue-and-settle game played by special interests groups and federal government agencies. H.R. 712 is an important solution that will lift the veil on a process that is unjust and hurts small businesses.

Americans feel disconnected from a regulatory process that does not consider their

views or the real world impact of regulation. A recent survey conducted by our Center for Regulatory Solutions (CRS) found that 72% of Americans believe regulations are ''created in a closed, secretive process,'' with 68% saying that federal rules are created by ''out-of-touch'' people pushing a political agenda. As is the case with ''sue-and-settle,'' special interest groups conspire with federal agencies and file lawsuits against them alleging that an action has been unlawfully delayed or unreasonably withheld. In many cases, the outcome of these legal actions—the ''settle''—is excessive and unreasonable regulation.

Small business owners and their employees are hardest hit by these burdensome federal regulations, which, again, are the end product of a closed, one-sided process. In a report published by CRS, we document egregious ''sue-and-settle'' cases and their costly outcomes. It is unconscionable that federal agencies act in secret with the very special interests that favor giving them more power.

H.R. 712 would require federal agencies to publish and give notice of these actions, and provide the public with more rights in reviewing, participating in and commenting on them. As such, H.R. 712 provides the openness, fairness and access to the federal regulatory process that it currently lacks.

SBE Council is again pleased to support you and your colleagues in your efforts to advance this reform into law. Thank you for your leadership, and support of small business owners and entrepreneurs.

Sincerely,

KAREN KERRIGAN,
President and CEO.

INDUSTRIAL ENERGY CONSUMERS OF AMERICA,
Washington, DC, January 4, 2016.

Re IECA Supports H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015.

Hon. DOUG COLLINS,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN COLLINS: On behalf of the Industrial Energy Consumers of America (IECA), we support passage of H.R. 712, the ''Sunshine for Regulatory Decrees and Settlements Act of 2015.'' The legislation would take important steps to stop the abusive practice known as ''sue and settle'' and give the public and affected parties a greater ability to know about potential rulemakings and to participate. The bill would help Congress to reassert control over federal regulatory agency actions that have become opaque, unaccountable, and often unfair. Congress must perform its critical role as overseer of the federal agencies.

IECA is a nonpartisan association of leading manufacturing companies with $1.0 trillion in annual sales, over 2,900 facilities nationwide, and with more than 1.4 million employees worldwide. IECA membership represents a diverse set of industries including: chemical, plastics, steel, iron ore, aluminum, paper, food processing, fertilizer, insulation, glass, industrial gases, pharmaceutical, building products, brewing, automotive, independent oil refining, and cement.

Mounting EPA regulatory costs and abuse of the legal system through actions such as ''sue and settle'' have made it very difficult for manufacturing companies to compete with global competitors, thereby impacting U.S. jobs. For example, while China's manufacturing jobs have increased by 31.5 percent since 2000, U.S. manufacturing jobs have declined by 21.6 percent. Furthermore, the 2014 U.S. manufacturing trade deficit stands at $524 billion and 70 percent of the deficit is with one country, China.

We thank you for your leadership on this important legislation and look forward to working with you.

Sincerely,

PAUL N. CICIO,
President.

AMERICAN FUEL & PETROCHEMICAL MANUFACTURERS,
Washington, DC, January 7, 2016.

Hon. PAUL RYAN,
Speaker of the House,
Washington, DC.

DEAR SPEAKER RYAN: The American Fuel & Petrochemical Manufacturers (AFPM) writes in support of H.R. 1155, the Searching for and Cutting Regulations that are Unnecessarily Burdensome (SCRUB) Act of 2015, and H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015. AFPM is a trade association representing high-tech American manufacturers of virtually the entire U.S. supply of gasoline, diesel, jet fuel, other fuels and home heating oil, as well as the petrochemicals used as building blocks for thousands of vital products in daily life. AFPM members make modern life possible and keep America moving and growing as they meet the needs of our nation and local communities, strengthen economic and national security, and support 2 million American jobs.

The U.S. is in the midst of an energy and manufacturing renaissance that promises to increase our energy security and create high quality jobs for years to come. AFPM members are playing an important role in this renaissance as they continue to invest billions of dollars in facility upgrades needed to handle our increasing domestic production of oil and natural gas. In addition to bolstering economic growth, these investments ensure that American fuel and petrochemical manufacturers can continue to provide consumers with ample and affordable supplies of transportation fuels and other vital products. America's energy and manufacturing renaissance, however, is threatened by a maze of increasingly costly and unworkable federal regulations. Indeed, domestic manufactures face a total federal regulatory burden of at least $1.88 trillion, jeopardizing their global competitiveness and increasing costs to consumers.

H.R. 1155 and 712 would improve our broken regulatory process and mitigate some of the burdens on domestic manufacturers. AFPM specifically welcomes the regulatory ''cut-go'' provisions of H.R. 1155, which would create a mechanism for getting excessively complex, costly, and contradictory regulations under control. Additionally, H.R. 712 would significantly limit the growing abuses associated with the ''sue-and-settle tactic'' deployed by certain organizations.

Meaningful reform is critical for our country. We appreciate your leadership on this issue and urge the immediate passage of H.R. 1155 and 712.

Sincerely,

CHET THOMPSON,
President.

NATIONAL ASSOCIATION OF MANUFACTURERS,
January 7, 2016.

DEAR REPRESENTATIVES: The National Association of Manufacturers (NAM), the largest manufacturing association in the United States representing manufacturers in every industrial sector and in all 50 states, urges you to support H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015, introduced by Representative Doug Collins (R–GA).

Manufacturers and other stakeholders are often subject to significant federal regulatory actions mandated through consent decrees and settlement agreements. However, the public can be excluded from the promulgation of rules as agencies and litigants negotiate behind closed doors, determining when and how regulators must act.

Public participation and transparency in the regulatory process is a universal principle of sound rulemaking. H.R. 712 would enhance the regulatory process by increasing public participation in shaping rules before they are proposed. The bill would require agencies to provide timely and more relevant information to the public of lawsuits attempting to force regulatory action and to publish proposed consent decrees or regulatory settlements. Importantly, H.R. 712 would require agencies to consider public comments prior to entry of consent decrees or settlement agreements with the court.

Agency actions to develop significant regulations without public participation contradict the sound regulatory principles that are the foundation of our regulatory system and ensure fairness and due process for all affected entities. H.R. 712 would provide necessary transparency to the rulemaking process and preserve the ability of the public to engage with their government.

The NAM's Key Vote Advisory Committee has indicated that votes on H.R. 712, including procedural motions, may be considered for designation as Key Manufacturing Votes in the 114th Congress.

Thank you for your consideration.

Sincerely,

ARIC NEWHOUSE,
Senior Vice President,
Policy and Government Relations.

Mr. CUMMINGS. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY), my distinguished colleague.

Mr. CONNOLLY. Mr. Chairman, I thank the distinguished ranking member, my friend from Maryland (Mr. CUMMINGS).

I join the ranking member in opposing the so-called Sunshine for Regulatory Decrees and Settlements Act. Specifically, we take exception to the inclusion of the so-called All Economic Regulations are Transparent Act that would unnecessarily require agencies to provide monthly status updates on their plans to propose and finalize rules when they are already required to report twice a year.

Further, this legislation would prohibit agency rules from taking effect until the Office of Information and Regulatory Affairs has posted certain information online for at least 6 months. So an agency might post, on its own, information about the cost of a proposed rule for a year, but if OIRA doesn't post the information for at least 6 months, the agency would be prohibited from moving forward.

□ 1330

Mr. Chairman, Ranking Member CUMMINGS and I have an amendment that will be considered shortly to strike the 6-month online posting requirement. Striking that provision would keep important agency rules protecting public health and safety from being needlessly delayed.

We have a Second Amendment that would exempt independent agencies. The bill as currently drafted would require agencies, such as the SEC and the

Consumer Financial Protection Bureau, to abide by these new reporting requirements. Of course, these and other related agencies are not required to submit their rules for such reviews precisely because they are independent agencies and are intended as such.

I urge my colleagues to support the Cummings-Connolly amendments, as well as the amendment offered by Mr. LYNCH that would require Federal agencies to provide an estimate of the benefits, as well as the costs, of proposed regulations.

Mr. Chairman, this bill may be couched in the guise of improving transparency, but let's be honest, its real intent is to erect barriers and significantly delay the regulatory process that protects the American people.

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

Last Congress, the ALERT Act—which is part of this bill now—passed the House twice with bipartisan support. Put simply, the ALERT Act provides regulatory transparency requiring Federal agencies to provide monthly updates on regulation expected to be implemented in the next year.

That shouldn't be controversial. As the bill's author, Mr. RATCLIFFE, indicated, transparency should not be a heavy lift. That is what we are trying to provide. But that transparency is lacking. If you talk to small businesses and large businesses, you talk to citizens, you talk to advocacy groups, they will all tell you to one degree or another that this is not necessarily crystal clear. They have had this problem and challenge. The Obama administration has shown a troubling tendency to minimize the amount of public attention.

The Fall 2015 Unified Agenda of Federal Regulations, a document disclosing regulations currently under consideration by Federal agencies, now contains more than 2,000 new regulations—2,000. By the administration's own estimates, 144 of those regulations are expected to cost the public more than $100 million each—each. Not just one—each. You have got a universe of 2,000 regulations coming your way, America—144 of those are going to cost you about $100 million apiece, and you don't even know what they are. We don't necessarily know what they are.

That is why we think there should be disclosure. That is why they call it the ALERT Act. It keeps the public informed about what Federal regulators are doing in their name and how much the regulations cost.

The bill requires the heads of Federal agencies to provide a monthly update, which is new. That seems reasonable. A monthly update to the Office of Information and Regulatory Affairs with clear information about each rule. OIRA is then required to publicly disclose on the Internet both the monthly updates and the annual review identifying the costs of each regulation. That seems fair. It seems balanced. It seems easy to me.

I appreciate Mr. RATCLIFFE and the good work that he has done bringing this to our attention and fighting for it.

I urge its adoption, and I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, may I inquire as to how much time remains?

The CHAIR. The gentleman from Maryland has 4 minutes remaining. The gentleman from Utah has 1 minute remaining.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is the second antiregulation bill the Republicans have brought to the floor in 2 days.

Yesterday, we debated a bill that purported to cut bureaucracy by creating a $30 million commission.

Today, we are debating a bill that purports to provide transparency but, in fact, decreases transparency.

The bill directs the Office of Information and Regulatory Affairs to publish the total cost of all rules proposed or finalized without counting any of the offsetting benefits. That is not transparency. That is misinformation.

The proponents of this bill want to focus exclusively on the costs of regulations because information about the benefits undercuts their narrative. The bill's focus on the costs alone ignores the enormous benefits that regulations can have. These benefits can be measured in terms of lives saved, injuries reduced, and even dollars gained.

In fact, the Office of Information and Regulatory Affairs reported in October that the net annual benefits of major rules issued during the Obama administration from 2009 to 2014 is some $215 billion. Agency rules save lives, improve health and safety, and protect our financial markets.

The provisions in this bill that would prevent rules from taking effect until certain information has been made available on the Internet for 6 months are an unnecessary and potentially dangerous roadblock. We don't need an arbitrary 6-month delay in putting in place rules—like high chair and crib safety standards—that protect our children.

This bill is also unnecessarily burdensome. For example, this bill would require OIRA to provide a report on the number of rules and a list of each rule for which a resolution of disapproval was introduced in either the House or Senate under section 802 of the Congressional Review Act. Under this requirement, the legislative branch would be requiring the executive branch to report on the activities of the legislative branch. That is not transparency. That is a waste of agency resources.

With that, Mr. Chairman, I urge Members to vote against this bill.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield myself the balance of my time.

In conclusion, with all due respect, to suggest that it would be overwhelming to produce cost estimates and put them up on the Internet on a monthly basis, we are asking for transparency, but imagine the burden that is also put on the American people. Some of these may be really good ones. They may be really good regulations. But there may be some that they haven't quite researched and that other companies, organizations, individuals, nonprofits, suddenly have to reconfigure for. That takes some time. They need to know that things are coming. That I think is a reasonable thing to do.

I, again, appreciate what Mr. RATCLIFFE has been championing. I would urge the passage of this bill and the underlying bill as well.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

It has been years since Federal officials declared that the Great Recession had ended and recovery had begun. It has been years since the Obama administration took office, promising to deliver prosperity and security once more to our Nation.

We are now approaching American voters' next choice of leadership for the United States. The Obama administration seeks to assure us that times are better and times are safer.

Workers, small-business owners, and Main Street families across our Nation know better. America is still struggling to create enough new jobs and economic growth to produce the prosperity and security Americans need and deserve.

Unless Washington relents from adding unnecessarily to the nearly $2 trillion in annual costs that Federal regulation imposes on our economy, America's job creators and innovators will not be able to create the jobs and growth needed to produce a true new morning in America.

Today's bill contains three measures sure to help remedy this situation.

First, the bill offers strong reforms to attack a problem that lies behind many of the costliest new regulations Washington issues each year. That is the problem of sue and settle regulation.

Time and again, new, high-cost regulations are issued under consent decrees and settlement agreements that force Federal agencies to issue new rules. These decrees and settlements stem from deals between regulatory agencies and pro-regulatory plaintiffs. The plaintiffs seeking regulations sue and the agencies seeking help to regulate settle, gaining the force of a judge's gavel to impose their will on the economy.

Those to be regulated—our Nation's job creators—often do not know about these deals until the plaintiffs' complaints and the proposed decrees or settlements are filed in court. By then it is too late. Regulated businesses, state regulators, and other interested entities are unlikely to be able to intervene in the litigation. The court can

approve the deals before regulated parties even have an opportunity to determine whether new regulatory costs will be imposed on them.

Title I of today's legislation, the Sunshine for Regulatory Decrees and Settlements Act, brings this abusive practice to an end. It assures that those to be regulated have a fair opportunity to participate in the resolution of litigation that affects them. It ensures that courts have all of the information they need before they approve proposed decrees and settlements. And it provides needed transparency on the ways agencies conduct their business.

Title II of the bill rests on the same principle of transparency. Even when new regulations are not forced upon them by judicial decree, Americans deserve to know what new regulations agencies plan to send their way. They deserve to know earlier and better what those new rules will look like, how much they will cost, and when they may be imposed.

Armed with this information, America's small businesses and families will be in a better position to respond to agency plans with better and more timely comments on proposed regulations, and they will be better and more timely able to bring to Congress' attention concerns about planned regulation they believe is unnecessary, too costly, or ineffective.

Title II of the bill, the ALERT Act, accomplishes just that. It reforms disclosure requirements for upcoming rules by requiring more details to be disclosed and by requiring the publication of monthly, online updates of information on the rules' schedules, costs, and economic effects, including jobs impacts.

Finally, title III of the bill, the Providing Accountability Through Transparency Act, helps to fix one of the most maddening things Main Street Americans and small-business owners across the Nation confront. Not only do Federal regulators issue too many regulations that cost too much, too often those regulations are impossible for an ordinary citizen to understand.

Title III offers a welcome remedy by requiring each agency to publish an online, 100-word summary of any new proposed regulation.

What a concept—state in clear, simple, and short terms for the American people just what Federal regulators propose to do. State it in terms that don't require help from a lawyer to understand. And state it online every time a new regulation is proposed.

All of the legislation in this bill is sure to help Americans who are besieged and bewildered by the flood of new regulations flowing every day from Washington's regulatory bureaucracy.

I thank Representatives COLLINS, RATCLIFFE, and LUETKEMEYER for introducing each piece of legislation the bill contains. I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Chairman, I rise in strong opposition to H.R. 712, the Sunshine in Regulatory Decrees and Settlements Act.

This measure is comprised of three bills, each of which, from my perspective, is thoroughly flawed.

To begin with, title I of this bill, consisting of the text of the Sunshine and Regulatory Decrees and Settlements Act of 2015, has a simple goal: to discourage the use of settlement agreements and consent decrees and to thereby prevent critical Federal regulatory actions from being implemented.

□ 1345

Title I accomplishes this goal by giving opponents of regulation multiple opportunities to stifle rulemaking. With respect to a civil action enforcing an agency's responsibility to undertake a regulatory action, such as to promulgate a rulemaking, title I essentially authorizes any third party who is affected by such regulatory action to intervene in that civil action, subject to rebuttal; to participate in settlement negotiations; and to submit public comments about a proposed consent decree or settlement agreement that agencies would then be required to respond to.

In addition, title I mandates that agencies provide for public comment on a proposed consent decree, and it requires agencies to respond to all such comments before the consent decree can be entered in court.

As a result, an agency would be forced to go through two public comment periods, one for the consent decree and one for the rulemaking that results from the consent decree, doubling the agency's effort and time before a regulation could be finalized.

Like nearly all of the anti-regulatory bills we have considered to date over the last two Congresses, this measure piles on procedural requirements for agencies and courts.

By delaying regulatory protections, title I jeopardizes public health and safety. This explains why a broad consortium of more than 150 organizations strenuously opposes this measure. These organizations include the Natural Resources Defense Council, the American Civil Liberties Union, the NAACP, the Sierra Club, and Earthjustice, among other groups.

Title II of H.R. 712 consists of the text of H.R. 1759, the All Economic Regulations are Transparent Act of 2015, or the ALERT Act of 2015. This measure would impose an arbitrary 6-month delay before virtually any new rule could go into effect with only limited exceptions.

Clearly, the bill fails to take into account a vast array of time-sensitive rules, ranging from the mundane, such as the many United States Coast Guard bridge closing regulations, to particularly critical regulations that protect public health and safety.

Another troubling aspect of title II is that it specifically prohibits the Office of Information and Regulatory Affairs—the executive branch agency charged with policymaking for Federal regulatory agencies—from taking into account the benefits of regulations when providing total cost estimates for proposed and final rules. Thus, a regulation that costs only $1 but that results in $1 billion in benefits would only be reported as costing $1. Such a misleading and unbalanced report could hardly promote transparency.

Finally, title III, consisting of H.R. 690, the Providing Accountability Through Transparency Act of 2015, would require a notice of proposed rulemaking that is published in the Federal Register to include an Internet link to a plain language, 100-word summary of the rule.

As with the other provisions in H.R. 712, title III creates a further opportunity for opponents of regulation to slow down a proposed rulemaking, and rather than promoting transparency, title III could engender confusion about the substance of such rulemaking.

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

Mr. GOODLATTE. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. MARINO), the chairman of the Subcommittee on Regulatory Reform, Commercial and Antitrust Law.

Mr. MARINO. Mr. Chairman, on multiple occasions before, I have discussed the overwhelming burden of the regulatory state on American workers and employers. For the past year, it has been my primary objective, as chairman of the Subcommittee on Regulatory Reform, Commercial and Antitrust Law, to bring to light these burdens and their true costs on the lives of all Americans.

The burden of Federal regulations already amounts to 21 percent of the average company's payroll. How can employers plan for the future when the specter of new regulations, meaning additional costs, hangs over their planning? The regulatory process itself and some current government practices make this more difficult.

These bills are critical as we work to improve the regulatory process and to prevent misguided and damaging regulatory overreach. These pieces of legislation grant clarity and transparency to the regulatory process.

I spent the first part of my life working my way up the chain in manufacturing. I worked in a factory. When I became a manager, I saw the complex considerations that went into hiring, expansion, and whether we could keep the lights on.

We did not have a crystal ball to help us there. We had to look at our revenues and at our costs and make assumptions for the future. And, yes, current and future regulations played a role there, too.

That was over 30 years ago. Now the regulatory state and the burdens on business operators and on those who try to go into business have grown by frightening magnitudes.

This bill's sue and settle legislation will ensure that regulators and outside groups can no longer conspire to change or to implement regulations in secret or through judicial decree.

The transparency provisions of the ALERT Act reinforce these measures by mandating more frequent and detailed disclosures that will allow businesses to anticipate the hurdles they will face down the road.

To those Members who introduced these pieces of legislation, I thank them for their attention and effort in lessening the regulatory burdens on all Americans.

I urge my colleagues to support this bill.

Mr. CONYERS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015.

Rather than bringing sunshine into the rulemaking process, it throws an after-midnight shade on this process. In fact, the Sunshine for Regulatory Decrees and Settlements Act pulls the plug on regulations that are in place to protect the health, safety, and well-being of the people.

This misnomered legislation should be renamed the ''Bedtime for Consent Decrees and Settlements Act.'' Another great name is the ''Leave Volkswagen Alone Act.''

Title I of H.R. 712 imposes numerous burdensome procedural requirements on agencies and courts, requirements that are designed to hamstring and to ultimately prevent the use of consent decrees and settlements that ensure the enforcement of the law.

Proponents of this provision argue that it is necessary because Federal agencies collude with pro-regulatory plaintiffs to advance a mutually agreed-upon regulatory agenda through the use of consent decrees and settlement agreements.

According to my Republican colleagues, this so-called sue and settle litigation specifically allows agencies to skirt the requirements of the Administrative Procedure Act to dictate the contents of an agency rulemaking or to bind agency action. Sadly, however, the majority has not put forth a single dust particle of credible evidence to support this claim.

To the contrary, consent decrees and settlement agreements are important tools in ensuring the timely compliance with statutory deadlines that have been put in place by Congress to protect the environment and the public's health and safety.

In fact, the Government Accountability Office, the GAO, reported in December of 2014 that there is zero evidence indicating that agencies collude with public interest groups in bringing these consent decrees, as the majority has often alleged.

In its report, the GAO referred to these lawsuits as ''deadline suits'' because they simply compel agencies to take statutorily required actions within a designated timeframe.

The GAO also found little evidence that deadline suits determine the substantive outcome of agency action because agency officials stated that they have not and would never agree to settlements in a deadline suit that finalize the substantive outcome of the rulemaking or declare the substance of the final rule.

Earlier this year, Amit Narang, a regulatory policy advocate for Public Citizen, also clarified during the legislative hearing on H.R. 712: ''All of the settlements scrutinized by GAO pursuant to the EPA's rulemaking authority under the Clean Air Act went through the public notice and comment process, allowing all members of the public an opportunity to comment on the rule before it is finalized.''

This finding confirms that there is no credible evidence supporting the proposition that Federal agencies engage in backroom deals with pro-regulatory groups in order to circumvent the EPA or to substantively bind the Agency in a subsequent rulemaking.

In the absence of actual evidence of collusion between Federal agencies and plaintiffs, H.R. 712 addresses a nonexistent problem through a series of requirements that are designed to undermine the rule of law by preventing the enforcement of statutes that have been passed by Congress to protect the public and that are designed to slow down agency action and bust the door wide open to almost anyone who wants to impede agency action by intervening in these actions.

Now, is it the working people, small-business owners, or retirees who are asking for this kind of relief from regulations that protect the health, safety, and well-being of them? No. It is not the people. It is the big corporations that want this legislation to pass.

For example, H.R. 712 would allow for nearly any private party to intervene in a consent decree, revealing the legislation's true purpose, which is to stack the deck in the industry's favor in order to avoid the enforcement of the law.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. JOHNSON of Georgia. Mr. Chairman, the only reason for the unprecedented delay in agency rulemaking—the so-called diminishing transparency of the regulatory process—is that my Republican colleagues have argued that regulatory transparency is not important with regard to public participation in the rulemaking process.

In a recent rulemaking process, millions of Americans commented on a single proposed rulemaking. It represented the largest public response in history to any request for public comment in a Federal rulemaking. Just last year alone, this extensive activity hardly suggests an agency process that is shrouded in secrecy and in need of reform.

□ 1400

So with there being no evidence that consent decrees and settlements are collusion between Federal agencies and pro-human interest groups, there simply is no need for this legislation.

I would ask my colleagues to vote against this, to vote it down.

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), who is one of the chief sponsors of this legislation.

Mr. LUETKEMEYER. Mr. Chairman, I thank Chairman GOODLATTE for working with us on this piece of legislation.

If there is one thing that I hear most often from my constituents, it is the onslaught of Federal regulations to keep up, let alone interpret. Our constituents should not need a law degree or employ an army of consultants and accountants to understand the rules they are required to follow. Unfortunately, they do, which is why I am pleased the legislation we consider today addresses the lack of regulatory transparency and accountability.

Title III of H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015, includes language from a bill that I introduced earlier this Congress. That bill, the Providing Accountability Through Transparency Act, provides a bipartisan and commonsense reform to afford the American people straightforward and comprehensive access to rules proposed by our executive branch.

Since enactment of the Administrative Procedure Act in 1946, Federal agencies have been required to keep the public informed of proposed rules and regulations. This law has provided an avenue for the public to access rules and regulations drafted across government agencies. Nevertheless, given their technical nature, it can be extremely difficult to fully understand proposals unless one is an expert in that field.

To help address this issue and promote government transparency and accessibility, title III of the Sunshine for Regulatory Decrees and Settlements Act of 2015 will require each Federal agency, when providing notice of a proposed rulemaking, to produce a Web link to a 100-word, plain-language summary of the proposal. Accordingly, this requirement will provide access to regulations in a more clear and consistent manner.

Moreover, this reasonable proposal has already proven its effectiveness in my home State of Missouri. After hearing from local school districts and administrators struggling to implement State regulations for Common Core, the State enacted a measure requiring

each agency to provide online-accessible, plain-language summaries of proposed State regulations. Since enactment, the statute has been an exceptional resource for Missouri localities, schools, organizations, and citizens. I think it would be just the same here for us here at the Federal level as well.

Just by looking at the daily copy of the Federal Register, which I just happen to have here from Monday, December 28, it is a 519-page copy.

The Acting CHAIR (Mr. DOLD). The time of the gentleman has expired.

Mr. MARINO. I yield an additional 30 seconds to the gentleman from Missouri.

Mr. LUETKEMEYER. I thank the gentleman for the additional time.

Basically, we have got 518 rules in one day, 18 pages of rules in one day. I think it is important that our citizens have access to these rules in a way that they can understand and a form they can access.

I certainly urge its support. I thank the good chairman for his hard work on H.R. 712.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, my main concern with this bill is the provision that would prevent a new regulation from taking effect until it has been available online for at least 6 months after the already exhaustive public notice and comment period that is required of new regulations. This may be a well-intended procedure, but it could potentially harm the very people that are in need of protection under some of the rules being promulgated.

I know there is an exemption that may relate to health and safety that could include a Presidential action, but it requires us to know of an impending threat in order for that procedure to be utilized.

I am thinking about what happened in my own hometown of Flint, Michigan, where people cannot wait 6 months for the Lead and Copper Rule, for example, which is under review right now, to be modified. Due to mismanagement by the State government and the weakness in the Safe Drinking Water Act's Lead and Copper Rule, thousands of children in Flint, Michigan, have been exposed to dangerous lead. Lead exposure is not good for anyone, but it is particularly dangerous for young children.

According to the CDC, lead exposure is one of the most dangerous neurotoxins. It has wide-ranging impacts affecting IQ. There are behavioral implications. There are developmental implications for the central nervous system.

It is heartbreaking, then, to see, as a result of the failure to adequately supply support in regulation to drinking water programs, that levels of lead in my own hometown have poisoned children. Changes to the Lead and Copper Rule, which I have participated in and are underway right now, could have prevented this. Right now, as a matter of fact, those changes are pending.

If this legislation is passed, basically what we are saying to the people of Flint and other potential communities that could have lead exposure is that we have to wait another 6 months for that protection, 6 more months potentially of dangerous lead leaching into the pipes, going into the bodies of young children.

This notion that regulation is always wrong and always bad—I know that is not the position that is taken—but the effect of this legislation would be to slow down the regulatory process, very often regulations that need to be changed, need to be adjusted to provide essential protections to public health.

The notion that we are supposed to somehow know that an imminent threat is present and allow this expedited process that is anticipated in this legislation belies logic. They didn't know, until after blood levels showed increased lead levels in children, that such a problem existed.

When we know that there are necessary changes, when the EPA, through its process, as they have done with the Lead and Copper Rule, know that there are ways to improve the protection to kids, we ought to implement those regulations as soon as we possibly can.

Mr. MARINO. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. POE), a member of the Judiciary Committee.

Mr. POE of Texas. Mr. Chairman, right now there is probably a group of folks down the street at a large oak table in a marble palace, nibbling on their $16 Federal muffins, drinking their lattes, typing on their new iPads regulations. They are the regulators. The very term brings fear and trepidation into the hearts of people who work for a living.

Meanwhile, 14 million Americans are sitting at their old kitchen table, drinking coffee from their Mr. Coffee pot with no job on the horizon.

Small-business owners constantly say that complying with government regulations is the biggest economic problem they face, even more so than the Federal income tax. Bear in mind that we have the highest corporate income tax in the world.

Some businesses pack up their bags and even move to places like China. Meanwhile, the U.S. regulators are putting businesses out of business.

Now, Congress created the regulators, so Congress needs to fix the problem with the regulators. H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015, takes a number of commonsense approaches and puts a check on the regulators.

Mr. Chairman, there are 175,000 pages of regulations. Do you really think we need that many regulations?

One of the most important provisions of this bill is it will require the executive branch to make semiannual and annual disclosures about planned regulations.

A lot of times, the regulators don't have any idea of the economic costs of their decisions and what they will have on the American economy. Many of them have never worked in private industry. They have never been to the States that they are trying to regulate. This bill will force the regulators to determine the cost of their actions before they take action.

These disclosures will help American job creators so they can plan for the impacts of the new regulations on their budgets, hiring, and operations.

I urge support of this logical piece of legislation. Congress needs to rein in and regulate the regulators.

And that is just the way it is.

Mr. CONYERS. Mr. Chairman, I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT), a member of the Judiciary Committee and chairman of the Small Business Subcommittee.

Mr. CHABOT. Mr. Chairman, I rise today in strong support of this bill and commend my colleague from Georgia (Mr. COLLINS) for his leadership on this very important issue.

We all know that small businesses are the foundation of our economy, creating 7 out of every 10 new jobs in the American economy. That is how many jobs are created by small businesses

Mr. Chairman, we also hear from small businesses from all over America, from our own congressional districts, that new and old regulatory burdens continue to make it more difficult for them to expand, grow, and create more jobs.

The Constitution gives us the duty in the House of Representatives to provide for the general welfare. If we allow this scheme of sue and settle litigation to continue suppressing economic and job growth, we are not doing our duty.

What is this sue and settle that we are talking about? Well, very quickly, it refers to when a Federal agency agrees to a settlement agreement in a lawsuit from special interest groups, oftentimes groups on the left, to create priorities and rules outside of the normal rulemaking process. The agency intentionally relinquishes statutory discretion by committing to timelines and priorities that often realign agency duties.

Now, when agencies enter into consent decrees or settlement agreements and agree to issue new regulations, the rulemaking process is shortchanged. As chairman of the Committee on Small Business, I am particularly concerned that agencies are not adequately analyzing the impacts of new rules on small businesses, as is required by the Regulatory Flexibility Act. That is existing law. This results in unnecessary and costly regulatory burdens and disproportionately impacts small businesses, the job generators of this country.

I strongly urge my colleagues to support this legislation.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, when mankind first came upon this planet, I guess we were in caves and cavemen didn't have many rules. It was only the strong who survived. It was every man for himself. There were no morals about things, whether or not it is right or wrong. It is just a matter of your own personal survival. That was caveman thinking, and, unfortunately, we still have caveman thinking in the 21st century because we have a crowd that says that we should not have any rules of human conduct.

Isn't it a fact that America is what it is now because of the rules that have been put in place to foster prosperity and freedom? That is what our government has done. It has been government of, by, and for the people.

There has been a movement over the last 30, 40 years to turn people against government. This mantra is that government is too big, we don't need any rules to govern human conduct, let everything work itself out, and the free market system will make it rain for everybody.

Well, we have seen, after 30, 40 years of practicing that free market way of thinking, that it doesn't work. Here we are still trying to cut the rules that guarantee the health, safety, and well-being of working people, of small business, of elderly people, and children.

This is what this legislation is about, is gutting the rulemaking process. This is one of many attempts, incessant attempts, by my friends on the other side to try to cut government so that their friends in big business on Wall Street can make it rain for the rest of us. They don't make it rain for anybody but themselves. They put all of the profits in their pockets. They become billionaires. We have had a shift of wealth away from the middle class and working people in this country. Let's stop it from happening.

Oppose this misguided legislation, H.R. 712.

Mr. MARINO. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. GOHMERT), a member of the Judiciary Committee

Mr. GOHMERT. Mr. Chairman, I appreciate the chairman of the Judiciary Committee and also the committee I am on, Natural Resources. This has been an ongoing issue, particularly in Natural Resources, when we come to the sue and settle situation.

I appreciate my friend from Georgia pointing out that there are groups that don't want rules, that are just out for themselves. I, too, was against the Occupy Wall Street anarchy that was attempted.

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I have never stood here in support of Wall Street. I fought the Wall Street bailout tooth and nail when friends on the other side of the aisle, many of them, were supporting it. Both sides of the aisle supported it. I am not standing here for Wall Street. I am standing here for fairness for American citizens across the country. That is what most people in both parties want. They want fairness.

Here is a report that the tactic of sue and settle ''reached a zenith in Fish and Wildlife's 2011 mega-settlement with the Center for Biological Diversity, WildEarth Guardians, and other green groups over the species act. That agreement allowed Fish and Wildlife to claim it must take action on some 750 species covered by 85 legal actions. The deal's immediate effect was to tee up 250 species for full protection, including sweeping 'critical habitat' designations that will restrict commercial or other use of millions of acres of private property.''

The problem is, when the judicial system is abused, and as a former litigator, judge, and chief justice, I know when litigants come before the court and they say, ''We have reached an agreement, and here it is,'' then the judge's hands are normally tied, sign off on the agreement; but when it is a sympathetic group wanting to take away private property rights from private property owners, when they themselves have done nothing to produce or make that land profitable, to do so unfairly without proper notice by going behind the landowner's back, filing a suit with a sympathetic agency like Fish and Wildlife, having the agreed judgment signed, and then all of a sudden the most affected people were not given notice, they have their property rights taken away.

I realize there were groups like Occupy Wall Street that don't want anybody having private property rights. Look, the Pilgrims tried it. It doesn't work when you just have a socialist system, share and share alike, because when you pay people the same thing to work and not work, then eventually people quit working.

This bill is about fairness. What is wrong with giving notice to all of the people involved and letting them participate? That is the right thing to do.

Mr. CONYERS. Mr. Chairman, I am ready to close, and I yield myself the balance of my time.

Members, H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act, would establish a 6-month moratorium on new regulations, with limited exception, significantly delaying the rulemaking process by which agencies ensure that Americans are protected from serious harm, such as dirty air and water and unsafe products and reckless behavior by large financial institutions.

Not surprisingly, the White House has already issued a strong veto threat. The administration warns that H.R. 712 would undermine critical public health and safety protections, introduce needless complexity and uncertainty in agency decisionmaking, and interfere with agency performance statutory mandates.

There is simply no basis to support this ill-conceived legislation. Accordingly, I urge all of my colleagues on both sides of the aisle to join me in opposing H.R. 712.

Mr. Chairman, I yield back the balance of my time.

Mr. MARINO. I yield myself the balance of my time.

Mr. Chairman, my colleagues on the other side of the aisle claim that this bill will make it too hard for Washington bureaucrats to regulate and too cumbersome for Washington agencies to tell the American people what the agencies are up to. You might say they are claiming that this bill creates so much sunshine on our new regulations that Washington's regulators will get sunburned if the bill is enacted.

In the Obama administration's pen and phone era of encroaching on Americans' liberties, that much new sunshine is a good thing. In the Obama administration's era of regulatory dictates that crush new jobs and prevent higher wages, the new sunshine is desperately needed.

A central reason why the Obama administration has failed to deliver prosperity and security to our Nation is the administration's unprecedented avalanche of new and costly regulations. This regulatory onslaught is the big reason why we have just concluded 8 years of zero real wage growth for America's workers and families. It is a critical reason why 94 million Americans above the age of 16 are out of the workforce. It is an unmistakable reason why we are still missing the almost 6 million more new jobs Americans would have had if the so-called Obama recovery had just been as strong as the average recovery since World War II.

This bill combats the Obama administration's regulatory assault on jobs and wages with commonsense measures we all should support. I urge my colleagues to join me in voting for this bill to help deliver new jobs and better wages to America's workers and families.

Mr. Chairman, I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, I rise in opposition to H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act. Rather than a good-faith effort to improve our regulatory process, this bill would add unworkable new requirements on federal agencies that could impede critical efforts to safeguard public health, the environment, and other national priorities.

I was pleased, however, that this bill includes provisions from the Providing Accountability Through Transparency Act (H.R. 690), which I introduced with my colleague Rep. LUETKEMEYER. This bipartisan proposal would ensure that new federal rules include a brief, plain-language summary so that the public can better understand the proposed action. While I cannot support H.R. 712, I hope that we can continue to work across the aisle on this commonsense initiative that will enhance public understanding of important federal efforts in public health, consumer rights, environmental protection, and other areas.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee Print 114–37. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 712

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 ''Sunshine for Regulations and Regulatory Decrees and Settlements Act of 2016''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

TITLE I—SUNSHINE FOR REGULATORY DECREES AND SETTLEMENTS

SEC. 101. SHORT TITLE.

This title may be cited as the ''Sunshine for Regulations and Regulatory Decrees and Settlements Act of 2016''.

SEC. 102. DEFINITIONS.

In this title—

(1) the terms ''agency'' and ''agency action'' have the meanings given those terms under section 551 of title 5, United States Code;

(2) the term ''covered civil action'' means a civil action—

(A) seeking to compel agency action;

(B) alleging that the agency is unlawfully withholding or unreasonably delaying an agency action relating to a regulatory action that would affect the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government; and

(C) brought under—

(i) chapter 7 of title 5, United States Code; or

(ii) any other statute authorizing such an action;

(3) the term ''covered consent decree'' means—

(A) a consent decree entered into in a covered civil action; and

(B) any other consent decree that requires agency action relating to a regulatory action that affects the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government;

(4) the term ''covered consent decree or settlement agreement'' means a covered consent decree and a covered settlement agreement; and

(5) the term ''covered settlement agreement'' means—

(A) a settlement agreement entered into in a covered civil action; and

(B) any other settlement agreement that requires agency action relating to a regulatory action that affects the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government.

SEC. 103. CONSENT DECREE AND SETTLEMENT REFORM.

(a) PLEADINGS AND PRELIMINARY MATTERS.—

(1) IN GENERAL.—In any covered civil action, the agency against which the covered civil action is brought shall publish the notice of intent to sue and the complaint in a readily accessible manner, including by making the notice of intent to sue and the complaint available online not later than 15 days after receiving service of the notice of intent to sue or complaint, respectively.

(2) ENTRY OF A COVERED CONSENT DECREE OR SETTLEMENT AGREEMENT.—A party may not make a motion for entry of a covered consent decree or to dismiss a civil action pursuant to a covered settlement agreement until after the end of proceedings in accordance with paragraph (1) and subparagraphs (A) and (B) of paragraph (2) of subsection (d) or subsection (d)(3)(A), whichever is later.

(b) INTERVENTION.—

(1) REBUTTABLE PRESUMPTION.—In considering a motion to intervene in a covered civil action or a civil action in which a covered consent decree or settlement agreement has been proposed that is filed by a person who alleges that the agency action in dispute would affect the person, the court shall presume, subject to rebuttal, that the interests of the person would not be represented adequately by the existing parties to the action.

(2) STATE, LOCAL, AND TRIBAL GOVERNMENTS.—In considering a motion to intervene in a covered civil action or a civil action in which a covered consent decree or settlement agreement has been proposed that is filed by a State, local, or tribal government, the court shall take due account of whether the movant—

(A) administers jointly with an agency that is a defendant in the action the statutory provisions that give rise to the regulatory action to which the action relates; or

(B) administers an authority under State, local, or tribal law that would be preempted by the regulatory action to which the action relates.

(c) SETTLEMENT NEGOTIATIONS.—Efforts to settle a covered civil action or otherwise reach an agreement on a covered consent decree or settlement agreement shall—

(1) be conducted pursuant to the mediation or alternative dispute resolution program of the court or by a district judge other than the presiding judge, magistrate judge, or special master, as determined appropriate by the presiding judge; and

(2) include any party that intervenes in the action.

(d) PUBLICATION OF AND COMMENT ON COVERED CONSENT DECREES OR SETTLEMENT AGREEMENTS.—

(1) IN GENERAL.—Not later than 60 days before the date on which a covered consent decree or settlement agreement is filed with a court, the agency seeking to enter the covered consent decree or settlement agreement shall publish in the Federal Register and online—

(A) the proposed covered consent decree or settlement agreement; and

(B) a statement providing—

(i) the statutory basis for the covered consent decree or settlement agreement; and

(ii) a description of the terms of the covered consent decree or settlement agreement, including whether it provides for the award of attorneys' fees or costs and, if so, the basis for including the award.

(2) PUBLIC COMMENT.—

(A) IN GENERAL.—An agency seeking to enter a covered consent decree or settlement agreement shall accept public comment during the period described in paragraph (1) on any issue relating to the matters alleged in the complaint in the applicable civil action or addressed or affected by the proposed covered consent decree or settlement agreement.

(B) RESPONSE TO COMMENTS.—An agency shall respond to any comment received under subparagraph (A).

(C) SUBMISSIONS TO COURT.—When moving that the court enter a proposed covered consent decree or settlement agreement or for dismissal pursuant to a proposed covered consent decree or settlement agreement, an agency shall—

(i) inform the court of the statutory basis for the proposed covered consent decree or settlement agreement and its terms;

(ii) submit to the court a summary of the comments received under subparagraph (A) and the response of the agency to the comments;

(iii) submit to the court a certified index of the administrative record of the notice and comment proceeding; and

(iv) make the administrative record described in clause (iii) fully accessible to the court.

(D) INCLUSION IN RECORD.—The court shall include in the court record for a civil action the certified index of the administrative record submitted by an agency under subparagraph (C)(iii) and any documents listed in the index which any party or amicus curiae appearing before the court in the action submits to the court.

(3) PUBLIC HEARINGS PERMITTED.—

(A) IN GENERAL.—After providing notice in the Federal Register and online, an agency may hold a public hearing regarding whether to enter into a proposed covered consent decree or settlement agreement.

(B) RECORD.—If an agency holds a public hearing under subparagraph (A)—

(i) the agency shall—

(I) submit to the court a summary of the proceedings;

(II) submit to the court a certified index of the hearing record; and

(III) provide access to the hearing record to the court; and

(ii) the full hearing record shall be included in the court record.

(4) MANDATORY DEADLINES.—If a proposed covered consent decree or settlement agreement requires an agency action by a date certain, the agency shall, when moving for entry of the covered consent decree or settlement agreement or dismissal based on the covered consent decree or settlement agreement, inform the court of—

(A) any required regulatory action the agency has not taken that the covered consent decree or settlement agreement does not address;

(B) how the covered consent decree or settlement agreement, if approved, would affect the discharge of the duties described in subparagraph (A); and

(C) why the effects of the covered consent decree or settlement agreement on the manner in which the agency discharges its duties is in the public interest.

(e) SUBMISSION BY THE GOVERNMENT.—

(1) IN GENERAL.—For any proposed covered consent decree or settlement agreement that contains a term described in paragraph (2), the Attorney General or, if the matter is being litigated independently by an agency, the head of the agency shall submit to the court a certification that the Attorney General or head of the agency approves the proposed covered consent decree or settlement agreement. The Attorney General or head of the agency shall personally sign any certification submitted under this paragraph.

(2) TERMS.—A term described in this paragraph is—

(A) in the case of a covered consent decree, a term that—

(i) converts into a nondiscretionary duty a discretionary authority of an agency to propose, promulgate, revise, or amend regulations;

(ii) commits an agency to expend funds that have not been appropriated and that have not been budgeted for the regulatory action in question;

(iii) commits an agency to seek a particular appropriation or budget authorization;

(iv) divests an agency of discretion committed to the agency by statute or the Constitution of the United States, without regard to whether the discretion was granted to respond to changing circumstances, to make policy or managerial choices, or to protect the rights of third parties; or

(v) otherwise affords relief that the court could not enter under its own authority upon a final judgment in the civil action; or

(B) in the case of a covered settlement agreement, a term—

(i) that provides a remedy for a failure by the agency to comply with the terms of the covered settlement agreement other than the revival of the civil action resolved by the covered settlement agreement; and

(ii) that—

(I) interferes with the authority of an agency to revise, amend, or issue rules under the procedures set forth in chapter 5 of title 5, United States Code, or any other statute or Executive order prescribing rulemaking procedures for a rulemaking that is the subject of the covered settlement agreement;

(II) commits the agency to expend funds that have not been appropriated and that have not been budgeted for the regulatory action in question; or

(III) for such a covered settlement agreement that commits the agency to exercise in a particular way discretion which was committed to the agency by statute or the Constitution of the United States to respond to changing circumstances, to make policy or managerial choices, or to protect the rights of third parties.

(f) REVIEW BY COURT.—

(1) AMICUS.—A court considering a proposed covered consent decree or settlement agreement shall presume, subject to rebuttal, that it is proper to allow amicus participation relating to the covered consent decree or settlement agreement by any person who filed public comments or participated in a public hearing on the covered consent decree or settlement agreement under paragraph (2) or (3) of subsection (d).

(2) REVIEW OF DEADLINES.—

(A) PROPOSED COVERED CONSENT DECREES.—For a proposed covered consent decree, a court shall not approve the covered consent decree unless the proposed covered consent decree allows sufficient time and incorporates adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

(B) PROPOSED COVERED SETTLEMENT AGREEMENTS.—For a proposed covered settlement agreement, a court shall ensure that the covered settlement agreement allows sufficient time and incorporates adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

(g) ANNUAL REPORTS.—Each agency shall submit to Congress an annual report that, for the year covered by the report, includes—

(1) the number, identity, and content of covered civil actions brought against and covered consent decrees or settlement agreements entered against or into by the agency; and

(2) a description of the statutory basis for—

(A) each covered consent decree or settlement agreement entered against or into by the agency; and

(B) any award of attorneys fees or costs in a civil action resolved by a covered consent decree or settlement agreement entered against or into by the agency.

SEC. 104. MOTIONS TO MODIFY CONSENT DECREES.

If an agency moves a court to modify a covered consent decree or settlement agreement and the basis of the motion is that the terms of the covered consent decree or settlement agreement are no longer fully in the public interest due to the obligations of the agency to fulfill other duties or due to changed facts and circumstances, the court shall review the motion and the covered consent decree or settlement agreement de novo.

SEC. 105. EFFECTIVE DATE.

This title shall apply to—

(1) any covered civil action filed on or after the date of enactment of this Act; and

(2) any covered consent decree or settlement agreement proposed to a court on or after the date of enactment of this Act.

TITLE II—ALL ECONOMIC REGULATIONS ARE TRANSPARENT

SEC. 201. SHORT TITLE.

This title may be cited as the ''All Economic Regulations are Transparent Act of 2016'' or the ''ALERT Act of 2016''.

SEC. 202. OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATION OF INFORMATION RELATING TO RULES.

(a) AMENDMENT.—Title 5, United States Code, is amended by inserting after chapter 6, the following new chapter:

''CHAPTER 6A—OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATION OF INFORMATION RELATING TO RULES

''SEC. 651. AGENCY MONTHLY SUBMISSION TO OFFICE OF INFORMATION AND REGULATORY AFFAIRS.

''On a monthly basis, the head of each agency shall submit to the Administrator of the Office of Information and Regulatory Affairs (referred to in this chapter as the 'Administrator'), in such a manner as the Administrator may reasonably require, the following information:

''(1) For each rule that the agency expects to propose or finalize during the following year:

''(A) A summary of the nature of the rule, including the regulation identifier number and the docket number for the rule.

''(B) The objectives of and legal basis for the issuance of the rule, including—

''(i) any statutory or judicial deadline; and

''(ii) whether the legal basis restricts or precludes the agency from conducting an analysis of the costs or benefits of the rule during the rule making, and if not, whether the agency plans to conduct an analysis of the costs or benefits of the rule during the rule making.

''(C) Whether the agency plans to claim an exemption from the requirements of section 553 pursuant to section 553(b)(B).

''(D) The stage of the rule making as of the date of submission.

''(E) Whether the rule is subject to review under section 610.

''(2) For any rule for which the agency expects to finalize during the following year and has issued a general notice of proposed rule making—

''(A) an approximate schedule for completing action on the rule;

''(B) an estimate of whether the rule will cost—

''(i) less than $50,000,000;

''(ii) $50,000,000 or more but less than $100,000,000;

''(iii) $100,000,000 or more but less than $500,000,000;

''(iv) $500,000,000 or more but less than $1,000,000,000;

''(v) $1,000,000,000 or more but less than $5,000,000,000;

''(vi) $5,000,000,000 or more but less than $10,000,000,000; or

''(vii) $10,000,000,000 or more; and

''(C) any estimate of the economic effects of the rule, including any estimate of the net effect that the rule will have on the number of jobs in the United States, that was considered in drafting the rule. If such estimate is not available, a statement affirming that no information on the economic effects, including the effect on the number of jobs, of the rule has been considered.

''SEC. 652. OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATIONS.

''(a) AGENCY-SPECIFIC INFORMATION PUBLISHED MONTHLY.—Not later than 30 days after the submission of information pursuant to section 651, the Administrator shall make such information publicly available on the Internet.

''(b) CUMULATIVE ASSESSMENT OF AGENCY RULE MAKING PUBLISHED ANNUALLY.—

''(1) PUBLICATION IN THE FEDERAL REGISTER.—Not later than October 1 of each year, the Administrator shall publish in the Federal Register, for the previous year the following:

''(A) The information that the Administrator received from the head of each agency under section 651.

''(B) The number of rules and a list of each such rule—

''(i) that was proposed by each agency, including, for each such rule, an indication of whether the issuing agency conducted an analysis of the costs or benefits of the rule; and

''(ii) that was finalized by each agency, including for each such rule an indication of whether—

''(I) the issuing agency conducted an analysis of the costs or benefits of the rule;

''(II) the agency claimed an exemption from the procedures under section 553 pursuant to section 553(b)(B); and

''(III) the rule was issued pursuant to a statutory mandate or the rule making is committed to agency discretion by law.

''(C) The number of agency actions and a list of each such action taken by each agency that—

''(i) repealed a rule;

''(ii) reduced the scope of a rule;

''(iii) reduced the cost of a rule; or

''(iv) accelerated the expiration date of a rule.

''(D) The total cost (without reducing the cost by any offsetting benefits) of all rules proposed or finalized, and the number of rules for which an estimate of the cost of the rule was not available.

''(2) PUBLICATION ON THE INTERNET.—Not later than October 1 of each year, the Administrator shall make publicly available on the Internet the following:

''(A) The analysis of the costs or benefits, if conducted, for each proposed rule or final rule issued by an agency for the previous year.

''(B) The docket number and regulation identifier number for each proposed or final rule issued by an agency for the previous year.

''(C) The number of rules and a list of each such rule reviewed by the Director of the Office of Management and Budget for the previous year, and the authority under which each such review was conducted.

''(D) The number of rules and a list of each such rule for which the head of an agency completed a review under section 610 for the previous year.

''(E) The number of rules and a list of each such rule submitted to the Comptroller General under section 801.

''(F) The number of rules and a list of each such rule for which a resolution of disapproval was introduced in either the House of Representatives or the Senate under section 802.

''SEC. 653. REQUIREMENT FOR RULES TO APPEAR IN AGENCY-SPECIFIC MONTHLY PUBLICATION.

''(a) IN GENERAL.—Subject to subsection (b), a rule may not take effect until the information required to be made publicly available on the Internet regarding such rule pursuant to section 652(a) has been so available for not less than 6 months.

''(b) EXCEPTIONS.—The requirement of subsection (a) shall not apply in the case of a rule—

''(1) for which the agency issuing the rule claims an exception under section 553(b)(B); or

''(2) which the President determines by Executive order should take effect because the rule is—

''(A) necessary because of an imminent threat to health or safety or other emergency;

''(B) necessary for the enforcement of criminal laws;

''(C) necessary for national security; or

''(D) issued pursuant to any statute implementing an international trade agreement.

''SEC. 654. DEFINITIONS.

''In this chapter, the terms 'agency', 'agency action', 'rule', and 'rule making' have the meanings given those terms in section 551.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 5, United States Code, is amended by inserting after the item relating to chapter 5, the following:

''6. The Analysis of Regulatory Functions 601

''6A. Office of Information and Regulatory Affairs Publication of Information Relating to Rules ..... 651''.

(c) EFFECTIVE DATES.—

(1) AGENCY MONTHLY SUBMISSION TO THE OFFICE OF INFORMATION AND REGULATORY AFFAIRS.—The first submission required pursuant to section 651 of title 5, United States Code, as added by subsection (a), shall be submitted not later than 30 days after the date of the enactment of this Act, and monthly thereafter.

(2) CUMULATIVE ASSESSMENT OF AGENCY RULE MAKING.—

(A) IN GENERAL.—Subsection (b) of section 652 of title 5, United States Code, as added by subsection (a), shall take effect on the date that is 60 days after the date of the enactment of this Act.

(B) DEADLINE.—The first requirement to publish or make available, as the case may be, under subsection (b) of section 652 of title 5, United States Code, as added by subsection (a), shall be the first October 1 after the effective date of such subsection.

(C) FIRST PUBLICATION.—The requirement under section 652(b)(2)(A) of title 5, United States Code, as added by subsection (a), shall include for the first publication, any analysis of the costs or benefits conducted for a proposed or final rule, for the 10 years before the date of the enactment of this Act.

(3) REQUIREMENT FOR RULES TO APPEAR IN AGENCY-SPECIFIC MONTHLY PUBLICATION.—Section 653 of title 5, United States Code, as added by subsection (a), shall take effect on the date that is 8 months after the date of the enactment of this Act.

TITLE III—PROVIDING ACCOUNTABILITY THROUGH TRANSPARENCY

SEC. 301. SHORT TITLE.

This title may be cited as the ''Providing Accountability Through Transparency Act of 2016''.

SEC. 302. REQUIREMENT TO POST A 100 WORD SUMMARY TO REGULATIONS.GOV.

Section 553(b) of title 5, United States Code, is amended—

(1) in paragraph (2) by striking ''; and'' and inserting '';'';

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (3) the following:

''(4) the internet address of a summary of not more than 100 words in length of the proposed rule, in plain language, that shall be posted on the internet website under section 206(d) of the E-Government Act of 2002 (44 U.S.C. 3501 note) (commonly known as regulations.gov);''.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of House Report 114–388. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. MARINO

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 114–388.

Mr. MARINO. Mr. Chairman, I rise as the designee of the gentleman from Virginia (Mr. GOODLATTE), and I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, line 5, strike the comma after ''chapter 6''.

Page 16, after line 10, strike the table of sections for chapter 6A of title 5, United States Code, as inserted by section 202(a) of the bill, and insert the following:

''651. Agency monthly submission to Office of Information and Regulatory Affairs.

''652. Office of Information and Regulatory Affairs publications.

''653. Requirement for rules to appear in agency-specific monthly publication.

''654. Definitions.

Page 16, line 11, strike ''**SEC. 651. AGENCY MONTHLY SUBMISSION TO OFFICE OF INFORMATION AND REGULATORY AFFAIRS.**'' and insert ''**§ 651. Agency monthly submission to Office of Information and Regulatory Affairs**''.

Page 16, line 19, strike ''following year'' and insert ''12-month period following the month covered by the monthly submission''.

Page 17, line 19, strike ''for which'' and insert ''that''.

Page 17, line 20, strike ''the following year and has issued'' and insert ''the 12-month period following the month covered by the monthly submission and for which the agency has issued''.

Page 18, line 17, strike ''rule. If such estimate is not'' and insert ''rule, or, if no such estimate is''.

Page 18, line 22, strike ''**SEC. 652. OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATIONS.**'' and insert ''**§ 652. Office of Information and Regulatory Affairs publications**''.

Page 19, line 8, insert after a comma ''shall publish''.

Page 19, line 9, strike ''for the previous year the following:'' and insert the following: ''the following, with respect to the previous year:''.

Page 22, line 1, strike ''**SEC. 653. REQUIREMENT FOR RULES TO APPEAR IN AGENCY-SPECIFIC MONTHLY PUBLICATION.**'' and insert ''**§ 653. Requirement for rules to appear in agency-specific monthly publication**''.

Page 22, line 21, strike ''**SEC. 654. DEFINITIONS.**'' and insert ''**§ 654. Definitions**''.

Page 23, line 2, strike the comma after ''chapter 5''.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Pennsylvania (Mr. MARINO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MARINO. Mr. Chairman, I yield myself such time as I may consume.

I offer this amendment with my colleague, Chairman CHAFFETZ, as a manager's amendment to the bill. The amendment makes a small number of revisions in the nature of technical and conforming changes to clarify revisions that state deadlines, reformat section nomenclature and headings, and improve typography or grammar.

The amendment constitutes an agreement reached between the Committee on the Judiciary and the other committee of jurisdiction, the Committee on Oversight and Government Reform.

I urge my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 114–388.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In the table of contents of the bill, insert after item pertaining to section 302 the following:

TITLE IV—GENERAL EXEMPTION FOR CERTAIN RULES

Sec. 401. Exemption of certain rules, and consent decrees or settlement agreements, from the provisions of this Act.

Add, at the end of the bill, the following:

TITLE IV—GENERAL EXEMPTION FOR CERTAIN RULES

SEC. 401. EXEMPTION OF CERTAIN RULES, AND CONSENT DECREES OR SETTLEMENT AGREEMENTS, FROM THE PROVISIONS OF THIS ACT.

Notwithstanding any other provision of law, the provisions of this Act and the amendments made by this Act shall not apply in the case of a rule that the Director of the Office of Management and Budget determines would result in net job creation and whose benefits exceeds its cost, or a consent decree or settlement agreement pertaining to such a rule. In the case of such a rule, consent decree, or settlement agreement, the provisions of law amended by this Act shall apply as though such amendments had not been made.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman.

Mr. JOHNSON of Georgia. Mr. Chairman, I thank you for the opportunity to speak in support of my amendment to H.R. 712.

H.R. 712 would significantly delay and possibly stop the Federal rulemaking process by making it easier for regulated industries and well-funded

antiregulatory entities to delay or prevent agency action and prohibiting any rule from being finalized until certain information is posted online for 6 months.

This assault on the regulations is based on the false premise that Federal regulation stifles economic growth and job creation. My amendment confronts this fallacious assumption by excepting from H.R. 712 all rules that the Office of Management and Budget determines would result in net job creation.

As with many other deregulatory bills we have considered this Congress, the proponents of H.R. 712 argue that it will grow the economy, create jobs, and increase America's competitiveness internationally, but we cannot pretend that this politicized legislation is about economic growth or American prosperity.

As I have noted during the consideration of each of the antiregulatory bills that we have considered in the 114th Congress, there is simply no credible evidence in support of the reiteration of so-called job-killing regulations undermining economic growth. Zero. The latest report from the Bureau of Labor Statistics shows that unemployment has fallen to 5 percent despite Republican obstruction of everything that Democrats have put forward that would grow the economy.

While there is more work to do to grow the economy and help our Nation's middle class, there have been 69 straight months of private sector job growth. That is 13.7 million private sector jobs created amidst a regulatory system that is pro-worker, pro-environment, pro-public health, and pro-innovation.

And to those who would brush aside these strong employment figures, the Department of Labor has also reported that claims for unemployment benefits have dropped to the lowest levels in over 40 years.

While I would submit that regulations passed during the Obama administration have had a largely positive effect on sustainable economic growth, the reality is that there is little correlation between regulations and the economy.

Don't just take my word for it. Take the word of the San Francisco and New York Federal Reserve Banks, which found zero correlation between employment and regulation. Take the word of The Washington Post, which gave two Pinocchios to industry estimates of the cost of regulations earlier this year. Take the word of the nonpartisan Congressional Research Service, which has debunked claims that regulations have a trillion-dollar cost to the economy.

Mr. Chairman, we need real solutions to help real people, not another thinly veiled handout to large corporations. I ask that my colleagues support my amendment to protect jobs.

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

Mr. MARINO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, I share the gentleman's concerns about the impact of regulations on jobs, but I submit that the right way to address that concern is to join me in supporting the bill.

The bill includes transparency requirements sure to increase public pressure on agencies to make sure that contemplated new regulations do not have unnecessary, adverse impacts on job creation. To exempt regulations from that pressure would make our regulatory system less protective of jobs, not more. Indeed, the gentleman's amendment would give the executive branch a powerful incentive to manipulate its jobs impact and cost-benefit analyses to give false impressions that avoid the requirements of the bill.

□ 1430

The amendment also puts the cart before the horse. It offers carve-outs from the bill based on factors that cannot be determined adequately before important analytical requirements in existing statutes and executive orders governing the rulemaking process are applied in the first place.

Specific provisions in the bill—for example, judicial review provisions in title I for proposed consent decrees and settlement agreements—are designed to protect the proper application of those analytical requirements.

I urge my colleagues to oppose the amendment.

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

Mr. JOHNSON of Georgia. Mr. Chairman, they talk about all of the regulations that have been promulgated during the Obama administration as if the Obama administration is the only administration that has promulgated rules of conduct.

Certainly we have had rules associated with the unveiling of the very successful Affordable Care Act. There were a lot of rules put into place to prevent insurance companies from taking advantage of people.

Preexisting conditions are outlawed. All of these are regulations that were associated with the Affordable Care Act. We have parents being able to keep their kids on their insurance up to the age of 26 and no discrimination between men and women.

Those were rules that have stimulated jobs in America because 22 million people who did not have access to the healthcare system now have access to it. More jobs have arisen because of that. That is a direct result of regulations.

The same thing with Dodd-Frank, which protects people from Wall Street overreach. Those rules have created opportunities for small businesses to come in and start creating real jobs in America.

So rules are good for our society. This legislation cuts that ability to create wealth for everyone else. So I would ask that this amendment be approved by my colleagues.

Mr. Chairman, I yield back the balance of my time.

Mr. MARINO. Mr. Chairman, the arguments on both sides have been creative, at the very least, but I would like to bring to everyone's attention an article by the National Association of Manufacturers, which is in very simple figures.

This is a survey of manufacturers: ''What would you do with funds currently allocated to Federal regulatory compliance?'' Sixty-three percent said they would invest. 22 percent said they would invest in employee initiatives, creating jobs.

I ask my colleagues to oppose the gentleman's amendment.

Mr. Chairman, I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. CUMMINGS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 114–388.

Mr. CUMMINGS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, strike the table of sections for chapter 6A of title 5, United States Code, as inserted by section 202(a) of the bill, and insert the following:

''651. Agency monthly submission to Office of Information and Regulatory Affairs.
''652. Office of Information and Regulatory Affairs publications.
''653. Definitions.

Page 22, strike line 1, and all that follows through line 20. amend the table of contents accordingly.

Page 22, line 21, strike ''**SEC. 654. DEFINITIONS.**'' and insert ''**§ 653. Definitions**''.

Page 24, strike line 8 and all that follows through line 12.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Maryland (Mr. CUMMINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

My amendment, cosponsored by Government Operations Subcommittee Ranking Member GERRY CONNOLLY, would strike the 6-month moratorium on rules imposed by the bill.

Title II of this bill prohibits an agency rule from taking effect until 6

months after agencies submit information the bill requires to the Office of Information and Regulatory Affairs and that office posts this information on the Internet.

Under the bill, if the Office of Information and Regulatory Affairs fails to post any of the required information, a rule would be prohibited from taking effect. This is an arbitrary moratorium.

The bill allows for only two exceptions. One exception is if the agency exempts a rule from the notice and comment requirements of the Administrative Procedure Act. The other exception is if the President issues an executive order requiring a rule to take effect.

This bill covers all agency rulemakings, including rules needed to protect our health, safety, and our environment. For example, this bill would cover rules like the one recently published by the Department of Justice that clarifies who is responsible for reporting to law enforcement that a gun has been lost or stolen in transit.

Our country doesn't need an unnecessary 6-month delay in putting in place a commonsense safety rule like this one. The bill's 6-month moratorium exposes this bill for what it really is, which is a way to delay agency rules. My amendment would remove this provision in the underlying bill.

I urge all Members to adopt my amendment.

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

Mr. MARINO. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, as Federal regulatory agencies attempt to pile more and more regulatory burdens on America's struggling workers, families, and small businesses, the least we can ask is that they be transparent about it.

What could be more transparent than requiring them on a monthly basis, online, to update the public with realtime information about what new regulations are coming and how much they will cost?

Once they have that information, affected individuals and job creators will be able to plan and budget meaningfully for new costs they may have to absorb. If they are denied that information, they will only be blindsided. That is not fair.

Title II of the bill makes sure this information is provided to the public. To provide a strong incentive to agencies to honor its requirements, title II prohibits new regulations from becoming effective unless agencies provide transparent information online for 6 months preceding the regulation's issuance.

The amendment seeks to eliminate that incentive. Without an incentive like that in existing law, what have we seen from the Obama administration? Repeated failures to make disclosures required by statute and executive order, including the administration's year-long hiding of the ball on new regulations during the 2012 election cycle.

I urge my colleagues to oppose the amendment.

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

Mr. CUMMINGS. Mr. Chairman, again, I would urge Members to vote in favor of this amendment. Again, we have a situation here where this 6-month moratorium is another way of blocking the rulemaking process.

I think it is very unfortunate in this time. I think, if we are talking about transparency, we need to be transparent about why we have this moratorium. The fact is that it is an effort to stop important rulemakings from taking place.

Mr. Chairman, I yield back the balance of my time.

Mr. MARINO. Mr. Chairman, I have some information I would like to bring to the attention of the Members. It is a document from Investor's Business Daily. It is a very simple statement, but it is a very large fact: If we had a Reagan-paced job recovery, we would today have at least 12 million more Americans working.

I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CUMMINGS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. LYNCH

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 114–388.

Mr. LYNCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 12, strike ''and''.

Page 18, line 21, strike the period and insert ''; and''.

Page 18, after line 21, insert the following:

''(D) any estimate of the benefits of the rule.

Page 20, after line 21, insert the following:

''(E) The total benefits of all rules proposed or finalized, and the number of rules for which an estimate of the benefits of the rule was not available.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Massachusetts (Mr. LYNCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. LYNCH. Mr. Chairman, I yield myself such time as I may consume.

My amendment would improve title II of H.R. 712 to ensure that the effectiveness of agency regulations are not solely evaluated by the basis of the cost to industry.

Rather, the primary importance of agency rulemaking to the improved health, safety, and security of the American people demands that we also consider the significant benefits of agency regulations in analyzing whether or not they contribute to protecting the public and promoting the general welfare.

In particular, my amendment would require Federal agencies to provide an estimate of the individual benefits of a proposed regulation, just as H.R. 712 currently requires them to report individual regulatory costs.

This amendment would also require the Office of Information and Regulatory Affairs to include the total benefits of proposed and final agency rules in the annual report that it would be required to issue under H.R. 712.

In its current form, the underlying bill expressly provides that the Office of Information and Regulatory Affairs must publish only the total cost of all proposed and finalized agency rules without reducing the cost by any offsetting benefits in its calculation of the cumulative cost of agency regulations.

Not surprisingly, the Coalition for Sensible Safeguards has issued a formal opposition letter to the language that is included as title II of H.R. 712. The Coalition is an alliance of over 150 businesses, consumer protection, labor, environmental, and good government groups that includes the American Sustainable Business Council and its 200,000 member businesses.

According to the Coalition: ''This bill's one-sided focus on regulatory costs provides a highly distorted picture of the value of critical safeguards that all Americans depend on . . . By focusing exclusively on regulatory costs, this bill gives the misleading impression that regulations are an inescapable drain on the American economy.''

The recent draft report of the costs and benefits of major Federal regulations issued by the Office of Information and Regulatory Affairs in October 2015 serves to further illustrate the transparency that is lacking when we only consider the costs associated with an agency regulation.

Among its principal findings, the report provides that, from October 2004 through September 2014, spanning both Republican and Democratic administrations, Federal agencies estimated the aggregate benefits of major Federal regulations to range between $216 billion and $812 billion. In stark contrast, the approximate annual cost of major Federal regulations ranges between $57 billion and $85 billion.

Importantly, several Clean Air rules promulgated by the Environmental Protection Agency's Office of Air and Radiation have significantly high estimated benefits that are attributable to the reduction in public exposure to air pollutants.

According to the report, the Clean Air Fine Particle Rule of 2007 had benefits ranging from $19 billion to $167 billion per year. These regulatory benefits would not be considered under H.R. 712.

Other health and safety rules were similarly identified as having a sizable benefit on the American people. Patient safety rules that address dietary supplement oversight, medical error, and safety requirements for long-term care facilities had estimated benefits between $13 billion and $17 billion per year.

Transportation-related safety rules designed to reduce the risk of injury and death associated with airplane, vehicle, and train travel had estimated benefits of between $16 billion and $28 billion per year. These regulatory benefits would not be considered under H.R. 712, as currently drafted.

Mr. Chairman, if our goal is to maximize transparency in the regulatory process, we can't simply give the American people and this Congress one side of the story.

Rather, full transparency and informed decisionmaking require that our analysis does not only include the regulatory costs, but also the extent to which an agency bill improves and protects the health, safety, and security of the American people. My amendment would ensure that this was the case.

□ 1445

Mr. Chairman, it is the primary mission of every Federal agency to protect the American public from harmful and developing situations, whether we are talking about a new prescription painkiller on the market that the FDA finds to be highly addictive, or an emerging financial practice that the Securities and Exchange Commission determines is predatory on American consumers, or dangerous materials that the Environmental Protection Agency deems to be an imminent public hazard.

That public mission is severely undermined if the merits of an agency regulation are evaluated solely on the basis of costs to the industry and at the expense of the significant benefits to the American people.

Again, in closing, I urge my colleagues on both sides of the aisle to support this amendment.

I yield back the balance of my time.

Mr. MARINO. Mr. Chairman, I respectfully rise in opposition to the gentleman's amendment

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. I welcome the gentleman's belief that new regulations can actually create benefits. I also share the gentleman's interest in ensuring that the public ultimately knows what those benefits are.

The bill, however, does nothing to restrict or prevent the publication of information about the benefits of new rules. It is intended to address what has been lacking in administration publications about new rules: accurate, real-time information about the true nature, timing, and cost of new rules.

That information is essential to those who must bear the burden of the rules so that they can plan, hire, and budget consistent with impending new legal requirements.

Furthermore, the gentleman's amendment would needlessly expose new regulations to the bill's enforcement provisions, delaying promulgation of beneficial rules simply because pre-promulgation statements and expected benefits were lacking.

Mr. Chairman, I constantly spend time in my district in factories because I came from manufacturing, talking to small-business people, and the number one issue concerning their livelihoods and others is overregulation crushing jobs for middle class Americans.

As a result, I urge my colleagues to oppose the amendment.

I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. LYNCH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. FOXX

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 114–388.

Ms. FOXX. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 14, insert after ''including'' the following: ''the imposition of unfunded mandates and''.

Page 20, line 19, insert after ''or finalized,'' the following: ''the total cost of any unfunded mandates imposed by all such rules,''.

Page 22, line 24, insert after ''section 551'' the following: '', and the term 'unfunded mandate' has the meaning given the term 'Federal mandate' in section 421(6) of the Congressional Budget Act of 1974 (2 U.S.C. 658(6)).''.

The Acting CHAIR. Pursuant to House Resolution 580, the gentlewoman from North Carolina (Ms. FOXX) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. FOXX. Mr. Chairman, this amendment to title II, the ALERT Act, ensures that agencies and OMB's Office of Information and Regulatory Affairs, OIRA, report the cost of unfunded mandates imposed through the regulatory process.

Federal agencies can advance government initiatives without using Federal taxpayer dollars by issuing regulations that pass compliance down to State and local governments and to private businesses. These costly mandates make it harder for companies to hire and for cash-strapped States, counties, and cities to keep streets safe and parks clean.

My amendment requires agencies to include in their monthly reports to OIRA whether rules in the pipeline impose unfunded mandates, and requires OIRA to include in its annual cumulative assessment of new regulations the total cost of unfunded mandates imposed by the Federal Government.

This amendment will not unduly burden agencies' regulatory work, as it requires only that they be transparent in their imposition of unfunded mandates on State and local governments and private businesses.

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

Mr. CUMMINGS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to this amendment. This amendment would further increase the duplication and burden of the underlying bill.

Agencies are already required to perform an analysis, under the Unfunded Mandates Reform Act, of whether a proposed rule imposes an unfunded mandate on State, local, or tribal governments, or the private sector.

This amendment would require agencies to report to the Office of Information and Regulatory Affairs every month on any unfunded mandate estimates for proposed rules. This amendment would be a backdoor way to get the Office of Information and Regulatory Affairs to review unfunded mandate assessments by independent agencies.

Currently, independent agencies are exempt from the Unfunded Mandates Reform Act. This amendment would require independent agencies to conduct unfunded mandate assessments and submit them to OIRA. This would jeopardize the independence of these agencies, which is so very important.

I oppose the underlying bill, and I oppose this amendment, which does not improve the bill.

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

Ms. FOXX. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman, I thank the gentlewoman for yielding, and I strongly support her amendment.

Over the past several decades, the accumulation of unfunded mandates issued by the Federal Government to State and local governments, tribes, and the private sector has become an alarming concern.

This amendment will throw an early and needed spotlight on proposed new unfunded mandates as Federal agencies

begin the process of considering them. Hopefully, once they are informed of them in time, by the amendment, those who would otherwise have to bear the burden of unfunded mandates will be better armed to fend off their unjust imposition.

I urge my colleagues to support this amendment.

Mr. CUMMINGS. Mr. Chairman, I reserve the balance of my time with the right to close.

Ms. FOXX. Mr. Chairman, as I mentioned in the debate last night on a similar amendment, unfunded mandates are frequently overlooked in the debates about regulatory reform. However, these decisions have real costs and real effects on the individuals, families, and communities we each represent.

While my amendment is a small change, it ensures that costs passed down to businesses, State and local governments are reported.

I thank my colleagues for their consideration and ask for their support.

I yield back the balance of my time.

Mr. CUMMINGS. Mr. Chairman, again, I think I have stated very clearly why we oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 114–388.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise as the designee of the Jackson Lee amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, line 14, strike ''an imminent'' and insert ''a''.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, H.R. 712 imposes a 6-month moratorium before a rule can take effect, unless the rule either:

(1) qualifies under the Administrative Procedure Act's exception for notice and comment, which applies ''when the agency for good cause finds (and incorporates the finding and a brief statement of the reasons therefore in the rules issued) that notice and public procedure thereon are impractical, unnecessary, or contrary to public interest;'' or

(2) if the President issues an executive order determining that the rule is necessary because of an imminent threat to health or safety or other emergency, necessary for the enforcement of the criminal laws, necessary for national security, or issued pursuant to any statute implementing an international trade agreement.

The amendment simply strikes ''imminent'' from H.R. 712, so that a rule that prevents a threat to health or safety or other emergency would qualify under the bill's exception.

As the Coalition for Sensible Safeguards—an organization representing more than 150 labor, scientific, research, good government, faith, community, health, environmental, and public interest groups—observes, the bill's moratorium will put on hold for 6 months ''the benefits of critically needed regulations, whether measured in lives saved, environmental damage averted, or money saved.''

This 6-month delay would be in addition to the already time-consuming process by which rules are promulgated.

Why should a rule intended to protect public health and safety be held up for 6 months simply because the anticipated harm the rule addresses is not imminent? Shouldn't we look to try to foresee what is going to happen?

That is what this amendment will enable, if this legislation passes. I will ask my colleagues to support this very much commonsense amendment.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Title II of the bill contains transparency requirements that are long overdue. To make sure that agencies comply and conduct their business in the sunshine, it prohibits an agency from entering a new regulation into effect unless the agency makes the disclosures the bill requires for at least 6 months before the regulation's published effective date.

Nevertheless, to provide flexibility where it is needed, the bill allows exceptions to the prohibition. For example, it grants a general exception for rules that do not require notice and public comment pursuant to the Administrative Procedures Act's ''good cause'' exception. By statute, this exception includes situations where taking the time for notice and comment would be ''contrary to the public interest.''

In addition, the bill provides for a specific exception when a rule is needed to respond to an imminent threat.

The amendment seeks to widen the latter exception, but it goes too far. It would allow any health or safety rule, including environmental rules, that an agency self-styles as responsive to an emergency, to evade the title's reasonable disclosure requirements with ease.

A mere 6 months of disclosure to the public is not unreasonable in the absence of an imminent emergency. The courts, moreover, can be relied upon to interpret the imminency requirement so as not to delay unduly the effective dates of needed, true emergency rules.

And, in any event, the bill's exception for rules qualifying for the APA's ''good cause'' exception to notice and comment is adequate to provide for any remaining need. So I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, opposition is premised upon the notion that we just can't trust a Federal employee who is charged with overseeing the protection of Americans through the rule process. We don't believe, on the other side, that a person can be conscientious and dutiful about trying to help people.

Instead, they want to make it such that you can't issue a rule. You will gum up the process by extending it out for so long—another 6 months—despite the fact that the rule, as foreseen by a Federal employee—and it has gone through the notice and comments part of the Administrative Procedure Act, which has worked for decades. You just simply don't want government to issue a rule that can protect people.

Why? Because it gets in the way of some big corporations' profits. That is what this is really all about, protecting profits at the expense of the health, safety, and well-being of the people. We don't trust a government worker to be able to provide good service to the people by promulgating rules that protect people.

□ 1500

It is crazy, but that is what we are dealing with.

I would ask that the very reasonable Jackson Lee amendment be favored by my colleagues in this body.

Please vote ''yes.''

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume just to say to the gentleman from Georgia that it is entirely reasonable that regulations proposed to protect the people, as he notes, should be known by the people before they are put into effect because they may decide it is not the way they want to be protected. All this legislation does is make sure that they have adequate notice of proposed regulations that could have an impact on their jobs, on their family, on their health, and on their safety.

Government bureaucrats don't always get it right. We have learned that the hard way. I think it is very important that this amendment be defeated and that the underlying notice requirement in the bill that will benefit the general public be preserved. I oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. CUMMINGS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 114–388.

Mr. CUMMINGS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, line 24, insert before the period the following: '', except that the term 'agency' does not include an independent establishment as defined in section 104''.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Maryland (Mr. CUMMINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

My amendment is cosponsored by Government Operations Subcommittee Ranking Member GERRY CONNOLLY. Our amendment would exempt independent agencies from the unnecessary, burdensome, and potentially dangerous provisions of this legislation.

This bill would prohibit an agency rule from taking effect until the Office of Information and Regulatory Affairs posts certain information on proposed and final rules on the Internet for at least 6 months. The bill only allows for two exceptions. One exception is if the agency exempts a rule from the notice and comment requirements of the Administrative Procedures Act. The other exception is if the President issues an executive order requiring a rule to take effect.

This bill covers all agency rulemakings, no matter how important. When applied to independent agencies, it is particularly dangerous. Independent agencies are supposed to regulate industries without the risk of political interference on their rulemaking. They are not required to obtain approval for their rules from the Office of Information and Regulatory Affairs.

Under this bill, a rule issued by an independent agency could be delayed if the Office of Information and Regulatory Affairs fails to comply with the requirements of the bill. That means this bill would give the Office of Information and Regulatory Affairs the ability to delay a rule issued by an independent agency. That may be an unintended consequence, but it is a serious one that could affect our Nation's financial markets, health, and safety.

One independent agency that would be affected by this rule is the Consumer Product Safety Commission. The CPSC recently proposed a safety standard for high chairs. The CPSC reports that over a 4-year period, an estimated 10,000 injuries occurred that were related to high chairs. H.R. 712 could delay rules like these high chair standards. That is simply unacceptable. Our amendment would exempt independent agencies like the Consumer Product Safety Commission from the bill.

I urge my colleagues to adopt our amendment.

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

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Title II of the bill, the ALERT Act, contains needed transparency requirements so that hardworking Americans who bear the cost of new regulation at least know in realtime what is coming and what it will cost them to comply. Just like ordinary executive agencies, independent agencies should provide this level of transparency about the new regulations they are preparing.

Why should the public not have the right to know as much about what the Securities and Exchange Commission is planning to impose as it knows about what the Environmental Protection Agency plans? Why shouldn't the public know as much about how the Consumer Financial Protection Bureau plans to regulate new car loans as it knows about how the Department of Transportation plans to regulate new car designs?

The bill strengthens and protects the public's right to know. The amendment would allow independent agencies to hide the ball at the public's expense, and so I urge my colleagues to oppose the amendment.

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

Mr. CUMMINGS. Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield back the balance of my time.

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

The amendment was rejected.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 114–388 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. JOHNSON of Georgia.

Amendment No. 3 by Mr. CUMMINGS of Maryland.

Amendment No. 4 by Mr. LYNCH of Massachusetts.

Amendment No. 6 by Mr. JOHNSON of Georgia.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 175, noes 242, not voting 16, as follows:

[Roll No. 7]

AYES—175

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—242

Abraham	Graves (MO)	Pearce
Aderholt	Griffith	Perry
Allen	Grothman	Peterson
Amash	Guinta	Pittenger
Amodei	Guthrie	Pitts
Babin	Hanna	Poe (TX)
Barletta	Hardy	Poliquin
Barr	Harper	Pompeo
Barton	Harris	Posey
Benishek	Hartzler	Price, Tom
Bilirakis	Heck (NV)	Ratcliffe
Bishop (MI)	Hensarling	Reed
Bishop (UT)	Herrera Beutler	Reichert
Black	Hice, Jody B.	Renacci
Blackburn	Hill	Ribble
Blum	Holding	Rice (SC)
Bost	Hudson	Rigell
Boustany	Huelskamp	Roby
Brady (TX)	Huizenga (MI)	Roe (TN)
Brat	Hultgren	Rogers (AL)
Bridenstine	Hunter	Rogers (KY)
Brooks (AL)	Hurd (TX)	Rohrabacher
Brooks (IN)	Hurt (VA)	Rokita
Buchanan	Issa	Rooney (FL)
Buck	Jenkins (KS)	Ros-Lehtinen
Bucshon	Jenkins (WV)	Roskam
Burgess	Johnson (OH)	Ross
Byrne	Johnson, Sam	Rothfus
Calvert	Jolly	Rouzer
Carter (GA)	Jones	Royce
Carter (TX)	Jordan	Russell
Chabot	Joyce	Salmon
Chaffetz	Katko	Sanford
Clawson (FL)	Kelly (MS)	Scalise
Coffman	Kelly (PA)	Schrader
Cole	King (NY)	Schweikert
Collins (GA)	Kinzinger (IL)	Scott, Austin
Collins (NY)	Kline	Sensenbrenner
Comstock	Knight	Sessions
Conaway	Labrador	Shimkus
Cook	LaHood	Shuster
Costello (PA)	LaMalfa	Simpson
Cramer	Lamborn	Smith (MO)
Crawford	Lance	Smith (NE)
Crenshaw	Latta	Smith (NJ)
Culberson	LoBiondo	Smith (TX)
Curbelo (FL)	Long	Stefanik
Davis, Rodney	Loudermilk	Stewart
Denham	Love	Stivers
Dent	Lucas	Stutzman
DeSantis	Luetkemeyer	Thompson (PA)
DesJarlais	Lummis	Thornberry
Diaz-Balart	MacArthur	Tiberi
Dold	Marchant	Tipton
Donovan	Marino	Trott
Duffy	Massie	Turner
Duncan (SC)	McCarthy	Upton
Duncan (TN)	McCaul	Valadao
Ellmers (NC)	McClintock	Wagner
Emmer (MN)	McHenry	Walberg
Farenthold	McKinley	Walden
Fincher	McMorris Rodgers	Walker
Fitzpatrick	McSally	Walorski
Fleischmann	Meadows	Walters, Mimi
Fleming	Meehan	Weber (TX)
Flores	Messer	Wenstrup
Forbes	Mica	Westerman
Fortenberry	Miller (FL)	Westmoreland
Foxx	Moolenaar	Whitfield
Franks (AZ)	Mooney (WV)	Williams
Frelinghuysen	Mullin	Wilson (SC)
Garrett	Mulvaney	Wittman
Gibbs	Murphy (PA)	Womack
Gibson	Neugebauer	Woodall
Gohmert	Newhouse	Yoder
Goodlatte	Noem	Yoho
Gosar	Nunes	Young (AK)
Gowdy	Olson	Young (IA)
Granger	Palmer	Young (IN)
Graves (GA)	Paulsen	Zeldin
Graves (LA)		Zinke

NOT VOTING—16

Chu, Judy	Kind	Sires
Cleaver	King (IA)	Smith (WA)
DeLauro	Miller (MI)	Titus
Jackson Lee	Nugent	Webster (FL)
Johnson, E. B.	Palazzo	
Kennedy	Rush	

□ 1541

Messrs. CALVERT, WHITFIELD, ZINKE, MARINO, Ms. ROS-LEHTINEN, and Mr. COLLINS of Georgia changed their vote from ''aye'' to ''no.''

Messrs. BRADY of Pennsylvania, CLYBURN, Mses. SCHAKOWSKY, LORETTA SANCHEZ of California, MICHELLE LUJAN GRISHAM of New Mexico, and Mr. MCNERNEY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. SHERMAN. Mr Chair, on rollcall No. 7, the Johnson of Georgia Amendment No. 2, had I been present, I would have voted ''yes.''

AMENDMENT NO. 3 OFFERED BY MR. CUMMINGS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. CUMMINGS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 174, noes 244, not voting 15, as follows:

[Roll No. 8]

AYES—174

Adams	Duckworth	Lujan Grisham (NM)
Aguilar	Edwards	Luján, Ben Ray (NM)
Ashford	Ellison	Lynch
Bass	Engel	Maloney, Carolyn
Beatty	Eshoo	Maloney, Sean
Becerra	Esty	Matsui
Bera	Farr	McCollum
Beyer	Fattah	McDermott
Bishop (GA)	Foster	McGovern
Blumenauer	Frankel (FL)	McNerney
Bonamici	Fudge	Meeks
Boyle, Brendan F.	Gabbard	Meng
Brady (PA)	Gallego	Moore
Brown (FL)	Garamendi	Moulton
Brownley (CA)	Graham	Murphy (FL)
Bustos	Grayson	Nadler
Butterfield	Green, Al	Napolitano
Capps	Green, Gene	Neal
Capuano	Grijalva	Nolan
Cárdenas	Gutiérrez	Norcross
Carney	Hahn	O'Rourke
Carson (IN)	Hastings	Pallone
Cartwright	Heck (WA)	Pascrell
Castor (FL)	Higgins	Payne
Castro (TX)	Himes	Pelosi
Cicilline	Hinojosa	Perlmutter
Clark (MA)	Honda	Pingree
Clarke (NY)	Hoyer	Pocan
Clay	Huffman	Polis
Clyburn	Israel	Price (NC)
Cohen	Jeffries	Quigley
Connolly	Johnson (GA)	Rangel
Conyers	Kaptur	Rice (NY)
Cooper	Keating	Richmond
Costa	Kelly (IL)	Roybal-Allard
Courtney	Kildee	Ruiz
Crowley	Kilmer	Ruppersberger
Cuellar	Kirkpatrick	Ryan (OH)
Cummings	Kuster	Sánchez, Linda T.
Davis (CA)	Langevin	Sanchez, Loretta
Davis, Danny	Larsen (WA)	Sarbanes
DeFazio	Larson (CT)	Schakowsky
DeGette	Lawrence	Schiff
Delaney	Lee	Schrader
DelBene	Levin	Scott (VA)
DeSaulnier	Lewis	Scott, David
Deutch	Lieu, Ted	Serrano
Dingell	Lipinski	Sewell (AL)
Doggett	Loebsack	Sherman
Doyle, Michael F.	Lofgren	Slaughter
	Lowenthal	Speier
	Lowey	Swalwell (CA)
	Takai	Takano
	Thompson (CA)	Thompson (MS)
	Tonko	Torres
	Tsongas	Van Hollen
	Vargas	Veasey
	Vela	Velázquez
	Visclosky	Walz
	Wasserman Schultz	Waters, Maxine
	Watson Coleman	Welch
	Wilson (FL)	Yarmuth

NOES—244

Abraham	Griffith	Perry
Aderholt	Grothman	Peters
Allen	Guinta	Peterson
Amash	Guthrie	Pittenger
Amodei	Hanna	Pitts
Babin	Hardy	Poe (TX)
Barletta	Harper	Poliquin
Barr	Harris	Pompeo
Barton	Hartzler	Posey
Benishek	Heck (NV)	Price, Tom
Bilirakis	Hensarling	Ratcliffe
Bishop (MI)	Herrera Beutler	Reed
Bishop (UT)	Hice, Jody B.	Reichert
Black	Hill	Renacci
Blackburn	Holding	Ribble
Blum	Hudson	Rice (SC)
Bost	Huelskamp	Rigell
Boustany	Huizenga (MI)	Roby
Brady (TX)	Hultgren	Roe (TN)
Brat	Hunter	Rogers (AL)
Bridenstine	Hurd (TX)	Rogers (KY)
Brooks (AL)	Hurt (VA)	Rohrabacher
Brooks (IN)	Issa	Rokita
Buchanan	Jenkins (KS)	Rooney (FL)
Buck	Jenkins (WV)	Ros-Lehtinen
Bucshon	Johnson (OH)	Roskam
Burgess	Johnson, Sam	Ross
Byrne	Jolly	Rothfus
Calvert	Jones	Rouzer
Carter (GA)	Jordan	Royce
Carter (TX)	Joyce	Russell
Chabot	Katko	Salmon
Chaffetz	Kelly (MS)	Sanford
Clawson (FL)	Kelly (PA)	Scalise
Coffman	King (NY)	Schweikert
Cole	Kinzinger (IL)	Scott, Austin
Collins (GA)	Kline	Sensenbrenner
Collins (NY)	Knight	Sessions
Comstock	Labrador	Shimkus
Conaway	LaHood	Shuster
Cook	LaMalfa	Simpson
Costello (PA)	Lamborn	Sinema
Cramer	Lance	Smith (MO)
Crawford	Latta	Smith (NE)
Crenshaw	LoBiondo	Smith (NJ)
Culberson	Long	Smith (TX)
Curbelo (FL)	Loudermilk	Stefanik
Davis, Rodney	Love	Stewart
Denham	Lucas	Stivers
Dent	Luetkemeyer	Stutzman
DeSantis	Lummis	Thompson (PA)
DesJarlais	MacArthur	Thornberry
Diaz-Balart	Marchant	Tiberi
Dold	Marino	Tipton
Donovan	Massie	Trott
Duffy	McCarthy	Turner
Duncan (SC)	McCaul	Upton
Duncan (TN)	McClintock	Valadao
Ellmers (NC)	McHenry	Wagner
Emmer (MN)	McKinley	Walberg
Farenthold	McMorris Rodgers	Walden
Fincher	McSally	Walker
Fitzpatrick	Meadows	Walorski
Fleischmann	Meehan	Walters, Mimi
Fleming	Messer	Weber (TX)
Flores	Mica	Wenstrup
Forbes	Miller (FL)	Westerman
Fortenberry	Moolenaar	Westmoreland
Foxx	Mooney (WV)	Whitfield
Franks (AZ)	Mullin	Williams
Frelinghuysen	Mulvaney	Wilson (SC)
Garrett	Murphy (PA)	Wittman
Gibbs	Neugebauer	Womack
Gibson	Newhouse	Woodall
Gohmert	Noem	Yoder
Goodlatte	Nunes	Yoho
Gosar	Olson	Young (AK)
Gowdy	Palazzo	Young (IA)
Granger	Palmer	Young (IN)
Graves (GA)	Paulsen	Zeldin
Graves (LA)	Pearce	Zinke
Graves (MO)		

NOT VOTING—15

Chu, Judy	Jackson Lee	Kind
Cleaver	Johnson, E. B.	King (IA)
DeLauro	Kennedy	Miller (MI)

Nugent
Rush
Sires
Smith (WA)
Titus
Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1546

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. LYNCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. LYNCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 235, not voting 18, as follows:

[Roll No. 9]

AYES—180

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meadows
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Sinema
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—235

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
DeSantis
DesJarlais
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanchez, Loretta
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—18

Chu, Judy
Cleaver
DeLauro
Diaz-Balart
Jackson Lee
Johnson, E. B.
Kennedy
Kind
King (IA)
Miller (MI)
Nugent
Rokita
Rush
Sires
Smith (WA)
Titus
Walker
Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1550

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 241, not voting 19, as follows:

[Roll No. 10]

AYES—173

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sinema
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez

Visclosky	Waters, Maxine	Yarmuth
Walz	Watson Coleman	
Wasserman Schultz	Welch	
	Wilson (FL)	

NOES—241

Abraham	Graves (MO)	Pearce
Aderholt	Griffith	Perry
Allen	Grothman	Peterson
Amash	Guinta	Pittenger
Amodei	Guthrie	Pitts
Babin	Hanna	Poe (TX)
Barletta	Hardy	Poliquin
Barr	Harper	Pompeo
Barton	Harris	Posey
Benishek	Hartzler	Price, Tom
Bilirakis	Heck (NV)	Ratcliffe
Bishop (MI)	Hensarling	Reed
Bishop (UT)	Herrera Beutler	Reichert
Black	Hice, Jody B.	Renacci
Blackburn	Hill	Ribble
Blum	Holding	Rice (SC)
Bost	Hudson	Rigell
Boustany	Huelskamp	Roby
Brady (TX)	Huizenga (MI)	Roe (TN)
Brat	Hultgren	Rogers (AL)
Bridenstine	Hunter	Rogers (KY)
Brooks (AL)	Hurd (TX)	Rohrabacher
Brooks (IN)	Hurt (VA)	Rokita
Buchanan	Issa	Rooney (FL)
Buck	Jenkins (KS)	Ros-Lehtinen
Bucshon	Jenkins (WV)	Roskam
Burgess	Johnson, Sam	Ross
Byrne	Jolly	Rothfus
Calvert	Jones	Rouzer
Carter (GA)	Jordan	Royce
Carter (TX)	Joyce	Russell
Chabot	Katko	Salmon
Chaffetz	Kelly (MS)	Sanford
Clawson (FL)	Kelly (PA)	Scalise
Coffman	King (NY)	Schrader
Cole	Kinzinger (IL)	Schweikert
Collins (GA)	Kline	Scott, Austin
Collins (NY)	Knight	Sensenbrenner
Comstock	Labrador	Sessions
Conaway	LaHood	Shimkus
Cook	LaMalfa	Shuster
Costello (PA)	Lamborn	Simpson
Cramer	Lance	Smith (MO)
Crawford	Latta	Smith (NJ)
Crenshaw	LoBiondo	Smith (TX)
Culberson	Long	Stefanik
Curbelo (FL)	Loudermilk	Stewart
Davis, Rodney	Love	Stivers
Denham	Lucas	Stutzman
Dent	Luetkemeyer	Thompson (PA)
DeSantis	Lummis	Thornberry
DesJarlais	MacArthur	Tiberi
Diaz-Balart	Marchant	Tipton
Dold	Marino	Trott
Donovan	Massie	Turner
Duffy	McCarthy	Upton
Duncan (SC)	McCaul	Valadao
Duncan (TN)	McClintock	Wagner
Ellmers (NC)	McHenry	Walberg
Emmer (MN)	McKinley	Walden
Farenthold	McMorris Rodgers	Walker
Fincher	McSally	Walorski
Fitzpatrick	Meadows	Walters, Mimi
Fleischmann	Meehan	Weber (TX)
Fleming	Messer	Wenstrup
Flores	Mica	Westerman
Forbes	Miller (FL)	Westmoreland
Fortenberry	Moolenaar	Whitfield
Foxx	Mooney (WV)	Williams
Franks (AZ)	Mullin	Wilson (SC)
Frelinghuysen	Mulvaney	Wittman
Garrett	Murphy (PA)	Womack
Gibbs	Neugebauer	Woodall
Gibson	Newhouse	Yoder
Gohmert	Noem	Yoho
Goodlatte	Nunes	Young (AK)
Gosar	Olson	Young (IA)
Gowdy	Palazzo	Young (IN)
Granger	Palmer	Zeldin
Graves (GA)	Paulsen	Zinke
Graves (LA)		

NOT VOTING—19

Chu, Judy	Kind	Sires
Cleaver	King (IA)	Smith (NE)
DeLauro	Lewis	Smith (WA)
Jackson Lee	Miller (MI)	Titus
Johnson (OH)	Nugent	Webster (FL)
Johnson, E. B.	Rush	
Kennedy	Sherman	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining.

□ 1553

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

The amendment was agreed to.

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

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. DOLD, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 712) to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes, and, pursuant to House Resolution 580, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

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

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

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

Ms. KELLY of Illinois. Mr. Speaker, I have a motion to recommit at the desk.

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

Ms. KELLY of Illinois. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Kelly of Illinois moves to recommit the bill, H.R. 712, to the Committee on the Judiciary, with instructions to report the same back to the House forthwith, with the following amendment:

Page 1, amend the table of contents for the bill by inserting after the item pertaining to section 302 the following:

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. No delay of any rule, consent decree, or settlement agreement that prevents gun violence.

Add, at the end of the bill, the following:

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. NO DELAY OF ANY RULE, CONSENT DECREE, OR SETTLEMENT AGREEMENT THAT PREVENTS GUN VIOLENCE.

This Act and the amendments made by this Act shall not apply in the case of any rule, consent decree, or settlement agreement that pertains to protecting Americans from gun violence, particularly in school zones or other sensitive areas.

The SPEAKER pro tempore. The gentlewoman from Illinois is recognized for 5 minutes.

Ms. KELLY of Illinois. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, my amendment is a simple, straightforward, commonsense improvement that I believe both sides of the aisle can agree would help protect American children from the threat of violence.

If my amendment passes, it would ensure that men and women that we represent and their children will have the peace of mind of knowing that this Congress can cast aside partisan differences to vote to protect families and communities from senseless gun violence.

That is because my amendment would exempt this bill to any regulation that would protect Americans, particularly young children, from gun violence in school zones and other sensitive areas.

If an agency proposes a solution that would improve the health, safety, and well-being of Americans, especially children, by limiting gun violence, it is simply unconscionable to throw obstacles in the way to stymie that solution.

I don't see how this Congress, whose Members were entrusted by families in our home districts to defend their right to life, liberty, and happiness, can argue that we did all we could to defend these rights, yet vote against responsible proposals that aim to protect life and preserve liberty and promote happiness.

□ 1600

How can we in good conscience allow this body to pass this bill as is? How can we allow good community safety solutions to get bogged down when we can amend this bill to keep gun violence from ringing out in our classrooms and playgrounds? How can we turn a blind eye to regulations that charge us to act now to keep our children from being victimized by violence and say that the responsible thing to do is to sideline it for 6 months for additional review?

We cannot allow our children to be sitting ducks for half a year. Far too many times we hear about a child the same age as your son, your daughter, or grandchild falling victim to a stray bullet fired by a criminal, someone who should not have been able to purchase a gun but found a way through loopholes in our laws.

Or we hear about young women who are victims of domestic violence and are killed by their former partner who, despite a violent past, was able to legally purchase a firearm.

On Tuesday, President Obama announced a number of executive actions

to address our Nation's gun violence epidemic. Specifically, the President's actions expand Federal background checks and improve mental healthcare reporting to ensure guns stay out of the hands of dangerous individuals.

I am not asking for you to vote based on your feelings for the President, but I want to pose this to you: If there were a 6-month waiting period before a regulation ensuring that the dangerously mentally ill are unable to purchase a firearm went into effect, how many innocent lives would be lost? How many men, women, and children would be killed? How many more Newtowns, how many more Auroras, and how many more Charlestons would occur? How many more of my young constituents in Chicago and Riverdale would I lose to gun violence after being shot by a stray bullet on their way home from school?

I support policies that are thorough and measured, but I cannot support policies that prevent health and safety regulations, especially those that ensure the well-being of children from immediately being enforceable.

I have come to this floor countless times to advocate for commonsense gun legislation. We must act. My amendment will improve the bill by putting the health, safety, and well-being of our Nation's children first. It will ensure that Congress works with President Obama and allows his executive actions to start saving lives immediately. I urge my colleagues to support it.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I rise in opposition to the motion.

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

Mr. GOODLATTE. Mr. Speaker, the American people have waited too long for relief for us to delay in the face of this procedural motion. Now is the time for action, not parliamentary gimmicks.

We are 7 years into the Obama administration. Real unemployment is still a massive problem. America's labor force participation is still near record lows, yet instead of helping by getting out of the way, the Obama administration and Washington's entrenched regulatory bureaucracy day after day pile new burden after new burden on the backs of workers, American families, and small-business owners.

The total cost of Federal regulations is poised to zoom past $2 trillion per year as the Obama administration furiously works to get out the door all the regulations it can in its last year in office. If that $2 trillion were a nation's economy, it would be one of the top 10 economies in the world.

Mr. Speaker, the Investor's Business Daily reports that we have just concluded 8 years of zero real wage growth for America's workers and families. That means zero wage growth for the entire Obama administration.

What about jobs? We would have created almost 6 million more jobs if the so-called Obama recovery had just been as strong as the average recovery since World War II.

America's workers and families cannot afford for Washington to continue to sacrifice the Nation's prosperity and ability to generate jobs so the regulatory bureaucracy can expand into every nook and cranny of our lives. Nothing in this bill prevents emergency regulations or otherwise unduly delays needed regulations.

Vote against this motion to recommit. Vote for this bill.

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

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

There was no objection.

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

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

RECORDED VOTE

Ms. KELLY of Illinois. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 171, noes 244, not voting 18, as follows:

[Roll No. 11]

AYES—171

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—244

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder

Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—18

Bishop (GA)
Chu, Judy
Cleaver
Connolly
DeLauro
Gutiérrez
Jackson Lee
Johnson, E. B.
Kennedy
Kind
King (IA)
Miller (MI)
Nugent
Rush
Sires
Smith (WA)
Titus
Webster (FL)

□ 1611

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House has embarked on its first lengthy vote series of this session, and the Chair will take this time to reiterate the rules and policies on the length of votes.

The rules establish 15 minutes as the minimum time for electronic voting in the ordinary case and 5 minutes and 2 minutes as the minimum time in other cases when Members are already in or near the Chamber in response to an earlier vote.

Members should attempt to come to the floor within the 15-minute period as prescribed by the first ringing of the bells.

Members are further reminded that the standard policy is to not terminate the vote when a Member is in the well attempting to cast a vote. Other efforts to hold the vote open are not similarly protected.

As a point of courtesy to each of your colleagues, voting within the allotted time would help with the maintenance of the institution.

The Chair appreciates the Members' attention to this matter.

Without objection, 5-minute voting will continue.

There was no objection.

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

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

RECORDED VOTE

Mr. JOHNSON of Georgia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 244, noes 173, not voting 16, as follows:

[Roll No. 12]

AYES—244

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carney
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—173

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—16

Chu, Judy
Cleaver
DeLauro
Jackson Lee
Johnson, E. B.
Kennedy
Kind
King (IA)
McDermott
Miller (MI)
Nugent
Rush
Sires
Smith (WA)
Titus
Webster (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1620

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 580 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1155.

Will the gentleman from Idaho (Mr. SIMPSON) kindly take the chair.

□ 1622

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1155) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, with Mr. SIMPSON (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, January 6, 2016, a request for a recorded voted on amendment No. 10 printed in part B of House Report 114–388 offered by the gentleman from Wisconsin (Mr. POCAN) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114–388 on which further proceedings were postponed, in the following order: