



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163

WASHINGTON, WEDNESDAY, JANUARY 4, 2017

No. 2

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. THOMPSON of Pennsylvania).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 4, 2017.

I hereby appoint the Honorable GLENN THOMPSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

JUMP-START AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. WILLIAMS) for 5 minutes.

Mr. WILLIAMS. Mr. Speaker, last November, the American people spoke loud and clear about wanting real change in Washington. The American people want Washington to work for them—no more empty promises and no more talk.

Mr. Speaker, the American people want their government to act, and Congress' time to act is now. I come here today to offer a solution to an issue that has been discussed, but not truly

acted on, for decades. Time and time again, from Congress to Congress, lawmakers come down to this floor to talk about the need for tax reform.

As a current small business owner for all of my working life, I understand what is killing small businesses firsthand. Since I came to Congress, I have been outspoken on the need to reform our Tax Code, and I have a proposal to make it happen. My tax reform plan will simplify our Tax Code. It will give job creators the tools they need to succeed and empower America's greatest asset—the American worker. My tax reform plan will do exactly what its name says it will do—jump-start America.

Today, the Internal Revenue Code is often called complicated, uncompetitive, and unfair; and rightfully so. According to the Tax Foundation, Federal tax laws and regulations have grown to more than 10 million words in length. Imagine how much easier tax season would be for all of us if we shrank our individual income tax thresholds to two brackets. What if our Tax Code actually put American taxpayers first, in other words, treated us like a customer?

The United States has the highest corporate tax rate in the free world. Sure, deductions, exclusions, and tax credits occasionally lower that rate, but these add further to the Tax Code's complexity, and they allow carve-outs for special interests.

To those who believe our corporate tax rate is okay the way it is, I ask you to consider why American companies are moving their headquarters overseas. In order to incentivize these companies to return their investments in expansion and employment back home in America, my plan will implement a permanent tax holiday to allow repatriation of funds at 5 percent.

While the corporate tax rate is putting the United States at a disadvantage in the global economy which we

all live, the most unfair tax facing many Americans is inheritance tax. The death tax, as it is more commonly referred to, is a form of double taxation that can take a generation's worth of sweat equity and hard work and destroy it if a family business, for example, is passed down to a next of kin.

That is what nearly happened to me after the death of my parents. Fortunately for me, I was able to gather the resources to keep my father's business afloat. Many of my friends have not been so lucky.

We cannot force owners and operators to sell off parts of a business just so the Federal Government can collect a few extra dollars equal to less than 1 percent of Federal revenue. Especially considering our government is running a huge deficit and a \$20 trillion national debt, I would argue that the private sector is a much better steward of budgeting, investing, and creating return on investment than the Federal Government. That is why Jump-Start America will repeal the death tax once and for all.

These are a few of the notable reforms of Jump-Start America that I talk about on the road in Texas and nationwide. Jump-Start America has gained the support of Americans for Tax Reform and former Congressional Budget Office Director Douglas Holtz-Eakin. It was called "a good plan" by the Cato Institute.

As a small business owner, I can tell you my plan will put people back to work, encourage business and individuals to spend money they didn't have before, and grow the economy. It is a thing called the American Dream. While Jump-Start America is a small business perspective on tax reform, it will benefit every American individually and our Nation as a whole.

Mr. Speaker, I ask my colleagues, especially the newer Members, to familiarize themselves with my plan as we work to implement an aggressive pro-

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

growth agenda under new leadership on the other end of Pennsylvania Avenue. In God We Trust.

FUNDING OUR PORTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, during this last Presidential election year, there was a tremendous amount of discussion about the Nation's infrastructure and the need for investment to make America more competitive and move goods and our citizens more efficiently.

There wasn't a lot of particular discussion about ports, but they are an incredibly important part of our infrastructure. More than \$470 billion of exports went through America's ports. Three-quarters of our exports are waterborne through these ports around the United States.

Now, the Corps of Engineers says that, of our 59 busiest ports depicted here, they are fully available less than 35 percent of the time, and that is even before we begin to deal with the larger cargo ships that are going to be coming through the expanded Panama Canal to the Southeast and other ports in the United States, and that is because of a lack of funding.

Now, obviously, that is a very difficult problem. We are estimating about a \$20 billion shortfall over the next 10 years in funding. Where, oh where, could Congress find that money? Actually, we already have it.

Now, Congress, in its wisdom in 1986, with the cooperation and consent of shipping interests, imposed a tax, an ad valorem tax, on the value of imports. It is a very small tax, but it adds slightly to the cost of any good that any American buys every day that is imported.

Now, Americans are paying the tax and Congress is stealing the money. Yep, that is true—for stupid purposes, no less. We are pretending to make the deficit smaller by collecting twice as much tax as we invest in our ports.

Meantime, we are forgoing the investment that is needed in those ports to become even more efficient and more competitive in the world economy. Congress is collecting the tax, yet the Budget Committee and the appropriators here in the Republican House are saying: Let's hide that money over here. We will put it in the Treasury harbor maintenance trust fund. Don't worry. It's there. Some day we might spend it.

Nine billion dollars today—\$9 billion—that would address half of the long-term shortfall in our ports. This could be an incredible boon for shippers, for American competitiveness, and for jobs in this country. We don't have to levy a new tax. All we have to do is spend the tax that is being collected from the American people by jacking up the price of imported goods for the purpose for which it is lawfully intended.

Now, the appropriators don't like it because, hey, they don't get to mess around with it, and the Budget Committee doesn't like it because that means they either have to look like they have another half a billion dollars a year of deficit or they would have to raise some funds somewhere else to spend somewhere else.

But the point is this money should be spent as intended. So today I am sending a letter to President-elect Trump. He has said time and time again he wants to invest in our infrastructure. Obviously, it is going to be a little longer term before we get to surface because we are going to have to raise additional revenues there to deal with our crumbling roads, bridges, and transit systems.

But for our ports, we don't have to wait. Day one, he can send a message to Congress saying: Hey, get off your butts down there and spend that money for the purpose for which the tax was collected. Stop gouging the American taxpayers and shorting our ports.

It's time to do things a little differently around here, and I am hopeful that the President perhaps will tweet about this and get some action out of the Republican majority like he did yesterday in reversing them on a rather drastic change to the rules of the House.

RELIEF FROM EXCESSIVE EXECUTIVE ORDERS

The SPEAKER pro tempore (Mr. WEBSTER of Florida). The Chair recognizes the gentlewoman from Missouri (Mrs. WAGNER) for 5 minutes.

Mrs. WAGNER. Mr. Speaker, for the past 8 years, President Barack Obama has used his pen and phone to create a fourth branch of government that overreaches through executive orders and Federal rules and regulations. But today is a new day—a day when this Congress begins to dismantle this fourth branch of government and drain the swamp in Washington.

Through the entirety of this President's administration, Republicans have fought against out-of-control growth of Federal bureaucracy and rules and regulations that have suffocated the American economy. The last time I checked, the President's job was to enforce existing laws and work with the elected Members of Congress whose responsibility it is to pass laws as the people's representatives. Instead, I believe he has undermined not only our Constitution but also the American people through this executive power grab.

It is time to get rid of the Washington-knows-best, top-down, one-size-fits-all rules like the EPA's waters of the U.S., the Clean Power Plan, the Department of Labor's overtime rule and restrictions on your retirement savings. These regulations have consequences, and what these bureaucrats do have, consequences. In 2015 alone, the Federal Government leveled 3,400

regulations on Americans. Those regulations cost us \$1.9 trillion in lost productivity and growth—a cost of \$15,000 per American household.

Now, for the first time during my tenure serving the Second Congressional District of Missouri, Congress has a unique opportunity. This week we will pass a bill that I have had the pleasure of cosponsoring and voted for twice before—the REINS Act, and I expect it to become law. The REINS Act puts power back in the hands of the people as Congress—the people's House—can implement an up-or-down vote on any new major rule before they can take effect. Congress should decide what rules are necessary for our constituents—not unelected bureaucrats.

We will also pass this week the Midnight Rules Relief Act which will allow Congress to stop the Obama administration's last minute regulations from taking effect as they turn out the lights and head out the door.

The American people spoke loud and clear: They want results. They are tired of working harder for less money and tired of wondering how they will make ends meet at the end of every month. They have had enough and are tired of the constant chipping away of their freedoms.

Taken together, these two bills clearly demonstrate that this Republican Congress is unified and will work with President-elect Trump to help alleviate the day-to-day burdens felt by Americans across the country. By passing these bills, we are demonstrating that we are listening to our constituents and we are telling them that their elected representatives are in charge, not Washington bureaucrats.

□ 1015

DON'T ABANDON AMERICANS IN NEED OF HEALTH CARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, I rise today to share the story of Mary and her son, two of my constituents from the Lakeview community of Chicago. Mary wrote to me on her son's behalf, expressing their deep appreciation for the Affordable Care Act and what the law has meant for their family.

In 2001, Mary's son was diagnosed with a rare autoimmune disease called Addison's disease. It occurs when your body produces insufficient amounts of certain hormones produced by your adrenal glands. When left untreated, Addison's disease can be life-threatening.

At the time of his diagnosis, Mary's son was fully insured through his employer. Then, in 2011, Mary's son left his employer to pursue the American Dream of entrepreneurship and start a small business on his own. Leaving his employer to bravely chase the American Dream meant leaving behind his insurance coverage, too. He did not anticipate being denied coverage due to a preexisting condition.

Up to this point, because of treatment covered by his insurance plan, he had been able to work to provide for himself and to live independently. As he got his new business off the ground, he went uninsured and, as a result, encountered several crises with his health. He avoided going to the doctor due to high costs and eventually ended up in the emergency room. As we all know, preventable emergency visits are a major contributor to the overall high healthcare costs that harm the entire system.

Thanks to the President and Congress passing the Affordable Care Act, Mary's son was finally able to obtain affordable care when the health insurance marketplace first opened in October 2013.

Mary wrote me to share her son's story. He is one of tens of millions of Americans who have directly benefited from the ACA's improvements to coverage, consumer protections, costs, and quality. Today, Mary is fearful of what the repeal of ACA will mean for her son.

Unfortunately, despite having 7 years to produce an alternative, the majority has failed to offer a true replacement. And what about the parts of the ACA that share bipartisan popularity?

My colleagues on the other side of the aisle and the President-elect insist they will craft a plan that maintains popular parts of the law, while rejecting the less popular components. Of course, that sounds great, but there is one real problem: they have offered absolutely no way to pay for any of it.

In reality, repeal and replace is more simply repeal and go back to before—tearing down a much-needed house before a new one is built, back to a time when 47 million Americans—nearly 18 percent of the population—were uninsured. Mary's son and countless others like him cannot afford to go back in time. Repealing ACA will leave 20 million Americans, including her son, without affordable health insurance, effectively disrupting their care and potentially putting their lives at risk.

To remind us all of the high stakes riding on the ACA repeal, Mary wrote, saying: "As a former Republican and now an Independent voter, I am speaking from my heart. The 2016 election result has me truly frightened for the health of my son and for my husband and me."

Repealing the Affordable Care Act will create a chaotic situation that will put real lives in danger. We all share in the responsibility to protect the health care of all Americans. Empty rhetoric of repealing the ACA is dangerous, but when transformed into real legislative action, it can be catastrophic for the constituents that elected us to serve and represent them in this body.

On behalf of Mary's son and other Americans in districts across the country, I urge my colleagues on the other side of the aisle to abandon their efforts to strip health care from those who need it and, instead, work with us

to make our country a healthier place for all.

FAIRCHILD CHALLENGE PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize an innovative educational program in my south Florida community called the Fairchild Challenge.

As a nonprofit founded in 2002, this no-cost, environment-focused annual competition based at the world-renowned Fairchild Tropical Botanic Garden, located in my district, invites students from around the world to participate from a young age as active and thoughtful members of society.

The Fairchild Challenge focuses attention on conservation of the environment, while introducing students to the importance of STEM: science, technology, engineering, and mathematics.

In the 2014–2015 school year, over 153,000 participants were involved in the program. High-performing schools are eligible for cash prizes, while participating students may earn college scholarships.

Through innovative programs like the Fairchild Challenge, students are sure to be conscious of the benefits of conserving our environment and may more readily engage in the STEM fields that will better prepare them for the future.

Congratulations to all the student participants of the Fairchild Challenge. Hats off especially to the board members, staff, and the many volunteers of the Fairchild Tropical Botanic Garden, and most especially to Mr. and Mrs. Greer, the heart and soul of these beautiful botanical gardens.

HONORING THE LIFE OF CLYDE HOLLOWAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. ABRAHAM) for 5 minutes.

Mr. ABRAHAM. Mr. Speaker, I rise today to honor the life of a true servant of the people. Many knew him as a former schoolbus driver, the chairman of the Louisiana Public Service Commission, or a successful nursery owner in Forest Hill, Louisiana.

Some of you here today knew him as former Congressman Clyde Holloway. Mr. Holloway was one of the first Republicans in Louisiana to be elected to Congress since Reconstruction. Serving from 1986 to 1993, Mr. Holloway was a trailblazer for other Republican lawmakers in our great State.

On August 16, 2016, I, along with many Louisianans, were saddened to hear of the news of Mr. Holloway's passing. Clyde left a legacy among his constituents of always looking out and representing their best interests.

I stand before you today to pay tribute to Mr. Holloway and the life he

lived. He fought the good fight. He finished his course. I urge you today to join me and my constituents in honoring the life of Clyde Holloway by charting our course to lead and represent the best interests of the people who entrusted their leadership to us today.

HONORING THE LIFE OF BOBBY SMITH

Mr. ABRAHAM. Mr. Speaker, I rise today to pay tribute to a man whose life was a living definition of courage.

In 1986, working as a Louisiana State trooper, Bobby Smith, from Buckeye, Louisiana, was shot in the face and blinded in the line of duty. He not only lost his sight, but also lost the career that he deeply loved.

Never one to succumb to adversity, Bobby earned a Ph.D., authored books, and set out on a path of helping others. In 2001, he organized the Foundation for Officers Recovering from Traumatic Events. This foundation helped provide training and counseling to law enforcement individuals, firefighters, emergency services personnel, and their families going through tough times from various traumatic events.

Bobby's will to help others would carry him through his personal challenges as he traveled across the United States and throughout the world literally sharing his story and lifting up others. Before his death in October of this year, Mr. Smith had addressed and touched the lives of over 1 million people.

Many who knew Bobby would often hear him say, "I see. I see." Today, as we remember Bobby Smith, let us not be blinded by our own tragedies, adversities, and obstacles in our lives, but let us also have the courage that Bobby had to look beyond and see the beauty of life and see the good in others.

HONORING THE LIFE OF LANDON WEAVER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today with a heavy heart to mourn the loss of Pennsylvania State Trooper Landon Weaver, who was killed in the line of duty on Friday, December 30.

Trooper Weaver had been on patrol for 1 year with the Pennsylvania State Police. He was investigating a domestic incident in Juniata Township, Huntingdon County, in Pennsylvania's Fifth District, when the situation turned deadly and he was fatally shot by the suspect. Flags throughout Pennsylvania are flying at half-staff in honor of Trooper Weaver being taken from us too soon.

I rise today to speak about who Trooper Landon Weaver was: a son, a brother, a husband, a friend, a hero.

Trooper Weaver's law enforcement career had just begun. He was 23 years old, and he married his high school sweetheart, Macy, in June. They graduated from Central High School in

Martinsburg in 2012, and he went on to study criminal justice at Indiana University of Pennsylvania. He was proudly on the dean's list.

In December 2015, he enlisted to join the Pennsylvania State Police Academy in Hershey, Pennsylvania. He graduated from the State Police Academy in June, was assigned to Troop G of the Pennsylvania State Police, and served at the Huntingdon Barracks. He loved his family, and he loved being a police officer.

Trooper Weaver attended Zion Lutheran Church and enjoyed spending time with his family, and especially his wife, Macy. To him, family was everything.

Trooper Weaver is the 97th member of the Pennsylvania State Police to be killed in the line of duty.

In addition to his wife, he is survived by his parents, Eric and Christine Weaver of East Freedom; his brother, Larett Weaver of East Freedom; his paternal grandparents, Merrill and Christine D. Weaver; as well as other family members and friends. He grew up in a small town where there is a deep sense of community. Many hearts are broken over this tragic, senseless situation.

One of Trooper Weaver's teachers at Central High School in Martinsburg remembered Trooper Weaver from his days as a student. Teacher Joe Logan said Trooper Weaver was a "great kid" whom you could call on during times of need and he would be there. He said he was "beside himself with grief and sadness."

He went on to say: "He would do anything for you. He was humble, dedicated, and a loving person to his wife and family. You'd be proud to call him a colleague or friend."

Trooper Weaver was one of Pennsylvania's finest. He was committed to his family, to his profession, and to the community that he loved. His dedication to service embodies the values of law enforcement officers across the Nation. Our law enforcement officers risk their lives every day to help people.

Trooper Weaver put on his uniform that day and went to work like he had done so many days before, knowing that any moment he could be in harm's way. That is a commitment our officers make to serve and protect the public and uphold the law. That is the commitment that Trooper Weaver made to serve the Commonwealth of Pennsylvania.

May we all honor Trooper Weaver's memory. He was a young man just starting out in life. He was a newlywed with so much to look forward to. In one moment, he was gone.

On behalf of the Congress of the United States and the people of the Fifth Congressional District of Pennsylvania, I offer my sincere condolences and prayers to his family, especially to his wife, Macy, during this tragic and difficult time. He risked his life to keep all of us safe.

Trooper Landon Weaver is a hero who was taken from us too soon. May we

mourn his loss and honor his memory. May God bless Landon Weaver and his family.

MINERS' PENSION

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, in this new year, we must make things right for our miners and their widows. We must act now to keep the promise. We must honor their work in the mines by protecting the pensions and healthcare benefits they worked their whole lives to earn.

We must pass legislation I have co-sponsored to protect these hard-earned benefits for families like Rita Blankenship of McDowell County who wrote me asking for help. Here is what she said: "My husband was promised healthcare coverage in 1975 when he went to work in the mines and joined the union. I am asking if you could do everything possible to get this passed so we will have health care," she wrote.

These miners and their families deserve no less than what they worked their entire lives to earn: the peace of mind that comes with a pension and secure health care.

I urge my colleagues to join me in supporting legislation to protect our miners, their widows, and their families. We owe it to them to keep our word.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 30 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. EMMER) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, we give You thanks for giving us another day.

We thank You for the joy, excitement, and ceremony of yesterday, when the 115th Congress convened. It was a celebration of the ongoing American experiment of participatory democracy and the peaceful shifting of power.

Today begins the work of that Congress, when the difficulties facing our Nation, and some communities especially, come into focus. We ask again an abundance of Your wisdom for the Members of the people's House.

May we be forever grateful for the blessings our Nation enjoys and appropriately generous with what we have to help those among us who are in need.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

JIMMY BURNSED, RETIRING CHAIRMAN OF BRYAN COUNTY BOARD OF COMMISSIONERS

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Jimmy Burnsed, who has served as chairman of the Bryan County Board of Commissioners for the past 12 years.

On December 31, 2016, he officially retired from serving on the board. Beyond serving as chairman, Mr. Burnsed has dedicated an admirable amount of his life to public service. Nearly 40 years ago, he began serving on the City Council for Garden City, Georgia, before serving 4 years as mayor. In 1989, he moved from Garden City to Bryan County. In 2005, he ran and was elected chairman of the Board of Commissioners.

Mr. Burnsed's accomplishments on the board since that time are numerous. He worked to build a new administrative building for the county to hold meetings and other events; he managed and planned the infrastructure for Bryan County, which has grown more than 50 percent in size during his tenure; and he helped to upgrade Bryan County's trails, parks, and recreation centers. Mr. Burnsed always put the community first and performed his duties in a way that would make any constituent very proud.

Jimmy Burnsed, you will be greatly missed.

ETHICS

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, yesterday, just a few hours after they attempted to kill the independent Office of Congressional Ethics and strip it for parts, Republicans backed down in the face of public outrage. It speaks volumes that the first thing Republicans attempted to do was weaken ethical standards and that they only changed course once their efforts were exposed to the public. This is not what the American people sent us here to do.

It seems that, contrary to rhetoric, Republicans don't want to drain the swamp. They want to fill it up. This is wrong, and it is critical that Members of Congress be accountable and adhere to the highest ethical standards.

In the weeks ahead, it is critical that all of us hold the majority accountable and prevent them from going back to the days when thinly veiled bribes, kickbacks, and worse were commonplace in this town.

We need more ethical reforms in Congress, not less. That is why I have introduced the ETHICS Act, to require every Member of Congress to undergo the same annual ethics training that their staffs have to complete. That is why I am asking Members of both parties to demand better from our elected officials than what we saw over the last 48 hours.

CONGRATULATIONS TO SPEAKER PAUL DAVIS RYAN

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, yesterday, the first day of the 115th Congress, the House of Representatives elected PAUL DAVIS RYAN to serve as Speaker of the House. I have been grateful to serve with Speaker RYAN, a proven conservative, throughout my service in Congress and can attest to his commitment to conservative values with innovative thoughtfulness.

Under Speaker RYAN's leadership, House Republicans last year passed meaningful legislation providing greater outreach service for veterans, reinforcing local control of education, ending the 40-year ban on crude oil exports, combating the opioid epidemic, passing the National Defense Authorization Act, and enacting sweeping mental health reform.

Speaker RYAN also launched A Better Way, a bold policy agenda that presents meaningful initiatives for restoring a confident America by presenting solutions to address poverty, grow our economy to create jobs, defend the Constitution, improve health care by

repealing the failing ObamaCare, reforming the Tax Code, and strengthen the military.

I was grateful to cast my vote for Speaker RYAN, and I look forward to working with him, President-elect Donald Trump, and Vice President-elect MIKE PENCE in the new Congress to deliver policies of limited government and expanded freedom for American families.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

DON'T UNDERMINE HEALTH CARE FOR AMERICANS

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, I spent 10 years of my professional life working in health care, both during and after the Affordable Care Act passed, so let me tell you what a Republican repeal would mean.

It would mean raising prescription drug costs on Illinois seniors by more than \$1,000 every year by reopening the Medicare doughnut hole.

It would mean returning to the days when insurance companies could discriminate against women by charging them more than men for basic care.

It would mean telling diabetics, survivors of a heart attack, or even babies with a birth defect that they aren't qualified for healthcare coverage because of their preexisting condition.

It would mean denying cancer patients lifesaving care after they have reached their lifetime limit on their insurance policy.

Republicans have talked about repealing the Affordable Care Act for almost 7 years, but they have no plan for replacement. Again and again, we have heard that repealing ObamaCare will make America great again. Well, I say it will make America sick again.

Please, let's work together. Don't undermine the health of millions of Americans.

THIS STATE DEPARTMENT BETRAYS ISRAEL

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, the anti-Semitic United Nations has struck a new low, demanding that Israel prohibit Jews from settling in the West Bank. Guess who was supportive of this absurd resolution in betrayal of our closest ally? The United States.

Once again, this administration is on the wrong side. It has alienated what few international friends we have. Secretary of State John Kerry arrogantly declared: "Israel can either be Jewish or democratic; it cannot be both."

Mr. Speaker, let's think about that statement. The United Nations' man-

date separating Jews from Palestinians in the West Bank is segregation. Segregation is not democratic.

The United States and the U.N. have no legal business telling a sovereign nation where people should live or shouldn't live in that country. Who in the world do we think we are? Would we approve of the U.N. telling us that one race or ethnic group could not live in one region of the United States? Absolutely not.

Thankfully, this State Department will soon be clearing their desks at Foggy Bottom—and good riddance. It is time for a new State Department that supports America's friends and not our enemies.

And that is just the way it is.

SECOND AVENUE SUBWAY OPENING

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, residents in New York City had a special reason to celebrate as this new year began. The very first new subway in over 60 years and the largest subway in the country opened its doors and carried passengers at 12 noon on New Year's Day. This new line is expected to carry over 200,000 travelers a day, reducing commute time, reducing costs, operating with efficiency, and boosting small businesses.

It is a project that has been on the books for over a century and one that I fought for every single day that I have been in Congress. It is the gift that keeps on giving. It has already generated over 16,000 new jobs. It has spurred over \$840 million in good wages. The regional plan says that it is responsible for over \$2.5 billion in new economic activity. They just opened their doors.

Let's work together and support other good, important infrastructure projects in our country. It is good for Americans; it is good for America.

HONORING OUR NATION'S SERVICEMEN AND -WOMEN

(Mr. EMMER asked and was given permission to address the House for 1 minute.)

Mr. EMMER. Mr. Speaker, I rise today for the first time in the 115th Congress to recognize the brave servicemen and -women who tirelessly defend our great Nation.

Every day, our men and women in uniform make tremendous sacrifices to protect the many freedoms we enjoy both at home and abroad. They spend time away from their families, miss birthdays, anniversaries, and funerals, and are frequently required to put themselves in harm's way to fight for this great Nation.

In particular, I would like to recognize Jason Braun, who will be deploying to the Middle East in the coming

days. A Minnesota resident, Jason is a member of the West Metro Fire-Rescue District and is a dedicated husband to my director of operations and scheduler, Kate Braun.

I want to thank Jason; his wife, Kate; and all of the members of our Armed Forces and their families for their continued sacrifice and service to our country. Their dedication to freedom is what makes this country great. I wish all of our servicemembers overseas a safe and speedy deployment.

HOW THE AFFORDABLE CARE ACT WORKS FOR CONSTITUENTS

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute.)

Ms. JUDY CHU of California. Mr. Speaker, I rise today on behalf of Kalwis Lo, a young man from my district in San Gabriel, California, who told me how his life was saved by the Affordable Care Act.

When he was just out of college, Kalwis was shocked when he was diagnosed with stage III Hodgkin lymphoma. He learned that this disease would end his young life if ignored, but was actually easily treatable in the early stages.

No longer covered by his university, he applied to every type of health insurance he could, but he was denied every single time because of his pre-existing condition. He knew that through insurance coverage he could get the chemotherapy treatments that could save his life, but with each denial, he felt more and more desperate.

Then Kalwis learned about the Pre-Existing Condition Insurance Plan under the Affordable Care Act. This plan made insurance accessible to anyone that had been denied due to a pre-existing condition. Thankfully, California was one of the States participating in the program. Finally, Kalwis got the chemotherapy he needed. He is one of millions of Americans given the promise of their lives back thanks to the Affordable Care Act.

OBAMACARE

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to because we made a promise to the American people, and we are going to keep it.

ObamaCare is an unpopular and failed law collapsing under its own weight. Polls have shown it; rising premiums have proven it; and, in November, the voters said it loud and clear. It is time to repeal ObamaCare and replace it with more choices, lower costs, and real protections for patients. Already, we are working to end this damaging law and take control away from Federal bureaucrats and give it back to the people of this country.

One year ago, we sent an ObamaCare repeal bill to the President's desk; but,

not surprisingly, he vetoed it. In a few weeks, this Congress will again send a repeal bill to the President's desk. This time, we will have a President who will sign it.

Mr. Speaker, healthcare decisions should be made by patients and their doctors. American families should have access to health insurance they can actually afford. That is why we will repeal ObamaCare and replace it with real reforms.

□ 1215

HELPING OUR CONSTITUENTS GET AHEAD

(Mr. KRISHNAMOORTHY asked and was given permission to address the House for 1 minute.)

Mr. KRISHNAMOORTHY. Mr. Speaker, I am Congressman RAJA KRISHNAMOORTHY from the Eighth District of Illinois. I have the honor to represent the hardworking families of Chicago's west and northwest suburbs. My constituents, like so many other Americans, are finding it harder and harder to get ahead.

Creating good-paying jobs is my number one job, and growing and strengthening the middle class is my primary mission. I believe working and middle class families must be able to earn a living wage, have quality health care, and educate their children well.

These challenges are not insurmountable, but we must address them immediately. We need to make sure that working and middle class families can achieve economic security. I believe that, if you work hard and play by the rules, you and your children can and should succeed in America. I look forward to working with all of my colleagues in this Chamber to make that a reality.

MOURNING THE LOSS OF SOUTHEAST TEXAS SOLDIERS

(Mr. BABIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BABIN. Mr. Speaker, it is with a heavy heart that I rise today to honor two young men who gave their lives in service to the State of Texas and the United States when their Apache helicopter crashed in Galveston Bay, Texas, during a training mission last week in my congressional district.

My deepest sympathies go out to the families of Army Chief Warrant Officer 2 Lucas Lowe of Daisetta, Texas, a resident of the 36th Congressional District, which I represent, and Army Chief Warrant Officer 3 Dustin Mortenson of League City, Texas.

The heartbreaking loss of these two fine Texas Army National Guard pilots, assigned to the First Squadron 149th Attack Reconnaissance Battalion of the 36th Infantry Division, has been felt throughout our southeast Texas community. Both men tragically leave

behind a wife and family. Chief Warrant Officer Lucas Lowe's wife, Kami, was also pregnant with twins due next month, in February.

As a former Texas Guardsman myself, my prayers remain with all those who have been impacted by this terrible tragedy. As the U.S. Congressman for District 36, it is my commitment and duty to the families to see that they get the support they need during this very difficult time.

Please keep these families in your thoughts and your prayers. May God bless these two soldiers, their families, and all who serve their country.

DON'T MAKE AMERICA SICK AGAIN

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. GENE GREEN of Texas. Mr. Speaker, I want to follow my colleague and my neighbor in Texas to regret the loss of our two National Guardsmen from the 36th Division. The 36th Division is a historic division, Texas division, T-Patchers, and to lose two of our soldiers is tragic.

But I am on the floor today to talk about health care. The Republican majority has taken the first legislative step to make America sick again. The first step was to take away health care from tens of millions of Americans, including premium increases for millions more in America. The second action lights the fuse on the dangerous legislative process that threatens to cut Medicare, Medicaid, and health tax credits that Americans are now benefiting from.

There should be no reform without a replacement because we may never have a replacement, but we have millions of Americans who will lose their healthcare coverage because of the actions of this House. Let's don't make America sick again.

CONGRATULATIONS TO THE CENTRAL HIGH BAND

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, I rise to recognize Little Rock Central High School's flag line and marching band for participating in the events marking the 75th anniversary of the attack on Pearl Harbor in Hawaii.

Known as the Stereophonic Storm of the Mid-South, Central's flag line and marching band joined several high school bands across the Nation at the annual Waikiki holiday parade to commemorate this historic moment.

Led by band director Brice Evans, the school's trip lasted an entire week, giving our students the chance to having an unforgettable experience by meeting Pearl Harbor survivors and enjoying Thanksgiving in Hawaii.

With their seemingly limitless enthusiasm and spirit, the Central High

School band continues to represent themselves with determination and dedication that make all Arkansans proud. As a long time friend and supporter of all things for Central High, congratulations. I look forward to following the band's continued success.

WE CAN REBUILD TRUST

(Mr. MCCARTHY asked and was given permission to address the House for 1 minute.)

Mr. MCCARTHY. Mr. Speaker, our Constitution lists few, if specific, qualifications for the office we now hold. Article I, section 2 states that we must be at least 25 years old, we must have been a citizen for the past 7 years, and we must live in the State we represent.

In "The Federalist Papers," Alexander Hamilton and James Madison wrote that "Under these reasonable limitations, the door of this part of the federal government is open to merit of every description, whether native or adoptive, whether young or old, and without regard to poverty or wealth, or to any particular profession of religious faith."

In a phrase, our body is to represent the American people in all of its opinions, complexities, and riches; and I believe we do. For in a free nation such as ours, no single person can represent the people as a whole. In this body, I proudly work with colleagues on the left and the right, from every region and State, people who profess different faiths, have had different careers, and embody the experiences of the American people. No gathering in this Nation is more like its people than in this House. We are joined together in representing not only our constituents but our country.

Mr. Speaker, we now have a high and honorable task set before us. First, we must take our practical principles that we have built up by the hard experience of generations who have come before us, and we must apply them to a changing future. Our mission is not to return to the past, nor to destroy it, but rather to build upon it.

And then we must direct the desires of the people into action. Millions of Americans long ignored have rejected a future of limits and slow decline. We have heard their voices. But history will not judge us by how well we hear but how well we act.

The unemployment rate has steadily declined and ticked down to 4.9 percent, but what is more important is that our labor participation rate is only 62.7 percent. Outside of the Obama years, that is the lowest labor force participation rate since 1978.

The reason our unemployment rate is dropping isn't because people are finding jobs. They have no prospects for stable and meaningful work. The American people have unrivaled talent and ability, but it is not being used. If we are looking for a reason behind the message that the American people sent

us in November, this is a good place to start.

And for so many who have work, things aren't much better. Millions of Americans, especially those in the heartland and struggling neighborhoods in our big cities, aren't sharing in America's prosperity. In fact, the bottom half of the economic distribution in America hasn't felt any of the economic growth from the 1970s on. These people spend their whole lives working and never have the chance to move up.

We have had the wisdom to listen to all of the American people, especially those being left behind. Now let us have the courage to lead. Let us have the courage to define the people's desires in law. And as we go about our daily business, Mr. Speaker, we should remember not only that we have great purpose, but we also have great power loaned to us directly from the American people.

Our Republic, and the liberties we hold dear at this time, are threatened by bureaucracies, subject to no authority but their own will. They cannot be controlled by the people and are increasingly unrestrained by the people's representatives. This is not a partisan concern. Congress has a duty to act as a unified body in defense of our Article I powers because, unlike the bureaucracy, we are accountable to the people.

That is why I have scheduled this House to tackle this problem starting today through a two-step approach. First, as I have long said, structure dictates behavior. We need to fix the structure in Washington that deprives the people of their power.

Second, we will repeal specific regulations that are harmful to the American people, costing us time, money, and, most importantly, jobs. To begin to get to the root of this problem, we will pass the REINS Act that will require Congress to approve every major regulation produced by the administrative state. And unlike the bureaucracy, if the people don't like what they see, they can vote us out of office.

Then next week, we will take a look at the Regulatory Accountability Act, which will require agencies to choose the least costly option available and will end judicial deference to agencies, which puts the American people at a disadvantage in the courtroom.

But it is not just how rules are made. It is what rules are made too. The President continues to unilaterally impose regulations on his way out the door. So while we haven't yet determined what needs to be repealed first, I expect to start with swift action on at least the stream protection rule and methane emissions standards, both of which limit our energy production.

This process won't be completed quickly, but as we remove harmful regulations and change the structure of Washington, draining the bureaucratic swamp that undermines the will of the people, we can rebuild trust between the people and their government again.

And not only that, within the renewed and responsive structure of a truly representative government, we can restore that hope held by so many generations before, that hope that has defined America's character since before our Nation was founded. It is the American Dream so that we and our children can find more meaning, security, purpose, and success than those who have come before us.

Restoring that dream is the purpose of this body in the 115th Congress. The American people expect this country to be great again. Here and now, we will move us toward that greatness.

THE MEDIA COULD PLAY A POSITIVE ROLE

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, the national liberal media continue to promote a divided America. This is largely a result of their chosen candidate not winning the Presidential election. Since 91 percent of the media's coverage of President-elect Trump was negative, it is no surprise that they still see America in a negative light.

But the media could play a much more constructive role. They could report the good news that Americans are more confident about the future than they have been in 20 years. They could report on President-elect Trump's ability to attract individuals of competence and experience to his administration. They could report on his fresh approach and new ideas for, yes, making America great again.

Let's hope the media will put aside their bias and give the American people the facts, untainted by personal animosity. If they do, our country will be better for it.

CONGRESS SHOULD CONDEMN U.N. ANTI-ISRAEL RESOLUTION

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today in solidarity and support for one of America's greatest friends and allies, but one the Obama administration has sadly abandoned in its last days in office: the State of Israel.

Since September of 2015 alone, in Israel, 42 people have been killed in terrorist attacks, and 602 people, including four Palestinians, have been injured. Yet, last month, the United Nations Security Council felt the need to condemn Israel with a misguided resolution the United States should have vetoed.

In fact, as long as Israel has been part of the U.N., it has been treated with little respect and almost openly disdained. In 2016, there were more resolutions regarding Israel at the U.N.

than there were regarding Syria, North Korea, Iran, South Sudan, and Russia combined. That is simply an unacceptable way to treat the only peaceful democratic state in the region.

Mr. Speaker, I urge all of my colleagues to join together in sending a strong, bipartisan message this week to rebuke this misguided resolution so we can get back on a path to a peaceful solution to conflict in the Middle East.

□ 1230

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. CARTER of Georgia). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

APPROVING LOCATION OF MEMORIAL TO COMMEMORATE MEMBERS OF ARMED FORCES WHO SERVED IN SUPPORT OF OPERATION DESERT STORM OR OPERATION DESERT SHIELD

Mr. McCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 3) approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 3

Whereas subsection (b)(1) of section 8908 of title 40, United States Code, provides that the location of a commemorative work in the area depicted as "Area I" on the map described in subsection (a) of that section shall be deemed to be authorized only if approved by law not later than 150 days after the date on which Congress is notified that the subject of the commemorative work is of preeminent historical and lasting significance to the United States;

Whereas section 3093 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (40 U.S.C. 8903 note; Public Law 113-291) authorized the National Desert Storm Memorial Association to establish a memorial in the District of Columbia to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield; and

Whereas the Secretary of the Interior has notified Congress of the determination of the Secretary of the Interior that the subject of the memorial is of preeminent historical and lasting significance to the United States and may be located in Area I: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the location of the commemorative work authorized by section

3093 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (40 U.S.C. 8903 note; Public Law 113-291) to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield, within Area I, as depicted on the map described in section 8908(a) of title 40, United States Code, is approved.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. McCLINTOCK) and the gentlewoman from Massachusetts (Ms. TSONGAS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. McCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the joint resolution under consideration.

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

There was no objection.

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

Mr. Speaker, H.J. Res. 3 by Congressman ROE of Tennessee authorizes the National Desert Storm War Memorial Association to consider sites along or near the National Mall for a memorial to honor the members of Armed Forces who served on Active Duty in support of Operation Desert Storm or Operation Desert Shield.

Under the Commemorative Works Act, any memorial proposed to be located on Federal land along or near the National Mall must be approved by Congress after the Secretary of the Interior determines that the proposed work is "of preeminent historical and lasting significance to the United States."

The Secretary of the Interior has recommended that the Desert Storm War Memorial Association be authorized to consider sites in Area I for the memorial, and this resolution would provide Congress' approval of the Secretary's recommendation. Congress provided initial authorization for the Desert Storm and Desert Shield Memorial in 2014, and the memorial is to be funded solely by private donations.

History will no doubt continue to debate the political decisions that stopped our forces before they reached Baghdad, but it has already recorded and judged the effectiveness, the heroism, and the devotion of our Armed Forces and their commanders in the field who utterly vanquished the largest army in the Middle East in just 100 hours and who liberated the people of Kuwait from a hideous and sadistic occupation.

This memorial will do more than honor the 382 Americans who gave their lives in the gulf war and ensure that they will not be forgotten. After all, as Lincoln said at Gettysburg:

The honor they earned on the battlefield cannot be added to or detracted by us, and

long after our words are forgotten, their deeds will be remembered and celebrated.

But this monument will also remind future generations at home and abroad, friend and foe, of what American Armed Forces can do to rescue and protect the weak, and vanquish and punish the guilty, when competently commanded in the field and backed by the full resolve of the American people in a righteous cause.

I urge adoption of the measure.

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

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

Mr. Speaker, following the invasion and occupation of Kuwait by Iraqi leader Saddam Hussein, the United States and the international community demanded the immediate withdrawal of Iraqi forces under the threat of military action. After Saddam Hussein defied calls to withdraw from Kuwait, the United States, along with a broad coalition of European, regional, and global allies, began Operation Desert Shield, followed by Operation Desert Storm, a 100-hour land war which expelled the Iraqi forces from Kuwait.

Approximately 700,000 members of the American Armed Forces served as part of Operation Desert Storm and Operation Desert Shield. Of those, 293 died in theater and 148 were killed in action.

The 2015 National Defense Authorization Act authorized the National Desert Storm and Desert Shield War Memorial Association to establish a memorial as a commemorative work on Federal land in the District of Columbia. This honors the members of the American Armed Forces who served and those who made the ultimate sacrifice in support of our country.

The joint resolution before us today approves the general location of the memorial so that it is in close proximity to the National Mall and other nationally significant war memorials, as determined by the Secretary of the Interior.

This resolution is an opportunity for the country to come together and thank the servicemembers who fought in the Gulf, those whose lives have been forever changed by their experience in this war, and those who did not return.

I support this resolution, and I urge my colleagues to vote "yes."

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

Mr. McCLINTOCK. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. ROE), the author of this measure.

Mr. ROE of Tennessee. Mr. Speaker, I thank Mr. McCLINTOCK for yielding.

Mr. Speaker, I rise today in support of this very important procedural measure to site the memorial to honor the men and women who served and died in Operation Desert Storm and Desert Shield in Area I of the National Mall.

On August 2, 1990, Saddam Hussein invaded Kuwait and, in less than 24 hours, dominated nearly 30 percent of the world's oil supply, swiftly setting his sights on neighboring Saudi Arabia. Recognizing Saudi Arabia's importance to the region, President George Herbert Walker Bush launched Operation Desert Shield, the deployment of American combat forces to Saudi Arabia, and ordered Saddam Hussein to remove Iraqi troops from Kuwait by January 15, 1991. With Kuwait still occupied after the deadline passed, over half a million United States armed services members led coalition forces in the liberation of Kuwait—Operation Desert Storm.

Of the roughly 600,000 American troops who were deployed in both Operation Desert Shield and Desert Storm, 294 died in theater, of which 148 were killed in action. The United States currently lacks a national memorial dedicated to the valor and sacrifices made by those members of our Armed Forces who fought honorably in Operation Desert Shield and Desert Storm.

Mr. Speaker, it is important to note that no Federal funds will be spent to build this memorial. All funds will be raised privately by the National Desert Storm War Memorial Association. We must honor the men and women who fought honorably and valiantly in support of these operations and memorialize those who gave a life to free another.

The establishment of this memorial was authorized in the National Defense Authorization Act for fiscal year 2015. Passing this resolution is simply the next step in the process for site selection. The Secretary of the Interior has confirmed the historical value of the proposed memorial and deemed it worthy of being constructed in Area I of Washington, D.C., which includes the areas around other monuments to great American heroism.

In conclusion, Mr. Speaker, many of us in this Congress know many of the people who served in Desert Storm and Desert Shield, many personal friends of mine did, and many paid the ultimate sacrifice. It is time now we honor those heroes of this country.

Ms. TSONGAS. Mr. Speaker, I have no other speakers.

I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, I urge adoption of the measure.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the joint resolution, H.J. Res. 3.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

TAXPAYERS RIGHT-TO-KNOW ACT

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 71) to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 71

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 "Taxpayers Right-To-Know Act".

SEC. 2. INVENTORY OF GOVERNMENT PROGRAMS.

(a) IN GENERAL.—Section 1122(a) of title 31, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following:

"(1) DEFINITION OF PROGRAM.—For purposes of this subsection, the term 'program' means an organized set of activities by one or more agencies directed toward a common purpose or goal.";

(3) in paragraph (2), as so redesignated—

(A) by striking "IN GENERAL.—Not later than October 1, 2012, the Office of Management and Budget shall" and inserting "WEBSITE AND PROGRAM INVENTORY.—The Director of the Office of Management and Budget shall";

(B) by striking subparagraph (C) and inserting the following:

"(C) include on the website—

"(i) a program inventory that shall identify each program of the Federal Government for which there is more than \$1,000,000 in annual budget authority, which shall include—

"(I) any activity that is commonly referred to as a program by a Federal agency in communications with Congress, including any activity identified as a program in a budget request;

"(II) any activity that is commonly referred to as a program by a Federal agency in communications with the public, including each program for which financial awards are made on a competitive basis; and

"(III) any activity referenced in law as a program after June 30, 2019; and

"(ii) for each program identified in the program inventory, the information required under paragraph (3) or paragraph (4), as applicable.";

(4) in paragraph (3), as so redesignated—

(A) by striking "INFORMATION.—Information for each program described under paragraph (1)" and inserting "INFORMATION FOR LARGER PROGRAMS.—Information for each program identified in the program inventory required under paragraph (2) for which there is more than \$10,000,000 in annual budget authority";

(B) by striking subparagraph (C);

(C) by redesignating subparagraph (B) as subparagraph (D);

(D) by striking subparagraph (A) and inserting the following:

"(A) an identification of the program activities that are aggregated, disaggregated, or consolidated as part of identifying programs;

"(B) for each program activity described in subparagraph (A), the amount of funding for the current fiscal year and previous 2 fiscal years;

"(C) an estimate of the amount of funding for the program";

(E) in subparagraph (D), as so redesignated, by striking "and" at the end; and

(F) by adding at the end the following:

"(E) an identification of the statutes that authorize the program and any major regulations specific to the program;

"(F) for any program that provides grants or other financial assistance to individuals or entities, for the most recent fiscal year—

"(i) a description of the individuals served by the program and beneficiaries who received financial assistance under the program, including an estimate of the number of individuals and beneficiaries, to the extent practicable;

"(ii) for each program for which the head of an agency determines it is not practicable to provide an estimate of the number of individuals and beneficiaries served by the program—

"(I) an explanation of why data regarding the number of such individuals and beneficiaries cannot be provided; and

"(II) a discussion of the measures that could be taken to gather the data required to provide such an estimate; and

"(iii) a description of—

"(I) the Federal employees who administer the program, including the number of full-time equivalents with a pro rata estimate for full-time equivalents associated with multiple programs; and

"(II) other individuals whose salary is paid in part or full by the Federal Government through a grant, contract, cooperative agreement, or another form of financial award or assistance who administer or assist in any way in administering the program, including the number of full-time equivalents, to the extent practicable;

"(G) links to any evaluation, assessment, or program performance reviews by the agency, an Inspector General, or the Government Accountability Office (including program performance reports required under section 1116) released during the preceding 5 years; and

"(H) to the extent practicable, financial and other information for each program activity required to be reported under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).";

(5) by adding at the end the following:

"(4) INFORMATION FOR SMALLER PROGRAMS.—Information for each program identified in the program inventory required under paragraph (2) for which there is more than \$1,000,000 and not more than \$10,000,000 in annual budget authority shall, at a minimum, include—

"(A) an identification of the program activities that are aggregated, disaggregated, or consolidated as part of identifying programs;

"(B) for each program activity described in subparagraph (A), the amount of funding for the current fiscal year and previous 2 fiscal years;

"(C) an identification of the statutes that authorize the program and any major regulations specific to the program;

"(D) for any program that provides grants or other financial assistance to individuals or entities, a description of the individuals served by the program and beneficiaries who received financial assistance under the program for the most recent fiscal year; and

"(E) links to any evaluation, assessment, or program performance reviews by the agency, an Inspector General, or the Government Accountability Office (including program performance reports required under section 1116) released during the preceding 5 years.

"(5) ARCHIVING.—After the end of each fiscal year, the Director of the Office of Management and Budget shall archive and preserve the information included in the program inventory required under paragraph (2) relating to that fiscal year.".

(b) EXPIRED GRANT FUNDING.—Not later than February 1 of each fiscal year, the Director of the Office of Management and Budget shall publish on a public website the total amount of undisbursed grant funding remaining in grant accounts for which the period of availability to the grantee has expired.

SEC. 3. GUIDANCE AND IMPLEMENTATION.

(a) GUIDANCE.—Not later than June 30, 2018, the Director of the Office of Management and Budget—

(1) shall prescribe guidance to implement this Act, and the amendments made by this Act;

(2) shall issue guidance to agencies to identify how the program activities used for reporting under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) are associated with programs identified in the program inventory required under section 1122(a)(2)(C)(i) of title 31, United States Code, as amended by subsection (a);

(3) may issue guidance to agencies to ensure that the programs identified in the program inventory required under section 1122(a)(2)(C)(i) of title 31, United States Code, as amended by subsection (a), are presented at a similar level of detail across agencies and are not duplicative or overlapping; and

(4) may, based on an analysis of the costs of implementation, and after submitting to Congress a notification of the action by the Director—

(A) exempt from the requirements under section 1122(a) of title 31, United States Code, an agency that—

(i) is not listed in section 901(b) of title 31, United States Code; and

(ii) for the fiscal year during which the exemption is made, has budget authority (as defined in section 3 of the Congressional Budget Act of 1974 (2 U.S.C. 622)) of not more than \$10,000,000; and

(B) extend the implementation deadline under subsection (b) by not more than 1 year.

(b) IMPLEMENTATION.—This Act, and the amendments made by this Act, shall be implemented not later than June 30, 2019.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, this is a very good bill brought to us by lead sponsor Mr. WALBERG of Michigan who has done considerable work on this not only at this point, but in Congresses of the past. We have cosponsorship from a number of people on both sides of the aisle—five members within the Over-

sight and Government Reform Committee.

Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I thank the chairman for his leadership on this.

Mr. Speaker, I rise today in support of the Taxpayers Right-To-Know Act.

This bill is a bipartisan and bicameral effort to provide more information about Federal programs and their activities online. The American people deserve to know what their government does with their hard-earned dollars. The Taxpayers Right-To-Know Act will make it easier to evaluate Federal Government spending by requiring Federal agencies to identify their programs, provide basic information like what their programs do, how they perform, and how much they cost. Agencies must do a better job of managing their programs and identifying areas where taxpayer dollars are wasted.

The Government Accountability Office is tasked with reporting on duplication and continues to find new areas of duplication across the government. In 6 years, GAO has identified 250 areas and 637 corrective actions in those areas to reduce fragmentation, overlap, or duplication or address other opportunities for financial benefits. While only 41 percent of recommended corrective actions have been taken, GAO estimates this progress will result in approximately \$125 billion in financial benefits and savings over 15 years.

While GAO's work has been invaluable, their ability to look comprehensively at the Federal Government is inherently limited because of the poor reporting by agencies about their activity. Quite simply, Mr. Speaker, without better data, billions more will be lost.

Current law, specifically the Government Performance and Results Modernization Act, requires agencies to report all their programs, their funding, and their performance information to the Office of Management and Budget. However, OMB's current inventory is incomplete and provides inconsistent information. This makes it more difficult and time consuming to identify areas of waste and inefficiency.

The Taxpayers Right-To-Know Act establishes an across-the-board definition for "program" and requires the publication of detailed information on each Federal program. This change will allow American taxpayers and Federal watchdogs to better evaluate the effectiveness and utility of government programs.

The Taxpayers Right-To-Know Act, Mr. Speaker, is an important and necessary step forward for the government in providing programs that are accountable, effective, and efficient.

Mr. Speaker, I thank Senator LANKFORD for his work on the Senate companion bill in the last Congress, which will be reintroduced in future weeks. I also thank Representative

COOPER of Tennessee for his continued bipartisan support and cosponsorship on this issue.

I urge my colleagues to support this legislation.

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

The Taxpayers Right-To-Know Act builds upon two existing laws that came through the Oversight and Government Reform Committee: the Government Performance and Results Modernization Act of 2010 and the DATA Act, which was signed into law in 2014.

□ 1245

The Obama administration launched the performance.gov Web site to implement the GPRA Modernization Act, and this bill would enhance the information available through that Web site.

The bill would require the Office of Management and Budget to make available on a central Web site an inventory of all Federal agency programs that have a budget authority of more than \$1 million.

I thank Representative WALBERG for making changes to help address those concerns in the version of the bill before us today. It is important that we continue to work together to ensure the bill will work as intended.

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

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Speaker, it is important the Federal Government convey to taxpayers how it is spending their hard-earned money. That is why I rise in support of H.R. 71, the Taxpayers Right-To-Know Act.

For Federal programs authorized to spend over \$1 million, this bipartisan bill would make more information available and accessible online so that taxpayers may see where their money is being spent and how the program is performing. For each Federal program meeting these requirements, the government would need to make public several key pieces of information that are of interest to many of my constituents, including funding levels for the program, Federal laws that authorize the program, regulations related to the program, the results of performance reviews that measure the program's effectiveness, and any overlap of the program with another Federal program.

Simply put, this bill would help alleviate waste and prevent taxpayer dollars from being spent on unnecessary, ineffective, or duplicative programs.

I thank Congressman TIM WALBERG and Congressman JIM COOPER for their continued leadership on this legislation.

Mr. Speaker, this bill did pass the House without any objection in the last session, and I would, once again, urge my colleagues to support this commonsense bill.

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

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

I am thankful for the good work by Mr. WALBERG and Mr. COOPER, who also serve on the Oversight and Government Reform Committee. I thank Mr. CLAY and, certainly, Mr. CUMMINGS.

In the 114th Congress, this bill was able to pass overwhelmingly in the House by a vote of 413-0—with no opposition. It is truly bipartisan and bicameral. It is a good bill. I thank Senator JAMES LANKFORD of Oklahoma for his work on the Senate side, and we do hope that it will make it swiftly through the Senate.

The Taxpayers Right-To-Know Act provides the public and Congress with increased transparency about Federal programs, including how much they cost and any benefits that they provide. It sounds like a good and worthy thing to do, and it passed the previous Congress. I urge my colleagues to vote in favor of it here in the 115th Congress, and I am glad it is one of the first things that we are doing.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 71.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PRESIDENTIAL LIBRARY DONATION REFORM ACT OF 2017

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 73) to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 73

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 “Presidential Library Donation Reform Act of 2017”.

SEC. 2. PRESIDENTIAL LIBRARIES.

(a) IN GENERAL.—Section 2112 of title 44, United States Code, is amended by adding at the end the following new subsection:

“(h) PRESIDENTIAL LIBRARY FUNDRAISING ORGANIZATION REPORTING REQUIREMENT.—

“(1) REPORTING REQUIREMENT.—Not later than 15 days after the end of a calendar quarter and until the end of the requirement period described in paragraph (2), each Presidential library fundraising organization shall submit to the Archivist information for that quarter in an electronic searchable and sortable format with respect to every contributor who gave the organization a contribution or contributions (whether monetary or in-kind) totaling \$200 or more for the quarterly period.

“(2) DURATION OF REPORTING REQUIREMENT.—The requirement to submit information under paragraph (1) shall continue until the later of the following occurs:

“(A) The Archivist has accepted, taken title to, or entered into an agreement to use any land or facility for the Presidential archival depository for the President for whom the Presidential library fundraising organization was established.

“(B) The President whose archives are contained in the deposit no longer holds the Office of President.

“(3) INFORMATION REQUIRED TO BE PUBLISHED.—The Archivist shall publish on the website of the National Archives and Records Administration, within 30 days after each quarterly filing, any information that is submitted under paragraph (1), without a fee or other access charge in a downloadable database.

“(4) SUBMISSION OF FALSE MATERIAL INFORMATION PROHIBITED.—

“(A) INDIVIDUAL.—

“(i) PROHIBITION.—It shall be unlawful for any person who makes a contribution described in paragraph (1) to knowingly and willfully submit false material information or omit material information with respect to the contribution to an organization described in such paragraph.

“(ii) PENALTY.—The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of clause (i) in the same manner as a violation described in such section.

“(B) ORGANIZATION.—

“(i) PROHIBITION.—It shall be unlawful for any Presidential library fundraising organization to knowingly and willfully submit false material information or omit material information under paragraph (1).

“(ii) PENALTY.—The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of clause (i) in the same manner as a violation described in such section.

“(5) PROHIBITION ON CONTRIBUTION.—

“(A) IN GENERAL.—It shall be unlawful for a person to knowingly and willfully—

“(i) make a contribution described in paragraph (1) in the name of another person;

“(ii) permit his or her name to be used to effect a contribution described in paragraph (1); or

“(iii) accept a contribution described in paragraph (1) that is made by one person in the name of another person.

“(B) PENALTY.—The penalties set forth in section 309(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)) shall apply to a violation of subparagraph (A) in the same manner as if such violation were a violation of section 316(b)(3) of such Act (2 U.S.C. 441b(b)(3)).

“(6) REGULATIONS REQUIRED.—The Archivist shall promulgate regulations for the purpose of carrying out this subsection.

“(7) DEFINITIONS.—In this subsection:

“(A) INFORMATION.—The term ‘information’ means the following:

“(i) The amount or value of each contribution made by a contributor referred to in paragraph (1) in the quarter covered by the submission.

“(ii) The source of each such contribution, and the address of the entity or individual that is the source of the contribution.

“(iii) If the source of such a contribution is an individual, the occupation of the individual.

“(iv) The date of each such contribution.

“(B) PRESIDENTIAL LIBRARY FUNDRAISING ORGANIZATION.—The term ‘Presidential library fundraising organization’ means an organization that is established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at—

“(i) a Presidential archival depository; or
“(ii) any facilities relating to a Presidential archival depository.”

(b) APPLICABILITY.—Section 2112(h) of title 44, United States Code (as added by subsection (a))—

(1) shall apply to an organization established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at a Presidential archival depository or any facilities relating to a Presidential archival depository before, on, or after the date of the enactment of this Act; and

(2) shall only apply with respect to contributions (whether monetary or in-kind) made after the date of the enactment of this Act.

SEC. 3. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. DUNCAN), who has championed this effort for quite a while. He is passionate about this, and he has poured his heart and soul into it.

Mr. DUNCAN of Tennessee. I thank the chairman for yielding to me and for his support of this legislation.

Mr. Speaker, this is very simple, bipartisan legislation that would require organizers of Presidential libraries to disclose the identities of donors and the amounts they give. It wouldn't limit any donations; it would simply require disclosure. I introduced this legislation several Congresses ago because I felt then and feel now that the public should be made aware of possible conflicts of interest that sitting Presidents can have or may have while raising funds for their libraries.

First of all, I thank Ranking Member CUMMINGS for again cosponsoring this very important legislation and making it bipartisan. The legislation is so bipartisan that, after the first time we passed the bill—and it passed 392-3—it was taken over, at my request and with my agreement, by then-Chairman Waxman, who made it his bill. We passed it once again, and we passed it in the last Congress by a simple voice vote, so there is a lot of support for this bill. In the Senate, it was introduced by Mr. CARPER and Mr. Coburn, when he was in the Senate. We need to get some

more interest over there, and I think we are going to be able to do that in this Congress.

Mr. Speaker, we do not know who these donors to the Presidential libraries are or what interests they may have on any pending policy decisions that are to be made. I think that our government needs to operate in the open, not with secrecy. This legislation will apply to all future Presidential libraries and mandate, regardless of party, that the names of the donors and the amounts they contribute be disclosed. I would like to add that this legislation will apply to President Trump's future Presidential library. This will require him to disclose more than any other President has ever had to disclose before. This will be an unprecedented disclosure, and it falls in line with his stated desire to drain the swamp. Any sitting President has a great deal of power. Funds should not be raised for a Presidential library in his honor without some type of public disclosure.

I decided to introduce this bill after news reports surrounding a proposed Presidential library exposed that foreign governments from the Middle East were making very large donations. Then, in 2007, The Washington Post reported that President Clinton's Presidential library raised a substantial percentage of the cost of its facility with foreign contributions. However, this is not a partisan issue. I have introduced this and supported this legislation under both Democratic and Republican Presidents. The Presidential Library Donation Reform Act of 2017 would bring clarity to the process of planning and building these Presidential libraries.

In 2013, Sunlight Foundation Policy Director Daniel Schuman endorsed an earlier version of this bill during a hearing in front of our House Oversight and Government Reform Committee, where he said it "would provide valuable information on special interests whose donations put them in close proximity with Presidents."

Even Richard Cohen, the very liberal columnist for The Washington Post, once said about this bill: "But surely it would be anything from interesting to illustrative to just plain damning to see what names are on that list and for what amounts." Our citizens have the right to know the details of these fundraising activities.

This bill has been introduced by the Center for Media and Democracy; the Center for Responsive Politics; the Citizens for Responsibility and Ethics in Washington, often known as CREW; Common Cause; Public Citizen; the Society of Professional Journalists; and many others.

USA Today wrote a very favorable editorial about this bill, and it has been mentioned favorably in many publications across the years. I think it is a bill that everybody on both sides of the aisle can support, and I ask my colleagues to support this very bipartisan legislation.

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

I thank my long-time friend Representative DUNCAN and Ranking Member CUMMINGS for sponsoring this bill. Representative DUNCAN first sponsored a bill to improve Presidential libraries 17 years ago. I hope we can now, finally, get this important legislation enacted.

The Presidential Library Donation Reform Act would make the process for building Presidential libraries more transparent. Presidential libraries have become increasingly more expensive as they have evolved into multipurpose centers. The George W. Bush Presidential Center cost an estimated \$250 million to build, and President Bush raised, approximately, \$500 million for the building and an endowment for his library, museum, and institute.

Under current law, there is no requirement to disclose the identities of those who donate to a Presidential library and to a President while he is still in office. He is able to raise an unlimited amount of private donations. Requiring the disclosures of donors would help prevent the trading of political favors in exchange for donations.

This bill would require organizations that raise money to build Presidential libraries to disclose the identity of any individual who donates more than \$200. The National Archives and Records Administration would then be required to post the donation information online. The bill would also create criminal penalties for individuals who report false information on donations and for fundraising organizations that omit donation information.

As was mentioned earlier, a group of 15 good government organizations, including CREW and the Sunlight Foundation, sent a letter that urged the House to support this bill. Here is what they wrote:

Under the current opaque system, Presidents raise funds privately to establish their Presidential libraries.

These efforts, which often begin long before they leave office, are unregulated and undisclosed, creating opportunities for—or the appearance of—influence peddling. Improved transparency would help reduce the appearance of impropriety and help deter any inappropriate behavior.

This bill was approved, without opposition, by the Committee on Oversight and Government Reform, and it passed the House last year without opposition. I urge every Member of this body to support this bill.

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

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

As has been highlighted here by Mr. CLAY and by me, there is good bipartisan work that has gone on for far too long. It is time to pass this bill. I really do appreciate the good work Mr. DUNCAN of Tennessee has done and the work of Ranking Member CUMMINGS of Maryland.

The Presidential Library Donation Reform Act of 2017 is the type of good-

government, bipartisan legislation that is perfect to be one of the first bills to pass out of the 115th Congress. Last Congress, this legislation passed through the committee by regular order and passed the House of Representatives without opposition.

President Franklin Roosevelt established the first Presidential library in 1939. Since then, every former President since Herbert Hoover has had a library dedicated to his Presidential records. Each of the 13 current libraries is managed and operated by the National Archives and Records Administration at an annual cost of roughly \$75 million. While these facilities are operated at taxpayer expense, the construction of these libraries is privately financed through donations.

As the volume of records for each President has increased over the years, so have construction costs. For example, when it opened in 2004, the Clinton Presidential Center, in part, cost approximately \$165 million.

□ 1300

Nine years later, the George W. Bush Presidential Center, which opened in 2013, cost about \$250 million. The Chicago Tribune has reported that President Obama's library might cost as much as \$500 million.

Despite these escalating costs, there are no transparency requirements for Presidential library fundraising organizations. Here, transparency is important and very much needed.

This bill will require Presidential library fundraising organizations to disclose to the National Archives contributions in excess of \$200 in any fiscal quarter in a searchable and sortable format. In turn, the National Archives will post this data online.

This disclosure requirement would end once control of a library facility is transferred to the National Archives. This ensures compliance costs of this legislation are minimal for both fundraising organizations and the National Archives.

This legislation is bipartisan. It is not intended to target any one individual. The Presidential Library Donation Reform Act has passed the House four times since 2002, with overwhelming support with both Democratic and Republican majorities in place at the time.

I would like to, again, highlight and thank my colleague, Representative DUNCAN. I do appreciate his efforts on this. I do hope that the 115th Congress is the time that the Senate will see fit to pass this bill to the President's desk.

I have no additional speakers.

I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I have no additional speakers, and I just urge this body to adopt the legislation.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I urge its passage.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 73.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FEDERAL ADVISORY COMMITTEE ACT AMENDMENTS OF 2017

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 70) to amend the Federal Advisory Committee Act to increase the transparency of Federal advisory committees, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 70

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Federal Advisory Committee Act Amendments of 2017”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Ensuring independent advice and expertise.
- Sec. 3. Preventing efforts to circumvent the Federal Advisory Committee Act and public disclosure.
- Sec. 4. Increasing transparency of advisory committees.
- Sec. 5. Managing Federal advisory committees.
- Sec. 6. Comptroller General review and reports.
- Sec. 7. Application of Federal Advisory Committee Act to Trade Advisory Committees.
- Sec. 8. Definitions.
- Sec. 9. Technical and conforming amendments.
- Sec. 10. Effective date.
- Sec. 11. No additional funds authorized.

SEC. 2. ENSURING INDEPENDENT ADVICE AND EXPERTISE.

(a) BAR ON POLITICAL LITMUS TESTS.—Section 9 of the Federal Advisory Committee Act (5 U.S.C. App.) is amended—

(1) in the section heading, by inserting “MEMBERSHIP;” after “ADVISORY COMMITTEES;”;

(2) by redesignating subsections (b) and (c) as subsections (e) and (f), respectively; and

(3) by inserting after subsection (a) the following:

“(b) APPOINTMENTS MADE WITHOUT REGARD TO POLITICAL AFFILIATION OR ACTIVITY.—All appointments to advisory committees shall be made without regard to political affiliation or political activity, unless required by Federal statute.”

(b) MINIMIZING CONFLICTS OF INTEREST.—Section 9 of the Federal Advisory Committee Act (5 U.S.C. App.), as amended by subsection (a) of this section, is further amended by inserting after subsection (b) (as added by such subsection (a)) the following:

“(c) PUBLIC NOMINATIONS OF COMMITTEE MEMBERS.—Prior to appointing members to an advisory committee, the head of an agency shall give interested persons an opportunity to suggest potential committee members. The agency shall include a request for comments in the Federal Register notice required under subsection (a) and provide a mechanism for interested persons to com-

ment through the official website of the agency. The agency shall consider any comments submitted under this subsection in selecting the members of an advisory committee.

“(d) DESIGNATION OF COMMITTEE MEMBERS.—

“(1) An individual appointed to an advisory committee who is not a full-time or permanent part-time officer or employee of the Federal Government shall be designated as—

“(A) a special Government employee, if the individual is providing advice based on the individual’s expertise or experience; or

“(B) a representative, if the individual is representing the views of an entity or entities outside of the Federal Government.

“(2) An agency may not designate committee members as representatives to avoid subjecting them to Federal ethics rules and requirements.

“(3) The designated agency ethics official for each agency shall review the members of each advisory committee that reports to the agency to determine whether each member’s designation is appropriate, and to redesignate members if appropriate. The designated agency ethics official shall certify to the head of the agency that such review has been made—

“(A) following the initial appointment of members; and

“(B) at the time a committee’s charter is renewed, or, in the case of a committee with an indefinite charter, every 2 years.

“(4) The head of each agency shall inform each individual appointed to an advisory committee that reports to the agency whether the individual is appointed as a special Government employee or as a representative. The agency head shall provide each committee member with an explanation of the differences between special Government employees and representatives and a summary of applicable ethics requirements. The agency head, acting through the designated agency ethics official, shall obtain signed and dated written confirmation from each committee member that the member received and reviewed the information required by this paragraph.

“(5) The Director of the Office of Government Ethics shall provide guidance to agencies on what to include in the summary of ethics requirements required by paragraph (4).

“(6) The head of each agency shall, to the extent practicable, develop and implement strategies to minimize the need for written determinations under section 208(b)(3) of title 18, United States Code. Strategies may include such efforts as improving outreach efforts to potential committee members and seeking public input on potential committee members.”

(c) REGULATIONS IMPLEMENTING FACA.—Section 7(c) of the Federal Advisory Committee Act (5 U.S.C. App.) is amended by inserting “promulgate regulations and” after “The Administrator shall”.

(d) ENSURING INDEPENDENT ADVICE AND RECOMMENDATIONS.—The Federal Advisory Committee Act (5 U.S.C. App.) is amended—

(1) in section 8—

(A) in the section heading, by inserting “INDEPENDENT ADVICE AND RECOMMENDATIONS;” after “RESPONSIBILITIES OF AGENCY HEADS;”;

(B) by redesignating subsection (b) as subsection (c); and

(C) by inserting after subsection (a) the following:

“(b) The head of each agency shall ensure that the agency does not interfere with the free and independent participation, expression of views, and deliberation by committee members. Each advisory committee shall include a statement describing the process

used by the advisory committee in formulating the advice and recommendations when they are transmitted to the agency.”; and

(2) in section 10—

(A) in the section heading, by inserting “; CHAIR” after “ATTENDANCE”; and

(B) by inserting after subsection (f) the following new subsection:

“(g) The Chair shall not be an employee of the agency to which the advisory committee reports, unless—

“(1) a statute specifically authorizes selection of such an employee as the Chair; or

“(2) the head of the agency directs an employee to serve as the Chair.”

SEC. 3. PREVENTING EFFORTS TO CIRCUMVENT THE FEDERAL ADVISORY COMMITTEE ACT AND PUBLIC DISCLOSURE.

(a) DE FACTO MEMBERS.—Section 4 of the Federal Advisory Committee Act (5 U.S.C. App.) is amended by adding at the end the following new subsection:

“(d) TREATMENT OF INDIVIDUAL AS MEMBER.—An individual who is not a full-time or permanent part-time officer or employee of the Federal Government shall be regarded as a member of a committee if the individual regularly attends and participates in committee meetings as if the individual were a member, even if the individual does not have the right to vote or veto the advice or recommendations of the advisory committee.”

(b) SUBCOMMITTEES.—Section 4 of the Federal Advisory Committee Act (5 U.S.C. App.), as amended by subsection (a) of this section, is further amended by striking subsection (a) and inserting the following:

“(a) APPLICATION.—The provisions of this Act or of any rule, order, or regulation promulgated under this Act shall apply to each advisory committee, including any subcommittee or subgroup thereof, except to the extent that any Act of Congress establishing any such advisory committee specifically provides otherwise. Any subcommittee or subgroup that reports to a parent committee established under section 9(a) is not required to comply with section 9(f).”

(c) COMMITTEES CREATED UNDER CONTRACT.—Section 3(2) of the Federal Advisory Committee Act (5 U.S.C. App.) is amended in the matter following subparagraph (C) by adding at the end the following: “An advisory committee is considered to be established by an agency, agencies, or the President if it is formed, created, or organized under contract, other transactional authority, cooperative agreement, grant, or otherwise at the request or direction of an agency, agencies, or the President.”

(d) ADVISORY COMMITTEES CONTAINING SPECIAL GOVERNMENT EMPLOYEES.—Section 4 of the Federal Advisory Committee Act (5 U.S.C. App.), as amended by subsections (a) and (b) of this section, is further amended by adding at the end the following new subsection:

“(e) SPECIAL GOVERNMENT EMPLOYEES.—Committee members appointed as special Government employees shall not be considered full-time or permanent part-time officers or employees of the Federal Government for purposes of determining the applicability of this Act under section 3(2).”

SEC. 4. INCREASING TRANSPARENCY OF ADVISORY COMMITTEES.

(a) INFORMATION REQUIREMENT.—Section 11 of the Federal Advisory Committee Act (5 U.S.C. App.) is amended to read as follows:

“SEC. 11. DISCLOSURE OF INFORMATION.

“(a) IN GENERAL.—With respect to each advisory committee, the head of the agency to which the advisory committee reports shall make publicly available in accordance with subsection (b) the following information:

“(1) The charter of the advisory committee.

“(2) A description of the process used to establish and appoint the members of the advisory committee, including the following:

“(A) The process for identifying prospective members.

“(B) The process of selecting members for balance of viewpoints or expertise.

“(C) The reason each member was appointed to the committee.

“(D) A justification of the need for representative members, if any.

“(3) A list of all current members, including, for each member, the following:

“(A) The name of any person or entity that nominated the member.

“(B) Whether the member is designated as a special Government employee or a representative.

“(C) In the case of a representative, the individuals or entity whose viewpoint the member represents.

“(4) A list of all members designated as special Government employees for whom written certifications were made under section 208(b) of title 18, United States Code, a copy of each such certification, a summary description of the conflict necessitating the certification, and the reason for granting the certification.

“(5) Any recusal agreement made by a member or any recusal known to the agency that occurs during the course of a meeting or other work of the committee.

“(6) A summary of the process used by the advisory committee for making decisions.

“(7) Detailed minutes of all meetings of the committee and a description of committee efforts to make meetings accessible to the public using online technologies (such as video recordings) or other techniques (such as audio recordings).

“(8) Any written determination by the President or the head of the agency to which the advisory committee reports, pursuant to section 10(d), to close a meeting or any portion of a meeting and the reasons for such determination.

“(9) Notices of future meetings of the committee.

“(10) Any additional information considered relevant by the head of the agency to which the advisory committee reports.

“(b) MANNER OF DISCLOSURE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the head of an agency shall make the information required to be disclosed under this section available electronically on the official public website of the agency and to the Administrator at least 15 calendar days before each meeting of an advisory committee. If the head of the agency determines that such timing is not practicable for any required information, such head shall make the information available as soon as practicable but no later than 48 hours before the next meeting of the committee. An agency may withhold from disclosure any information that would be exempt from disclosure under section 552 of title 5, United States Code.

“(2) WEBSITE AVAILABILITY.—The head of an agency shall make available electronically, on the official public website of the agency, detailed minutes and, to the extent available, a transcript or audio or video recording of each advisory committee meeting not later than 30 calendar days after such meeting.

“(3) GRANT REVIEWS.—In the case of grant reviews, disclosure of information required by subsection (a)(3) may be provided in the aggregate rather than by individual grant.

“(c) PROVISION OF INFORMATION BY ADMINISTRATOR OF GENERAL SERVICES.—The Administrator of General Services shall provide, on the official public website of the General Services Administration, electronic access

to the information made available by each agency under this section.

“(d) AVAILABILITY OF MEETING MATERIALS.—Except where prohibited by contractual agreements entered into prior to the effective date of this Act, agencies and advisory committees shall make available to any person, at actual cost of duplication, copies of advisory committee meeting materials.”

(b) CHARTER FILING.—Subsection (f) of section 9 of the Federal Advisory Committee Act (5 U.S.C. App.), as redesignated by section 2(a) of this Act, is amended to read as follows:

“(f) No advisory committee shall meet or take any action until an advisory committee charter has been filed with the Administrator, the head of the agency to whom any advisory committee reports, and the standing committees of the Senate and of the House of Representatives having legislative jurisdiction of such agency. Such charter shall contain the following information in the following order:

“(1) The committee’s official designation.

“(2) The authority under which the committee is established.

“(3) The committee’s objectives and the scope of its activity.

“(4) A description of the duties for which the committee is responsible, and, if such duties are not solely advisory, a specification of the authority for such functions.

“(5) The agency or official to whom the committee reports.

“(6) The agency responsible for providing the necessary support for the committee.

“(7) The responsibilities of the officer or employee of the Federal Government designated under section 10(e).

“(8) The estimated number and frequency of committee meetings.

“(9) The period of time necessary for the committee to carry out its purposes.

“(10) The committee’s termination date, if less than two years from the date of the committee’s establishment.

“(11) The estimated number of members and a description of the expertise needed to carry out the objectives of the committee.

“(12) A description of whether the committee will be composed of special Government employees, representatives, or members from both categories.

“(13) Whether the agency intends to create subcommittees and if so, the agency official authorized to exercise such authority.

“(14) The estimated annual operating costs in dollars and full-time equivalent positions for such committee.

“(15) The recordkeeping requirements of the committee.

“(16) The date the charter is filed.

A copy of any such charter shall also be furnished to the Library of Congress.”

SEC. 5. MANAGING FEDERAL ADVISORY COMMITTEES.

(a) COMMITTEE MANAGEMENT OFFICERS.—Subsection (c) of section 8 of the Federal Advisory Committee Act (5 U.S.C. App.), as redesignated by section 2(d) of this Act, is amended to read as follows:

“(c) The head of each agency that has an advisory committee shall designate an Advisory Committee Management Officer who shall—

“(1) be a senior official who is—

“(A) an expert in implementing the requirements of this Act and regulations promulgated pursuant to this Act; and

“(B) the primary point of contact for the General Services Administration;

“(2) be responsible for the establishment, management, and supervision of the advisory committees of the agency, including establishing procedures, performance measures, and outcomes for such committees;

“(3) assemble and maintain the reports, records, and other papers (including advisory committee meeting materials) of any such committee during its existence;

“(4) ensure any such committee and corresponding agency staff adhere to the provisions of this Act and any regulations promulgated pursuant to this Act;

“(5) maintain records on each employee of any such committee and completion of training required for any such employee;

“(6) be responsible for providing the information required in section 7(b) of this Act to the Administrator; and

“(7) carry out, on behalf of that agency, the provisions of section 552 of title 5, United States Code, with respect to the reports, records, and other papers described in paragraph (3).”

SEC. 6. COMPTROLLER GENERAL REVIEW AND REPORTS.

(a) REVIEW.—The Comptroller General of the United States shall review compliance by agencies with the Federal Advisory Committee Act, as amended by this Act, including whether agencies are appropriately appointing advisory committee members as either special Government employees or representatives.

(b) REPORT.—The Comptroller General shall submit to the committees described in subsection (c) two reports on the results of the review, as follows:

(1) The first report shall be submitted not later than one year after the date of promulgation of regulations under section 7(c) of the Federal Advisory Committee Act (5 U.S.C. App.), as amended by section 2(c).

(2) The second report shall be submitted not later than five years after such date of promulgation of regulations.

(c) COMMITTEES.—The committees described in this subsection are the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 7. APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT TO TRADE ADVISORY COMMITTEES.

Section 135(f)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2155(f)(2)(A)) is amended by striking “subsections (a) and (b) of sections 10 and 11 of the Federal Advisory Committee Act” and inserting “subsections (a) and (b) of section 10 and subsections (a)(7), (a)(8), (a)(9), (b)(2), and (d) of section 11 of the Federal Advisory Committee Act”.

SEC. 8. DEFINITIONS.

Section 3 of the Federal Advisory Committee Act (5 U.S.C. App.) is amended by adding at the end the following new paragraph:

“(5) The term ‘special Government employee’ has the meaning given that term in section 202(a) of title 18, United States Code.”

SEC. 9. TECHNICAL AND CONFORMING AMENDMENTS.

Section 7(d)(1) of the Federal Advisory Committee Act (5 U.S.C. App.) is amended—

(1) in subparagraph (A), by striking “the rate specified for GS–18 of the General Schedule under section 5332” and inserting “the rate for level IV of the Executive Schedule under section 5315”; and

(2) in subparagraph (C)(i), by striking “handicapped individuals (within the meaning of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 794))” and inserting “individuals with disabilities (as defined in section 7(20) of the Rehabilitation Act of 1973 (29 U.S.C. 705(20)))”.

SEC. 10. EFFECTIVE DATE.

This Act shall take effect 30 days after the date of the enactment of this Act.

SEC. 11. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I would like to thank the Committee on Ways and Means for their work on this bill; and I include committee exchanges of letters into the RECORD.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 4, 2017.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, House of Representatives,
Washington, DC.

DEAR CHAIRMAN CHAFFETZ, I am writing with respect to H.R. 70, the "Federal Advisory Committee Act Amendments of 2017," which was referred to the Committee on Oversight and Government Reform.

H.R. 70 involves issues that fall within the Rule X jurisdiction of the Committee on Ways and Means. As a result of your having consulted with the Committee and in order to expedite the House's consideration of H.R. 70, the Committee on Ways and Means will not assert its jurisdictional claim over this bill. However, this is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on Ways and Means with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in die bill or similar legislation.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 70, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration thereof.

Sincerely,

KEVIN BRADY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM,
Washington, DC, January 4, 2017.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR MR. CHAIRMAN: On January 3, 2017, H.R. 70, the Federal Advisory Committee Act Amendments of 2017, was introduced by Rep. Wm. Lacy Clay (D-MO-1). The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on Ways and Means.

I ask that you allow the Ways and Means Committee to be discharged from further consideration of the bill so that it may be

scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Ways and Means represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

Mr. CHAFFETZ. Mr. Speaker, this is a bill that the primary sponsor is actually the gentleman from Missouri (Mr. CLAY). I reserve the balance of my time in order to allow Mr. CLAY to speak first on this issue, Mr. Speaker.

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

Let me begin by thanking the chairman for his understanding and his support of this legislation. I certainly appreciate it, and I am sure it will make the Federal Government run more efficiently.

I rise in strong support of the Federal Advisory Committee Act Amendments. I have introduced this bill in previous Congresses, and it passed the House last year without opposition.

The FACA was originally enacted in 1972. It is intended to ensure that committees that provide advice to Federal agencies and the President operate with transparency.

Advisory committees provide the government with recommendations on a wide range of issues. For example, the EPA relies on the expertise of the Clean Air Scientific Advisory Committee to provide technical advice on setting national air quality standards.

The bill we are considering today would strengthen FACA to make Federal advisory committees more transparent and to make agencies more accountable in how they select and use these committees. Agencies currently can avoid the requirements of FACA by conducting advisory committee business through subcommittees. This bill makes it clear that FACA applies to subcommittees as well as parent committees.

The bill also clarifies that a committee set up by a contractor is subject to FACA if it is formed under direction of the President or an agency.

Under FACA, agencies would be required to disclose how advisory members are chosen, whether they have financial conflicts of interest if they are appointed to provide their own expertise, and who they work for if they are representing a specific interest.

I urge my colleagues to support this bill. I hope the Senate will take it up quickly and send it to the President.

I reserve the balance of my time.

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

Again, I thank the gentleman from Missouri (Mr. CLAY) for his good work

on this. The Federal Advisory Committee Act Amendments of 2017 was introduced by Representative CLAY to help improve the governance and transparency of the Federal advisory committees. Last Congress, this bill passed through the committee by regular order and passed the House.

Congress acknowledged the merits of using advisory committees to acquire viewpoints from business, academic, and other interests when it passed the original act back in 1972. While not necessarily well-known, Federal advisory committees are small bodies of people who provide advice, guidance, and recommendation to Federal policymakers on a wide range of topics.

All told, in fiscal year 2015, there were roughly 1,000 Federal advisory committees, and they held roughly 7,400 meetings at a cost to the American taxpayers of more than \$369 million. Now, this strikes me personally as an exceptionally high number. It is a large amount of money. We need to learn more about them, and I personally would help champion to reduce the number of overall Federal advisory committees.

We have some 2 million Federal employees, I think, who are highly capable, motivated, and compensated to provide this work. It is good to get outside perspective; but, at some point, we are going to have to look at the cost, the size, and the scope of this as well. Nevertheless, we have to make sure that we are getting the most of these taxpayer dollars.

Some agencies believe the FACA requirements are cumbersome and resource intensive. We could certainly streamline this. This reduces the ability of committees to focus on substantive issues in a timely fashion.

Both governmental agencies and private groups say the 1972 act does not do enough to require agencies to promote openness and transparency with regard to Federal advisory committees. The bill works to address these problems and bring transparency to the Federal advisory committees and the Federal agency decisionmaking process.

The bill provides needed transparency for how committee members are selected in several ways. First, the bill requires members to be selected without political affiliation. The bill also authorizes agency heads to require members to fully disclose any conflicts of interest. You would think that that would be common sense but something that we actually need to put into this bill and make sure that we understand that.

In addition, the bill allows these individuals who regularly attend and participate in committee meetings to be considered as a member, even if they are not allowed to vote.

The bill also improves transparency of committee activities. This is done by increasing the independence of these committees and making sure its advice, information, and recommendations are a judgment of the committee and not the agency.

The bill also increases transparency by requiring each agency to make available on their Web site the committee and its activities.

I urge our Members to support this. It has wide support and has had it in the Oversight and Government Reform Committee. I urge its passage. I again thank Mr. CLAY, Mr. CONNOLLY, and others who were working on this issue. I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), a colleague, friend, and cohort on the Oversight and Government Reform Committee.

Mr. CONNOLLY. Mr. Speaker, I thank the gentleman from Missouri (Mr. CLAY) for his leadership on this very important piece of legislation. I also thank the distinguished chairman of our full committee for his leadership in moving this through.

The Federal Advisory Committee Act Amendments of 2017, I think, fall under the umbrella of good government, which the Oversight and Government Reform Committee, at its best, strives to promote on a bipartisan basis. I am proud, as Mr. CLAY indicated, to be an original cosponsor of the bill.

We welcome consideration of the Federal Advisory Committee Act Amendments, which would improve the transparency and accountability of Federal advisory committees, often arcane, Byzantine parts of the government most of the public can't access.

This crucial piece of legislation ensures that the selection process of advisory committee members takes place without regard to political affiliation and requires the disclosure of potential conflicts of interest.

The Federal Advisory Committee Act, FACA, enacted on October 6, 1972, formalized the process for establishing, operating, overseeing, and terminating Federal advisory committees. Federal advisory committees provide a mechanism for government officials to gain knowledge from Federal and non-Federal experts on key policy matters. FACA ensures Federal advisory committees, however, are both transparent and accessible.

FACA was enacted in response to concerns that Federal advisory committees were becoming increasingly common but had little oversight or accountability. The then-House Committee on Government Operations listened to concerns over the lack of transparency and formalized a governance process for these advisory bodies by establishing the Committee Management Secretariat within the General Services Administration to monitor compliance with the new law. The intent of that law was to make Federal advisory committees more accountable, more transparent, balanced, and independent from the influence of special interests.

This bill before us today, inspired by Mr. LACY's leadership, will help strengthen the independence of those advisory committees by requiring

members to be selected without regard to partisan affiliation. It is imperative that the recommendations and guidance of the committees be provided free of political influence, pressure, and intervention.

The bill closes the loophole that allows subcommittees to operate outside of the regulations of FACA. It also improves the transparency of advisory committees by requiring agency heads to obtain conflict of interest disclosures from all committee members serving as individual experts.

H.R. 2347 builds upon the accountability of the advisory committees by explicitly stating that committees established by contractors must comply with the law and that individuals who regularly attend and participate as if they are members are considered members regardless of their ability to vote.

This bill also calls on the Government Accountability Office to review and report regularly on agency compliance.

The SPEAKER pro tempore (Mr. BYRNE). The time of the gentleman has expired.

Mr. CLAY. Mr. Speaker, I yield the gentleman from Virginia an additional 30 seconds.

Mr. CONNOLLY. Mr. Speaker, last Congress, the Committee on Oversight and Government Reform reported this bill favorably by unanimous consent.

I urge my colleagues to continue Congress' longstanding support of oversight, accountability, and transparency and vote for this thoughtful and important piece of legislation.

Mr. CHAFFETZ. Mr. Speaker, I have no additional speakers. I continue to reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I have no additional speakers. I would urge the House to adopt this legislation.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, it is a good piece of legislation. I again thank Mr. CLAY and Mr. CONNOLLY for their work on this, and I urge its passage.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 70.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

GAO ACCESS AND OVERSIGHT ACT OF 2017

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 72) to ensure the Government Accountability Office has adequate access to information.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 72

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 "GAO Access and Oversight Act of 2017".

SEC. 2. ACCESS TO CERTAIN INFORMATION.

(a) ACCESS TO CERTAIN INFORMATION.—Subchapter II of chapter 7 of title 31, United States Code, is amended by adding at the end the following:

"§ 721. Access to certain information

"(a) No provision of the Social Security Act, including section 453(1) of that Act (42 U.S.C. 653(1)), shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect any record under section 716 of this title.

"(b) The specific reference to a statute in subsection (a) shall not be construed to affect access by the Government Accountability Office to information under statutes that are not so referenced."

(b) AGENCY REPORTS.—Section 720(b) of title 31, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting "or planned" after "action taken"; and

(2) by striking paragraph (1) and inserting the following:

"(1) the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, the congressional committees with jurisdiction over the agency program or activity that is the subject of the recommendation, and the Government Accountability Office before the 61st day after the date of the report; and"

(c) AUTHORITY TO OBTAIN RECORDS.—Section 716 of title 31, United States Code, is amended in subsection (a)—

(1) by striking "(a)" and inserting "(2)"; and

(2) by inserting after the section heading the following:

"(a)(1) The Comptroller General is authorized to obtain such agency records as the Comptroller General requires to discharge the duties of the Comptroller General (including audit, evaluation, and investigative duties), including through the bringing of civil actions under this section. In reviewing a civil action under this section, the court shall recognize the continuing force and effect of the authorization in the preceding sentence until such time as the authorization is repealed pursuant to law."

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 7 of title 31, United States Code, is amended by inserting after the item relating to section 720 the following:

"721. Access to certain information."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

□ 1315

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I thank the Committee on Ways and Means for their work on the bill, and I include the committee exchange of letters into the RECORD.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, January 4, 2017.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR MR. CHAIRMAN: On January 3, 2017, H.R. 72, the GAO Access and Oversight Act of 2017, was introduced by Rep. Earl L. "Buddy" Carter (R-GA-1). The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on Ways and Means.

I ask that you allow the Ways and Means Committee to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Ways and Means represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, January 4, 2017.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ, I am writing concerning H.R. 72, the "GAO Access and Oversight Act of 2017." This bill amends access to the National Directory of New Hires (42 U.S.C. 653(I)) which is within the jurisdiction of the Committee on Ways and Means. As a result of your having consulted with me concerning the provision of the bill that falls within our Rule X jurisdiction, I agree not to seek a sequential referral so that the bill may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that, by forgoing consideration of H.R. 72 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and we will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee on Ways and Means also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

KEVIN BRADY,
Chairman.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. CARTER), the original cosponsor of the bill. I want to thank the gentleman for his championing this bill through.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 72,

the GAO Access and Oversight Act of 2017.

The GAO is one of the most important tools taxpayers and Congress have to keep the Federal Government accountable. Without complete information, GAO is limited in their ability to prevent waste, fraud, abuse, and mismanagement.

This bill clarifies that GAO has access to data, such as the National Directory of New Hires, which will better equip GAO to audit key Federal programs on behalf of taxpayers. Every day, GAO handles the government's most sensitive information in a responsible manner, and GAO provides trusted recommendations for improving the Federal Government's operations.

The Federal Government reported \$137 billion in improper payments in fiscal year 2015, the largest ever reported. Total improper payments for the Federal Government over the past 10 years exceeds \$1 trillion. This bill will increase the effectiveness of GAO to help reduce improper payments, dollars that could be used to better fund the programs that ultimately serve the people. This bill takes an important step forward by providing GAO with an additional tool to ensure GAO's effectiveness in preventing fraud, waste, and abuse.

I urge my colleagues to support this bipartisan legislation.

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

GAO provides an invaluable aid to Congress in conducting our constitutional duty to oversee and evaluate the executive branch. To do its job effectively, GAO needs timely access to agency documents, materials, and other information.

The bill before us would ensure GAO's access to the National Directory of New Hires, a valuable database of wage and employment information. Access to this database would assist GAO in its improper payment and fraud work, as well as its evaluation of programs in which eligibility is means tested. The bill would also explicitly provide GAO with standing to pursue litigation if an entity in the executive branch improperly denies the GAO access to information.

Mr. Speaker, similar bills have passed the House by wide margins in a number of previous Congresses. These are needed reforms. I urge my colleagues to support this bill.

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

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

Mr. Speaker, I rise in support of H.R. 72, the GAO Access and Oversight Act of 2017, and its chief sponsor, Mr. BUDDY CARTER of Georgia.

We have a duty to ensure that taxpayer money is spent efficiently and effectively. One of the key ways we carry out this duty is through the key watchdog of the government, the Government Accountability Office. The GAO has a proven track record of excel-

lence, and we rely heavily on this group, thousands of professionals who pour their heart and soul into diving deep into organizations and understanding how they function. But as this bill states, we need some more openness and transparency.

In the past 6 years alone, it has identified more than 200 areas of duplication, overlap, and fragmentation. They have made recommendations on 600 actions to make our government more effective and efficient. We need to listen to them and understand them. We also, I would argue, Mr. Speaker, have a duty and an obligation to give them the tools and access that they need in order to do their jobs even better. We must put GAO in the best position possible to rout out and deter waste, fraud, and abuse.

Today, we have an opportunity to better arm the GAO by clarifying its right to access data contained in the National Directory of New Hires. This gives GAO access to the most up-to-date data to ensure Federal program dollars go to the folks Congress intended to receive them. Doing so, we will help GAO better investigate potential fraud and improper payments, including those overextended disability insurance programs. The GAO's objectives are hindered without access to the data, and taxpayer dollars are not as well protected.

This bill has previously received overwhelming support in the House, and it is time for us to finish the job and pass the bill to the Senate and get it to the President's desk.

On September 16, the House approved this important bill by a vote of 404-0. The language in this bill was also included in bipartisan legislation that was approved unanimously by the full House in the 113th Congress. Again, it is time to send this bill to the President.

I would like to thank my colleagues, and Representative BUDDY CARTER in particular, for sponsoring this legislation and believing in it so wholeheartedly. I would also like to thank Senator BEN SASSE of Nebraska as the lead sponsor in the United States Senate.

I urge passage of this bill. I have no additional speakers.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 72.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

THOROUGHLY INVESTIGATING RETALIATION AGAINST WHISTLE-BLOWERS ACT

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 69) to reauthorize the Office of Special Counsel, to amend title 5, United States Code, to provide modifications to authorities relating to the Office of Special Counsel, and for other purposes.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 69

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 “Thoroughly Investigating Retaliation Against Whistleblowers Act”.

SEC. 2. REAUTHORIZATION OF THE OFFICE OF SPECIAL COUNSEL.

(a) IN GENERAL.—Section 8(a)(2) of the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note) is amended to read as follows:

“(2) \$24,119,000 for fiscal year 2017 and \$25,735,000 for each of fiscal years 2018, 2019, 2020, and 2021 to carry out subchapter II of chapter 12 of title 5, United States Code (as amended by this Act).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be deemed to apply beginning on October 1, 2016.

SEC. 3. ACCESS TO AGENCY INFORMATION.

Section 1212(b) of title 5, United States Code, is amended by adding at the end the following:

“(5)(A) In carrying out this subchapter, the Special Counsel is authorized to—

“(i) have access to any record or other information (including a report, audit, review, document, recommendation, or other material) of any agency under the jurisdiction of the Office of Special Counsel, consistent with the requirements of subparagraph (C); and

“(ii) require any employee of such an agency to provide to the Office any record or other information during an investigation, review, or inquiry of any agency under the jurisdiction of the Office.

“(B) With respect to any record or other information made available by an agency under this subchapter, the Office shall apply a level of confidentiality to such record or information at the level of confidentiality applied to the record by the agency.

“(C) With respect to any record or other information described under subparagraph (A), the Attorney General or an Inspector General may withhold access to any such record or other information if the disclosure could reasonably be expected to interfere with an ongoing criminal investigation or prosecution, but only if the Attorney General or applicable agency head submits a written report to the Office of Special Counsel describing the record or other information withheld and the reason for the withholding.”.

SEC. 4. WHISTLEBLOWER PROVISIONS.

Section 1213 of title 5, United States Code, is amended—

(1) in subsection (b), by striking “15 days” and inserting “45 days”;

(2) in subsection (d)—
(A) in paragraph (4), by striking “and” at the end;

(B) in paragraph (5)—
(i) in the matter before subparagraph (A), by striking “such as” and inserting “including”; and

(ii) in subparagraph (D), by striking the period at the end and inserting “; and”; and
(C) by adding at the end the following:

“(6) if any disclosure referred to an agency head under subsection (c) is substantiated in whole or in part by the agency head, a de-

tailed explanation of the failure to take any action described under paragraph (5).”; and

(3) in subsection (e), by adding at the end the following:

“(5) If an agency head submits a report to the Special Counsel under subsection (d) that includes a description of any agency action proposed to be taken as a result of the investigation, the agency head shall, not later than 180 days after the date of such submission, submit a supplemental report to the Special Counsel stating whether any proposed action has been taken, and if the action has not been taken, the reason why it has not been taken.”.

SEC. 5. TERMINATION OF CERTAIN OSC INVESTIGATIONS.

(a) IN GENERAL.—Section 1214(a) of title 5, United States Code, is amended by adding at the end the following:

“(6)(A) Within 30 days of receiving an allegation from a person under paragraph (1), the Special Counsel may terminate an investigation under such paragraph with respect to the allegation, without further inquiry or an opportunity for the person to respond, if the Special Counsel determines that—

“(i) the same allegation, based on the same set of facts and circumstances—

“(I) had previously been made by the person and previously investigated by the Special Counsel; or

“(II) had previously been filed by the person with the Merit Systems Protection Board;

“(ii) the Office of Special Counsel does not have jurisdiction to investigate the allegation; or

“(iii) the person knew or should have known of the alleged prohibited personnel practice earlier than the date that is 3 years before the date Special Counsel received the allegation.

“(B) If the Special Counsel terminates an investigation under subparagraph (A), not later than 30 days after the date of such termination the Special Counsel shall provide a written notification stating the basis for the termination to the person who made the allegation. Paragraph (1)(D) shall not apply to any termination under such subparagraph.”.

(b) CONFORMING AMENDMENTS.—Section 1214 of title 5, United States Code, is amended—

(1) in subsection (a)(1)(A), by striking “The Special Counsel” and inserting “Except as provided in paragraph (6), the Special Counsel”; and

(2) in subsection (a)(1)(C), in the matter before clause (i), by inserting “or paragraph (6)” after “paragraph (2)”.

SEC. 6. REPORTING REQUIREMENTS.

(a) OSC ANNUAL REPORT TO CONGRESS.—Section 1218 of title 5, United States Code, is amended to read as follows:

“§ 1218. Annual report

“(a) The Special Counsel shall submit an annual report to Congress on the activities of the Special Counsel. Any such report shall include—

“(1) the number, types, and disposition of allegations of prohibited personnel practices filed with the Special Counsel, and the cost of allegations so disposed of;

“(2) the number of investigations conducted by the Special Counsel;

“(3) the number of stays or disciplinary actions negotiated by the Special Counsel with agencies;

“(4) the number of cases in which the Special Counsel did not make a determination whether there are reasonable grounds to believe that a prohibited personnel practice has occurred, exists, or is to be taken within the 240-day period specified in section 1214(b)(2)(A)(i);

“(5) a description of the recommendations and reports made by the Special Counsel to

other agencies pursuant to this subchapter, and the actions taken by the agencies as a result of the reports or recommendations;

“(6) the number of—

“(A) actions initiated before the Merit Systems Protection Board, including the number of corrective action petitions and disciplinary action complaints so initiated; and

“(B) stays and stay extensions obtained from the Board; and

“(7) the number of prohibited personnel practice complaints that result in—

“(A) a favorable action for the complainant, categorized by actions with respect to whistleblower reprisal cases and all other cases; and

“(B) a favorable outcome for the complainant, categorized by outcomes with respect to whistleblower reprisal cases and all other cases.

“(b) The report required by subsection (a) shall include whatever recommendations for legislation or other action by Congress the Special Counsel may consider appropriate.”.

(b) OSC PUBLIC INFORMATION.—Section 1219(a)(1) of title 5, United States Code, is amended to read as follows:

“(1) a list of any noncriminal matter referred to an agency head under section 1213(c), together with—

“(A) the applicable transmittal of the matter to the agency head under section 1213(c)(1);

“(B) any report from agency head under section 1213(c)(1)(B) relating to such matter;

“(C) if appropriate, not otherwise prohibited by law, and with the consent of the complainant, any comments from the complainant under section 1213(e)(1) relating to the matter; and

“(D) the Special Counsel’s comments or recommendations under section 1213(e)(3) or (4) relating to the matter;”.

SEC. 7. ESTABLISHMENT OF SURVEY PILOT PROGRAM.

(a) IN GENERAL.—The Office of Special Counsel shall design and establish a survey pilot program under which the Office shall conduct, with respect to fiscal years 2018 and 2019, a survey of individuals who have filed a complaint or disclosure with the Office. The survey shall be designed to gather responses from the individuals for the purpose of collecting information and improving customer service at various stages of the review or investigative process. The results of the survey shall be published in the annual report of the Office.

(b) SUSPENSION OF OTHER SURVEYS.—During fiscal years 2018 and 2019, section 13 of Public Law 103-424 shall have no force or effect.

SEC. 8. PENALTIES UNDER THE HATCH ACT.

(a) IN GENERAL.—Section 7326 of title 5, United States Code, is amended to read as follows:

“§ 7326. Penalties

“An employee or individual who violates section 7323 or 7324 shall be subject to—

“(1) disciplinary action consisting of removal, reduction in grade, debarment from Federal employment for a period not to exceed 5 years, suspension, or reprimand;

“(2) an assessment of a civil penalty not to exceed \$1,000; or

“(3) any combination of the penalties described in paragraph (1) or (2).”.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to any violation of section 7323 or 7324 of title 5, United States Code, occurring after the date of enactment of this Act.

SEC. 9. REGULATIONS.

Not later than 2 years after the date of enactment of this Act, the Special Counsel shall prescribe such regulations as may be necessary to perform the functions of the

Special Counsel under subchapter II of chapter 12 of title 5, United States Code, including regulations necessary to carry out sections 1213, 1214, and 1215 of such title, and any functions required due to the amendments made by this Act. Such regulations shall be published in the Federal Register.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. BLUM), the lead sponsor of this legislation.

Mr. BLUM. Mr. Speaker, I am proud to speak today on behalf of our legislation to reauthorize the Office of Special Counsel for an additional 5-year period to protect whistleblowers, Federal employees who have the courage to come forward to expose waste, fraud, and abuse in the Federal Government and who are so important to our oversight responsibilities here in Congress.

The Office of Special Counsel performs a variety of important responsibilities. Chief amongst them is investigating retaliation against whistleblowers from the executive branch agencies, as well as other prohibited personnel practices. Once again, this is vitally important to the work we perform in the Government Reform and Oversight Committee and ensures greater accountability from the executive branch to Congress.

We are proud of the support this bipartisan bill has received from the whistleblower community and from those who care deeply about our efforts to perform effective oversight in our Federal Government.

Since the last authorization expired in 2007, there are a number of necessary reforms for the OSC as the role of the Office continues to grow and evolve. By enacting this legislation, we can ensure the Office of Special Counsel will have access to Federal agency records that are absolutely necessary to perform their duty of protecting Federal employees who had the courage to speak up about malpractice, mismanagement, and fraud in the Federal Government.

I think we can all agree how unfortunate it is that some executive agencies continue to stonewall the Office of Special Counsel in order to prevent them from investigating retaliatory actions against whistleblowers, even going so far as to invoke executive privilege when dealing with the OSC. Common

sense tells us that this is unacceptable. If the Office of Special Counsel isn't granted the access to the information it needs, there is no way it can properly conduct the duties authorized by Congress.

This bill also takes important steps to increase the efficiency and effectiveness of the Office of Special Counsel, such as allowing OSC to use a simplified process to reduce duplicative complaints to better focus their limited resources on allegations and investigations, and instituting a common-sense 3-year statute of limitations after which document recovery and witness recollections can be difficult to obtain.

Mr. Speaker, before concluding my remarks, I would like to specifically highlight the important work the Office of Special Counsel performed recently in their exposure of the mismanagement and abuse of our veterans at the Department of Veterans Affairs.

Two whistleblowers at the VA hospital in Phoenix, Arizona, recently came forward with information regarding inadequate mental health treatment in employee training at their facility. They were later retaliated against by management. OSC was able to ensure that they received a new job at a nearby facility under different management. Just last month, the VA issued a report in response to OSC's investigation detailing the changes they had made to improve mental health care at that VA facility.

Incidents like these serve as a great reminder that hardworking taxpayers are tired of corruption in the Federal Government.

I would also like to note the excellent work of the current special counsel, Carolyn Lerner, who is a breath of fresh air in this role.

Mr. Speaker, the bottom line is this committee, the Committee on Oversight and Government Reform, needs more whistleblowers in the Federal Government, not less; and the best way to ensure government employees come forward to expose waste, fraud, and abuse is to ensure that they will be protected. This legislation will enable OSC to do exactly that on behalf of all hardworking American taxpayers.

I urge my colleagues on both sides of the aisle to support this legislation.

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

I rise in support of this bipartisan bill which reauthorizes the Office of Special Counsel. The OSC serves as a safe harbor for Federal whistleblowers to disclose wrongdoing. OSC also works to protect Federal employees and applicants for Federal employment from prohibited personnel practices.

The bill would make clear that OSC is entitled to access agency information in its investigations. This bill would also allow OSC to hold agencies more accountable from whistleblower retaliation. Under this bill, if any agency substantiates a whistleblower disclosure from OSC but fails to take a

recommended corrective action, the agency must explain why it failed to take the action.

This legislation would strengthen the tools available to OSC for addressing and correcting retaliation and discrimination in the Federal workplace. It is more important than ever for the Office of Special Counsel to have the tools it needs to protect the Federal workforce.

I urge my colleagues to support this bill.

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

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

First, let me note in the last Congress this legislation passed out of committee by regular order and passed the House on January 11, 2016.

The Office of Special Counsel is tasked with protecting Federal employees from prohibited personnel practices, including reprisals on whistleblowers. Whistleblowers are an indispensable part of helping Congress identify waste, fraud, and abuse at Federal agencies. Information provided by these brave folks can result in investigations and legislation that changes the way we conduct ourselves in government.

As the agency tasked with protecting whistleblowers, the OSC is vital to make sure these individuals feel comfortable coming forward and that they are offered protections. The agency has been busy. From 2013 to 2015, OSC's caseload increased from 4,500 cases open to more than 6,100. That increase coincided with multiple scandals within the Veterans Administration, as Mr. BLUM of Iowa has highlighted.

In fiscal year 2016, OSC projected nearly 2,500 cases from just the VA—2,500 cases at just the Veterans Administration. This reauthorization will ensure the OSC has adequate funding to continue protecting whistleblowers in the VA and other agencies as well. The majority of the OSC funding goes directly to hiring employees who work to protect whistleblowers.

□ 1330

The bill also makes substantive improvements to current law to ensure the OSC can carry out its mission more effectively. Those reforms cover a few areas, ensuring agencies cooperate with the OSC, clarifying OSC's investigative procedures and making sure Congress receives clear information on whistleblower reprisal throughout the Federal Government.

With this bill, the OSC has clear authority to access agency records and to conduct its investigations. For its part, the OSC must treat those records in the same manner of confidentiality as the agency would, alleviating concerns about disclosure of sensitive information.

The bill also gives OSC needed flexibility to focus on claims that deserve our attention. It will allow the agency to terminate duplicative claims already being pursued by the Merit Systems Protection Board and claims that

exceed statutory timeframes. Agencies will also be required to submit reports detailing what actions they take as a result of these OSC investigations—something in Congress that we should be paying attention to. This reporting provision requires agencies to admit any failures in holding people accountable and gives Congress much-needed transparency.

Finally, the bill codifies OSC's practice under the current special counsel of disclosing to Congress results and statistics. Codifying this transparency ensures the practice will continue and allow for easier oversight of these activities.

In order to help protect the whistleblowers and reform the Federal agencies, I would urge our colleagues to vote "yes" on H.R. 69.

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

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), who is the ranking member of the Government Operations Subcommittee.

Mr. CONNOLLY. Mr. Speaker, again, I thank my friend, Mr. CLAY, for his leadership and for his kindness.

Mr. Speaker, I rise today in support of the Thoroughly Investigating Retaliation Against Whistleblowers Act—a mouthful, but it captures what we are trying to do.

I certainly appreciate Mr. BLUM's efforts to advance legislation that authorizes the Office of Special Counsel and protects whistleblowers in the Federal Government, an effort the Oversight and Government Reform Committee strives to promote when we are at our best on a bipartisan basis, and I am proud to be an original cosponsor of the bill.

I welcome consideration of this bill which would reaffirm Congress' commitment to whistleblowers, upholding the Oversight and Government Reform Committee's obligation to protect those whistleblowers that help identify mismanagement, waste, and fraud at Federal agencies and to support the oversight work of Congress. That is Congress at its best.

With the enactment of the Whistleblower Protection Act of 1989, OSC became an independent agency within the executive branch. Its mission is to safeguard the merit system of protecting Federal employees from prohibitive personnel practices, especially reprisal from whistleblowing. OSC provides employees a mechanism for disclosing wrongdoing in government agencies and provides advice on the Hatch Act, which restricts political activity by government employees generally.

OSC enforces employment rights under the Uniformed Services Employment and Reemployment Rights Act of 1994 for Federal employees who serve or have served in the uniformed services. Congress last reauthorized OSC for the period 2003 to 2007. Due in part to Congress' emphasis on transparency in government, OSC has experienced sig-

nificant growth in its caseload since its last reauthorization. In the past 5 years, that caseload has increased, Mr. Speaker, by 58 percent.

This bill reauthorizes the agency from 2016 through 2020 and makes several important changes to assist OSC in carrying out its vital mission. The bill codifies OSC's current practice of providing important performance metrics in its annual reports to the Congress and requires additional metrics to support congressional oversight of its effectiveness.

Last Congress, this bill was successfully passed out of our committee on, I believe, a unanimous basis. I urge my colleagues to continue Congress' longstanding tradition of support for oversight, accountability, whistleblower protection, and transparency, and vote in the affirmative for the Thoroughly Investigating Retaliation Against Whistleblowers Act.

Mr. CLAY. Mr. Speaker, I have no further speakers, and I would just urge the body to adopt the legislation.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I urge the passage of this bill, H.R. 69. We have had four good champions led by Mr. BLUM of Iowa in our committee who have helped put this together: Mr. MEADOWS of North Carolina, Mr. CONNOLLY of Virginia, and Mr. CUMMINGS, the ranking member out of Maryland. All four have come together as original cosponsors here in the 115th Congress.

Mr. Speaker, I urge its passage, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 69.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MIDNIGHT RULES RELIEF ACT OF 2017

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 21.

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

There was no objection.

Mr. GOODLATTE. Mr. Speaker, pursuant to section 5(b) of House Resolution 5, I call up the bill (H.R. 21) to amend chapter 8 of title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for "midnight rules", and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to section 5(b) of House Resolution 5, the bill is considered read.

The text of the bill is as follows:

H.R. 21

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 "Midnight Rules Relief Act of 2017".

SEC. 2. EN BLOC CONSIDERATION OF RESOLUTIONS OF DISAPPROVAL PERTAINING TO "MIDNIGHT RULES".

(a) IN GENERAL.—Section 801(d) of title 5, United States Code, is amended by adding at the end the following:

"(4) In applying section 802 to rules described under paragraph (1), a joint resolution of disapproval may contain one or more such rules if the report under subsection (a)(1)(A) for each such rule was submitted during the final year of a President's term."

(b) TEXT OF RESOLVING CLAUSE.—Section 802(a) of title 5, United States Code, is amended—

(1) by inserting after "resolving clause of which is" the following: "(except as otherwise provided in this subsection)"; and

(2) by adding at the end the following: "In the case of a joint resolution under section 801(d)(4), the matter after the resolving clause of such resolution shall be as follows: 'That Congress disapproves the following rules: the rule submitted by the ___ relating to ___; and the rule submitted by the ___ relating to ___. Such rules shall have no force or effect.' (The blank spaces being appropriately filled in and additional clauses describing additional rules to be included as necessary)".

The SPEAKER pro tempore. The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

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

Mr. Speaker, Federal bureaucrats are continuously creating new and more complicated and costly burdens on hardworking Americans in the form of unnecessarily burdensome regulations. Clearly, some regulation is necessary to protect public safety, set general rules of the road, and accomplish other important goals.

However, despite the fact that these goals can often be accomplished with relatively simple guidance, Washington bureaucrats seem more determined than ever to create the most complicated puzzles they can imagine, regardless of the compliance costs for small businesses or the new and innovative products entrepreneurs are forced to shelve in order to comply with these overly complicated regulations.

Bureaucrats also don't seem to care that American families face higher prices for goods and have fewer job opportunities when employers are unnecessarily forced to factor wasteful costs of complying with overly burdensome regulations into their bottom lines.

That is why, at the very beginning of the 115th Congress, we are prioritizing legislation to remove unnecessary regulatory burdens. Doing so is one of the fundamental steps we can take to make America more competitive again

and put more Americans back to work again.

Today, our specific focus is on reforming regulations that are hastily cobbled together in the waning weeks and months of an outgoing administration. These regulations are particularly susceptible to abuse and, thus, have an even greater potential to undermine job opportunities, wages, and American competitiveness.

As the Obama administration rushes to a close, Americans' freedom and prosperity are increasingly threatened by one of the most abusive features of modern bureaucracy—midnight regulation.

Midnight regulation is one of the most vexing problems in Washington's overreaching regulatory system. Administration after administration, there is a spike in rulemaking activity during the last year of a President's term—particularly between election day and Inauguration Day, but even in the months before then.

These successive waves of midnight regulation present deeply troubling issues. First and foremost, because outgoing administrations are no longer accountable to the voters, they are much more prone to issue midnight regulations that fly in the face of the electoral mandate the voters just gave the new, incoming administration.

Waves of midnight rules can also be very hard for Congress or a new administration to check adequately. As a new Congress and President begin their terms, both understandably must be focused on implementing the new priorities within the mandates the voters have given them. That doesn't always leave time to focus on cleaning up all of the last acts of the departing administration.

In addition, the Congressional Review Act currently allows Congress to disapprove of regulations—including midnight regulations—only one at a time. A wave of midnight regulations can easily overwhelm Congress' ability to use one-rule-at-a-time resolutions as an effective check.

Finally, it is well-documented that the rush by outgoing administrations to impose midnight rules before the clock strikes 12 leads to more poorly analyzed rules with lower quality and lower benefits.

The Obama administration has imposed more runaway regulation than any other in memory, and its midnight rulemaking period is no exception. When the House considered this legislation in the wake of last November's election, the administration had issued or planned to issue at least 180 midnight rules within the scope of this bill, including multiple billion-dollar rules and more than 20 major rules imposing \$100 million or more in costs per year.

In the intervening weeks, these figures have rapidly ballooned to the 226 midnight rules issued or planned. During just the week of December 12, the administration issued 18 midnight regu-

lations, imposing over \$2 billion in new costs. But this is not a partisan issue. Administrations of both parties have issued midnight rules in the past.

The Judiciary Committee has been searching for an effective solution to this problem for some time, and I applaud our colleague, Mr. Issa, for offering the Midnight Rules Relief Act to respond to the need. This bill offers a simple and powerful means to stop the problem of abusive midnight rules—allowing Congress to disapprove of any and all midnight regulations in one fell swoop by one en bloc disapproval resolution under the Congressional Review Act.

Any outgoing administration understanding that it has this Sword of Damocles hanging over its head will surely hesitate much more before abusing midnight rules. Further, once enabled to dispatch of all improper midnight rules with one simple resolution, Congress and succeeding administrations would be free to focus more of their energies on the voters' new priorities, rather than the mess left by midnight rules.

The relief offered by the bill, moreover, is highly flexible. No set number of regulations would have to be covered by a resolution. No category of regulation would have to be included in or excluded from a resolution. On the contrary, any midnight rule disapproval resolution could be sweeping or narrow, depending on how many rules merited inclusion.

Finally, the Midnight Rules Relief Act offers a solution that is not intrusive upon legitimate executive branch authority. An outgoing administration remains free to conduct necessary rulemaking activity up to the stroke of midnight on Inauguration Day. It then falls to Congress to respond swiftly and surgically to the results, to accept the good and excise the bad.

This is truly a better way to govern. That is why the reform embodied in this bill is featured in Speaker RYAN's Better Way agenda.

I thank Mr. ISSA for his work on this important legislation.

Mr. Speaker, I urge my colleagues to support the bill, and I reserve the balance of my time.

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

Mr. Speaker, this is an unusual measure that is being brought forward under unusual circumstances. To begin with, this measure would, believe it or not, empower our Federal legislature to undo virtually every regulation submitted to the Congress since mid-June of last year through the end of 2016 last year. The bill accomplishes this—every regulation—by authorizing Congress to disapprove these rules through a single joint resolution, thereby depriving Members to consider the merits of each individual regulation. This presents a number of problems.

□ 1345

As the administration has stated, with a threat of veto of an identical

bill that was considered last November, the legislation “would create tremendous regulatory uncertainty, potentially impose additional costs on businesses, and represent a step backwards for applying sound regulatory principles to protect public health, safety, the environment, and other critical aspects of society.”

This, in my view, is a cynical way of trying to legislate. For those concerned about the continued improvement of clean air and clean water, if we care about the safety of the toys we give our children, if we care about the environment, then we must oppose this bill.

I urge my colleagues to join me. There hasn't been any deliberative process on the bill recently. It is amazing to me that we have such opposition to the bill. It would be overwhelming to put in the over 150 labor organizations, consumer organizations, environmental organizations, and others who have openly asked us to oppose this bill.

If that isn't enough, we have the business community itself in opposition. The American Sustainable Business Council, which represents over 200,000 businesses—and I have a partial list of them—also opposes this measure. It is one of the rare instances in which I have brought to the floor legislation that is opposed by both labor and by business as well.

It is a little bit of an insult that this bill is being considered, on top of that, under a closed rule. There can be no amendments to this measure.

I am in a state of surprise that on the second day of a new Congress we would come forward with a measure that could potentially jeopardize public health and safety in so many different ways.

I think that the opposition to this measure is so overwhelming that I am surprised that without hearings, without an opportunity for amendment, we are now considering a measure that has this much opposition.

Mr. Speaker, I include in the RECORD a letter from Consumer Reports dated January 3, 2017.

CONSUMER REPORTS,
Washington, DC, January 3, 2017.
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: Consumer Reports and its policy and mobilization arm, Consumers Union, strongly urge you to vote no on H.R. 21, the so-called “Midnight Rules Relief Act.” This bill would severely undermine accountability to the public regarding important protections and safeguards.

Although the rules targeted by this legislation were finalized relatively recently, many have been under development for several years. Consumers Union has provided public comment on several of these regulations that were designed to protect consumers against unsafe products, dishonest business dealings, and other hazards in the marketplace that place their health, safety, or well-being at risk. Agency experts carefully examined these hazards and considered various alternative approaches to address them. They sought input and guidance from businesses, consumer organizations, outside scientific and legal experts, and the public at

large, and ultimately developed final rules, explaining publicly the basis and rationale for the adopted approach.

The federal law known as the Congressional Review Act (CRA) already permits a regulation carefully developed over many years to be erased by Congress, in a rushed process that does not reflect the same level of expertise or careful consideration. Congress could even rescind a rule for reasons that might be based not on any broader interests of the public, but on the narrower, private special interests of those seeking to avoid having appropriate obligations imposed on their profit-making activities.

The potential for the CRA to be employed in the service of special interests is at least somewhat held in check by the fact that the law currently requires separate congressional action for erasing each regulation. A regulation considered for erasure under the CRA must be brought to the House and Senate in its own separate resolution, given its own debate and vote, and sent to the President for its own signature or veto. All officials involved in considering whether to erase the regulation and its protections are thus put on record, and can be held accountable for their positions and the consequences. Perhaps for this reason, there has only been one regulation rescinded under the CRA in its 20-year history.

This important accountability check would be removed under the “Midnight Rules Relief Act.” By allowing erasure of multiple regulations en bloc, this bill would enable Members of Congress and the President to evade public accountability for what would be ill-considered, politically motivated decisions that result in devastating consequences. Under the bill, no Member would ever have to be on record regarding any specific regulation being erased. In fact, any Member who actually wants to cast a more selective vote, to erase certain regulations but not others, would be unable to do so.

We are somewhat encouraged that the House Majority, after initially acting behind closed doors to weaken the Office of Congressional Ethics, has reversed course in light of major concerns raised about the impact on congressional accountability. We urge all Members to also recognize the damaging effects that this bill would have on accountability and on the ability of the American public to trust their elected representatives. We strongly urge you to vote no on the “Midnight Rules Relief Act.”

Sincerely,

LAURA MACCLEERY,
Vice President, Consumer Policy and Mobilization Consumer Reports.

GEORGE P. SLOVER,
Senior Policy Counsel, Consumers Union.

WILLIAM C. WALLACE,
Policy Analyst, Consumers Union.

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

Mr. ISSA. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Speaker, I rise today in strong support of the Midnight Rules Relief Act.

Recently, impossible opportunities exist for this body to reassert its authority and work on behalf of the American people. The Midnight Rules Relief Act would provide Congress with an important tool to begin the process of dismantling the onerous regulatory burdens imposed over the past 8 years.

As the chairman of the Subcommittee on Regulatory Reform, Commercial and Antitrust Law, I have dedicated considerable time over the past 2 years to closely monitoring the growth of the administrative state. The estimated regulatory costs across all years of the Obama administration are staggering. However, the regulatory onslaught in its final year alone—disastrous—shows the damage already done and the greater impact that will fall on our economy.

In 2016, 401 regulations were finalized. The total compliance cost for this period exceeds \$164 billion and amounts to nearly 121 million paperwork hours. That is 401 regulations and \$164 billion. This is only during the final year of the Obama administration. It is no wonder that the American people sought a new, more promising direction for our country.

Finally, the Congress has an opportunity to act to protect the American people and repeal many of these crushing regulations. For us in Congress, we cannot forget what these numbers represent. For my constituents and for Americans across the country, the billions in dollars of costs imposed on the economy represent jobs lost, routine bills that cannot be paid, and the American Dream slipping from their grasp.

The true story of this regulatory onslaught is told by workers at shuttered stores, factories, and power plants across the country. Their concerns and fears are ours. As this current administration exits, we must remain vigilant to last-ditch efforts at crippling our economy.

On top of those in recent months, a number of new regulations may still be finalized in a hurried, nontransparent fashion. The American people are concerned that our current regulatory process ignores the balancing of costs and benefits and the regulatory impact on their lives. From what we have seen over the past 8 years, it is clear that they should be.

Starting this week, Congress has an opportunity to reassert its constitutional authority and act for all Americans. The Midnight Rules Relief Act is a well-advised measure that gives Congress the ability to quickly examine and eliminate the mass of regulations promulgated in recent months. This has been done by both Republican and Democrat administrations.

Mr. Speaker, I urge all my colleagues to support this bill.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER), a senior colleague, to speak on the measure before us.

Mr. NADLER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to H.R. 21, the Midnight Rules Relief Act.

This irresponsible legislation would enable Congress to wipe out hundreds, or even thousands, of regulations enacted during the final year of the President's term in office, in one fell

swoop, with little examination, no deliberation, and little regard to their impact on public health or safety.

Members from both sides of the aisle have expressed concern in recent years over rules adopted during a Presidential transition period—typically, the last 60 to 90 days of the President's term. But this legislation differs greatly from previous legislation that I and others have introduced in the past to deal with this problem.

For example, the Midnight Rule Act, which I introduced in the 110th and 111th Congresses, would have merely delayed the implementation of rules submitted to Congress within the final 90 days of a President's term, with appropriate exceptions for imminent threat to health and safety, enforcement of criminal laws, implementation of an international trade agreement, and national security.

This proposal was a response to concerns with last-minute rulemaking under the George W. Bush administration, which was roundly criticized at the time for allowing insufficient time for public comment, ignoring public comments, and otherwise departing from accepted rulemaking practices.

My bill would have given an incoming President 90 days to determine if any rules issued should not go forward. This measure would have allowed legitimate regulatory reform to proceed on schedule while putting the power to review and overturn controversial new rules into the hands of the newly elected administration.

The legislation before us today, however, goes much further and creates a process to simply erase the last months of an outgoing administration's regulatory agenda.

Under the Congressional Review Act, Congress can overturn a regulation issued by the executive branch through a disapproval resolution that must be signed by the President. This bill would allow Congress to package these disapproval resolutions together and eliminate dozens, hundreds, or even thousands, of regulations all at once, with little debate over the merits of any individual rule.

Under the CRA, agencies would be prevented from proposing similar rules ever again, absent explicit congressional authorization. You would have a rule terminated with no debate because it is one of a thousand rules done away with in one resolution. You can't even look at it again.

The Republican majority has waged an all-out assault on the regulatory process, trying to add hurdle after hurdle on the ability to issue regulations that protect public health and safety. Not content to grind the gears of rulemaking to a halt, they now want to eliminate wholesale those regulations that have gone through the exhaustive rulemaking process—a process that often takes many years to complete.

Even more concerning, this bill would apply to rules issued in the last 60 legislative days of a President's

term. Not calendar days, but legislative days.

The SPEAKER pro tempore (Mr. HULTGREN). The time of the gentleman has expired.

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

Mr. NADLER. Given how little we worked last year, this would mean that any regulation issued by the Obama administration, stretching back to June 13, 2016, could be canceled in one sweeping motion, with hardly any consideration given to the merits of any individual regulation.

Article II of the Constitution provides that a President shall serve a 4-year term. But the Republicans seem to believe that this doesn't apply to President Obama. Somehow, when he was reelected by broad majority in 2012, he was given only a 3-year term. The Senate refused to consider a Supreme Court nominee and, under this bill, his entire regulatory agenda for the last 6 months could be undone in an instant.

While I am sympathetic to the need for an incoming administration to review regulations issued in the closing days of an outgoing administration, this bill goes much further and allows for a rushed and partisan process that could undermine critical health and safety regulations.

Mr. Speaker, I urge my colleagues to oppose this irresponsible and dangerous legislation.

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

Mr. Speaker, floor debate is both for the people in the room and the people watching.

Many of the new Members have not yet voted on a substantive piece of legislation. So, Mr. Speaker, I reach out with a little piece of history—a large piece of history, perhaps—for the freshmen of both parties.

First of all, this legislation is bipartisan. It is sponsored by both Republicans and Democrats.

Second of all, when Mr. CONYERS, Mr. NADLER, and I were 16 years younger, in March of 2001, it was the last and only time that the underlying law allowed for a regulation to be repealed. It was prominently called ergonomics. It was repealed. I had the honor of voting for that as a freshman.

Since that time, in spite of the many regulations that some people don't like in one party or another, we have not seen fit to have a joint resolution repeal a regulation.

So let's talk about what it takes to do that. It takes both Houses of the Congress and the President of the United States to repeal a regulation created by a bureaucrat, or many bureaucrats—a regulation that may or may not be consistent with the law passed by this body, by the Senate, and by a President in this or a previous Congress.

Again, for the freshmen, we are the body that creates laws, and we do so through a complex and difficult process.

We pass it out of the House or Senate. We then pass it out of the other body. If the President signs it, it then still is subject to court challenge.

□ 1400

Now, let's go through the regulatory process: Proposed by a bureaucrat, given a period of time in which dissenters may be 100 percent, and still it becomes law if this body does not act. So now that gives you a little feel for the underlying law. Used once on a bipartisan basis to take back an unpopular regulation that has never been re-submitted under both 8 years of a Republican and 8 years of a Democrat in the White House, and I repeat, the regulation that was previously recalled was so in error that it has never been redone in 16 years by two Presidents.

Now, let's talk about the bill we have before us today. We all know that the House is a body that, when it wants to, can move fairly quickly, and the Senate is a body that seemingly moves quickly only in recess. The fact is that the Senate takes a long time, and we have many regulations that may or may not be considered now or in the future.

All this legislation does is allow for us to dispose of one or more regulations in an expedited fashion in this body and have it seen in the same form in the Senate. Nothing more than that. It doesn't change the underlying law. It doesn't change the fact that the House, the Senate, and a President must concur on taking back what is essentially a law—that is what a regulation is—created by bureaucrats not elected by any of us. So let's keep it as simple as that.

For the freshmen of either party, when you go to make a vote on this, remember, we are not changing the underlying law. Only one regulation under the underlying law has ever been repealed, and it was bipartisan in both the House and the Senate when it was repealed. It has been 16 years, and the few that will likely be considered under this act and the underlying law will be just that, a relatively few regulations that are believed to be unnecessary and for which the House, the Senate, and the President concur.

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

Mr. CONYERS. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. JOHNSON), a distinguished member of the Committee on the Judiciary.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to oppose the passage of the so-called Midnight Rules Relief Act of 2017, H.R. 21. Let's not get it twisted. This is a mundane area that we are in, administrative review processes and how we are going to deal with regulations coming out of Federal agencies. This is a mundane topic, but it has real world implications.

The bottom line is this is not a jobs bill. The American people sent Congress here to work on jobs and to work

on economic security for Americans, and the first item of business out of this brand-new Congress is to gut the House Office of Congressional Ethics. Now, why would they want to do that? It was because they liked the idea of the fox guarding the henhouse. They wanted to put themselves in control over the henhouse once again, and the American people called them on it, and so they had to withdraw it.

So what do they do? Today they come back with not a jobs bill but a regulatory bill, an antiregulatory bill, something that protects the health, safety, welfare, and well-being of Americans—little ones, elderly, workers, people who are consumers. They want to gut regulations.

Now, what regulations do they want to gut? They will tell you, by the way, that gutting regulations helps to enhance job creation, but nothing can be further from the truth when you consider that under the last 8 years of President Obama, where we have had regulatory regimes established under the Affordable Care Act and also Dodd-Frank, we have created 15.6 million new jobs over 81 straight months of private sector job growth. Unemployment is now approaching 4 percent, which is basically full employment. And wages are going up for Americans. And so despite the Affordable Care Act and Dodd-Frank, you have got Americans that are prospering.

What do the Republicans want to do? They try to trick you into believing that they are going to create more jobs by removing regulations. What regulations do they want to do away with? It is the Affordable Care Act and Dodd-Frank. So they want to reward their campaign contributors, Wall Street fat cats, with this legislation that will enable them to create conditions that will be similar to the ones that President Obama inherited when he walked into the Presidency 8 years ago. And you can't fail to remember how bleak and bad the economy was.

The economy was in the tank. President Obama brought it back. Dodd-Frank brought it back. And millions—20 million more Americans now have health insurance than they had back then. And the cost of premiums for working people who had insurance through their jobs, the rate of increase has gone to the lowest level over the last 50-plus years. That is real benefits.

What the Republicans want to do, they have said they are going to repeal and replace ObamaCare. They don't have anything to replace it with. They just simply want to repeal it, and that is the regulation that they seek to get at with this bill, H.R. 21, Midnight Rules Relief Act of 2017. This is an attempt to bring the standard of living that Americans have come to enjoy to a halt. It is going to impact negatively our ability to be secure in our personal finances.

New data from the American Community Survey indicates that the number of uninsured Americans continues

to decline every year. What happens when our rural hospitals close and when all the people from throughout the State have to converge on the emergency rooms of the urban hospitals, and it is uncompensated care? Who pays for it? You pay for it.

Let's not get this legislation twisted.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ISSA. Mr. Speaker, I yield an additional 1 minute of my time to the gentleman.

Mr. JOHNSON of Georgia. This is an attack on your ideals. I ask that my colleagues vote against this legislation.

Mr. ISSA. I yield myself such time as I may consume.

Mr. Speaker, I won't be long. There is nothing mundane about what we are doing here. Every day in America, Congress passes a law maybe, but every working day in America, the bureaucracy passes regulations. The fact is, the American people know that the so-called regulatory state that has developed during the last half century means that, whether Congress is in session or not, new laws are being created, new rules that cause people in real America, working people and their companies, to have to figure out what new hurdle they have to jump over just to earn a living.

That is what we are talking about here, that at least when those are grossly exceeded under the underlying law and intention of Congress, Congress—the House, the Senate—in concert with the President, may, in fact, use the same tool, essentially the making of law, in this case to rescind to law.

I just want to again speak to the younger Members who may not know the history of this. All we are really talking about here in this act is, in fact, a law created to take away a regulation. What we are going to vote on will allow for, one, two, half a dozen regulations, if there were that many that we think are wrong, through our normal lawmaking process, in many ways, to be rescinded. The House has to vote a majority, the Senate has to vote a majority, and the President has to sign it. There really isn't a whole lot of difference between that and any other legislative business that we do here.

Now, I have worked with JOHN CONYERS both as a minority member and as my chairman. He is a good man. In this case, I believe that if he looked more broadly at the question of Congress' responsibility to review laws made outside of this body that he would support me. Notwithstanding not getting his support in this case, we do have both Republicans and Democrats on this bill. I expect that on the vote, in both the House and the Senate, it will be bipartisan, and any piece of regulatory law that would come before this body and the Senate, I am confident, would have bipartisan support in order to rescind a bad regulation.

So I think for those who are concerned about the regulations somehow

running amok, no regulation will be rescinded under this law any different than any normal piece of legislation passed out of the House and the Senate and signed by the President.

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

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

I want to thank the distinguished gentleman from California for pointing out how innocent this measure is, and I am astounded by his feeling that regulations shouldn't be examined one by one. Under this measure, 61 regulations could be considered en bloc. To me, just trying to put together two regulations to revoke them would be very, very hard to handle.

What we are talking about here is a bill that would provide special interests with yet another opportunity to block critical lifesaving regulations, and I want to say I have never had so much opposition to a bill brought to my attention before. 150 environmental organizations, consumer organizations, and labor organizations have urged the Members of this body to oppose H.R. 21. It is incredible. And then not only are workers and consumers against this measure as well as environmentalists, businesspeople are against it as well.

I feel like there is some missing part to this thing. The American Sustainable Business Council has over 200,000 businesses. So here is labor and commerce combined, urging Congress not to do this on the second day of a new Congress with all the challenges that are before us, and he says it wouldn't create any problems. It would be okay to put in 1 or 2 or 3 or 5 or 20 or 30 or 40 or 50 or 60. This is incredible. It is not that we are working so hard that we don't have time to examine each one on a particular basis.

□ 1415

Can you imagine this Congress trying to block regulations which would be offered in one bill that could be over 60 different regulations? I mean, it is unthinkable. It is not very practical at all.

When we talk about meat labeling regulations and then in another paragraph or another section there would be standards for school lunch nutrition, they would be combined. My friend from California would say, well, that is no problem. We will take them separately, but they will all come in the same package.

So if you wanted to examine all of these things individually, we could have an instance where the whole Congress could be consumed for weeks or for months trying to figure out why they should block all of these important and sensible safeguards.

Business and labor are joined with us, and, to me, it is beyond comprehension for us to be concerned about not taking them up one at a time. This is worse than a conservative point of view, which I haven't found myself often agreeing with. But just to say

let's have unlimited numbers of these blocking provisions all into one is beyond my comprehension.

Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. COHEN), a distinguished member of our committee.

Mr. COHEN. Mr. Speaker, I thank the ranking member and chairman in the past, my chairman.

This bill has come up over many years when I served on this subcommittee and was the ranking member and the chair at one time. Mr. ISSA suggested it might only be six or seven regulations. If that was the case, they could take them individually.

There is a process where regulations can be brought before the House, in the Congressional Review Act, and each one studied individually, and the House could overrule them. I can't fathom that they are bringing this bill for just six regulations which they could do individually. But even then, that is wrong to put them all together. We know what is going to happen is they are going to pass. They are going to pass the House. Whether they pass the Senate is another issue.

These are not midnight regulations. These are regulations that go back to last June. So the term "midnight regulations" is a misnomer. To say that these are just decisions made by bureaucrats, you would think bureaucrats were something out of a medical dictionary that was highly contagious. Bureaucrats could also be called experts, specialists, dedicated government officials.

There are people who study these issues that, to be implemented, need to be fine-tuned to fit into society, sometimes to protect consumers, sometimes to protect commerce, and it takes years and years and years, often, for these regulations to take effect. Some of them protect animals—the soring industry.

A great majority of this House was in favor of a bill to protect walking horses, but it didn't get a vote because there were some people in this House that were against it and against it so much that they worked to get one of the finest Members I have served with, Ed Whitfield, out of this House. That was despicable. I suspect that same power that might have had that effect could bring that type of regulation up to be nullified. I would fear that, and I would find it wrong in the spirit of Ed Whitfield and fairness.

The SPEAKER pro tempore. The time of the gentleman has expired.

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

Mr. COHEN. I like Ed Whitfield a lot. A lot of us did. He was a great guy. It was wrong, what happened, the way he was forced out because a majority of this House wanted a vote on that and it could be put in this regulation and it would go.

Tobacco regulations, toys, protections for children, all potentially in jeopardy, as well as other regulations protecting four-legged friends.

I can imagine when this comes up and the decision is made which bills to put into this omnibus bill, you are going to have lots of lobbyists coming and wanting the bills that affect them adversely, their industry is put in it, and you are going to have fundraisers right around it. It is going to be a fundraising trough for the Republicans to use and bidding basically on who wants to have their regulation put in our bill and have it nullified. The nullification acts back in the 1830s with John Calhoun are back, not the midnight judges of President Adams.

Mr. CONYERS. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Michigan has 6 minutes remaining. The gentleman from California has 13½ minutes remaining.

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

My colleague from Tennessee has been a good friend on many issues. I know he is passionate about regulations and laws that he would like to have passed, and so am I.

All of us in Congress have seen that it is extremely easy—the longer you are here, the more you will see it—it is extremely easy to stop something here. The same is true about those 61 or so regulations. Any combining of regulations, unless they are overwhelmingly disapproved, actually makes them harder to pass. We are not going to put 61 pieces of legislation, each of which has at least one or two or three or a dozen Republicans who vehemently oppose that regulation being rescinded. The fact is it is only the worst of the worst that are going to be stayed through this process and then reevaluated by the new administration.

I will mention, though, for my colleagues on the other side of this debate today, that we do appropriations every year. The American people, and for the freshmen who haven't voted on appropriations yet, think of appropriations as somehow different than the law. It really isn't. Appropriation is simply a law that provides funding.

Every appropriation bill during the entire nearly 8 years of President Obama has been some form of a continuing resolution or an omnibus. But as my colleague from Tennessee knows, every one of those has had dozens to hundreds of laws attached to them. We call them riders. We have terms for them. The fact is that a single appropriations bill, often done just before the end of funding of the government, always—always—has dozens, if not hundreds, of laws attached to it.

So the idea that we don't group together things which are relatively non-controversial, that will cause someone to still vote for the bill in spite of it being in there, would be to be dishonest to the freshmen who need to know that we do for efficiency bring together things that we can pass en bloc, and we do it all the time—and even major legislation. I dare say, the Affordable Care Act and others are, in fact, multiple

pieces of legislation put together in one package.

So lest our freshmen who are about to take their first vote on a piece of legislation—or one that could have a major impact—misunderstand, bringing together multiple pieces into one bill is common, but it is always done in order to gain votes or to maintain votes. In fact, you do it at your folly if you lose votes.

I would say to my friend and colleague from Michigan that there is no likelihood that 61 pieces of regulation will be put together because there is no chance that there would be 61 pieces that even all Republicans would agree should be revoked. I would imagine the number would be less. I suspect that if my bill said 2 or 5 or 10, it would still be opposed for the same reason, which is that it creates inefficiency if there are multiple generally agreed bad pieces of legislation that need to be considered.

Lastly, and I am not closing, but I think this may be one of my closing remarks, for freshmen to understand, this isn't even about the House. We have the procedures in the House where we could put these together. This is about the Senate that can take 60 hours, 60 legislative hours or more, to do one piece of legislation. We know that the Senate has confirmations to do of judges and appointees for the Cabinet, and they have other legislative work, and we cannot afford to have them backed up now or in the future if there are multiple regulations that need to be rescinded.

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

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), who, up until recently, was a very active member of the House Judiciary Committee. He is now the ranking member on the Education and the Workforce Committee.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in opposition to H.R. 21, the so-called Midnight Rules Relief Act, which amends the Congressional Review Act. The Congressional Review Act allows Congress to overrule regulations promulgated by the executive branch. That law expects a deliberative approach to considering each and every rule.

H.R. 21 would allow Congress to consider a joint resolution to simultaneously disapprove of multiple regulations all at once when such rules are issued in the last 60 legislative days of a session of Congress during the final year of a President's term. In this case, the 60 legislative days reach-back would apply to rules issued as far back as June of last year, almost 7 months before the end of the President's term. To call rules issued that long ago a midnight rule is a particular misnomer.

This bill puts in place an indiscriminate process to eliminate rules, many of which have been under development for years—or even decades—to protect

consumers, working families, and students. This bill denies Congress the opportunity for a careful, individualized, case-by-case review that is appropriate for a reasoned, decisionmaking legislative body.

Under the Congressional Review Act, if a rule is eliminated, such rule can never be taken up again in similar form without additional legislation overriding the restriction, even if the undesirable rule turns out, upon further reflection, to have been the best alternative.

Some of the rules that could be impacted that are just under the jurisdiction of the Education and the Workforce Committee include the Department of Labor's rule requiring Federal contractors to provide up to 7 days of paid sick leave annually for their employees; the upcoming OSHA rule, which has been under development for 18 years, which would protect workers from exposure to beryllium, a metal that can cause lung disease, resulting in a victim essentially suffocating to death; the Department of Education's rule involving the borrower's defense, which helps student borrowers who are defrauded by their universities; and the Department of Education's K-12 accountability rule, which involves the implementation of the Every Student Succeeds Act, making sure that all students can graduate ready for success for college and career.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CONYERS. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. SCOTT of Virginia. H.R. 21 is poised to allow wholesale undermining of critical protections for students, workers, taxpayers, and consumers. I, therefore, urge a "no" vote.

Mr. ISSA. Mr. Speaker, I continue to reserve the balance of my time.

□ 1430

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong opposition to the Republicans' Midnight Rules Relief Act.

The bill is an unnecessary abdication of legislative responsibility by the Republican-led Congress, and it is very poor public policy. The bill short-circuits open debate and public participation. It is also very wasteful because it jettisons carefully and long-crafted policies that protect American families from threats to their economic security, their health, and their safety.

Under the U.S. Constitution, after Congress passes a law, agencies craft rules to implement that legislation. If Members of Congress want to clarify or change executive branch regulations, they have a responsibility to address the matter in a transparent way and through open, regular order. Republicans don't want to do that, however,

because the public might find out what they are doing.

This Republican scheme sets a dangerous precedent by expanding the ability of the Congress to use the Congressional Review Act to disapprove hundreds of carefully crafted policies at one time and with very little notice or debate. Republicans want to reach back to last May and cherry-pick policies that they do not agree with.

But how will the public know?

That will be difficult; and, in many instances, Republicans do not want the public to know.

I urge my colleagues to reject this power grab by the new Republican Congress. It is just like what they tried to do yesterday with the Office of Congressional Ethics. These policies don't just come out of thin air. There is a long, painstaking process with extensive public comment. Public participation doesn't appear to be a priority in this new Congress, so reject this dark bill. Side, instead, with our democratic principles in America, which include open debate, transparency, fiscal responsibility, and the security of our neighbors.

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

The gentlewoman from Florida, I am sure, is well intended, but there is nothing more transparent than calling up to the floor of this House and debating the removal of regulations that have been found to be excessive or extreme or simply not consistent with the law. That is a transparent process. The term "regular order," in fact, could not be more appropriate to that process. We passed a law nearly three Presidents ago, if you will, that simply called for this procedure.

All I am saying is we should not be mired down, if there are five or six or eight bad regulations, in not combining them together for purposes of getting them disposed of in a timely fashion. I might suggest to everyone that they remember that many of us did not support the regulation change yesterday as to the ethics oversight, because we do believe in transparency and will continue to believe in transparency.

Again, nothing is more transparent than bringing to the House floor the debate about something that is believed to have been wrong done by unelected bureaucrats. "Bureaucrat" is not a dirty word, but "unelected" fits this process.

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

Mr. CONYERS. Mr. Speaker, I include in the RECORD a CRS Report that highlights the fact that it would be permissible under this proposed bill that as many as 61 regulations could be bundled into one package and blocked by this bill.

CONGRESSIONAL RESEARCH SERVICE,
January 3, 2017.

MEMORANDUM

Subject: "Major" Obama Administration Rules Potentially Eligible to be Overturned under the Congressional Review Act in the 115th Congress.

From: Maeve P. Carey, Specialist in Government Organization and Management; Christopher M. Davis, Analyst on Congress and the Legislative Process; Casey Burtgat, Research Assistant.

This memorandum lists "major" rules issued by federal agencies under the Barack Obama Administration that are potentially subject to consideration under the procedures of the Congressional Review Act (CRA) in the 115th Congress. This is an updated version of a general distribution memorandum released by CRS on November 17, 2016, and previously updated on December 6, 2016.

BACKGROUND ON THE CONGRESSIONAL REVIEW ACT

The CRA is a tool that Congress may use to overturn a rule issued by a federal agency, including, in some cases, rules issued in a previous session of Congress and by a previous President. The CRA requires agencies to report on their rulemaking activities to Congress and provides Congress with a special set of procedures under which to consider legislation to overturn those rules. The CRA, which was enacted in 1996, was largely intended to assert control over agency rulemaking by establishing a special set of expedited or "fast track" legislative procedures for this purpose, primarily in the Senate.

Of the approximately 73,000 final rules that have been submitted to Congress since the legislation was enacted in 1996, the CRA has been used to disapprove one rule: the Occupational Safety and Health Administration's November 2000 final rule on ergonomics, which was overturned using the CRA in March 2001. The primary reason the CRA has overturned one rule in the 20 years since its enactment is that under most circumstances, it is likely that a President would veto such a resolution in order to protect rules developed under his own administration, and it may also be difficult for Congress to muster the two-thirds vote in both houses needed to overturn the veto. However, under a specific set of circumstances—a turnover in party control of the White House, particularly a turnover in which the incoming President shares a party affiliation with a majority in both houses of Congress—the CRA is more likely to be used successfully. The March 2001 rejection of the ergonomics rule was the result of that set of circumstances. Similar circumstances will take place in 2017 after the start of the 115th Congress and after President-elect Donald J. Trump is sworn into office.

CRA "RESET" MECHANISM

Section 801(d) of the CRA provides that, if Congress adjourns its annual session sine die less than 60 legislative days in the House of Representatives or 60 session days in the Senate after a rule is submitted to it, then the periods to submit and act on a disapproval resolution "reset" in their entirety in the next session of Congress. The purpose of this provision is to ensure that both houses of Congress have sufficient time to consider disapproving rules submitted during this end-of-session "carryover period." This provision applies in every session of Congress, but it is of particular relevance in sessions of Congress that coincide with presidential transitions. This provision allows, for a limited time period, a new Congress to consider a joint resolution disapproving a rule issued late in the previous administra-

tion. If introduced and considered at the proper time, such a joint resolution cannot be filibustered in the Senate.

The projected second-session meeting schedules of the House and Senate issued by each chamber's majority leader may be used to estimate the date in 2016 after which final rules submitted to Congress will be subject to the renewed review periods in 2017 described above. The estimated start of the reset period for all rules was determined by counting back from the projected sine die adjournment in the respective chambers—60 days of session in the Senate and 60 legislative days in the House—then taking the earlier of the two dates.

Under this calculation, CRS estimates that agency final rules submitted to Congress on or after June 13, 2016, will be subject to renewed review periods in 2017 by a new President and a new Congress. CRS day count estimates are unofficial and non-binding; the House and Senate Parliamentarians are the sole definitive arbiters of the operation of the CRA mechanism and should be consulted if a formal opinion is desired.

"MAJOR" OBAMA ADMINISTRATION RULES POTENTIALLY ELIGIBLE FOR CONSIDERATION UNDER THE CRA IN 2017

Using this estimated reset date of June 13, 2016, CRS compiled a list of major rules that would fall under this reset period—i.e., rules that could be overturned in the 115th Congress using the CRA.

Table 1 lists the major rules CRS has identified as of January 3, 2017, that could be eligible for the reset mechanism. To identify these rules, CRS used a two-step process. First, CRS consulted the Government Accountability Office's (GAO's) federal rules database to identify major rules that were issued during calendar year 2016 and posted on GAO's website as of January 3, 2017. Second, CRS used LIS's "Executive Communications" database to identify when these rules were received in Congress.

MAJOR RULES ISSUED BY THE OBAMA ADMINISTRATION THAT ARE POTENTIALLY ELIGIBLE FOR DISAPPROVAL UNDER THE CONGRESSIONAL REVIEW ACT IN THE 115TH CONGRESS
MAJOR RULES LISTED ON GAO'S WEBSITE AS OF
JANUARY 3, 2017

Title of Rule (As Published in Federal Register) and RIN Numbers are as follows:

Exemptions To Facilitate Intrastate and Regional Securities Offerings, 3235-AL80; Investment Company Liquidity Risk Management Programs, 3235-AL61; Retention of EB-1, EB-2, and EB-3 Immigrant Workers and Program Improvements Affecting High-Skilled Nonimmigrant Workers, 1615-AC05; Walking-Working Surfaces and Personal Protective Equipment (Fall Protection Systems), 1216-AB80; Waste Prevention, Production Subject to Royalties, and Resource Conservation, 1004-AE14; Investment Company Swing Pricing, 3235-AL61; Establishing a More Effective Fair Market Rent System; Using Small Area Fair Market Rents in the Housing Choice Voucher Program Instead of the Current 50th Percentile FMRs, 2501-AD74; Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B for CY 2017; Medicare Advantage Bid Pricing Data Release; Medicare Advantage and Part D Medical Loss Ratio Data Release; Medicare Advantage Provider Network Requirements; Expansion of Medicare Diabetes Prevention Program Model; Medicare Shared Savings Program Requirements, 0938-AS81.

Medicare Program; CY 2017 Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts, 0938-AS70; Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rate,

and Annual Deductible Beginning January 1, 2017, 0938-AS72; Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; Organ Procurement Organization Reporting and Communication; Transplant Outcome Measures and Documentation Requirements; Electronic Health Record (EHR) Incentive Programs; Payment to Non-exceptioned Off-Campus Provider-Based Department of a Hospital; Hospital Value-Based Purchasing (VBP) Program; Establishment of Payment Rates Under the Medicare Physician Fee Schedule for Nonexceptioned Items and Services Furnished by an Off-Campus Provider-Based Department of a Hospital, 0938-AS82; Medicare Program; Merit-Based Incentive Payment System (MIPS) and Alternative Payment Model (APM) Incentive Under the Physician Fee Schedule, and Criteria for Physician-Focused Payment Models, 0938-AS69; Medicare and Medicaid Programs; CY 2017 Home Health Prospective Payment System Rate Update; Home Health Value-Based Purchasing Model; and Home Health Quality Reporting Requirements, 0938-AS80; Student Assistance General Provisions, Federal Perkins Loan Program, Federal Family Education Loan Program, William D. Ford Federal Direct Loan Program, and Teacher Education Assistance for College and Higher Education Grant Program, 1840-AD19; Energy Conservation Program: Energy Conservation Standards for Miscellaneous Refrigeration Products, 1904-AC51.

Medicaid Program; Final FY 2014 and Preliminary FY 2016 Disproportionate Share Hospital Allotments, and Final FY 2014 and Preliminary FY 2016 Institutions for Mental Diseases Disproportionate Share Hospital Limits, 0938-ZB30; Cross-State Air Pollution Rule Update For The 2008 Ozone NAAQS, 2060-AS05; Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium-and Heavy-Duty Engines and Vehicles—Phase 2, 2060-AS16; U.S. Citizenship and Immigration Services Fee Schedule, 1615-AC09; Treatment of Certain Interests in Corporations as Stock or Indebtedness, 1545-BN40; Establishment of the Electronic Visa Update System (EVUS), 1651-AB08; ONC Health IT Certification Program: Enhanced Oversight and Accountability, 0955-AA00; Clearing Requirement Determination Under Section 2(H) of the Commodity Exchange Act For Interest Rate Swaps, 3038-AE20; Standards For Covered Clearing Agencies, 3235-AL48.

Medicare and Medicaid Programs, Reform of Requirements for Long-Term Care Facilities, 0938-AR61; Child Care and Development Fund (CCDF) Program, 0970-AC67; Establishing Paid Sick Leave For Federal Contractors, 1235-AA13; OCC Guidelines Establishing Standards For Recovery Planning By Certain Large Insured National Banks, Insured Federal Savings Associations, And Insured Federal Branches; Technical Amendments, 1557-AD96; Emergency Preparedness Requirements For Medicare And Medicaid Participating Providers And Suppliers, 0938-A091; Migratory Bird Hunting Regulations On Certain Federal Indian Reservations And Ceded Lands For The 2016-17 Season, 1018-BA70; Safety And Effectiveness Of Consumer Antiseptics; Topical Antimicrobial Drug Products For Over-The-Counter-Human Use, 0910-AF69; Head Start Performance Standards, 0970-AC63; Standards Of Performance For Municipal Solid Waste Landfills, 2060-AM08; Emission Guidelines And Compliance Times For Municipal Solid Waste Landfills, 2060-AS23.

Federal Acquisition Regulation; Fair Pay And Safe Workplaces, 9000-AM81; Medicare Program; Hospital Inpatient Prospective Payment Systems For Acute Care Hospitals And The Long-Term Care Hospital Prospective Payment System & Policy Changes &

Fiscal Year 2017 Rates; Quality Reporting Requirements For Specific Providers; Graduate Medical Education; Hospital Notification Procedures Applicable To Beneficiaries Receiving Observation Services; Technical Changes Relating To Costs To Organizations & Medicare Cost Reports; Finalization Of Interim Final Rules With Comment Period On LTCH PPS Payments For Severe Wounds, Modifications Of Limitations On Redesignation By The Medicare Geographic Classification Review Board, & Extensions Of Payments To MDHS And Low-Volume Hospitals, 0938-AS77; 0938-AS88; 0938-AS41; Workforce Innovation And Opportunity Act; Joint Rule For Unified And Combined State Plans, Performance Accountability, And The One-Stop System Joint Provisions; Final Rule, 1205-AB74; Workforce Innovation And Opportunity Act, 1205-AB73; Medicare Program; Prospective Payment System And Consolidated Billing For Skilled Nursing Facilities For FY 2017, SNF Value-Based Purchasing Program, SNF Quality Reporting Program, And SNF Payment Models Research, 0938-AS75.

Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System For Federal Fiscal Year 2017, 0938-AS78; Medicare Program; FF 2017 Hospice Wage Index And Payment Rate Update And Hospice Quality Reporting Requirements, 0938-AS79; Margin And Capital Requirements For Covered Swap Entities, 3052-AC69; Medicare Program; FY 2017 Inpatient Psychiatric Facilities Prospective Payment System—Rate Update, 0938-AS76; National School Lunch Program And School Breakfast Program. Nutrition Standards For All Foods Sold In School As Required By The Healthy, Hunger-Free Kids Act Of 2010, 0584-AE09; Revised Critical Infrastructure Protection Reliability Standards No RIN provided; Amendments To The Commission's Rules Of Practice, 3235-AL87; Disclosure Of Payments By Resource Extraction Issuers, 3235-AL53; Migratory Bird Hunting; Seasons And Bag And Possession Limits For Certain Migratory Game Birds, 1018-BA70; Oil And Gas And Sulfur Operations On The Outer Continental Shelf—Requirements For Exploratory Drilling On The Arctic Outer Continental Shelf, 1082-AA00.

Medication Assisted Treatment For Opioid Use Disorders, 0930-AA22; Department Of Labor Federal Civil Penalties Inflation Adjustment Act Catch-Up Adjustments, 1290-AA31; General Administrative Regulations; Catastrophic Risk Protection Endorsement; Area Risk Protection Insurance Regulations; And The Common Crop Insurance Regulations, Basic Provisions, 0563-AC49; Transition Assistance Program (TAP) For Military Personnel, 0790-AJ17; Operation And Certification Of Small Unmanned Aircraft Systems, 2120-AJ60; Transit Asset Management, National Transit Database; FTA-2014-0020, 092132-AB07; Revision Of Fee Schedules; Fee Recovery For Fiscal Year 2016, 3150-AJ66; Medicare Program; Medicare Clinical Diagnostic Laboratory Tests Payment System, 0938-AS33; James Zadroga 9/11 Victim Compensation Fund Reauthorization Act, 1105-AB49; Energy Conservation Program: Energy Conservation Standards For Battery Chargers, 1904-AB57; Energy Conservation Program: Energy Conservation Standards For Dehumidifiers, 1904-AC81; Removal Of Mandatory Country Of Origin Labeling Requirements For Beef And Pork Muscle Cuts, Ground Beef, And Ground Pork, 0581-AD29.

Mr. CONYERS. Mr. Speaker, I yield the balance of my time to the gentleman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. I thank the gentleman for yielding.

Mr. Speaker, here we go again with another piece of misguided legislation, but this one will jeopardize the health and safety of the American people to benefit corporate America and polluters.

Let's be clear. The protections that will be overwhelmingly targeted by this measure are not so-called midnight regulations. These are rules that went through significant vetting. There are a host of statutes that govern how regulations are crafted. From the Administrative Procedure Act to the Regulatory Flexibility Act, to the Unfunded Mandates Reform Act, to the Paperwork Reduction Act, there are numerous processes to ensure regulations are written in a way that protect the American people while preventing overreach.

Mr. Speaker, as the ranking member of the Small Business Committee, I am well acquainted with the need to ensure that the regulatory process is balanced. No one here supports overregulation; but, at the same time, we cannot eliminate safeguards that have a proven record of protecting the American public. This bill also has the potential to create significant regulatory uncertainty for the same small businesses my colleagues say they are trying to help.

At its core, this bill is about enabling the largest and most powerful corporations to run rampant—without accountability. The legislation before us could result in less protections for consumers, and it could strip away workplace protections. We should reject this bill. I urge my colleagues to vote “no.”

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

Mr. ISSA. Mr. Speaker, may I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentleman from California has 7½ minutes remaining, and the time of the gentleman from Michigan has expired.

Mr. ISSA. Mr. Speaker, I yield myself the balance of my time.

I served on the Small Business Committee with Ms. VELÁZQUEZ a long time ago. One thing that we all know is, with regard to that committee, the NFIB—the National Federation of Independent Business—and small business groups alike are something we look at, even NAM—the National Association of Manufacturers—and, of course, the Chamber. All of those organizations support this legislation. They have written letters in support, and I include in the RECORD those letters.

The following is a list of supporters of H.R. 21, the Midnight Rules Relief Act:

American Action Forum, American Center for Law and Justice, American Commitment, American Energy Alliance, American Fuel and Petrochemical Manufacturers, Americans for Prosperity—Key Vote, Americans for Tax Reform, Associated Builders and Contractors, Competitive Enterprise Institute, Concerned Women for America.

Family Business Coalition, FreedomWorks, Heating Air-conditioning & Refrigeration Distributors International

(HARDI), International Franchise Association, Let Freedom Ring, National Association of Electrical Distributors (NAED), National Association of Manufacturers, National Federation for Independent Business, R Street Institute, SBE Council, U.S. Chamber of Commerce.

—
ASSOCIATED BUILDERS
AND CONTRACTORS, INC.,
January 4, 2017.

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 Regulations from the Executive in Need of Scrutiny (REINS) Act of 2017 (H.R. 26) introduced by Rep. Doug Collins (R-GA) as well as the Midnight Rules Relief Act of 2017 (H.R. 21) introduced by Rep. Darrell Issa (R-CA).

From 2009 to present, the federal government imposed nearly \$900 billion in regulatory costs on the American people which requires billions of hours of paperwork. Many of these regulations have been or will be imposed on the construction industry. ABC is committed to reforming the broken federal regulatory process and ensuring industry stakeholders' voices are heard and rights are protected. ABC supports increased transparency and opportunities for regulatory oversight by Congress and ultimately, the American people.

The Obama administration issued numerous rulemakings that detrimentally impact the construction industry. In some cases, these regulations are based on conjecture and speculation, lacking foundation in sound scientific analysis. For the construction industry, unjustified and unnecessary regulations translate to higher costs, which are then passed along to the consumer or lead to construction projects being priced out of the market. This chain reaction ultimately results in fewer projects, and hinders businesses' ability to hire and expand.

ABC members understand the value of standards and regulations when they are based on solid evidence, with appropriate consideration paid to implementation costs and input from the business community. Federal agencies must be held accountable for full compliance with existing rulemaking statutes and requirements when promulgating regulations to ensure they are necessary, current and cost-effective for businesses to implement.

ABC opposes unnecessary, burdensome and costly regulations resulting from the efforts of Washington bureaucrats who have little accountability for their actions. H.R. 26 will help to bring greater accountability to the rulemaking process as it would require any executive branch rule or regulation with an annual economic impact of \$100 million or more to come before Congress for an up-or-down vote before being enacted. Moreover, H.R. 21 will further enhance congressional oversight of the overreaching regulations often issued during the final months of a president's term and help to revive the division of powers.

Thank you for your attention on this important matter and we urge the House to pass the Regulations from the Executive in Need of Scrutiny (REINS) Act of 2017 and Midnight Rules Relief Act of 2017 when they come to the floor for a vote.

Sincerely,

KRISTEN SWEARINGEN,
Vice President of Legislative & Political
Affairs.

—
NATIONAL ASSOCIATION OF

MANUFACTURERS,
January 4, 2017.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the National Association of Manufacturers (NAM), I am writing to express manufacturers' support for the passage of H.R. 21, the Midnight Rules Relief Act of 2017, introduced by Congressman Darrell Issa (R-CA).

The NAM is the largest manufacturing association in the United States, representing small and large manufacturers in every industrial sector and in all 50 states. Manufacturing employs nearly 12 million men and women, contributes more than \$1.8 trillion to the U.S. economy annually, has the largest economic impact of any major sector, and accounts for two-thirds of private sector research and development. The NAM is the leading advocate for a policy agenda that helps manufacturers compete in the global economy and create jobs across the United States.

The Midnight Rules Relief Act of 2017 would amend the Congressional Review Act to provide Congress the authority to consider one joint resolution of disapproval for regulations en bloc as opposed to a single regulation at a time. As the end of an Administration approaches, there is an incentive for federal agencies to issue a significant number of regulations. These are known as midnight rules, and H.R. 21 would allow Congress to effectively respond to regulations that conflict with congressional intent, exceed an agency's statutory authority or are hastily drafted and issued as an Administration prepares its departure.

The problem of midnight rules is not new and is not unique to a particular political party. As an administration attempts to complete its regulatory agenda, an abundance of midnight rules can overwhelm Congress' ability to engage in proper oversight of federal agencies. Midnight rules can be issued without justification and without an agency conducting proper regulatory analysis. Congress should be granted the authority needed to appropriately respond to the issuance of a midnight rules that might not be drafted in accordance with sound regulatory principles.

Manufacturers support a regulatory system that results in regulations that efficiently and effectively achieve policy objectives, and we urge you to support passage of H.R. 21, the Midnight Rules Relief Act of 2017.

Thank you for your consideration.

Sincerely,

ROSARIO PALMIERI.

[From Americanactionforum.org, Jan. 3, 2017]

THE REGULATORY CLEANUP BEGINS
(By Douglas Holtz-Eakin, Patrick Hefflinger)

On Wednesday Vice President-elect Mike Pence is scheduled to meet with House Republicans to discuss Obamacare repeal and replacement plans. Republicans are expected to delay repealing parts of Obamacare to allow for more time to design a replacement health care plan. President Obama is expected to meet with Congressional Democrats on Wednesday as well to discuss plans for defending Obamacare from repeal.

Last week the Department of Justice (DOJ) announced that they had reached final agreements with Swiss banks on the Swiss Bank Program. The program aims to help financial institutions avoid criminal liabilities due to U.S. tax crimes by granting banks non-prosecution eligibility if they meet certain requirements. The Swiss Bank program was initially announced in 2013.

EAKINOMICS: THE REGULATORY CLEANUP BEGINS

The tally has been mounting for years—over 3,000 costly regulations totaling nearly

\$875 billion in finalized burden costs. As the economy became increasingly festooned with rule making and regulatory drag, conservatives have promised to bring the regulatory state to sanity given the first opportunity. That moment has presumably arrived. Congress returns from the holidays with plans to get started.

Specifically, I expect that the House will begin cleaning up the midnight regulatory onslaught by the Obama administration. Historically, this would have required a regulation-by-regulation use of the Congressional Review Act (CRA). Instead, the House will consider a bill (HR 5982 in the last Congress), which would permit Congress to disapprove multiple midnight rules en banc—in a single resolution.

That takes care of the last-gasp efforts of the outgoing president. But what guarantees better performance in the future? The House will next turn to the Regulations from the Executive in Need of Scrutiny (REINS) Act. With the REINS Act, Congress would have 70 legislative days to approve a major rule with economic impact over \$100 million. Only then would it be sent to the president for signature. Without a positive vote, the regulation would not take effect. If enacted, REINS could save more than \$27 billion in annual regulatory costs and 11.5 million paperwork burden hours according to AAF research by Sam Batkins.

Passage of the REINS Act (or other, similar, legislation) would insert Congress more firmly into the regulatory process, a significant change that is not done lightly. However, the lesson of the past eight years is that even without executive overreach the regulatory process does not correctly balance benefits and costs; a recalibration of the underlying process is overdue.

SMALL BUSINESS &
ENTREPRENEURSHIP COUNCIL,
Vienna, VA, January 3, 2017.

Hon. DARRELL ISSA,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE ISSA: The Small Business Entrepreneurship Council (SBE Council) strongly supports the "Midnight Rules Relief Act." This legislation is vital as it provides a needed check against the surge in new and questionable regulatory activity that is flooding into the Federal Register, which will eventually make its way to small businesses.

While "midnight regulations" have been a problem across Administrations, what is happening in the current period is staggering. According to the American Action Forum, the current output of midnight rules is up 42 percent over 2008, and 48 percent over 2000. This regulatory surge must be "checked" and contained by Congress before it causes permanent damage to the competitiveness of many types of small businesses.

The end-game push on the regulatory front will undoubtedly show that shortcuts were taken in a process meant to protect small businesses. Mercatus Center research found that the quality of analysis suffers during the midnight regulatory period, which means these regulations are "excessively costly" or ineffective. Poorly constructed and politically-driven regulation will only create more uncertainty and costs for our nation's struggling small businesses.

Your legislation will provide Congress with needed flexibility in using the Congressional Review Act (CRA) by allowing a CRA resolution to address more than one regulation. This important reform enhances the CRA and allows Congress to use its time efficiently to address the many issues that face our economy and nation.

Thank you for your continued leadership on issues important to entrepreneurs and

small businesses. Please let us know how we can help to ensure the “Midnight Rules Relief Act” is signed into law.

Sincerely,

KAREN KERRIGAN,
President & CEO.

[From Townhall, Jan. 4, 2017]

THE HOUSE CAN START REVERSING OBAMA'S
REGULATORY OVERREACH
(By Christine Harbin)

President Obama has made a series of executive decisions in his final weeks in office that will undoubtedly harm the economy.

Particularly egregious were his recent announcements on energy and environmental policy: He rejected the permit for the Dakota access pipeline, exempted wind farm companies from killing eagles, abused the Antiquities Act to remove western lands from economic development, and prohibited federal offshore drilling and mineral leases on millions of acres across the country, including 115 million acres off the coast of Alaska.

This flurry of regulatory activity is simply the latest in a long line of overreaches from the Obama White House. The outgoing president has consistently sought ways to enact his agenda unilaterally over his two terms—notoriously “working around Congress” in order to do so. A recent report from the American Action Forum found that the Obama administration issued 600 major regulations totaling \$743 billion over the course of his presidency. This is an average of 81 major regulations—regulations that exceed \$100 million by agency estimates—per year.

Thankfully, the House of Representatives is poised to hit the ground running in slowing the growth of the regulatory state. Representatives will consider two important bills on the floor as one of their first orders of business for the year. Both bills, once passed by the Senate and signed by future President Trump, will bring meaningful relief to the American families and businesses across the country who are currently drowning in red tape.

The first bill, Rep. Darrell Issa's Midnight Rule Relief Act, is particularly important given the onslaught of regulations coming from the White House and the scarcity of available floor time in Congress. It would allow Congress to disapprove of multiple so-called “midnight rules”—regulations finalized in the waning days of the administration—using a single Congressional Review Act (CRA) resolution, as opposed to disapproving of these rules individually. This change will make it easier for Congress to disapprove of the Obama administration's recent spate of economically dangerous actions.

The second bill, the Regulations from the Executive in Need of Scrutiny (REINS) Act, is also important. This would require executive agencies to submit “major” rules—those with an annual economic impact of \$100 million or more—to Congress for review and a clear up-or-down vote before the rules take effect. This would assert Congress's proper role in approving the rules that govern the country, an authority which has been increasingly delegated to executive agencies. It would also encourage more debate among lawmakers about the size and scope of the federal government. Incoming Sen. Todd Young championed this important legislation during his time in the House; it's good to see Rep. Doug Collins introduce it in this new Congress.

Both of these bills received bipartisan support in past Congresses; they may enjoy even more in this current one. Strange bedfellows could emerge in anticipation of the Trump presidency. Democrats in Congress who want to limit the ability of a Republican White

House to enact new rules, as well as Republicans who principally support limiting the size and scope of government.

Americans across the country voted for President-elect Donald Trump and a Republican majority in Congress because they are tired of President Obama's harmful regulatory agenda. It's little surprise that President-elect Donald Trump swept rust belt states and the upper Midwest in the recent election—these parts of the country have been devastated by President Obama's regulatory overreach, and they stood to lose even further under the threats of a Hillary Clinton administration.

Congress is right to reverse President Obama's regulatory assault on job creation and economic growth in this country, and it should work closely with President-elect Trump in peeling it back. Representatives should support the two regulatory reform bills when they come up on the floor this week, and they should seek additional efforts to overturn these myriad rules, including future Congressional Review Act resolutions of disapproval and adding appropriations riders that would prohibit funding for implementation of the worst rules, while executive agencies promulgate new rules to eliminate them.

Doing so will send a strong message that lawmakers are willing to stand up to the executive overreach of the past eight years.

Mr. ISSA. Mr. Speaker, the fact is we are hearing many people talk about important regulations and of their somehow being taken out. Let's understand that regulations can go both ways. These changes and the underlying law can also protect the other way. The fact is now we are in the future. You could have an administration that, in its final days, changes regulations to make them more lenient to large businesses, more lenient to polluters, more lenient to the employers to the detriment of their employees. Regulations can go both ways, and only the most extreme regulations—literally one since the enactment of the underlying legislation—has ever been repealed.

I don't want to belittle my own legislation, but let's understand that there won't be 61 en bloc being brought. There will be some, I hope, and there may be more than one. Yet for Congress to take back, piece by piece, its responsibility and then live up to that responsibility should be all of our goals.

Now, this legislation was limited to midnight rules. Let's understand that midnight rules are the rules done in the waning days of an administration—7-plus years into this administration—and many of these rules, in fact, were enacted after the last vote of the people. I think it is important to understand that, on election day, the American people delivered a resounding message to Washington: stop the regulatory, Big Government onslaught that is killing jobs.

One of my colleagues earlier spoke of the fact that we had had so many jobs—15 million jobs—created in the last 8 years. The percentage of the workforce that is working in America today is the smallest in my lifetime. It is smaller than it was 8 years ago, 16

years ago, or 21 years ago. We are not creating jobs at the rate of our population. We should not have some sort of an accolade for regulations having created a great economy if, in fact, that economy has grown less than 2 percent a year and has not kept up with any historic 8-year period. To me, that is an important part. Although the discussion I just had was about more than regulations, let's understand that the growth of regulations—of lawmaking—is certainly not the creator of jobs.

I think, when we look at the cost—and that is a lot of what we are dealing with in the manager's amendment in this bill—we are dealing with the recognition that we are looking at regulations in light of how much they cost. Now, that cost is based on independent scoring. It is not the administration's scoring and it is not my scoring. It is that of the Congressional Budget Office's, an independent agency that doesn't always give a score I want, but the score is not arrived through partisan activities.

I reach out again to the Members who may not yet know that what we are asking is simply to assert our normal ability in Congress and put together one or more ideas for the efficiency of the body, to send it from here to the Senate, and from the Senate to the President. What we are proposing in this legislation as a small change to the underlying legislation that has been with us for three Presidents is, in fact, consistent with this body's doing its job, in regular order, in the clear light of day.

I think the important message for this piece of bipartisan legislation is: we are taking back a limited amount of our capability, trying to streamline it, and giving the President an opportunity to accept or reject a piece of legislation voted on by a majority of the House and a majority of the Senate before it gets to the President. The President, if he feels we have included even one regulation inappropriately that he would like to retain, would veto our bill.

Lastly, I beg everyone to look at this for what it is, not for what others say it is, because it is simply Congress doing its job in an efficient fashion and consistent with 20-plus years of history and with there being only one piece—one time—when a regulation was withdrawn. No President since that time has tried to produce or has asked Congress to pass a law so as to put into effect a regulation that, on a bipartisan basis, the House, the Senate, and a President thought should go. I urge the support for this bill.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to section 5(b) of House Resolution 5, the previous question is ordered on the bill.

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. CASTOR of Florida. Mr. Speaker, I have a motion to recommit at the desk.

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

Ms. CASTOR of Florida. I am opposed.

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

The Clerk read as follows:

Ms. CASTOR of Florida moves to recommit the bill H.R. 21 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

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

SEC. 3. EXCEPTION FOR CERTAIN RULES THAT PROHIBIT DISCRIMINATION BY INSURANCE ISSUERS ON THE BASIS OF GENDER OR PREEXISTING CONDITION OR THAT MAKE HEALTHCARE MORE AFFORDABLE FOR WORKING AMERICANS.

Nothing in this Act, or the amendments made by this Act, shall apply in the case of any rule that pertains to the prevention of—

(1) discrimination by health insurance issuers and group health plans on the basis of preexisting conditions or gender, including in the form of higher premiums for women or loss of benefits such as mammograms, cervical cancer screenings, prenatal care, and commonly prescribed contraception; or

(2) higher premiums or out-of-pocket costs for seniors for prescription drugs under prescription drug plans under the Medicare program under part D of title XVIII of the Social Security Act (42 U.S.C. 1395w-101 et seq.).

Mr. ISSA (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida is recognized for 5 minutes in support of her motion.

Ms. CASTOR of Florida. 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.

My amendment provides an important safeguard for the economic security of American families by maintaining the consumer-friendly protections in the Affordable Care Act for, one, the cost-saving provisions in Medicare of lower prescription drugs for our parents and our grandparents; and, two, the vital consumer protection that prohibits insurance companies from denying coverage because someone has a preexisting condition like cancer, asthma, or diabetes.

The Affordable Care Act, which Republicans say they want to repeal without a replacement bill in sight, provided these very important consumer protections for all Americans not just for the 20 million Americans who gained health insurance through the

marketplace or HealthCare.gov, but for the vast majority of Americans who are covered through Medicare, which is about 43 million Americans, and for the folks who have health insurance through their jobs, which is about 155 million Americans.

□ 1445

Here is what the Affordable Care Act has done for those folks: One, Medicare is stronger. The Affordable Care Act strengthened the Medicare fund, extending its life by over a decade. In addition, Medicare enrollees have benefited from huge savings in prescription drug costs. They have also saved through preventative screenings for breast and colorectal cancer, cardiovascular disease, and diabetes; that when they go to the doctor's office now, there is no cost, there is no charge. That is the Affordable Care Act.

So if Republicans aren't careful in their zeal to repeal the Affordable Care Act, they, in essence, will be asking our parents and grandparents to pay more, a whole lot more for their prescription drugs.

Let me get a little local here. I represent the State of Florida where about 18 percent of Floridians rely on Medicare for their health care. Because of the Affordable Care Act, it has started to close the doughnut hole. Repeal it now and that stops. That goes away. Just in 2015 alone, 350,000 Florida seniors saved \$351 million on their prescription drugs. That is an average of about \$1,000 per beneficiary. So my amendment makes the point that Democrats are going to fight for our older neighbors to keep those savings intact, brought to you by the Affordable Care Act.

Second, we also want to put everyone on notice that Democrats intend to fight tooth and nail to keep the vital consumer protection, one of the bedrocks of the Affordable Care Act, that bars health insurance companies from refusing to cover you or charge you more because you have a preexisting condition or charge women more than men.

Whether you know it or not, all Americans have benefited from the bar on discrimination from preexisting conditions since January 1, 2014. So if you have health insurance through your employer, you have benefited from the Affordable Care Act. If you have gone to healthcare.gov because you are a student, part-time worker, or you don't have it through your job, you have benefited. If you have health insurance for your children through the Children's Health Insurance Program or Medicaid, you are no longer subject to discrimination.

Remember a few years ago when insurance companies maintained a long list of conditions where they said, if you have cancer or diabetes or something, you are automatically excluded, that is the way things worked. A congressional investigation into this prac-

tice during the healthcare reform debate uncovered more than 400 medical diagnoses or conditions that insurance used to justify coverage denial. At the top of the list were cancer, heart disease, pregnancy, diabetes, HIV/AIDS, multiple sclerosis, and muscular dystrophy.

You know what? Generally, States with the highest rates of denial were in the South and the Midwest where the overall health status of residents has consistently been worse than in other parts of the country. The incidence of cancer, heart disease, and diabetes is higher in those States.

Well, now you cannot be discriminated against for those preexisting conditions. That kind of discrimination wasn't right. It had no place in America, so we outlawed it in the Affordable Care Act. Like one of my neighbors, Christine Roper in Tampa—Christine is 26. She recently aged off her father's insurance and was unsure how to find coverage because she has a heart condition and asthma. Before, she would have been prohibited from getting health insurance, but not today. And we are not going backwards. That is because millions of Americans who can now buy coverage would be forced back into the ranks of the uninsured.

We are going to start this Congress off by standing up for our families and rejecting any attempts to repeal and replace the Affordable Care Act.

I urge a "yes" vote on my motion, and I yield back the balance of my time.

Mr. ISSA. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. ISSA. Mr. Speaker, I remember Chairman Ed Towns who used to say when someone ran on: The gentleman's time has long expired. I think we might have that situation here, but I am going to give the gentlewoman from Florida a moment more in just a moment.

The motion to recommit specifically sends it back to the committee. That is not necessary. The fact is that if she wanted these changes and wanted them enacted immediately there is a procedure to do so.

So I rise in opposition because this is certainly something that would delay, would send this back to committee, and cause it to come back again.

I will yield to the gentlewoman from Florida (Ms. CASTOR) for a question, if she wouldn't mind: Is there a regulation in those 61 that would be affected by this that would affect any of the provisions that you cited in your amendment?

Ms. CASTOR of Florida. Well, according to the Midnight Rules Relief Act, the public really won't know, and that is the point.

Mr. ISSA. Mr. Speaker, would the gentlewoman answer the question. Is there 61, according to the ranking member, pieces of regulation that

could be in the window? I just wondered if you had one regulation by the Obama administration that concerned any of these issues that you had in the act.

Ms. CASTOR of Florida. Mr. Speaker, I thank the gentleman for yielding.

In fact, there are extensive regulations listed as major rules relating to Medicare because part of what we did in the Affordable Care Act was to begin to change Medicare from a volume-based system to a value-based system.

MAJOR RULES ISSUED BY THE OBAMA ADMINISTRATION THAT ARE POTENTIALLY ELIGIBLE FOR DISAPPROVAL UNDER THE CONGRESSIONAL REVIEW ACT IN THE 115TH CONGRESS MAJOR RULES LISTED ON GAO'S WEBSITE AS OF JANUARY 3, 2017

Title of Rule (As Published in Federal Register) and RIN Number are as follows:

Exemptions To Facilitate Intrastate and Regional Securities Offerings 3235-AL80; Investment Company Liquidity Risk Management Programs, 3235-AL61; Retention of EB-1, EB-2, and EB-3 Immigrant Workers and Program Improvements Affecting High Skilled Nonimmigrant Workers, 1615-ACO5; Walking-Working Surfaces and Personal Protective Equipment (Fall Protection Systems), 1216-AB80; Waste Prevention, Production Subject to Royalties, and Resource Conservation, 1004-AE14; Investment Company Swing Pricing, 3235-AL61; Establishing a More Effective Fair Market Rent System; Using Small Area Fair Market Rents in the Housing Choice Voucher Program Instead of the Current 50th Percentile FMRs, 2501-AD74; Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B for CY 2017; Medicare Advantage Bid Pricing Data Release; Medicare Advantage and Part D Medical Loss Ratio Data Release; Medicare Advantage Provider Network Requirements; Expansion of Medicare Diabetes Prevention Program Model; Medicare Shared Savings Program Requirements, 0938-AS81.

Medicare Program; CY 2017 Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts, 0938-AS70; Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rate, and Annual Deductible Beginning January 1, 2017, 0938-AS72; Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; Organ Procurement Organization Reporting and Communication; Transplant Outcome Measures and Documentation Requirements; Electronic Health Record (EHR) Incentive Programs; Payment to Non-exception Off-Campus Provider-Based Department of a Hospital; Hospital Value-Based Purchasing (VBP) Program; Establishment of Payment Rates Under the Medicare Physician Fee Schedule for Nonexception Items and Services Furnished by an Off-Campus Provider-Based Department of a Hospital, 0938-AS82; Medicare Program; Merit-Based Incentive Payment System (MIPS) and Alternative Payment Model (APM) Incentive Under the Physician Fee Schedule, and Criteria for Physician-Focused Payment Models, 0938-AS69; Medicare and Medicaid Programs; CY 2017 Home Health Prospective Payment System Rate Update; Home Health Value-Based Purchasing Model; and Home Health Quality Reporting Requirements, 0938-AS80; Student Assistance General Provisions, Federal Perkins Loan Program, Federal Family Education Loan Program, William D. Ford Federal Direct Loan Program, and Teacher Education Assistance for College and Higher Education Grant Program,

1840-AD19; Energy Conservation Program, Energy Conservation Standards for Miscellaneous Refrigeration Products, 1904-AC51.

Medicaid Program; Final FY 2014 and Preliminary FY 2016 Disproportionate Share Hospital, Allotments, and Final FY 2014 and Preliminary FY 2016 Institutions for Mental Diseases, Disproportionate Share Hospital Limits, 0938-ZB30; Cross-State Air Pollution Rule Update For The 2008 Ozone NAAQS, 2060-AS05; Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium-and Heavy-Duty Engines and vehicles—Phase 2, 2060-AS16; U.S. Citizenship and Immigration Services Fee Schedule, 1615-AC09; Treatment of Certain Interests in Corporations as Stock or Indebtedness, 1545-BN40; Establishment of the Electronic Visa Update System (EVUS), 1651-AB08; ONC Health IT Certification Program: Enhanced Oversight and Accountability, 0955-AA00; Cleaning Requirement Determination Under Section 2(H) Of The Commodity Exchange Act For Interest Rate Swaps, 3038-AE20; Standards For Covered Clearing Agencies, 3235-AL48.

Medicare And Medicaid Programs; Reform Of Requirements For Long-Term Care Facilities, 0938-AR61; Child Care And Development Fund (CCDF) Program, 0970-AC67; Establishing Paid Sick Leave For Federal Contractors, 1235-AAI3; OCC Guidelines Establishing Standards For Recovery Planning By Certain Large Insured National Banks, Insured Federal Savings Associations, And Insured Federal Branches; Technical Amendments, 1557-AD96; Emergency Preparedness Requirements For Medicare And Medicaid Participating Providers And Suppliers, 0938-A091; Migratory Bird Hunting Regulations On Certain Federal Indian Reservations And Ceded Lands For The 2016-17 Season, 1018-BA70; Safety And Effectiveness Of Consumer Antiseptics; Topical Antimicrobial Drug Products For Over-The-Counter-Human Use, 0910-AF69; Head Start Performance Standards, 0970-AC63; Standards Of Performance For Municipal Solid Waste Landfills, 2060-AM08; Emission Guidelines And Compliance Times For Municipal Solid Waste Landfills, 2060-AS23.

Federal Acquisition Regulation; Fair Pay And Safe Workplaces, 9000-AM81; Medicare Program; Hospital Inpatient Prospective Payment Systems For Acute Care Hospitals And The Long-Term Care Hospital Prospective Payment System & Policy Changes & Fiscal Year 2017 Rates; Quality Reporting Requirements For Specific Providers; Graduate Medical Education; Hospital Notification Procedures Applicable To Beneficiaries Receiving Observation Services; Technical Changes Relating To Costs To Organizations & Medicare Cost Reports; Finalization Of Interim Final Rules With Comment Period On LTCH PPS Payments For Severe Wounds, Modifications Of Limitations On Redesignation By The Medicare Geographic Classification Review Board, & Extensions Of Payments To MDHS And Low-Volume Hospitals, 0938-AS77; 0938-AS88; 0938-AS41; Workforce Innovation And Opportunity Act; Joint Rule For Unified And Combined State Plans, Performance Accountability, And The One-Stop System Joint Provisions; Final Rule, 1205-AB74; Workforce Innovation And Opportunity Act, 1205-AB73; Medicare Program; Prospective Payment System And Consolidated Billing For Skilled Nursing Facilities For FY 2017, SNF Value-Based Purchasing Program, SNF Quality Reporting Program, And SNF Payment Models Research, 0938-AS75.

Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System For Federal Fiscal Year 2017, 0938-AS78; Medicare Program; FF 2017 Hospice Wage Index And Payment Rate Update And Hospice Quality Reporting Requirements, 0938-

AS79; Margin And Capital Requirements For Covered Swap Entities, 3052-AC69; Medicare Program; FY 2017 Inpatient Psychiatric Facilities Prospective Payment System—Rate Update, 0938-AS76; National School Lunch Program And School Breakfast Program; Nutrition Standards For All Foods Sold In School As Required By The Healthy, Hunger-Free Kids Act Of 2010, 0584-AE09; Revised Critical Infrastructure Protection Reliability Standards, No RIN provided; Amendments To The Commission's Rules Of Practice, 3235-AL87; Disclosure Of Payments By Resource Extraction Issuers, 3235-AL53; Migratory Bird Hunting; Seasons And Bag And Possession Limits For Certain Migratory Game Birds, 1018-BA70; Oil and Gas And Sulfur Operations On The Outer Continental Shelf—Requirements For Exploratory Drilling On The Arctic Outer Continental Shelf, 1082-AA00.

Medication Assisted Treatment For Opioid Use Disorders, 0930-AA22; Department Of Labor Federal Civil Penalties Inflation Adjustment Act Catch-Up Adjustments, 1290-AA31; General Administrative Regulations; Catastrophic Risk Protection Endorsement; Area Risk Protection Insurance Regulations; And The Common Crop Insurance Regulations, Basic Provisions, 0563-AC49; Transition Assistance Program (TAP) For Military Personnel, 0790-AJ17; Operation And Certification Of Small Unmanned Aircraft Systems, 2120-AJ60; Transit Asset Management; National Transit Database; FTA-2014-0020, 2132-AB07; Revision Of Fee Schedules; Fee Recovery For Fiscal Year 2016, 3150-AJ66; Medicare Program; Medicare Clinical Diagnostic Laboratory Tests Payment System, 0938-AS33; Jams Zadroga 9/11 Victim Compensation Fund Reauthorization Act, 1105-AB49; Energy Conservation Program; Energy Conservation Standards For Battery Chargers, Energy Conservation Program; Energy Conservation Standards For Dehumidifiers, 1904-AC81; Removal Of Mandatory Country Of Origin Labeling Requirements For Beef And Pork Muscle Cuts, Ground Beef, And Ground Pork, 0581-AD29.

Mr. ISSA. Mr. Speaker, reclaiming my time, I would ask that the gentleman, if there are some, place them in the RECORD. I don't know of any in the 61 that were granted, let's say, after June.

What I will say is that the reason I will be voting and urging my colleagues to vote "no" on the motion to recommit is not the regulations that she alludes to but, in fact, the fact that this would kill the bill by sending it back and having it delayed further.

So, in order to pass it today, because she did not set it up to exclude these items and have them immediately considered, I cannot support her motion to recommit.

What I will say is that when we look at regulations to put into a package that may be a package of one or a package, if this passes, of more than one, I certainly will expect that those regulations will have to do with things which could have been done sooner, would have been done sooner, and were done in the waning days of the administration for no reason that was time sensitive.

The Affordable Care Act was passed in the first days of the administration. If there is something in the last days of the administration that has merit, I certainly would urge my colleagues not

to rescind that regulation. But if there is something that should have been done in year one, two, three, four, five, or six, I would ask why it wasn't done then.

Having said that, it is unfortunate that this motion to recommit was written in a way that would send it back to committee and, thus, cause a substantial delay.

I would caution my colleagues that, at least from this Member, if you have a motion to recommit and you want the amendment itself considered, make it one that is immediate and not back to committee. The difference, I think, is important. The Parliamentarian simply can advise on how to write one that would prevent it having to get, if you will, another delay of days or weeks.

I urge opposition to the motion to recommit.

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.

Ms. CASTOR of Florida. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 53 minutes p.m.), the House stood in recess.

□ 1615

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 4 o'clock and 15 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

The motion to recommit on H.R. 21; and passage of H.R. 21, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

MIDNIGHT RULES RELIEF ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on the mo-

tion to recommit on the bill (H.R. 21) to amend chapter 8 of title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for midnight rules, and for other purposes, offered by the gentlewoman from Florida (Ms. CASTOR), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

The vote was taken by electronic device, and there were—yeas 183, nays 236, not voting 14, as follows:

[Roll No. 7]

YEAS—183

Adams	Fudge
Agular	Gabbard
Barragán	Garamendi
Bass	Gottheimer
Beatty	Green, Al
Bera	Green, Gene
Bishop (GA)	Grijalva
Blumenauer	Gutiérrez
Blunt Rochester	Hanabusa
Bonamici	Hastings
Boyle, Brendan F.	Heck
Brady (PA)	Higgins (NY)
Brown (MD)	Himes
Brownley (CA)	Hoyer
Bustos	Huffman
Butterfield	Jackson Lee
Capuano	Jayapal
Carbajal	Jeffries
Cárdenas	Johnson (GA)
Carson (IN)	Johnson, E. B.
Cartwright	Kaptur
Castor (FL)	Keating
Castro (TX)	Kelly (IL)
Chu, Judy	Kennedy
Cicilline	Khanna
Clark (MA)	Kildee
Clarke (NY)	Kilmer
Clay	Kind
Cleaver	Krishnamoorthi
Clyburn	Kuster (NH)
Cohen	Langevin
Connolly	Larsen (WA)
Conyers	Larson (CT)
Cooper	Lawrence
Correa	Lawson (FL)
Courtney	Lee
Crist	Levin
Crowley	Lewis (GA)
Cuellar	Lieu, Ted
Cummings	Lipinski
Davis (CA)	Loeb sack
Davis, Danny	Lofgren
DeFazio	Lowenthal
DeGette	Lujan Grisham,
Delaney	M.
DeLauro	Luján, Ben Ray
DelBene	Lynch
Demings	Maloney,
DeSaulnier	Carolyn B.
Deutch	Maloney, Sean
Dingell	Matsui
Doggett	McCollum
Doyle, Michael F.	McEachin
Ellison	McGovern
Engel	McNerney
Eshoo	Meeks
Españolat	Meng
Esty	Moore
Evans	Moulton
Foster	Murphy (FL)
Frankel (FL)	Nadler
	Napolitano

NAYS—236

Abraham	Barr
Aderholt	Barton
Allen	Bergman
Amash	Beutler
Amodei	Biggs
Arrington	Billirakis
Babin	Bishop (MI)
Bacon	Bishop (UT)
Banks (IN)	Black
Barletta	Blackburn

Budd	Neal
Burgess	Nolan
Byrne	Norcross
Calvert	O'Halleran
Carter (GA)	O'Rourke
Carter (TX)	Pallone
Chabot	Panetta
Chaffetz	Pascarell
Cheney	Payne
Coffman	Pelosi
Cole	Perlmutter
Collins (GA)	Peters
Comer	Himes
Comstock	Peterson
Conaway	Pingree
Cook	Pocan
Costello (PA)	Polis
Cramer	Price (NC)
Crawford	Quigley
Culberson	Raskin
Curbelo (FL)	Rice (NY)
Davidson	Rosen
Davis, Rodney	Roybal-Allard
Denham	Ruiz
Dent	Ruppersberger
DeSantis	Ryan (OH)
DesJarlais	Sanchez
Diaz-Balart	Sarbanes
Donovan	Schakowsky
Duffy	Schiff
Duncan (SC)	Schneider
Duncan (TN)	Scott (VA)
Dunn	Scott, David
Emmer	Serrano
Farenthold	Sewell (AL)
Faso	Shea-Porter
Ferguson	Sherman
Fitzpatrick	Sires
Fleischmann	Slaughter
Flores	Smith (WA)
Fortenberry	Soto
Fox	Speier
Franks (AZ)	Suoizzi
Frelinghuysen	Swalwell (CA)
Gaetz	Takano
Gallagher	Thompson (CA)
Garrett	Thompson (MS)
Gibbs	Titus
Gohmert	Tonko
Goodlatte	Torres
Gosar	Tsongas
Gowdy	Vargas
Granger	Veasey
Graves (GA)	Vela
Graves (LA)	Velázquez
Graves (MO)	Visclosky
Griffith	Walz
Grothman	Wasserman
Guthrie	Schultz
Harper	Watson Coleman
Harris	Welch
Hartzler	Wilson (FL)
Hensarling	Yarmuth
Hice, Jody B.	
Higgins (LA)	
Hill	
Holding	
Hollingsworth	
Hudson	
Huizenga	

Hultgren	Renacci
Hunter	Rice (SC)
Hurd	Roby
Issa	Roe (TN)
Jenkins (KS)	Rogers (AL)
Jenkins (WV)	Rogers (KY)
Johnson (LA)	Rohrabacher
Johnson (OH)	Rokita
Johnson, Sam	Rooney, Francis
Jones	Rooney, Thomas J.
Jordan	Ros-Lehtinen
Joyce (OH)	Roskam
Katko	Ross
Kelly (MS)	Rothfus
Kelly (PA)	Rouzer
King (IA)	Royce (CA)
King (NY)	Russell
Kinzinger	Rutherford
Knight	Sanford
Kustoff (TN)	Scalise
Labrador	Schweikert
LaHood	Scott, Austin
LaMalfa	Lamborn
Lamborn	Lance
Lance	Latta
Lewis (MN)	Lewis (MN)
LoBiondo	LoBiondo
Long	Long
Loudermilk	Loudermilk
Love	Love
Lucas	Lucas
Luetkemeyer	Luetkemeyer
MacArthur	MacArthur
Marchant	Marchant
Marino	Marino
Marshall	Marshall
Massie	Massie
Mast	Mast
McCarthy	McCarthy
McCaul	McCaul
McClintock	McClintock
McHenry	McHenry
McKinley	McKinley
McMorris	McMorris
Rodgers	Rodgers
McSally	McSally
Meadows	Meadows
Meehan	Meehan
Messer	Messer
Mitchell	Mitchell
Moolenaar	Moolenaar
Mooney (WV)	Mooney (WV)
Mullin	Mullin
Murphy (PA)	Murphy (PA)
Newhouse	Newhouse
Noem	Noem
Nunes	Nunes
Olson	Olson
Palazzo	Palazzo
Palmer	Palmer
Paulsen	Paulsen
Pearce	Pearce
Perry	Perry
Pittenger	Pittenger
Poliquin	Poliquin
Posey	Posey
Ratcliffe	Ratcliffe
Reed	Reed
Reichert	Reichert

NOT VOTING—14

Becerra	Gonzalez (TX)	Price, Tom (GA)
Beyer	Kihuen	Richmond
Collins (NY)	Mulvaney	Rush
Costa	Poe (TX)	Waters, Maxine
Galleo	Pompeo	

□ 1638

Messrs. WEBSTER of Florida, RENACCI, JENKINS of West Virginia, Mmes. HARTZLER, McMORRIS RODGERS, Messrs. STEWART, THOMAS J. ROONEY of Florida, STIVERS, BRADY of Texas, and BERGMAN changed their vote from "yea" to "nay."

Messrs. KILDEE, BLUMENAUER, RUPPERSBERGER, O'ROURKE, Ms. JUDY CHU of California, Mr. GRIJALVA, Ms. SCHAKOWSKY, and Mr. DANNY K. DAVIS of Illinois changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

(By unanimous consent, Mr. SESSIONS was allowed to speak out of order.)

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 5, H.R. 79, H.R. 238, AND H.R. 78

Mr. SESSIONS. Mr. Speaker, the Rules Committee issued announcements outlining the amendment processes for several measures likely on the floor next week.

An amendment deadline has been set for Monday, January 9, at 10 a.m. for H.R. 5, the Regulatory Accountability Act of 2017; H.R. 79, Helping Angels Lead Our Startups Act. And a deadline has been set for 3 p.m. on Monday for H.R. 238, the Commodity End-User Relief Act, and H.R. 78, the SEC Regulatory Accountability Act.

The text of these measures are available on the Rules Committee Web site. Please feel free to contact me or my staff with any questions you have.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 184, not voting 11, as follows:

[Roll No. 8]

AYES—238

Abraham	Cheney	Gallagher
Aderholt	Coffman	Garrett
Allen	Cole	Gibbs
Amash	Collins (GA)	Gohmert
Amodei	Comer	Goodlatte
Arrington	Comstock	Gosar
Babin	Conaway	Gothheimer
Bacon	Cook	Gowdy
Banks (IN)	Costello (PA)	Granger
Barletta	Cramer	Graves (GA)
Barr	Crawford	Graves (LA)
Barton	Cuellar	Graves (MO)
Bergman	Culberson	Griffith
Beutler	Curbelo (FL)	Grothman
Biggs	Davidson	Guthrie
Bilirakis	Davis, Rodney	Harper
Bishop (MI)	Denham	Harris
Bishop (UT)	Dent	Hartzler
Black	DeSantis	Hensarling
Blackburn	DesJarlais	Hice, Jody B.
Blum	Diaz-Balart	Higgins (LA)
Bost	Donovan	Hill
Brady (TX)	Duffy	Holding
Brat	Duncan (SC)	Hollingsworth
Bridenstine	Duncan (TN)	Hudson
Brooks (AL)	Dunn	Huizenga
Brooks (IN)	Emmer	Hultgren
Buchanan	Farenthold	Hunter
Buck	Faso	Hurd
Bucshon	Ferguson	Issa
Budd	Fitzpatrick	Jenkins (KS)
Burgess	Fleischmann	Jenkins (WV)
Byrne	Flores	Johnson (LA)
Calvert	Fortenberry	Johnson (OH)
Carter (GA)	Fox	Johnson, Sam
Carter (TX)	Franks (AZ)	Jones
Chabot	Frelinghuysen	Jordan
Chaffetz	Gaetz	Joyce (OH)

Katko	Murphy (PA)
Kelly (MS)	Newhouse
Kelly (PA)	Noem
King (IA)	Nunes
King (NY)	Olson
Kinzinger	Palazzo
Knight	Palmer
Kustoff (TN)	Paulsen
Labrador	Pearce
LaHood	Perry
LaMalfa	Peterson
Lamborn	Pittenger
Lance	Poliquin
Latta	Posey
Lewis (MN)	Ratcliffe
LoBiondo	Reed
Long	Reichert
Loudermilk	Renacci
Love	Rice (SC)
Lucas	Roby
Luetkemeyer	Roe (TN)
MacArthur	Rogers (AL)
Marchant	Rogers (KY)
Marino	Rohrabacher
Marshall	Rokita
Massie	Rooney, Francis
Mast	Rooney, Thomas
McCarthy	J.
McCaul	Ros-Lehtinen
McClintock	Roskam
McHenry	Ross
McKinley	Rothfus
McMorris	Rouzer
Rodgers	Royce (CA)
McSally	Russell
Meadows	Rutherford
Meehan	Sanford
Messer	Scalise
Mitchell	Schweikert
Moolenaar	Scott, Austin
Mooney (WV)	Sensenbrenner
Mullin	Sessions

NOES—184

Adams	Doyle, Michael
Aguilar	F.
Barragan	Ellison
Bass	Engel
Beatty	Eshoo
Bera	Españillat
Beyer	Esty
Bishop (GA)	Evans
Blumenauer	Poster
Blunt Rochester	Frankel (FL)
Bonamici	Fudge
Boyle, Brendan	Gabbard
F.	Garamendi
Brady (PA)	Gonzalez (TX)
Brown (MD)	Green, Al
Brownley (CA)	Green, Gene
Bustos	Grijalva
Butterfield	Gutiérrez
Capuano	Hanabusa
Carbajal	Hastings
Cárdenas	Heck
Carson (IN)	Higgins (NY)
Cartwright	Himes
Castor (FL)	Hoyer
Castro (TX)	Huffman
Chu, Judy	Jackson Lee
Ciulline	Jayapal
Clark (MA)	Jeffries
Clarke (NY)	Johnson (GA)
Clay	Johnson, E. B.
Cleaver	Kaptur
Clyburn	Keating
Cohen	Kelly (IL)
Connolly	Kennedy
Conyers	Khanna
Cooper	Kihuen
Correa	Kildee
Costa	Kilmer
Courtney	Kind
Crist	Krishnamoorthi
Crowley	Kuster (NH)
Cummings	Langevin
Davis (CA)	Larsen (WA)
Davis, Danny	Larson (CT)
DeFazio	Lawrence
DeGette	Lawson (FL)
Delaney	Lee
DeLauro	Levin
DelBene	Lieu, Ted
Demings	Lipinski
DeSaulnier	Loeb
Deutsch	Lofgren
Dingell	Lowenthal
Doggett	Lowey

Shimkus	Shuster
Simpson	Simpson
Sinema	Smith (MO)
Smith (NE)	Smith (NJ)
Smith (TX)	Smucker
Stefanik	Stewart
Taylor	Tenney
Thompson (PA)	Thornberry
Tiberi	Tipton
Trott	Turner
Upton	Valadao
Wagner	Walberg
Walder	Walker
Walorski	Walters, Mimi
Weber (TX)	Webster (FL)
Wenstrup	Westerman
Williams	Wilson (SC)
Wittman	Womack
Woodall	Yoder
Yoho	Young (AK)
Young (IA)	Zeldin

Slaughter	Titus
Smith (WA)	Tonko
Soto	Torres
Speier	Tsongas
Suozi	Vargas
Swalwell (CA)	Veasey
Takano	Vela
Thompson (CA)	Velázquez
Thompson (MS)	Visclosky

Walz	Wasserman
Schultz	Watson Coleman
Welch	Wilson (FL)
Yarmuth	

NOT VOTING—11

Becerra	Poe (TX)	Scott, David
Collins (NY)	Pompeo	Waters, Maxine
Gallego	Price, Tom (GA)	Zinke
Mulvaney	Rush	

□ 1648

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 26, REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H. RES. 11, OBJECTING TO UNITED NATIONS SECURITY COUNCIL RESOLUTION 2334

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 115-1) on the resolution (H. Res. 22) providing for consideration of the bill (H.R. 26) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, and providing for consideration of the resolution (H. Res. 11) objecting to United Nations Security Council Resolution 2334 as an obstacle to Israeli-Palestinian peace, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HOUR OF MEETING ON TOMORROW

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

101ST PENNSYLVANIA FARM SHOW

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to talk about the Pennsylvania Farm Show that opens this weekend in Harrisburg, Pennsylvania. This weeklong event is the largest indoor agricultural expo in the country. It showcases 6,000 animals and thousands of agricultural exhibits.

There will be a Member listening session on Saturday, January 7, at 1:30 p.m. Proudly, Agriculture Committee Chairman MIKE CONAWAY and I have organized a public forum for Members to hear directly from farmers and farm families.

We invite all Members of the House to join us at this tremendous expo that celebrates Pennsylvania's rich history and the agriculture industry. We will tour the show and visit various exhibits. Pennsylvania Agriculture Secretary Russell Redding will also join us.

Agriculture is the number one industry in Pennsylvania and generates nearly \$6.9 billion in agricultural cash receipts. Almost half a million jobs are tied to this industry in the Commonwealth. This show has been widely attended for generations. In fact, this year marks the 101st show.

Come join us Saturday in Harrisburg as we celebrate the prominence of the agriculture industry in Pennsylvania and its importance to this Nation. We hope to see you there.

SNOWDROP FOUNDATION FIGHTS CHILDHOOD CANCER

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, as you know, everything is bigger in Texas. But as any Texan knows, the biggest, most grand thing is the heart of a Texan. The best example of these hearts are my two dear friends, Kevin and Trish Kline. Their huge Texas hearts want to end childhood cancer, so they started the Snowdrop Foundation. They have raised over \$1 million in less than 10 years to stop cancer.

They do this for kids like Ana. When Ana was 14, she was told she had acute leukemia. She wondered: Will my soul be taken away? Who will take care of my younger brother? Am I going to die?

After nearly a decade of fear, with Snowdrop's help, Ana now says: Cancer, been there, beat that.

God bless Ana, Snowdrop, Kevin, and Trish.

CONGRATULATING PLEASANT VALLEY VIKINGS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I just want to point out the pride of Chico, California, and the First District. The Pleasant Valley High School Vikings became State champions of football just a few weeks ago.

It was a very exciting game. They traveled south to Long Beach for it, to beat St. Anthony. The resiliency of the Vikings was amazing. I didn't get to go to the game myself, but I was texting back and forth with a good friend down there. After a 17-13 halftime score, it ended up 50-49.

The Vikings were back and forth, up and down. With just 1½ minutes left in the game, after a late interception by the other team, they were down by 8 points. But with about 1½ minutes to

go, they drove the field, scored a touchdown, got the 2-pointer and tied. They went into overtime. After giving up a touchdown to the other team in overtime, they came back, drove the field once again, scored a touchdown, and went for two and became division champions for the State of California by a score of 50-49.

Congratulations, Pleasant Valley Vikings. Well done. You showed a lot of heart.

□ 1700

DOUBLE STANDARDS

The SPEAKER pro tempore (Mr. ARRINGTON). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, it is an honor to get to come into this hallowed Hall and to have a chance to address our peers.

It was a rather enjoyable day yesterday, even with all the vitriol, but I was reminded and couldn't help but reminisce a bit and walk a bit down memory lane yesterday as we heard from Members of the House on the other side of the aisle expressing repeatedly a desire to have open debate and not shut off debate.

The reminiscing took me back to a time last year when, as far as we could find, the only time in American history one party in the United States Congress physically prevented another party from coming to the floor and going into session and trying to begin debate and trying to discuss the business of the day. We can't find that any party ever staged such a sit-in.

We know there are House rules about not eating on the House floor and about not having things to drink on the House floor other than water, and yet our friends across the aisle were eating and drinking. It is actually a violation of the House rules to sing on the House floor. Every now and then, people look the other way from the violation, but certainly not to take pictures and broadcast.

I approached the Sergeant at Arms and asked him why this wasn't stopped.

I was told: Well, they won't stop; we have told them repeatedly.

I said: Well, you won't let Republicans get away with this kind of conduct. They are preventing debate. They are preventing a session from starting timely. This has been going on for hours.

I was told: Well, Congressman, when we tell you Republicans that you are violating a rule, you stop and you follow the rules. We have told them repeatedly, and they will not stop violating the rules. They will not stop preventing you from going into session, so we don't know what else to do.

Mr. Speaker, I had issues like that when I was a felony judge, and they didn't last long because we had bailiffs

who would drag people out to stop such inappropriate conduct. It just seemed that, in this potentially last bastion of civility where we can use words and debate issues, it is rather ironic, to say the least, to be preached to repeatedly about the desire for open debate and the desire to not be shut down from speaking when that is exactly what happened last year by the very people who were standing up, and some of them were reading a script pointing out how offended they were by being prevented by the rules under which we have been proceeding from going forward and debating. So it is rather ironic and rather incredible actually.

I also recall back when we were debating ObamaCare and some of us wanted to get amendments into ObamaCare. Of course, some of us remember the fact that John Dingell was chairman of the Committee on Energy and Commerce that had jurisdiction over the healthcare debate and the healthcare bill. He has been working for a healthcare bill, something like what passed, for all of his time, as I am aware of, in the House.

I was told by someone that his father may have worked for the same bill for years. So that was something that was going to be a crowning glory for an incredibly honorable man. We see differently on many issues, but I know him to be an honest and honorable man. His word has always been good. When he has given it, it was always the way it is. I have great respect for him.

Anyway, he understood that the cap-and-trade bill that was being pushed here in the House by then-Speaker PELOSI was going to unduly harm the Nation's poor more than anybody else in the country. If you are very rich, if you are on Wall Street, you are friends of the Obama administration, and you have gotten \$656 million in grants to open a non-carbon-based energy facility, you are not worried about the price of anything because your friends in the Obama administration were giving you millions and billions of dollars that you could fritter away as you wished.

But for our Nation's middle class, lower middle class, and poor that don't have the ability to absorb increasing energy costs, the cap-and-trade bill would have been devastating. That is why, when John Dingell was asked about the cap-and-trade bill, he responded something to the effect that it is not only a tax, it is a great big tax, it will unfairly hit the poor, and he was not going to bring that bill out of committee. So Speaker PELOSI, at that time, took whatever actions were required to remove him as chair and replace him with Henry Waxman.

Chairman Waxman made clear: We don't need your votes; we don't want your input; so we don't care what you want in the healthcare bill.

JOE BARTON, the longest serving Texan in the House right now, had indicated, as a former chair of that same committee, that it is interesting if

John Dingell—the consummate professional and honorable man that he is—had been allowed to remain as chairman of that committee, he would have instinctively gotten Republican input into that bill and included things in the bill that Republicans would have had a hard time voting against. If he had been allowed to remain as chairman of the Energy and Commerce Committee, John Dingell would have probably been able to get a bill through that would not even be taken up by this body to be repealed and ripped out by its roots.

Hopefully that is what we are going to be able to do with the extremely partisan bill. There were groups that were telling Republicans: Look, of course we are negotiating with the Obama administration. We have got to have a seat at the table.

I would tell them: Not when you are on the menu.

But there were groups like the Big Pharma, like the American Hospital Association, the AMA, and some of the health insurance businesses that ended up getting behind it. Of course, AARP totally sold out retired folks because they were going to make hundreds of millions—billions perhaps—more than they would have without ObamaCare being passed. They had no interest in supporting a bill like I proposed that would have ended any need for a senior citizen to ever have to pay for supplemental insurance on top of Medicare; they would have been totally covered.

But I didn't realize, at the time I asked them to support it in 2009, that the year before they had made, I think, over \$400 million or so in profit as a nonprofit organization on getting their members to buy their insurance that they had sponsored and put their mark of approval on.

So anyway, there were people that were going to make a lot of money. But I could see that in the end it would probably spell the doom of the pharmaceutical industry. Yes, it would be years down the road; yes, there would be executives at pharmaceutical companies who would see massive billions of dollars come in more than would have otherwise; and, yes, they would likely take their golden parachutes and their millions in severance in retirement and be gone before they were relegated to perhaps producing medications without getting reimbursement for research and development. This is the way this whole ObamaCare thing would have eventually played out, and still they got on board with ObamaCare because they were going to make short-term extra billions of dollars.

So having all of that in mind, as it has all appeared to me, it had just been astounding to be here yesterday and hear all the comments about the inability to have open debate.

I have talked to numerous friends across the aisle who were greatly troubled over the last 6 years. Actually, the Office of Congressional Ethics was started by Speaker PELOSI. You are al-

lowed to file complaints without anybody knowing who filed the complaint. The OCE is then able to go after a Member of Congress and start demanding things that they could not possibly be entitled to under the Constitution if a Member of Congress were getting due process.

I haven't been run through the ringer like so many have. But when you set up a process like that, and you have the Office of Congressional Ethics set up, they have no one at all to whom they are accountable—no one—and they are encouraged, even if they filed the complaints themselves, to enable them to continue to grow from the little office they had over here in the Longworth Building. I am told they have a massive amount of space in one of the big Federal buildings now, and they continue to grow. So apparently, they were offended that their budget was cut and they were put under the Ethics Committee so that they would have some accountability. There were an awful lot of great people—good friends—across the country that did not know about how unconstitutionally they had been acting—I mean more abusive even than the IRS at times from the reports of some of my colleagues to me of what they have been through.

I stand here, Mr. Speaker, as a judge who has had to look people in the eye and sentence them to death—something that is never taken lightly. I may be the only person here in Congress who has ever looked someone in the eye and sentenced them to death and been appointed as counsel against my wishes to represent an indigent defendant on appeal from a capital murder conviction under sentence of death and was able, appropriately, to have his case reversed and to save his life as the law should have been. So I feel rather strongly that, yes, people should be accountable, but they must have due process, and that is not what is provided for by the OCE.

□ 1715

Wonderful people, including our incoming President, were not aware of just how crazy the abuses have been. One of the Members was telling me yesterday that he was out about half a million dollars in attorney's fees responding to ridiculous demands and still never got to know who the accuser was. You don't get to necessarily even see what the specific complaint is.

So we didn't do a good job of educating people of how grossly unfair the OCE process was, could be, but everybody in Congress, the judiciary, and executive branch needs someone to whom they are accountable, and that would include the OCE.

We have got to do something about this, but we do need to go about it in an appropriate way to make sure that, once again, justice is done. But when you hear "ethics watchdog group," then immediately you think, Gee, they are going to stop an ethics watchdog

group? That is outrageous. That is what I would think if I didn't know all the background.

So it made for an interesting day yesterday, but I have been amazed, though, that some who have told me that they wanted to eliminate the OCE who stand up on the other side of the aisle and preach about ethics, apparently referring to the effort to place OCE and make them accountable under somebody for a change—in this case, under the Ethics Committee—and would demagogue the issue, in essence, when they have been mistreated by the OCE, according to what I have been told by them in the past.

So I think if we can just set the politics aside and work together for appropriate due process, we can have a bipartisan group that could work out something that would create due process and would make people accountable so that when you have somebody with \$90,000 of cold, hard cash in their freezer, there is accountability. In that case, it was a crime and it needed to be addressed. So there does need to be accountability.

I know we have friends here. I saw my friend, STEVE KING, at the back just a moment ago. We feel strongly that when a Federal judge intentionally refuses to go along with what they know the Constitution says, that ought to be an impeachable offense. They are not keeping their oath, and that is as offensive as anything is when it comes from a judge. They ought to be able to impeach a judge like that.

I don't think we have done enough removal, impeachment of judges who have violated their oath. Yes, we were removing a judge who had committed sexual assault. Well, that should have been a no-brainer, but that took literally an act of Congress to eventually get that done.

For another judge, it was not until we actually impeached him for his terribly inappropriate actions of suppressing information when he was being investigated for being a Federal judge, but from his days as a State judge. Apparently, as a State judge, he didn't have a problem, if tuition was due for his son, to just send the secretary or somebody to one of the law offices which he often appoints and then have them fill up the envelope with a bunch of cash and use that to pay his son's tuition. That didn't seem to be a problem for that judge. Those are all things that should have been appropriately taken into account before he was ever made a Federal judge.

I see my friend here on the floor. I yield to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. I was listening to the gentleman's remarks on a couple of these topics here that are very important.

He led off with the situation that occurred with the sit-in that occurred here on this House floor last year, some months ago, and I found that to be very appalling for the decorum, for

the honor, for the history, for all the things that are important about conducting ourselves in a society where order is needed in order to conduct business.

This House floor was not treated with that respect that is necessary to have order, to have an honest debate, and a debate that is constructive when you have a sit-in like that where basically the folks on the other side of the aisle—some of them—decided to take over the entire building outside of session, outside of the rules. As Mr. GOHMERT mentioned, many rules were violated.

I had the appalling experience of walking on the floor just a few minutes after they concluded their sit-in and, honestly, the garbage that was laying on the floor. I saw food crumbs, old newspapers, magazines, a couple of blankets. They didn't even pick up after themselves. They expected the staff of the building to pick it up and haul it off for them because their Occupy Wall Street moment was over with. This is not the sixties. This is not the hippy era. This is the United States House of Representatives.

This week, rules were proposed that say, when you violate rules in such a fashion where videotaping or Periscoping, as they call it, is occurring—sending these speeches during a nonofficial, non-session time, basically bootlegging them to the American public via C-SPAN; and I am a little annoyed with C-SPAN actually playing along with the violation of House rules of piping this out the way they did.

If you want to have a protest out on the front lawn, fine. That is within the rights of free speech, the First Amendment, and all that. You don't do it in violation of the rules of a fairly, some might say, sacred place—this House floor—the way that happened then. For them to be piping it out live that way, I found it to be completely wrong.

There are those folks that might say: Well, this is all First Amendment rights, not in violation of the decorum of the House rules. So I am glad Mr. GOHMERT brought that up. Rules are put in place this week to address people that are going to violate the very House rules that help us keep order and do business of the American public. We lost part of, I think, three session days that we could have been grinding out the important business that the people expect of this country.

We lost that session time and, indeed, had to come in here and the Speaker or whoever was introducing legislation that day had to yell over the process here to do things in order for the House. I find that appalling. It isn't very mature. I think with some of the penalties that are put in place by the rules this week, there will be a little more accountability for that.

Mr. GOHMERT. I recall being told when that was going on and after it happened that Republicans should not respond, and that we were assured that people who violated the rules back

then would be punished. Well, adopting rules now, specific penalties, don't really punish people that violated those very rules last year.

So I am surprised that there is any complaint at all since basically it means people who violated the rule with such abandon would complain about inserting a specific penalty now, meaning they got a free one. They didn't even get probation. They got nothing. They got pardoned, basically.

Perhaps it is not too late for those that feel like putting a penalty in place now is unfair. I don't think it is too late. It is not unusual to have punishment assessed in a felony case 6 months or more after an event. Perhaps if they think it is unfair, then we ought to have ethics hearings on what happened back then.

I haven't heard of the OCE, by the way, taking any action on such widespread abuse that didn't require investigation. All you needed was footage that was being streamed out from the very violators of the rules. So it should have been an easy thing to pursue, if OCE were really that interested in making sure our rules were not violated.

I yield to my friend.

Mr. LAMALFA. It wouldn't be inappropriate since OCE is a hot topic this week.

The accountability goes both directions. So we have heard our colleagues talk about unjust charges that can be brought from anywhere, out of the blue, against a Member of the House without justification, without even a due process for that Member to have a chance to address directly what that charge is, and then have their name run through the newspaper, giant headlines, and maybe a year's worth of investigation.

When you see it, Congressman being investigated, well, that is an ugly headline. It can be used to manipulate it for political purpose when it might be a trumped-up charge, something that has no merit, and many times talking to my colleagues that have faced this, hundreds of thousands of dollars of cost to them for attorney's fees, their reputation besmirched by this, when, really, there is an investigative process that is open, with oversight.

Now we didn't have the perfect piece of legislation in the rule this week. No. We probably need a little more time for it to be aired out and a little more widely. It was withdrawn after at least getting the idea out on the table.

So I am proud of my colleagues who are going to take this up and work in a bipartisan fashion and get the input to make some needed reforms to the OCE so that we have an ethics process that is fair to the Members, but obviously enforces ethics for this House that are needed and clearly demanded by the public and us.

We are talking here tonight about a decorum, a code, a process that our House is to be conducted by. So that

sit-in is one extreme. The other one is charges that are, in many cases, absolved months later without giant headlines but are not even sometimes an oops or I am sorry for trumped-up charges being brought up against somebody that would affect them negatively in their ability to serve their districts or to fend off the huge costs of legal matters that they have to go through.

So many of my colleagues here strongly care and want to have a strong ethical process in this place, but there needs to be accountability and balance to it. That is what we are all looking forward to, is accountability with OCE and our Ethics Committee who, in a bipartisan fashion, can weed through all these processes.

I think we will get to that. For those that are concerned around this country that some here want to get rid of that ethics process, that absolutely couldn't be further from the truth. We all demand that with the code of conduct of this House, on the floor and off, of our Members.

Mr. GOHMERT. I thank my friend, Mr. LAMALFA for great insights. Such truth.

I also was just advised this afternoon that the EPA, apparently in accordance with some frenzied effort to have this administration put as problematic regulations in place to stifle the economy, stifle and skyrocket further costs of energy, has apparently given notice to all gas operators that they have 60 days to comply.

One such operator in Texas was saying the date on the notice says it was received December 15, but he was out of the country. Somebody in the building accepted it. The date for the 60-day compliance kicks in January 18, 2 days before President-elect Donald Trump would be able to strike such an arbitrary and capricious regulation down.

□ 1730

Apparently, they must have backdated the 60-day compliance before they ever got notice saying you have got until January 18 to comply. So what we have heard from so many small-business owners, they get notices like this: You have all of a sudden got to comply. You have got to give us all these records, those records.

It has cost them a fortune. It has stifled their ability to expand their business and hire more people and give more people opportunity and give more people opportunity to make more money than they had been making. Those have been so completely stifled by this administration. I understand there was a political article glorifying the great efforts of the Obama administration in helping the economy, and to justify that, took one quarter out of, I guess—four times eight—32 quarters and said, "Look what they did in this one quarter," when actually, as I understood, if you take the whole term that we have numbers on and adjust the growth for inflation, President Obama's administration, his policies,

his crony capitalism, helping people with no-bid contracts like IBM, giving \$1.6 billion to this company to create mirrors to heat water and however much it was, hundreds of millions for Solyndra—there are just so many companies. They have squandered so much money. And yet, with all the money squandered, the economy grew, when adjusted for inflation, at about half the growth rate during the Jimmy Carter administration.

Now, I understand this administration is extremely proud of what they accomplished, but I would humbly submit, Mr. Speaker, if your policies cause the economy to grow at half the rate of the Jimmy Carter administration, you have done more damage to the American people and the American economy than you have done good, and that is for sure. And that is at a time when, scientifically, we were having such breakthroughs that we found out we could actually be totally energy independent if this administration had not been spending so much money on too expensive of sources of energy and all the other things this administration supported.

We had a hearing in Chairman ROB BISHOP's Committee on Natural Resources in our Subcommittee on Oversight and Investigations, a hearing on some of the abuses. I know there are legitimate groups and businesses that have invested in this idea of having this fantastic carbon-free energy production out in California, and, yes, it took a massive amount of acreage. I believe it was Federal land that they were allowed to use. I believe. I am not certain.

I was intrigued, they were going to create all these mirrors that would reflect the Sun's light in concentrated amounts towards three different towers, and the towers would then be superheated, superheat the water, turn the water to steam. The steam would turn turbines that would produce electricity. If I recall correctly, they got \$1.6 billion in government loan; and to help them make their loan payment, they got over \$600 million in grants.

When I asked over this period of time that they have been operating how much of their \$1.6 billion in government loan was paid back, I believe he said \$6 million had been paid back from, it may have been, \$656 million that they had given to them by this administration.

But we also came to find out that apparently there have been problems. One of the towers got super-superheated and was totaled, was destroyed because of the massive sunlight reflected and damaged to where it wouldn't function. Because, apparently, they had squandered so much of their money, they had to find a cheap source, an extremely cheap source of energy because they had contracts to supply a certain amount of electricity. With the third tower not in operation, they were not able to supply over 30 percent of the energy they had contracted to provide.

They very quickly, cheaply, efficiently built a natural gas electricity production plant, and, wow, apparently it is working great. Of course, anybody that studies natural gas understands, if they know what they are doing, that natural gas is an amazingly clean form of energy.

Anyway, now about a third of the energy is being produced using natural gas, when the whole purpose of the massive \$1.6 billion in the government-backed loan and the \$656 million or so that was given to them was because it was not going to be carbon based at all.

But it is not just the one problem, apparently, of the tower. This is out in an arid area where there is not much water. Well, they didn't need much water other than what they had in the towers, really; but what they didn't anticipate was something that I am told operators, others in the area refer to as flammers.

Flammers, as I was given to understand, those are birds, perhaps some of them endangered species, that make the mistake of flying through the superheated beam of sunlight and immediately explode or burst into flame. Apparently, if you are a bird that gets superheated and explodes, bursts into flame, then masses of fluid keep covering the mirrors, which need to be kept clean.

Normally, you would figure out in a desert or an arid area, you are not going to need to clean those mirrors very often, so you are not going to need much water. But then when it turns out you have got all these flammers that supercoat the mirrors so they are constantly having to be cleaned, those poor birds that our nature-loving friends are exploding, it is running up the water bill as well because, gee, it is just not healthy to be exploding birds that fly through this superheated beam of sunlight.

So 8 years of misguided policies have made, probably, a lot of Democratic millionaires, but the American public has suffered; and when adjusted for inflation, the American people are, on average, worse off.

I was surprised to see a video where the President actually admitted, he had actually acknowledged, that in his administration, for the first time we are aware of in the history of the United States, 95 percent of the income in America went to the top 1 percent of the income earners. I have read articles since then about, actually, even that 1 percent that was making 95 percent of the Nation's income, they still weren't making, many of them, quite as much as they had before, because that is what happens when you hurt and throttle down an economy, as has happened. We haven't really adjusted.

Of course, we have had the Fed that has had interest rates down to basically nothing, and it was clear they were doing everything they could to try to help the Obama administration's economy look better than it was. Now that people have started having hope

because we have President-elect Trump and the policies are going to change dramatically, we are going to hopefully be completely rid of, or as completely as possible, the crony capitalism. I know my colleagues here in the House, actually on both sides of the aisle, have made clear we want to stop crony capitalism, and I am looking forward to that stopping once we get out from under this administration.

So the economy is showing great signs. I have got people back home telling me they are starting to hire again just based on the hope and the promise. President Obama was supposed to bring hope and change, but all my constituents tell me so many of them are left with, after he has been President, a little change left from what they had when he took office.

But there is real hope, and people are gearing up to grow, and the economy should take off, and we should get energy independent. I expect President-elect Trump to keep his promises. He assured me personally he was going to. So I am expecting great things. But just on that, the economy has started going up, on the assurance that President Obama would not be around any longer than January 20, and as a result now, the Fed finally has started increasing interest rates because they don't have to artificially try to protect President Obama's reputation and his poor economy.

So just the fact that the EPA would send out regulations in such a capricious manner as they have, demanding that well operators start monitoring all their emissions, something to that effect, I am looking forward to getting into it and just seeing how abusive the EPA has been as these oligarchs. Not to give a chance for true input into an arbitrary and capricious rule, not to give businesses a chance to get ready and to adjust, I mean, this is the kind of thing that has stifled so much growth and has sent so many high school and college graduates to their parents' home.

I think there are a lot of people who voted for President Obama and were excited. I think it is unfortunate that so many people expressed that they voted for a President because of his skin color—and I am not talking about Donald Trump—that they made a racist vote to vote for a man who was not White so they could feel good about voting for someone who was not White, where some of us—and it is one of the things for which I love Alveda King, Martin Luther King's niece. I mean, she believes in his dream, and the Americans that voted for Donald Trump, they believe that skin color should not matter. It is racist to vote for a candidate because of what his race is.

Let's look at the character. Let's look at the qualifications. What have you built that you actually built that someone else didn't build for you? Let's look at those things and then make a determination rather than voting for

someone just because of his race. Let's do as Martin Luther King, Jr., was so profound in saying in looking forward to the day when people were judged by the content of their character rather than the color of their skin. I am looking forward to that day. That day has been set back tremendously.

It was a highlight for me back at the end of the fall to go back to my hometown of Mount Pleasant, Texas. I had mentioned to a reporter sometime back, though I didn't vote for President Obama, I had hopes that he would do for America what Coach Willie Williams did for our football team. Actually, I didn't say "football team." I said "our team."

□ 1745

Liberals immediately put up an article saying that I said my basketball coach, my favorite coach, was African American. Apparently, liberals think, if you are African American, you must be a coach of basketball because of your race. When actually, it was the year before I went to the varsity, I was on the junior varsity, and I enjoyed playing for Coach Williams more than any coach I had ever played for.

And unfortunately, Coach Williams' memory is still intact. I haven't seen him in decades. But I was asked to come give a motivational talk for the team I played for—the Mount Pleasant Tigers. It was such a treat being with those players that morning. It had a rough year to that point. I got to be with them on the field during the game. It was such a treat. Those young people were just inspirational. They fought hard, and some say it was the best game of the year. They won singlehandedly against a team from a bigger town than Mount Pleasant. They even gave me the game ball.

And as much as that meant to me, the real highlight was, as we went into halftime, somebody told me that my old coach, back from over 40 years ago, was up in the press box, and I got to go up. I was so thrilled to see him. We hugged and smiled big as ever. I was so elated in seeing him and talking to him. Somebody said when I got back here—when I said: I finally got to see Coach Williams after all these years. It was wonderful.

Well, did you get a picture?

I didn't even think about a picture. That is not a very good politician. But I didn't think about a picture. But it is a shame.

His memory is so good because he remembered. We didn't have a lot of talent on that team. We didn't. He made us so cohesive. We played well together. We didn't have any outstanding talent, but we had a winning season. And it was a fun season because Coach Williams made it that way. He inspired us together. Everybody got treated just the same. Nobody got special treatment. Nobody got treated more harshly than anybody else. And we came together as a team.

He remembered. He said: Yeah, you guys didn't have much talent on your

team, but you played so well together. Well, that was because of him. He brought us together.

And I so hoped that President Obama would do that for America. I didn't vote for him, but I thought it will be awesome if he can bring us even closer together. And now at the end of his administration, it is so grievous that America seems more divided than ever.

I see an article here about more police officers again being shot in our U.S. cities. I heard the former police chief, I believe, in Chicago this week saying that Black Lives Matter was supposedly organized to try to stop killings of Black, especially young, men. And yet, what Black Lives Matter has done is actually increase the number of people being shot.

I was absolutely astounded to hear a quote from the President. A speech, apparently, he was making. I heard it on the radio. Maybe he was giving an interview. But he was saying that we know that cities that have more gun control laws just have less violence. That is called gaslighting. That is called creating a fiction and trying to push it across and make somebody who knows the truth think that they are crazy and that this alternate truth is really what is going on.

The fact is that cities with the most gun control laws, like Chicago, for heaven's sakes—I mean, the hundreds of precious Black lives that have been taken, been killed, the massive gun control laws have not helped Chicago. They have got a massive number of gun control laws there than we do in any city in east Texas, and yet nowhere in east Texas has that kind of violence at that percentage rate. It is insane.

It is time to quit trying to gaslight the American people, convince them they are going crazy, and that what they know to be true is fiction. It is time to just have a truthful assessment of where we are. We need to follow the law. We need to have enforcement of our borders.

We will continue to be the most generous Nation in the world, not just in giving funds to help others, not just in giving lives of our citizens to help freedom for other countries like nowhere else in history, but also most generous in the number of visas and the number of people that we allow to come into the United States and visit. Yet, that generosity has been abused. As the border patrol has said, every time we hear somebody in the government in Washington say anything about legalizing anything, or anybody that is here illegally, it is like a shiny object that draws even greater numbers illegally through our borders.

And what is our border patrol ordered to do? Don't turn them back and prevent them from entering the United States. Oh, no. Let them step foot on American soil, then in-process them, and we will ship them around different places. Although, I saw an article last week where there were some aliens illegally here who were just dropped off at a bus stop.

I have an article from Julia Edwards Ainsley, January 3, from Reuters: "Trump Team Seeks Agency Records on Border Barriers Surveillance." It is fantastic. I mean, here they are trying to gear up, yet they want to know information. They don't want to be gaslighted. They want to know what is the truth so that they can start making hard preparations for taking office on January 20.

An article, December 30, from Paul Bedard from the Washington Examiner says that the Department of Homeland Security says 94 percent of deportations are people illegally here, terror threats, or gang bangers. The CBP—border patrol—reports assaults on border agents have skyrocketed 231 percent in 2017.

So not only has this President's rules of engagement gotten about four times more Americans killed, our military members killed in Afghanistan, in the same amount of time as Commander in Chief George W. Bush had, in addition to the rules of engagement getting our people killed four times faster than under Commander in Chief Bush, but also the assaults on our own agents have gone up 231 percent just in this year—in 1 year. We are getting our border patrol harmed.

Another article by Chris Tomlinson in Breitbart: "600 'Underage' Migrants Turn Out to Be Adults." I mean, I have seen that in the middle of the night down on the border. People coming in, switching off Xeroxed indications they were going to use for their identification: This is who I am. For whatever reason, they would look at their thing and switch out as to who was going to be who. They weren't able to vet those people, but they were still ordered to in-process them anyway.

This article from Michael Patrick Leahy, December 7, reported that Somalia refugees were arriving in the United States at the highest rate ever in the first two months of fiscal year 2017, which would be October and November. So just astounding when America was making very clear we need to protect American citizens. It is not just the people in this room, as we did yesterday, who take that oath, but the President takes that oath. You have got cabinet members that take the oath, yet they are not doing their jobs. People are getting killed. 85,000 refugees under Obama, but less than 10 to the District of Columbia. So, apparently, let's put those refugees in your backyard. We certainly don't want them in Washington, D.C.'s backyard, apparently, according to this administration.

Then it is pretty amazing, but just 10 States resettled more than half of recent refugees to the United States. Naturally, way more than anywhere else was California and Texas. The Daily Caller reported that the "State Department claims no one used sham visas from fake embassy." Yet, we have seen hundreds and hundreds of people that—the report showed—had been

given citizenship by mistake when they were supposed to have been deported. It doesn't seem like a very innocent mistake when it is that egregious.

Back in December, The Washington Times reported that the "Obama administration fails to check immigrants against FBI databases, approves citizenship" anyway.

The Afghan refugee program has not been totally successful. A report here, Afghan refugee in December was arrested for rape and murder of a top EU official's daughter. So, apparently, that was not working out so well. But that was in the country of Germany where you have a like-minded leader in Angela Merkel, who wants to defeat terrorism, as our President does, with love and compassion. Well, love is a stronger emotion than hate. Love can overcome evil.

But when people are religiously dedicated to wiping another group of people off the planet for what they deem to be their holy god, those are people that have to be defeated. They are at war with you. You defeat them militarily. That puts radical Islam back in a box until some other well-meaning fool like former President Carter—a fine man, just a foolish President—not demeaning his character, but he was just very foolish—in citing the Ayatollah Khomeini as a man of peace, as he was so welcoming in the Ayatollah Khomeini taking over Iran. That released radical Islam out of the box, gave them control of a major country, major country military, and thousands and thousands and thousands of people continue to die because of that mistake.

We know going back to the early days of the United States when so much of the Federal Treasury was used to pay ransom to get our sailors back who were being captured by radical Islamists in North Africa, and Jefferson couldn't understand why they kept attacking American boats.

□ 1800

He asked the Islamist whom he was negotiating with why they kept attacking American ships. We are not a threat to you. We don't even have a Navy.

Reportedly, the response was, in essence: Look, if we die, in attacking someone like you, we go straight to paradise.

Jefferson was amazed. He couldn't believe there was a world religion—or even people's interpretation of a world religion—that advocated that you could go to paradise for killing innocent people. Of course, they maintained they are not innocent because they don't believe exactly like the radical Islamists believe.

President Obama basically did the same thing with Libya. Qadhafi was not a good man; but, since 2003, the reports were clear, as others in North Africa and the Middle East reported, that he was about the best friend that the United States had in helping to fight terrorism in that area; yet this admin-

istration took him out. There were times on this floor that I and others were begging the administration not to take out Qadhafi, not to keep helping the rebels, not to keep bombing Qadhafi's troops until we knew how extensive al Qaeda was. We knew that at least a part of the people fighting were radical Islamists, but the administration went on and turned the country into chaos.

Thank God America is going to have a new administration before we completely go to chaos ourselves.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. POE of Texas (at the request of Mr. MCCARTHY) for today on account of personal reasons.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, January 5, 2017, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3. A letter from the PRAO Branch Chief, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule — Supplemental Nutrition Assistance Program Promotion [FNS-2016-0028] (RIN: 0584-AE44) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's Small Entity Compliance Guide — Federal Acquisition Regulation; Federal Acquisition Circular 2005-93; Small Entity Compliance Guide [Docket No.: FAR 2016-0051, Sequence No.: 8] received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

5. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Privacy Training [FAC 2005-94; FAR Case 2010-013; Item I; Docket No.: 2010-0013; Sequence No.: 1] (RIN: 9000-AM06) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulations; Payment of Subcontractors [FAC 2005-94; FAR Case 2014-004; Item II; Docket No.: 2014-0004; Sequence No.: 1] (RIN: 9000-AM98) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Com-

mittee on Oversight and Government Reform.

7. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's summary presentation of final rules — Federal Acquisition Regulation; Federal Acquisition Circular 2005-94; Introduction [Docket No.: FAR 2016-0051, Sequence No.: 8] received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

8. A letter from the President and CEO, National Safety Council, transmitting the Council's Audit Report, in accordance with their Federal Charter, 36 U.S.C. 152502; Public Law 105-225; (112 Stat. 1415); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 22. Resolution providing for consideration of the bill (H.R. 26) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, and providing for consideration of the resolution (H. Res. 11) objecting to United Nations Security Council Resolution 2334 as an obstacle to Israeli-Palestinian peace, and for other purposes (Rept. 115-1). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CONAWAY (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. SESSIONS, and Mr. DAVID SCOTT of Georgia):

H.R. 238. A bill to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RATCLIFFE (for himself and Mr. MCCAUL):

H.R. 239. A bill to amend the Homeland Security Act of 2002 to provide for innovative research and development, and for other purposes; to the Committee on Homeland Security.

By Mr. RATCLIFFE (for himself, Mr. MCCAUL, and Mr. THOMPSON of Mississippi):

H.R. 240. A bill to encourage engagement between the Department of Homeland Security and technology innovators, and for other purposes; to the Committee on Homeland Security.

By Mr. POE of Texas (for himself, Mr. BURGESS, Mr. JODY B. HICE of Georgia, Mr. GOSAR, Mr. WEBER of Texas, Mr. BROOKS of Alabama, Mr. FRANKS

of Arizona, Mr. FARENTHOLD, and Mrs. BLACK):

H.R. 241. A bill to provide for sanctions on countries that have refused or unreasonably delayed repatriation of an alien who is a national of that country, or that have an excessive repatriation failure rate, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself, Ms. SCHA-KOWSKY, Ms. DELAURO, Mr. CUM-MINGS, Mr. ELLISON, Mr. POCAN, Mr. CICILLINE, Ms. KAPTUR, Mr. LIPINSKI, Ms. MCCOLLUM, Ms. CASTOR of Florida, Mr. GRIJALVA, Mr. LYNCH, Mr. COHEN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. CARTWRIGHT):

H.R. 242. A bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AMODEI:

H.R. 243. A bill to amend title 54, United States Code, to prohibit the further extension or establishment of national monuments in the State of Nevada except by express authorization of Congress; to the Committee on Natural Resources.

By Mr. COOK (for himself and Mr. GABBARD):

H.R. 244. A bill to encourage effective, voluntary private sector investments to recruit, employ, and retain men and women who have served in the United States military with annual presidential awards to private sector employers recognizing such efforts, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. COOK (for himself and Mr. TAKANO):

H.R. 245. A bill to amend title 38, United States Code, to provide for the calculation of the amount of the monthly housing stipend payable under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs based on the location of the campus where classes are attended; to the Committee on Veterans' Affairs.

By Mrs. NOEM (for herself, Ms. SINEMA, Mr. BLIRAKIS, Mrs. BLACK, Mrs. BLACKBURN, Mr. BROOKS of Alabama, Mr. BUCHANAN, Mr. CARTER of Texas, Mr. COLLINS of New York, Mr. GUTHRIE, Mr. HENSARLING, Mr. JODY B. HICE of Georgia, Mr. JOHNSON of Ohio, Mr. JOYCE of Ohio, Mr. KELLY of Pennsylvania, Mr. KNIGHT, Mr. LAMBORN, Mr. LANCE, Mr. MACARTHUR, Mr. MASSIE, Mr. MEEHAN, Mr. MESSER, Mr. MULLIN, Mr. PALAZZO, Mr. PETERSON, Mr. RATCLIFFE, Mr. ROHRBACHER, Ms. ROS-LEHTINEN, Mr. ROSKAM, Mr. SMITH of Missouri, Mrs. WALORSKI, Mr. BARR, Mr. KATKO, Mr. TURNER, Ms. JENKINS of Kansas, Ms. BROWNLEY of California, Mr. HOLDING, Mr. HILL, Mr. HUDSON, Mr. CHABOT, Mr. SAM JOHNSON of Texas, Mr. REED, Mr. WOODALL, Mr. SMITH of Nebraska, Mr. GRIFFITH, Mr. YOHO, Mr. HURD, Mr. ZELDIN, Mr. SHUSTER, Mr. LONG, Mr. ALLEN, Mr. MCCAUL, Mr. JONES, Mr. FRANKS of Arizona, Mr. TIPTON, Mr. BURGESS, Mr. WALBERG, Mr. OLSON, Mr. ABRAHAM,

Mr. TIBERI, Mr. MOOLENAAR, Mr. BRAT, Mr. WEBSTER of Florida, Mr. BARLETTA, Mr. NUNES, Mr. POE of Texas, Mr. CARTER of Georgia, Mr. COSTELLO of Pennsylvania, Mr. BISHOP of Michigan, Mr. RENACCI, Mr. CRAMER, Mr. EMMER, Mr. SCHWEIKERT, Mr. MARCHANT, Mr. YOUNG of Alaska, Mr. YOUNG of Iowa, Mr. WESTERMAN, Mr. GIBBS, Mr. PITTINGER, Mr. SMITH of New Jersey, Mr. LAHOOD, Mr. COLLINS of Georgia, and Mr. YODER):

H.R. 246. A bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRAT (for himself, Mr. GOHMERT, Mr. MEADOWS, Mr. ROYCE of California, Mr. ROKITA, Mr. SCHWEIKERT, Mr. GUTHRIE, and Mr. GOSAR):

H.R. 247. A bill to amend the Internal Revenue Code of 1986 to expand the permissible use of health savings accounts to include health insurance payments and to increase the dollar limitation for contributions to health savings accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. AMASH:

H.R. 248. A bill to limit the authority of personnel of the Department of Homeland Security to prohibit a citizen or permanent resident of the United States from boarding as a passenger on an aircraft or cruise ship based on inclusion of the individual in a watchlist, and for other purposes; to the Committee on Homeland Security.

By Mr. BABIN:

H.R. 249. A bill to prohibit United States voluntary contributions to the regular budget of the United Nations or any United Nations agency, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BIGGS (for himself, Mr. FRANKS of Arizona, Mr. SCHWEIKERT, Mr. GOSAR, and Ms. MCSALLY):

H.R. 250. A bill to amend title 28, United States Code, to divide the ninth judicial circuit of the United States into 2 circuits, and for other purposes; to the Committee on the Judiciary.

By Ms. BROWNLEY of California:

H.R. 251. A bill to direct the Administrator of the Small Business Administration to establish a competitive grant program to award grants to States and local governments for purposes of assisting entrepreneurs planning to start a small business concern; to the Committee on Small Business.

By Mr. AL GREEN of Texas:

H.R. 252. A bill to provide housing assistance for very low-income veterans; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCHANAN (for himself and Mr. LEVIN):

H.R. 253. A bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes; to the Committee on Ways and Means.

By Mr. DANNY K. DAVIS of Illinois (for himself, Mr. SCOTT of Virginia,

Ms. LEE, Ms. DELAURO, and Mr. RICHMOND):

H.R. 254. A bill to reinstate Federal Pell Grant eligibility for individuals incarcerated in Federal and State penal institutions, and for other purposes; to the Committee on Education and the Workforce.

By Ms. ESTY (for herself, Mrs. COMSTOCK, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. SMITH of Texas):

H.R. 255. A bill to authorize the National Science Foundation to support entrepreneurial programs for women; to the Committee on Science, Space, and Technology.

By Mr. FARENTHOLD:

H.R. 256. A bill to amend chapter 44 of title 18, United States Code, to provide that a member of the armed forces and the spouse of that member shall have the same rights regarding the receipt of firearms at the location of any duty station of the member; to the Committee on the Judiciary.

By Mr. FRANKS of Arizona (for himself, Mr. DESANTIS, and Mr. ZELDIN):

H.R. 257. A bill to recognize Jerusalem as the capital of Israel and to transfer to Jerusalem the United States Embassy located in Tel Aviv; to the Committee on Foreign Affairs.

By Ms. GABBARD (for herself, Mr. WELCH, Mr. JONES, Mr. MASSIE, Ms. LEE, and Mr. YOHO):

H.R. 258. A bill to prohibit the use of United States Government funds to provide assistance to Al Qaeda, Jabhat Fateh al-Sham, and the Islamic State of Iraq and the Levant (ISIL) and to countries supporting those organizations, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Miss GONZÁLEZ-COLÓN OF PUERTO RICO:

H.R. 259. A bill to prevent the territories of the United States from losing current Medicaid funding; to the Committee on Energy and Commerce.

By Miss GONZÁLEZ-COLÓN OF PUERTO RICO:

H.R. 260. A bill to enable the admission of the Territory of Puerto Rico into the Union as a State, and for other purposes; to the Committee on Natural Resources.

By Miss GONZÁLEZ-COLÓN OF PUERTO RICO:

H.R. 261. A bill to amend part B of the title XVIII of the Social Security Act to apply deemed enrollment to residents of Puerto Rico; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GENE GREEN of Texas:

H.R. 262. A bill to establish the Buffalo Bayou National Heritage Area in the State of Texas, and for other purposes; to the Committee on Natural Resources.

By Mr. LAMBORN (for himself and Mr. FRANKS of Arizona):

H.R. 263. A bill to render United Nations Security Council Resolution 2334 null and void as a matter of United States law, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LAMBORN (for himself and Mr. FRANKS of Arizona):

H.R. 264. A bill to prohibit the use of funds for assessed or voluntary contributions to the United Nations until the submission of certain reports on such funding, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LANCE:

H.R. 265. A bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LEWIS of Georgia:

H.R. 266. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide that COPS grant funds may be used to hire and train new, additional career law enforcement officers who are residents of the communities they serve, and for other purposes; to the Committee on the Judiciary.

By Mr. LEWIS of Georgia:

H.R. 267. A bill to redesignate the Martin Luther King, Junior, National Historic Site in the State of Georgia, and for other purposes; to the Committee on Natural Resources.

By Mr. LEWIS of Georgia:

H.R. 268. A bill to amend the National Highway System Designation Act of 1995 to permit the construction of certain noise barriers with funds from the Highway Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LEWIS of Georgia:

H.R. 269. A bill to eliminate the requirement that, to be eligible for foster care maintenance payments, a child would have been eligible for aid under the former program of Aid to Families with Dependent Children at the time of removal from the home; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 270. A bill to amend the Internal Revenue Code of 1986 to provide support to environmental justice communities and environmental justice projects; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 271. A bill to reauthorize the Assets for Independence Act, to provide for the approval of applications to operate new demonstration programs and to renew existing programs, to enhance program flexibility, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 272. A bill to amend title XX of the Social Security Act to provide grants to support job creation initiatives, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 273. A bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for the costs of certain infertility treatments; to the Committee on Ways and Means.

By Mr. MOULTON (for himself, Mr. HURD, Mr. MEADOWS, Mrs. BUSTOS, and Mr. SWALWELL of California):

H.R. 274. A bill to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PERRY (for himself and Mr. BRENDAN F. BOYLE of Pennsylvania):

H.R. 275. A bill to prevent diversion of funds from the Crime Victims Fund; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. RADEWAGEN:

H.R. 276. A bill to amend title 49, United States Code, to ensure reliable air service in American Samoa; to the Committee on Transportation and Infrastructure.

By Mr. ROE of Tennessee (for himself, Mr. WALKER, Mr. ROKITA, Mr. GOSAR,

Mr. FLORES, Mr. BARR, Mr. CARTER of Georgia, Mr. AUSTIN SCOTT of Georgia, Mr. DUNCAN of Tennessee, Mr. HILL, Mr. CHABOT, Mrs. BLACKBURN, Mr. ROUZER, Mr. CULBERSON, Mrs. HARTZLER, Mr. BABIN, Mr. BUCHSHON, and Mr. SCALISE):

H.R. 277. A bill to repeal the Patient Protection and Affordable Care Act and related reconciliation provisions, to promote patient-centered health care, to provide for the creation of a safe harbor for defendants in medical malpractice actions who demonstrate adherence to clinical practice guidelines, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Budget, Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Rules, Appropriations, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSS:

H.R. 278. A bill to amend the Illegal Immigration and Immigrant Responsibility Act of 1996 to direct the Secretary of Homeland Security to complete the required 700-mile southwest border fencing by December 31, 2016, and for other purposes; to the Committee on Homeland Security.

By Ms. STEFANIK:

H.R. 279. A bill to amend title 10, United States Code, to provide a period for the relocation of spouses and dependents of certain members of the Armed Forces undergoing a permanent change of station in order to ease and facilitate the relocation of military families, and for other purposes; to the Committee on Armed Services.

By Ms. STEFANIK:

H.R. 280. A bill to amend the Workforce Innovation and Opportunity Act to ensure displaced workers are provided consultation and advice for starting a small business as part of the rapid response activities for displaced workers; to the Committee on Education and the Workforce.

By Ms. STEFANIK:

H.R. 281. A bill to amend the Immigration and Nationality Act to simplify the petitioning procedure for H-2A workers, to expand the scope of the H-2A program, and for other purposes; to the Committee on the Judiciary.

By Ms. STEFANIK:

H.R. 282. A bill to amend the Servicemembers Civil Relief Act to authorize spouses of servicemembers to elect to use the same residences as the servicemembers; to the Committee on Veterans' Affairs.

By Ms. STEFANIK:

H.R. 283. A bill to amend the Internal Revenue Code of 1986 to allow without penalty any 529 plan distributions used for student loans payments; to the Committee on Ways and Means.

By Ms. STEFANIK:

H.R. 284. A bill to amend title XVIII of the Social Security Act to establish rules for payment for graduate medical education (GME) costs for hospitals that establish a new medical residency training program after hosting resident rotators for short durations; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TURNER (for himself, Mr. FARENTHOLD, Mr. DUNCAN of South Carolina, Mr. DESJARLAIS, Mr. MCCLINTOCK, Mr. MULLIN, Mr. ROE of Tennessee, and Mr. ROGERS of Alabama):

H.R. 285. A bill to amend the Internal Revenue Code of 1986 to repeal the individual and employer health insurance mandates; to the Committee on Ways and Means.

By Mr. TURNER (for himself and Mr. JOYCE of Ohio):

H.R. 286. A bill to amend the Internal Revenue Code of 1986 to exempt certain emergency medical devices from the excise tax on medical devices, and for other purposes; to the Committee on Ways and Means.

By Mr. TURNER:

H.R. 287. A bill to amend the Internal Revenue Code of 1986 to exempt student workers for purposes of determining a higher education institution's employer health care shared responsibility; to the Committee on Ways and Means.

By Mr. WALDEN (for himself and Mr. LOEBACK):

H.R. 288. A bill to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements; to the Committee on Energy and Commerce.

By Mr. LAMALFA:

H.R. 289. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to issue permits for recreation services on lands managed by Federal agencies, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALDEN (for himself and Mr. KINZINGER):

H.R. 290. A bill to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YOHO (for himself, Mr. COHEN, Ms. SINEMA, Mr. PITTENGER, Mr. MASSIE, Mr. GOHMERT, Mr. FLORES, Mr. ROUZER, Mr. POLIQUIN, Mrs. BLACKBURN, and Mr. OLSON):

H.R. 291. A bill to amend title 5, United States Code, to extend the basis for the denial of retirement credit, for service as a Member of Congress, to include conviction of any felony under Federal or State law, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself and Mr. RUIZ):

H.R. 292. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to exempt Alaska Native and American Indian programs from sequestration; to the Committee on the Budget.

By Mr. YOUNG of Alaska:

H.R. 293. A bill to extend the authorization of appropriations to the Department of Veterans Affairs for purposes of awarding grants to veterans service organizations for the transportation of highly rural veterans; to the Committee on Veterans' Affairs.

By Mr. BYRNE:

H.J. Res. 14. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. AMASH:

H.J. Res. 15. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. LAMBORN:

H.J. Res. 16. A joint resolution disapproving a rule submitted by the Department of the Interior known as the "Stream Protection Rule"; to the Committee on Natural Resources.

By Mr. PALAZZO (for himself and Mr. SANFORD):

H.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mr. PERRY:

H.J. Res. 18. A joint resolution proposing a balanced budget amendment to the Constitution requiring that each agency and department's funding is justified; to the Committee on the Judiciary.

By Mr. HASTINGS:

H. Con. Res. 4. Concurrent resolution expressing support for temporary protected status for Haitian nationals currently residing in the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself, Mr. RYAN of Ohio, Ms. VELÁZQUEZ, Ms. SCHA-KOWSKY, Mr. BLUMENAUER, Mr. DEFazio, Ms. CLARK of Massachusetts, Mr. LANGEVIN, Ms. SPEIER, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. DESAULNIER, Mr. DEUTCH, Mr. CONNOLLY, Mr. KEATING, Mr. GRIJALVA, Mr. KIND, Mr. TED LIEU of California, Mr. THOMPSON of Mississippi, Mr. GENE GREEN of Texas, Ms. BONAMICI, Ms. KAPTUR, Mr. SCHIFF, Mr. NADLER, Mr. COHEN, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. KUSTER of New Hampshire, Mr. CARSON of Indiana, Mr. HUFFMAN, Mr. LOEBSACK, Mrs. WATSON COLEMAN, Mr. LYNCH, Mr. MCGOVERN, Mr. COOPER, Ms. PINGREE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HASTINGS, Ms. LOFGREN, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. CUMMINGS):

H. Con. Res. 5. Concurrent resolution clarifying any potential misunderstanding as to whether actions taken by President-elect Donald Trump constitute a violation of the Emoluments Clause, and calling on President-elect Trump to divest his interest in, and sever his relationship to, the Trump Organization; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CONAWAY:

H.R. 238.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article 1, Section 8, Clause 3, Congress has the authority to regulate foreign and interstate commerce.

By Mr. RATCLIFFE:

H.R. 239.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for

carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. RATCLIFFE:

H.R. 240.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. POE of Texas:

H.R. 241.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4

By Mr. WELCH:

H.R. 242.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. AMODEI:

H.R. 243.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. COOK:

H.R. 244.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. COOK:

H.R. 245.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mrs. NOEM:

H.R. 246.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. BRAT:

H.R. 247.

Congress has the power to enact this legislation pursuant to the following:

The Sixteenth Amendment to the Constitution grants Congress "power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration." Left undefined in the amendment, the "incomes" appropriate for taxation must be determined through legislation passed by Congress. Congress therefore has the power to exclude from income taxation such sources as it deems appropriate.

By Mr. AMASH:

H.R. 248.

Congress has the power to enact this legislation pursuant to the following:

The Due Process Clause ("[N]or shall any person . . . be deprived of life, liberty, or property, without due process of law . . .")

Article I, Section 8, Clause 18 ("The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution . . . all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.")

By Mr. BABIN:

H.R. 249.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. BIGGS:

H.R. 250.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Ms. BROWNLEY of California:

H.R. 251.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. AL GREEN of Texas:

H.R. 252.

Congress has the power to enact this legislation pursuant to the following:

General Welfare Clause (Art. 1, Sec. 8, Cl. 1)

Commerce Clause (Art. 1, Sec. 8, Cl. 3)

By Mr. BUCHANAN:

H.R. 253.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. DANNY K. DAVIS of Illinois:

H.R. 254.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Ms. ESTY:

H.R. 255.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution

By Mr. FARENTHOLD:

H.R. 256.

Congress has the power to enact this legislation pursuant to the following:

The 2nd Amendment of the United States Constitution

By Mr. FRANKS of Arizona:

H.R. 257.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States); and Article I, Section 8, Clause 18 (To make all Laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof).

By Ms. GABBARD:

H.R. 258.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 18

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 259.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 260.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 261.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2

By Mr. GENE GREEN of Texas:

H.R. 262.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. LAMBORN:

H.R. 263.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8 "To regulate Commerce with foreign Nations"

By Mr. LAMBORN:

H.R. 264.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8 "To regulate Commerce with foreign Nations"

By Mr. LANCE:

H.R. 265.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1: Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

By Mr. LEWIS of Georgia:

H.R. 266.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 267.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 268.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 269.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 270.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 271.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 272.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 273.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. MOULTON:

H.R. 274.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. PERRY:

H.R. 275.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the U.S. Constitution.

By Mrs. RADEWAGEN:

H.R. 276.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. ROE of Tennessee:

H.R. 277.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, with respect to the power to "lay and collect Taxes, Duties, Imposts, and Excises," and to provide for the "general Welfare of the United States." Article 1, Section 8, Clause 3 of the U.S. Constitution gives Congress the power to "regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. ROSS:

H.R. 278.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, Clause 1

By Ms. STEFANIK:

H.R. 279.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. STEFANIK:

H.R. 280.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. STEFANIK:

H.R. 281.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 and 4, of Section 8, of Article 1 of the United States Constitution.

By Ms. STEFANIK:

H.R. 282.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18

By Ms. STEFANIK:

H.R. 283.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. STEFANIK:

H.R. 284.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution grants Congress the authority to regulate interstate commerce.

By Mr. TURNER:

H.R. 285.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, as the Supreme Court of the United States has held that the imposition of the burdensome mandate on hard-working American taxpayers is an action Congress may take under its power to tax, and that this bill seeks to repeal sections of title 26 U.S.C., the Internal Revenue Code.

Article I, Section 8, Clause 18 of the United States Constitution—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. TURNER:

H.R. 286.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution—The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 18 of the United States Constitution—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. TURNER:

H.R. 287.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution—The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 3 of the United States Constitution—The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

Article I, Section 8, Clause 18 of the United States Constitution—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WALDEN:

H.R. 288.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. LAMALFA:

H.R. 289.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. WALDEN:

H.R. 290.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. YOHO:

H.R. 291.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6 of the Constitution, which states that "The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States."

By Mr. YOUNG of Alaska:

H.R. 292.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. YOUNG of Alaska:

H.R. 293.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. BYRNE:

H.J. Res. 14.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution is based is found in Article V of the Constitution, which grants Congress the authority, whenever two thirds of both chambers deem it necessary, to propose amendments to the Constitution.

By Mr. AMASH:

H.J. Res. 15.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution empowers "[t]he Congress, whenever two thirds of both Houses shall deem it necessary" to "propose Amendments to this Constitution . . . which . . . shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof."

By Mr. LAMBORN:

H.J. Res. 16.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. PALAZZO:

H.J. Res. 17.

Congress has the power to enact this legislation pursuant to the following:

Article V: The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to year one thousand eighthundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

By Mr. PERRY:

H.J. Res. 18.

Congress has the power to enact this legislation pursuant to the following:

Article V of the United States Constitution, which grants Congress the authority to propose Constitutional amendments

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills—and resolutions, as follows:

H.R. 21: Mr. GAETZ.

H.R. 26: Mr. WESTERMAN, Mr. CARTER of Georgia, Mr. MASSIE, Mr. FLEISCHMANN, Mr. MCKINLEY, Mrs. BLACKBURN, Mrs. WAGNER, Mr. TIPTON, Mr. ROTHFUS, Mr. ROE of Tennessee, Mr. JOYCE of Ohio, Mr. DUFFY, Mr. SHIMKUS, Mr. ROYCE of California, Mr. GUTHRIE, Mr. HILL, Mr. PALMER, Mr. MULLIN, Mr. COOK, Mr. HENSARLING, Mr. GRAVES of Louisiana, Mrs. BLACK, Mr. GAETZ, Mr. BACON, Mr. SCALISE, Mr. BANKS of Indiana, Mr. CHABOT, Mr. THORNBERRY, Mrs. WALORSKI, Mr. CRAMER, Mr. GRAVES of Missouri, Mr. PITTENGER, Mr. GOHMERT, Mr. BARLETTA, Mr. CULBERSON, Mr. HUIZENGA, Mr. YOUNG of Iowa, Mr. BOST, Mr. HUNTER, Mr. EMMER, Mr. POSEY, Mr. JENKINS of West Virginia, Mr. BURGESS, Mr. STEWART, Mrs. MCMORRIS RODGERS, Mr. JODY B. HICE of Georgia, Mr. COSTELLO of Pennsylvania, Mr. WALBERG, Mr. AMODEI, Mr. DUNCAN of South Carolina, Mr. WENSTRUP, Mr. SANFORD, Mr. YOHO, Mr. HUDSON, Mr. STIVERS, Mr. LAMBORN, Mr. BIGGS, Mr. GOSAR, Mr. RODNEY DAVIS of Illinois, Mr. GROTHMAN, Mr. REED, Mr. MOOLENAAR, Mr. LABRADOR, Mr. MCCAUL, Ms. BEUTLER, Mrs. LOVE, Mr. TROTT, Mr. ISSA, Mr. GRIFFITH, Mr. CHAFFETZ, Mr. BABIN, Mr. BYRNE, Mr. RATCLIFFE, Mr. BRAT, Mr. LAMALFA, Mr. PAULSEN, Mrs. BROOKS of Indiana, Mr. JOHNSON of Ohio, Mrs. MIMI WALTERS of California, Mr. CRAWFORD, Mr. SMITH of Texas, Mr. COLLINS of New York, Mr. FRELINGHUYSEN, Mr. KATKO, Mr. BUCK, Mr. KELLY of Mississippi, Mr. ADERHOLT, Mr. SAM JOHNSON of Texas, Mr. LUETKEMEYER, Ms. JENKINS of Kansas, Mr. GRAVES of Georgia, Mr. BISHOP of Michigan, Mr. BUCHSON, Ms. MCSALLY, Mrs. HARTZLER, Mr. RUTHERFORD, Mr. FORTENBERRY, Mr. KELLY of Pennsylvania, Mr. MURPHY of Pennsylvania, Mr. GIBBS, Mr. DESANTIS, Mrs. NOEM, Mr. BERGMAN, Mr. WITTMAN, Mr. YOUNG of Alaska, Mr. SMITH of Nebraska, Mr. BROOKS of Alabama, Mr. RENACCI, Mr. LOUDERMILK, Mr. ZELDIN, Mrs. COMSTOCK, Mr. BARR, Mr. BILIRAKIS, Mr. DESJARLAIS, Mr. THOMAS J. ROONEY of Florida, Mr. MEADOWS, Mr. THOMPSON of Pennsylvania, Mr. POE of Texas, Mr. ROKITA, Mr. OLSON, Mr. SHUSTER, Mr. MITCHELL, Mr. TURNER, Mr. WOODALL, Mr. HARRIS, Mr. FLORES, Mr. WILLIAMS, Mr. MESSER, Mr. LANCE, Mr. PALAZZO, Mr. CALVERT, Mr. WALKER, Mr. HOLLINGSWORTH, Mr. LUCAS, Mr. HOLDING, Mr. BRADY of Texas, Mr. ROUZER, Mr. ABRAHAM, Mr. BISHOP of Utah, Mr. TIBERI, Mr. PEARCE, Mr. LONG, Mr. SIMPSON, Mr. HULTGREN, Mr. NEWHOUSE, Mr. ROGERS of Kentucky, Mr. MARCHANT, Mr. SMITH of Missouri, Mr. WALDEN, Mr. MCCLEINTOCK, Mr. BARTON, Mr. JORDAN, Mr. LAHOOD, Mr. ROSKAM, Mr. YODER, and Mr. KNIGHT.

H.R. 29: Mr. HUDSON, Mr. TROTT, Mr. BILIRAKIS, Mr. RATCLIFFE, Mr. JOYCE of Ohio, and Mr. WOODALL.

H.R. 33: Mrs. LOVE.

H.R. 38: Mr. BILIRAKIS, Mr. DUNN, Mr. BISHOP of Utah, Mr. BARR, Mr. LATTA, and Mr. ROUZER.

H.R. 40: Mr. BRADY of Pennsylvania, Mr. RUSH, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 41: Mr. LOUDERMILK, Mr. SENSENBRENNER, and Mr. HARPER.

H.R. 71: Mr. TIBERI.

H.R. 77: Mr. SESSIONS.

H.R. 78: Mr. SESSIONS.

H.R. 79: Mr. SESSIONS.

H.R. 140: Mr. FRANKS of Arizona.

H.R. 169: Ms. BONAMICI and Ms. ZOE LOFGREN.

H.R. 174: Mr. FRANKS of Arizona.

H.R. 175: Mr. WITTMAN, Mrs. BLACKBURN, Mr. HARRIS, Mr. LOUDERMILK, Mr. WILSON of South Carolina, Mr. WEBER of Texas, Mr. BUDD, Mr. DAVIDSON, Mrs. HARTZLER, Mr. RATCLIFFE, and Mr. BRAT.

H.R. 184: Mr. TED LIEU of California, Mr. ZELDIN, Ms. TITUS, and Mr. SMITH of Nebraska.

H.J. Res. 6: Mr. BIGGS and Mr. DESJARLAIS.

H.J. Res. 11: Mr. MOONEY of West Virginia, Mr. KELLY of Pennsylvania, Mr. JOYCE of Ohio, Mrs. WAGNER, Mr. BUCHSON, Mr. FLEISCHMANN, Mr. THOMPSON of Pennsylvania, and Mr. MCCLEINTOCK.

H. Res. 11: Mr. GRIFFITH, Mr. HOLDING, Mr. ROE of Tennessee, Mr. HULTGREN, Mr. SAM JOHNSON of Texas, Mr. FASO, Mr. STIVERS, Ms. MCSALLY, Mr. GROTHMAN, Mr. JOHNSON of Ohio, Mr. DONOVAN, Mr. THOMPSON of Pennsylvania, Mr. TROTT, Mr. DAVID SCOTT of Georgia, Mr. GONZALEZ of Texas, Mr. COSTA, Mr. GAETZ, Ms. JENKINS of Kansas, Mr. RENACCI, Mr. RUPPERSBERGER, Mr. VELA, Mr. DELANEY, Mr. KING of New York, Mr. ALLEN, Mr. YOUNG of Iowa, Mr. JOHNSON of Louisiana, Mr. GOTTHEIMER, Mr. COOK, Mr. CHAFFETZ, Mr. TIBERI, Mr. BRADY of Pennsylvania, Mr. ROSKAM, Mr. OLSON, Ms. ROSEN, Mrs. MIMI WALTERS of California, Mr. SMITH of Texas, Mr. COSTELLO of Pennsylvania, Mrs. WAGNER, Mr. YOUNG of Alaska, Mr. THOMAS J. ROONEY of Florida, Mr. MOONEY of West Virginia, Mr. SCHWEIKERT, Mr. CULBERSON, Mr. MEADOWS, Mr. LAMALFA, Mr. LOBONDO, Mr. RUSSELL, Mr. HARRIS, Mr. BISHOP of Michigan, Mr. JENKINS of West Virginia, Mr. BUCHANAN, Mr. HUNTER, and Mr. CALVERT.

H. Res. 14: Mr. SMITH of Nebraska, Mr. SENSENBRENNER, Mr. FARENTHOLD, and Mr. GAETZ.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on Judiciary in H.R. 21 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. SESSIONS

The provisions that warranted a referral to the Committee on Rules in H.R. 21 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MRS. BLACK

The provisions that warranted a referral to the Committee on the Budget in H.R. 26, the Regulations from the Executive in Need of Scrutiny Act of 2017, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on Judiciary in H.R. 26 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. SESSIONS

The provisions that warranted a referral to the Committee on Rules in H.R. 26 do not contain any congressional earmarks, limited

tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative CONAWAY, or a designee, to H.R.

238, the Commodity End-User Relief Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.