

Will we secure our borders and stop the lawless from coming across the Rio Grande?

Will we end the reckless spending that is indebting our kids and our grandkids to a future in which the dollar is worthless, and their country is destroyed because we didn't do our job here?

Will we pass tax reform that is good for families and small businesses, not the K Street lobbyists and big corporations?

These are the questions the American people want us to answer. They are tired of the excuses. They are tired of sternly worded letters. They are tired of hearings. They are tired of speeches. I will look in the mirror. I am giving another speech. They want to see us do it.

My call to my colleagues on both sides of the aisle, but particularly my colleagues on the Republican side of the aisle, we owe it, we owe it to the 400,000 tombstones sitting on the other side of the Potomac, we owe it to all those who fought and died and bled for that flag and for everything it represents. We owe it to our kids and our grandkids; we owe it to the world so that America can continue to be the beacon of hope. We owe it to restore American independence, restore liberty and freedom, restore a faith and a confidence in a government that is doing its actual constitutional job. We owe them that, not excuses.

We owe them to deliver, not to come back and say: Well, we tried. We owe them every ounce of our being when we are here in this town to work and get our job done; not to play politics, not to campaign, not to go to another political event, but to be here and do our job.

It is an honor to serve in Congress, but there is no point in being here if we are not actually going to deliver for the American people who sent us here to deliver for them. We will win the arguments if we will make them. We will lose the arguments if we are too afraid to fight.

I am tired of the celebrations of all the people who have fought, bled, and died for this country with an absence of a conviction politically, with all due respect to the many veterans in this Chamber who wore the uniform and fought and bled for this country, politically are you willing to fight and bleed and politically die for your country? Until you are, until you are willing to risk that, until you are willing to take that election certificate and nail it up on the wall and say: I am going to take this thing for a spin, I am going to actually do what I said I was going to do, and then let the American people decide. Until we are willing to do that, then we are going to be relegated to, in Reagan's phrasing, "the ash heap of history."

I happen to believe that we can take this country back, but I happen to believe that if we don't, if we don't take the steps right now to rescue her, then

we are going to lose her. We are going to be that generation that Reagan talked about when Reagan said we are only "one generation away from extinction." The question for us is, what will we do?

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

ADJOURNMENT

Mr. ROY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 40 minutes p.m.), the House adjourned until tomorrow, Friday, June 14, 2024, at 9 a.m.

NOTICE OF PROPOSED RULE- MAKING FROM THE OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS ("OCWR")

U.S. CONGRESS, OFFICE OF
CONGRESSIONAL WORKPLACE RIGHTS,
Washington, DC, June 13, 2024.

Hon. MIKE JOHNSON,
*Office of the Speaker of the House of Representatives,
U.S. Capitol, Washington, DC.*

DEAR MR. SPEAKER: Section 207(d) of the Congressional Accountability Act (CAA), 2 U.S.C. 1316a(d), requires the Board of Directors of the Office of Congressional Workplace Rights (Board) to issue substantive regulations implementing section 207 of the CAA relating to the Fair Chance to Compete for Jobs Act of 2019 (FCA).

Section 304(b)(1) of the CAA, 2 U.S.C. 1384(b)(1), requires that the Board issue a general notice of proposed rulemaking by transmitting such notice to the Speaker of the House of Representatives and the President Pro Tempore of the Senate for publication in the *Congressional Record* on the first day of which both Houses are in session following such transmittal.

On behalf of the Board, I am hereby transmitting the attached Notice of Proposed Rulemaking to the Speaker of the House of Representatives. I request that this notice be published in the House section of the *Congressional Record* on the first day on which both Houses are in session following receipt of this transmittal. In compliance with section 304(b)(2) of the CAA, a comment period of 30 days after the publication of this Notice of Proposed Rulemaking is being provided before adoption of the rules.

Any inquiries regarding this notice should be addressed to Martin J. Crane, Executive Director of the Office of Congressional Workplace Rights, Room LA-200, 110 Second Street, S.E., Washington, D.C. 20540-1999; 202-724-9250.

Sincerely,
BARBARA CHILDS WALLACE,
*Chair of the Board of Directors,
Office of Congressional Workplace Rights.*

NOTICE OF PROPOSED RULEMAKING FROM THE OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS ("OCWR")

Re NEW PROPOSED REGULATIONS IMPLEMENTING CERTAIN SUBSTANTIVE RIGHTS AND PROTECTIONS FOR JOB APPLICANTS, AS REQUIRED BY SECTION 207 OF THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995, AS AMENDED ("CAA")

Background

The purpose of this Notice of Proposed Rulemaking ("Notice") is to propose substantive regulations that will implement the

Fair Chance to Compete for Jobs Act of 2019 ("FCA") in the legislative branch of the federal government. The FCA, as applied by section 207 of the CAA, codified at 2 U.S.C. §1316b, places limitations on employing office requests for criminal history record information from job applicants prior to a conditional offer of employment.

The CAA applies the rights and protections of numerous federal labor and employment statutes to covered employees and employing offices in the legislative branch. Section 1316b of the CAA prohibits employing offices from requesting that an applicant for employment disclose criminal history record information before the employing office makes a conditional offer of employment to that applicant. Section 1316b also provides that applicants for employment may rely on the CAA's existing claims procedures under subchapter IV and, through incorporation of 5 U.S.C. §9204, establishes minimum penalties and procedures to be followed before such penalties may be assessed against an employee who violates the FCA.

What is the authority under the CAA for these proposed substantive regulations?

The authority under the CAA for these proposed substantive regulations is found in two sections of the CAA. Section 1316b applies certain provisions of the FCA, title 5, chapter 92 of the United States Code. Section 1316b provides rights and protections to job applicants against criminal background checks prior to a conditional offer of employment. Subsection 1316b(d) requires the OCWR Board of Directors ("Board") to issue substantive regulations to implement these protections that are:

the same as substantive regulations promulgated by the Director of the Office of Personnel Management . . . except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

The second CAA section that provides authority to the Board to promulgate these regulations is section 304, codified at 2 U.S.C. §1384. These proposed substantive regulations implement the statutory protections embodied in section 1316b.

Although Congress has required the Board to propose substantive regulations that are the same as the FCA regulations promulgated by the Office of Personnel Management ("OPM"), Congress has not required the Board to adopt OPM's procedural regulations for FCA violations. Section 1316b(c)(2) instead provides that:

An applicant for employment as a covered employee who alleges a violation of subsection (b)(1) may rely on the provisions of subchapter IV (other than section 1407 or 1408 of this title, or a provision of this subchapter that permits a person to obtain a civil action or judicial review)

Accordingly, the Board will address procedures through amendments to the OCWR Procedural Rules, under section 1383 of the FCA.

Do similar rights and protections currently apply via the CAA to legislative branch employing offices and covered employees?

No. Section 1316b creates a unique framework under the CAA providing for penalties against employees who violate the FCA.

What rights and protections are applied to eligible employees under section 1316b?

Congress enacted the FCA in December 2019, and the final regulations promulgated by OPM for the executive branch became effective in October 2023. The FCA's provisions