



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, SECOND SESSION

Vol. 160

WASHINGTON, WEDNESDAY, FEBRUARY 26, 2014

No. 32

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 26, 2014.

I hereby appoint the Honorable ILEANA ROS-LEHTINEN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2014, 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.

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Madam Speaker, I am on the floor again today to talk about Afghanistan—the absolute waste of life and money.

A lot of people don't realize this, but if you go back to 2001, the war in Iraq and Afghanistan, we have spent over \$1.5 trillion, which averages out to about 11.2 million tax dollars paid every hour by the American people.

In today's national paper, the USA Today—and other headlines—the head-

line is this: "Obama to Karzai: Time running out for security deal."

Madam Speaker, based on recent polls, this would be good news for the American people if we would not continue this relationship with Afghanistan. It is nothing but an absolute waste of the taxpayers' money, and the American people are sick and tired of it. A recent poll last week by Gallup showed that almost 50 percent of the American people believe that the war in Afghanistan was a mistake to start with.

I can honestly say this: If it was not a mistake to start with, it is a mistake now that we continue to support and spend money on a corrupt leader named Karzai.

Madam Speaker, as I listened to the Secretary of Defense Chuck Hagel yesterday talk about financial pressure on our military and the budget that he will be supporting that Mr. Obama has proposed, I wonder why we in Congress are not allowed to debate on the floor of this House—and I am not talking about the Senate now—whether we believe that we should have a 10-year agreement with Afghanistan.

Again, we are talking about spending anywhere from \$3 billion to \$4 billion a month. It is borrowed money from the Chinese and Japanese, and we continue to raise the debt ceiling because we cannot pay our own bills. It is time for the Congress to speak out on behalf of the American people and say enough is enough.

To be clear, this agreement that President Karzai has adamantly refused to sign, as The Washington Post reported earlier this week, during a December visit to Kabul, Hagel suggested that the late-February NATO meeting—meaning this week—was a cutoff point for Afghan President Karzai to sign the bilateral strategic agreement that sets the terms for a post-2014 U.S. presence.

Madam Speaker, we cannot any longer police the world. We can hardly

afford to pay our own bills without going to foreign governments to borrow money.

Madam Speaker, it is time for Congress to reach out and to say that we listen to the American people. When we are talking about not even being able to take care of our veterans, and we are going to cut programs for children and senior citizens, and even our veterans are in jeopardy of getting the benefits that they have earned, it is time for the American people to put pressure on Congress to have this debate that many of us in both parties would like to have, quite frankly.

Madam Speaker, I have beside me a photograph of a young man named Eric Edmundson. Eric, in 2005, was in a Humvee that was hit by an IED that exploded. Eric has been in the national Wounded Warrior Project ads across this Nation.

Eric is like so many of the wounded. We just don't really think about them every day, but we should. Eric has a wonderful wife. His mom and dad were able to retire to New Bern, North Carolina, which is in my district, and help Eric have a quality of life.

Madam Speaker, I can honestly tell you that we have got so many veterans that we are going to need to take care of who earned the right for this government to take care of them that we are going to have a tsunami that is going to hit this Congress in a few years, and we are going to wonder how in the world can we give these wounded and their families what they have earned and deserve.

Madam Speaker, it is time for this Congress to put pressure on the leadership of the Republican Party and the Democratic Party to force a discussion and a debate on the future of our financial involvement in Afghanistan.

With that, Madam Speaker, I am going to ask God to please bless our men and women in uniform. I ask God to please bless the wounded, to bless

□ 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.

H1941

the families who have given a child dying for freedom in Afghanistan and Iraq. And I ask God to please bless the House and the Senate, that we will do what is right in the eyes of God for God's people, and to please bless the President of the United States, that he also would do what is right in the eyes of God for America.

END HUNGER NOW

The SPEAKER pro tempore (Mrs. LUMMIS). The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Madam Speaker, there are close to 50 million people who are hungry in the United States of America. We are the richest country in the history of the world, and we have close to 50 million people who are food insecure or are hungry; 17 million of these people are kids.

We in Congress are not doing nearly enough to address this issue. In fact, this Congress has made things worse for many struggling families all across this country.

Last November there was an \$11 billion cut that went into effect with regard to the SNAP program. That is the name of the program that was formerly known as food stamps, an \$11 billion cut that impacted every single beneficiary on this program. Everybody got a cut. Food prices didn't go down, but they got a cut.

Then we just recently passed a farm bill in this Congress that made sure that those well-off special interests were protected and the rich got richer. But we paid for those subsidies by cutting SNAP by another \$8.6 billion. It is shameful.

Madam Speaker, these cuts are real, and the people they impact are real. Sometimes I wonder whether those who voted for these cuts have any appreciation of what it is like to be poor in America, whether they have ever been to a food bank or a soup kitchen or ever talked to anybody who is on SNAP. It is hard. It is difficult to be poor in America.

Despite what I believe is this indifference and, in some cases, contempt for poor people that we have seen in this Chamber, I do want to acknowledge that outside of this Congress and outside of government there are many, many people who understand that we all should care about our brothers and sisters who are struggling and who are doing amazing things.

Last week, during our break, I visited with some people who I think are doing things that I found to be inspirational. Visiting these soup kitchens and shelters gave me some new inspiration and new hope that maybe what they are doing will be contagious and that those of us in this Congress will step up to the plate and take on the issue of hunger and poverty in this country.

I visited a soup kitchen in Amherst, Massachusetts, called Not Bread Alone.

I met with the supervisor, Hannah Elliott, and an incredible group of volunteers, which included a chef and people from all walks of life, who prepared nutritious meals for those who are struggling.

I talked to the people who came in to have one of these nutritious meals. These people are our neighbors. These people have worked to make this country great. Some of them are veterans. They have fallen on hard times and can't afford to eat. And thank God for a place like Not Bread Alone, where they can come in and be able to be in a warm place and get a decent meal and feel like people care about them.

At UMass Amherst, I met a student named Jacob Liverman. I met him and a group of young students who launched this effort called the Food Recovery Network. What they do is work with the kitchen at the University of Massachusetts in Amherst so that the leftovers of the food that is prepared on a given day don't get thrown away.

They take those leftovers and follow all those procedures that you have to follow to make sure that everything is within the health codes. They take this food and deliver it to an emergency shelter called Craig's Doors, which is also in Amherst. I met Kevin Noonan, the executive director there, who is a wonderful man, along with all the volunteers there.

I had the privilege of being able to serve meals to the people that came through the shelter on a cold, wintry night. It is eye-opening when you talk to these people and learn about their backgrounds and learn about how they have fallen on hard times.

I am grateful that there are places like Craig's Doors. I am grateful that there are young students like the ones I met at the University of Massachusetts Amherst campus who have taken the initiative to step up to the plate and to help try to feed people who are hungry. I am grateful for places like Not Bread Alone that do such an incredible job in terms of providing food for people.

I went to Greenfield Community College and sat down with the president, Bob Pura, and his faculty and members of their kitchen. Because there is a need, they actually have a food bank on their campus. There are people going to school who do not have enough to eat. This school provides them the support and the help that they need. They also have a permaculture garden. They are growing food not only for that soup kitchen and for their food bank, but for their students as well, because they are putting an emphasis on nutrition.

I will close, Madam Speaker, by saying these are inspirational activities that are going on. We need to learn by them, and we need to do much better. Nobody in America should go hungry.

VENEZUELA

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

Ms. ROS-LEHTINEN. Madam Speaker, today I rise for those who cannot speak freely in Venezuela. Widespread demonstrations have broken out throughout Venezuela to protest an oppressive regime that seeks to silence the people and deny their fundamental freedoms of expression and the right to assembly.

After years under Chavez and now Maduro, those brave men and women are expressing themselves in a united, clear voice that what they want is what should be rightfully theirs: respect for human rights and a true democracy in Venezuela. In response, as you can see here, Maduro and his thugs treat them like criminals.

Over the past weeks, Madam Speaker, 14 people have been killed by Maduro's forces; over 100 have been unjustly detained. But because Maduro controls the major media outlets, he has silenced many of those who attempt to draw attention to the plight of the Venezuelan people and instead cast the blame on the United States for all of the country's ills. The nerve of him.

Blaming the United States for his own domestic problems seems to be the modus operandi for Maduro, but the Venezuelan people are smarter than that. They recognize that this is just another scheme of Maduro's.

The regime tried to silence its people by blocking images on Twitter, as Venezuelans turn to social media to show the world the ugly reality that they are going through.

As the violence in Venezuela continues to escalate, responsible nations in the hemisphere and throughout the world have a moral obligation to stand with the people of Venezuela against the forces of fear and oppression. We must be the voice for those suffering under this repression. At the same time, we must condemn the violent actions of the Maduro regime against people who are yearning for liberty, justice, democracy, respect, and for human rights.

This fight for democracy and human rights isn't the struggle of Venezuelans only. It is the struggle of all who seek to advance the cause of human dignity and freedom.

How we respond matters. Madam Speaker, it is a test of our commitment to the ideals of freedom and democracy for everyone, not just for a few.

□ 1015

It is also a test of our resolve. Other oppressive leaders in the region are watching us to see if we back up our lofty words with action, so we must not equivocate. We must not waver.

We must stand up for those who cannot stand up for themselves, and we must be the voice for those who are

being silenced by this repressive regime, because our inaction would only serve to embolden other rogue regimes that seek to fight back the tides of democracy.

Throughout the Western Hemisphere, Madam Speaker, we have seen these regimes, such as Venezuela and the one in Cuba, work together to oppress and silence civil society.

Just yesterday, in my native homeland of Cuba, Dr. Oscar Elias Biscet, a leading Cuban pro-democracy advocate and a recipient of the U.S. Presidential Medal of Freedom, was unjustly arrested by agents of the Castro regime for expressing his support for Leopoldo Lopez in Venezuela, one of the leading opposition figures who remains in military jail as we speak.

We must send a unified message to these and other repressive leaders that we will not look the other way when they commit heinous acts against their own people. We must show them that the world is watching and that they will face serious consequences for their transgressions.

That is why, Madam Speaker, I have proposed House Resolution 488, that expresses solidarity with the people of Venezuela who yearn for freedom, for democracy, and dignity.

I commend the Government of Panama for calling for an urgent meeting of Latin American foreign ministers at the Organization of American States, OAS, to address this ongoing crisis in Venezuela. Sadly, this response is an exception, as other countries in the hemisphere remain deafeningly silent.

I call on the OAS to demonstrate its commitment to the principles of its Inter-American Democratic Charter and support the Venezuelan people's right for democratic reforms to be respected in their country and respect for human rights.

I urge the United States administration to make a priority of supporting the Venezuelan people's aspirations for democracy and liberty, and I urge my colleagues in the Congress to join me in this important call for solidarity.

WIND POWER

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. TONKO) for 5 minutes.

Mr. TONKO. Madam Speaker, we are in a global competition, a global race on clean energy and innovation. In our efforts to win this race and ensure our place as the kingpin of the global economy for decades to come, we must support a secure, all-of-the-above domestic energy supply that includes both newly abundant traditional fossil fuels as well as clean, renewable energy, energy such as wind, solar, biomass, hydro, nuclear, and more.

We simply cannot continue to rely on a single fossil fuel to power our economy. That is not wise, long-term policy.

Today, I would like to highlight one of these abundant, job-creating clean energy sources: wind energy.

One way to support this critical source of energy for our Nation is the Federal Production Tax Credit, the credit that keeps electricity rates low and encourages development of proven renewable energy projects.

This credit expired at the end of last year and must be retroactively extended to foster job growth and promote a greener and cleaner environment for the next generations.

The PTC, the Production Tax Credit, also creates jobs. In my district, the Capital Region of New York State, we are host to GE's Global Research Center and Wind Turbine Service Center. In 2012 alone, GE's wind division produced some 1,722 megawatts of power and provided a local capital investment of some \$3.2 billion.

If we are serious about helping the private sector create quality jobs that will put purchasing power back in the hands of the middle class, we must support wind power as one part of our overall energy policy and strategy.

Madam Speaker, today, I renew my support for wind power and the almost 2,000 jobs this clean energy source generates in my home State of New York, a number that is growing by the day, and a group whose work every day is helping to grow our economy, clean the air we breathe and the water we drink, and make us truly energy independent.

PRESIDENT OBAMA IS VERY DIFFERENT THAN SENATOR OBAMA

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

Mr. OLSON. Madam Speaker, on the issue of increasing America's national debt, President Obama is very different than Senator Obama.

Senator Barack Obama, on the House floor, March 16, 2006:

The fact that we are here today to debate raising America's debt limit is a sign of leadership failure. It is a sign that the U.S. Government can't pay its own bills. It is a sign we now depend on ongoing financial assistance from foreign countries to finance our government's reckless fiscal policies. Over the past 5 years, our Federal debt has increased by \$3.5 trillion to \$8.6 trillion. That is trillion with a "t." That is money that we have borrowed from the Social Security trust fund, borrowed from China and Japan, borrowed from American taxpayers.

Numbers that large are sometimes hard to understand. Some people may wonder why they matter. Here is why: this year the Federal Government will spend \$220 billion on interest.

Senator Obama later explained:

That is more money to pay interest on our debt this year than we will spend on education, homeland security, transportation, and veterans benefits combined.

After talking about Hurricane Katrina, Senator Obama shifted to the debt tax:

And the cost of our debt is one of the fastest growing expenses in our Federal budget. This rising debt is a hidden domestic enemy, robbing our cities and States of critical investments in infrastructure like bridges, ports, and levees, robbing our families and

our children of critical investments in education, health care reform, robbing our seniors of the retirement and health security they have counted on.

Every dollar we pay in interest is a dollar that is not going to investment in America's priorities. Instead, interest payments are a significant tax on all Americans, a debt tax that Washington doesn't want to talk about.

If Washington were serious about an honest tax relief in this country, we would see an effort to reduce our national debt by returning to responsible fiscal policies.

And Senator Obama finally brought up our debt to unfriendly nations:

Now, there is nothing wrong with borrowing from foreign countries. But we must remember that the more we depend on foreign nations to lend us money, the more our economic security is tied to the whims of foreign leaders whose interests might not be aligned with ours.

Increasing America's debt weakens us domestically and internationally. Leadership means that "the buck stops here." Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership. Americans deserve better.

I therefore intend to oppose the effort to increase America's debt limit.

Today, our national debt is \$18 trillion with a "t." Clearly, President Obama has forgotten Senator Obama's words, but the American people remember, and on their behalf, I ask President Obama to decrease our debt by working with Congress to reform our Tax Code to make it pro-growth and anti-debt.

HONORING DAVID LACHMANN ON HIS RETIREMENT FROM THE U.S. HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. NADLER) for 5 minutes.

Mr. NADLER. Madam Speaker, I rise today to honor David Lachmann on his retirement from the House of Representatives and to thank him for his 25 years of federal service.

David came to Washington in 1989 to work for former Congressman Steve Solarz of Brooklyn, staffing him on the House Merchant Marine and Fisheries Committee, as well as on issues related to criminal justice, religious liberty, housing, and the environment.

When I was elected to Congress in 1992, David became my first legislative director. In 1997, David moved to the Judiciary Subcommittee on Commercial and Administrative Law. For the past 13 years, he has served as the Democratic chief of staff on the Constitution and Civil Justice Subcommittee.

As an expert on the First Amendment, and particularly on issues of religious liberty and church-state relations, David was instrumental in the passage of the Religious Freedom Restoration Act and the Religious Land Use and Institutionalized Persons Act.

He is also one of the foremost experts in the House on bankruptcy, a very technical and complicated area of law

but one that affects millions of people. Over the last 25 years, David has worked tirelessly to advocate for the rights and well-being of people who are most in need of Congress' protection but who do not have access to high-priced lobbyists.

David performed these services every day, whether in defending against attacks on women's reproductive rights, working to protect Americans' civil liberties against PATRIOT Act provisions, or building support for legislation to overturn the Defense of Marriage Act.

David's resume is impressive, but it does not tell the full story. David is a legend in the House. He is one of those committed public servants who has become an institution within the institution.

As the chief of staff of the Constitution Subcommittee, David has been the point person on some of the most difficult and divisive issues facing Congress each year. Yet, he brings a sense of humor, wit, and perspective that is well known in the House, without ever sacrificing his commitment to advancing the cause of equality and justice, and to defending the rights and freedoms of the most vulnerable among us.

He has provided Members of Congress, staff, and advocates with a wealth of expertise and institutional memory on a wide range of issues that would be difficult, if not impossible, to replace. It will be a long time before I stop picking up the phone and dialing his number to ask him a question about some matter before the committee, or to get his perspective on the latest Supreme Court decision, or to just reminisce about the days of 1970s and 1980s New York politics.

David has worked with me for a long time, and his biggest contribution has been as a trusted adviser and loyal friend.

Madam Speaker, I ask my colleagues to join me in thanking David for his service and for his dedication to working on behalf of the American people. He will be sorely missed in this institution, but we wish him all the best in his future endeavors.

□ 1030

DIVERSE LOCAL AND NATIONAL SUPPORT FOR FARM BILL

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, on February 7, 2014, President Obama signed into law the Agricultural Act of 2014, the 5-year farm bill reauthorization that passed Congress with bipartisan support and reduces annual budget deficits by \$16.6 billion over 10 years.

Industry professionals across my home State of Pennsylvania and nationally—including farmers, foresters, conservationists, researchers, and pol-

icy advocates—have praised the law as a historic improvement, the Federal agriculture policy that will improve land management, support key areas of economic activity, and bolster important investments in education and applied research.

Susan Benedict, an American Tree Farm System certified forest owner from State College, Pennsylvania, stated:

As a Pennsylvania tree farmer, I can happily say this farm bill was well worth the wait. With the promotion of new market opportunities in the Biobased Markets Program and green building markets, improved access to critical conservation programs, and increased regulatory certainty when protecting water quality of my forest's roads, this farm bill is truly the best farm bill yet for forests. I applaud conference committee members for championing strong forestry provisions, such as the Biobased Markets Program changes, for America's 22 million family forest owners.

Kenneth C. Kane, president of Generations Forestry in Kane, Pennsylvania, stated:

From the outside looking in, Congress displayed a level of bipartisanship on the farm bill that has been lacking, which is far better than the gridlock we have encountered. This is a wonderful bill and a good final product from numerous standpoints. From the standpoint of the Forest Service, this bill gives Secretary Vilsack and Forest Chief Tidwell more tools to actively manage forests, which is critically important. Now that these tools are available, the Forest Service must use them. This bill also offers our foresters and private industry more tools to actively manage, so this is also very important.

Barbara Christ, the interim dean of agricultural sciences at Penn State University in State College, Pennsylvania, stated:

Agricultural policy impacts every American by advancing food security for our Nation and beyond, including providing for critical research and education programs. We are thrilled that a new 5-year farm bill is now a reality. As a specialty crop State, of particular interest to Pennsylvania is the inclusion of the specialty crop research initiative. These programs help keep our Pennsylvania farmers competitive in an increasingly complex environment and help tackle the ongoing challenge of feeding a growing population.

Robert Maiden, executive director of Pennsylvania's Association of Conservation Districts, stated:

The new Federal farm bill has many strong conservation programs that are lifelines for Pennsylvania farmers. We needed Congress to understand these points and ensure that the importance of conservation efforts wasn't lost in the final farm bill language. The final bill addressed our fiscal challenges by understanding the necessity of reductions to Federal spending while identifying the need to improve conservation program efficiencies and improvements in program delivery. The final bill will allow for cleaner water for Pennsylvania waterways, resulting in healthier communities and stronger economies.

The president and CEO of the Nature Conservancy stated:

Despite the polarized political climate and challenging budget times, this farm bill would be one of the strongest ever for conservation and forestry. The farm bill's con-

servation provisions are practical, cost effective, and provide solid ways for the government to collaborate with individual landowners.

The president and CEO of the American Forest Foundation stated:

The long-awaited farm bill provides resources critical to implementing conservation practices on the ground and making good forest stewardship affordable. The improvements in the new farm bill include stronger market opportunities for forests, specifically with improvements to the Biobased Markets Program, and a strengthened commitment to expanding prospects for wood in green building markets, the fastest growing market for wood products. It also includes strong support for programs that combat forest invasive pests and pathogens and provisions to increase forest owners' regulatory certainty when protecting water quality.

Madam Speaker, it isn't every day that a broad cross-section of policy advocates and industry professionals find themselves on the same side of a given policy issue. Then again, it isn't every day that both parties actually work together for the good of the country and produce good public policy that improves the Nation's economic health, while at the same time, reforms government, and reduces spending.

UNEMPLOYMENT INSURANCE AND MINIMUM WAGE

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

Mr. CARSON of Indiana. Madam Speaker, I rise today to draw attention, once again, to an issue that some in this Congress seem to have forgotten: the millions of Americans who are unemployed or are working for wages that cannot support their families.

Imagine being told that you have to support your family for the rest of your life with just a month's paycheck. If it sounds impossible to manage, it is because far too often it is.

Low-income families have to make impossible choices between food and medicine. They often live in unsafe neighborhoods and send their kids to subpar schools because they have no other option. Getting paid the minimum wage has always been difficult, but it is getting harder year after year.

If the minimum wage had been tied to inflation in 1960, it would be \$10.10 today, or just over \$20,000 per year. Now, someone making this today wouldn't be wealthy, but working full-time might at least allow them to make ends meet. For me, this is what our country is really all about. If you work hard, you can build a life for yourself and your family.

Madam Speaker, this is why I am a very proud cosponsor of the Fair Minimum Wage Act, which finally raises the minimum wage for millions of Americans. Unfortunately, some of my colleagues oppose this very bill, claiming that raising the minimum wage should be a State-by-State decision. Now, that is fine if your State chooses

to raise its minimum wage, but if not, your constituents are no better off. They are still making \$7.25 an hour.

So I have just one question: If you are a well-intentioned, patriotic Republican who wants to leave the decision up to the States, are you prepared to explain to your constituents why they are worth less to you than the people across State lines?

For my part, I do not want low-wage Hoosiers to make less than those in other States just because our general assembly decides not to act. Of course, I understand the argument that some people may work fewer hours and some may even lose their jobs. This may be true. But it is important to remember that we have raised our minimum wage in the past, and in the past, the very same argument has proven itself to be untrue. So I am very optimistic that American employers, and particularly Hoosier employers in my congressional district, will do what they can to weather a minimum wage increase without letting folks go.

Now, unfortunately, this is not the only unnecessary struggle Congress has laid on America's low-income families this year. Today, our well-intentioned, patriotic Republican leaders continue to block an extension of emergency unemployment insurance, and because of congressional inaction, nearly 2 million Americans, Madam Speaker, were instantly cut off from their benefits in December, with 72,000 more being cut off each week.

Many of my Republican friends have painted unemployment benefits as a slush fund for certain lazy Americans. This is not only incredibly offensive, it is untrue. Americans want to work, but in many communities, there are simply no jobs available. In our economic downturn, Madam Speaker, everything from restaurants to machine shops to retail stores closed their doors and are only now starting to come back.

In Indianapolis, many Hoosiers are finding they no longer have the skills necessary for the modern workforce. Educated men and women with years of experience have to retrain before they even get rehired. Others have seen their industries simply disappear and have to prepare themselves for an entirely new career. This is far from laziness. Retraining and looking for a job is hard work with no pay. These Americans deserve our help covering expenses while they get back on their feet.

Madam Speaker, my good House Republican friends have yet to bring a real jobs bill to the floor in the 113th Congress, instead, focusing continually on deregulation and repealing the Affordable Care Act. Meanwhile, they overlook that raising the minimum wage is the right thing to do, putting our country back on track.

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 39 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, through whom we see what we could be and what we can become, thank You for giving us another day.

In these days, our Nation is faced with pressing issues: constitutional, religious, and personal rights, and matters of great political importance.

We thank You that so many Americans have been challenged and have risen to the exercise of their responsibilities as citizens to participate in the great debates of these days.

Grant wisdom, knowledge, and understanding to us all, as well as an extra measure of charity.

Send Your spirit upon the Members of this people's House who walk through this valley under public scrutiny. Give them peace and Solomonic prudence in their deliberations.

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

Amen.

THE JOURNAL

The SPEAKER. 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. Will the gentleman from Oklahoma (Mr. LANKFORD) come forward and lead the House in the Pledge of Allegiance.

Mr. LANKFORD 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

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

SILICA

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

Mr. LANKFORD. Mr. Speaker, comments have closed on a proposed rule from OSHA for sand in the workplace.

Prolonged breathing of silica, sand, can cause serious health issues. No one will dispute that. But this new rule is interesting in its design. In the comment request, OSHA specifically singles out one industry—oil and gas—as a key reason for the rule change. They write, in part, "A recent cooperative study identified overexposures to silica among workers conducting hydraulic fracturing operations," as their prime reason for the rule change.

It is interesting that after the rule has been in place since 1971, OSHA has made this change. Fracking is not new. It has been around for decades. Why the sudden change in this administration?

I believe the change is because this administration is looking for one more way to impede oil and gas development in the United States. If this is not just about oil and gas, will OSHA set new rules for beach lifeguards who work in sand all day? How about road crews in Arizona who work in blowing sand all day? How about gift shops and restaurants along our coasts? What about dune buggy operators in the sand dunes of Little Sahara State Park in north-west Oklahoma?

The people of my district work every day to provide our Nation energy independence and to get our Nation out of the Middle East. But they are tired of fighting mounds of new regulations, unfunded mandates, and attacks on their livelihood as they serve our Nation.

WIND PRODUCTION TAX CREDIT

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

Ms. TSONGAS. Mr. Speaker, I rise today as a member of the Sustainable Energy and Environment Coalition to talk about a significant issue for Massachusetts and our nation: the wind production tax credit.

In the past 2 years, clean energy jobs in Massachusetts have grown by 24 percent and are projected to grow another 11 percent in 2014. Thanks to the wind industry, the Commonwealth has seen an influx of over \$200 million in capital investment and is home to nine wind-related manufacturing facilities.

Massachusetts is also home to the Wind Technology Testing Center, which at the time of its opening was the first facility in the country capable of testing large-scale wind turbine blades up to 300 feet in length. This testing center has created high-skilled jobs and has helped spur the development of next-generation blades made here in the United States.

We must act now to make sure that these innovative American businesses can continue to create new manufacturing opportunities here in the United States.

I urge my colleagues to join me in supporting an extension of the wind production tax credit.

STOP TARGETING POLITICAL BELIEFS

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

Ms. JENKINS. Mr. Speaker, investigations by the Ways and Means and Government Reform Committees have uncovered numerous examples of what appears to be a concerted effort by the IRS to target conservative groups and develop new regulations that could essentially silence conservative groups.

If allowed to take effect, these proposed regulations impact groups that have always been allowed to voice their positions on public policy. Notably, one group exempt from these proposed regulations—even though they do similar types of outreach—is labor.

Mr. Speaker, our Nation is founded on the freedom of speech, and any effort to hinder grassroots advocacy by the IRS must be stopped. At the very least the IRS regulations should be put on hold until investigations into the agency's prior misconduct are complete.

I urge my colleagues to support the Stop Targeting of Political Beliefs by the IRS Act, to ensure the administration does not use the IRS as a weapon to silence groups based on political beliefs.

LET'S GIVE AMERICA A RAISE

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, the Federal minimum wage has failed to keep up with the cost of living, leaving far too many families on the brink of poverty. For millions of Americans struggling to make ends meet on the current minimum wage, times have gotten harder and harder.

Increasing the minimum wage to \$10.10 per hour would be especially important for the thousands of working women currently trying to pull their families out of poverty. Two-thirds of minimum wage workers are women. Nearly a third of the families headed by a single female are living in poverty.

This is wrong. No mother who works hard at a full-time job to provide for her children and family should be living in poverty. Our success as a nation hinges on the success of women. When women succeed, America succeeds.

That is why I have just signed a discharge petition to bring a bill to this floor so that we can vote on raising the Federal minimum wage to \$10.10 for all hardworking Americans, including our mothers and daughters.

I think it is time. Let's give America a raise.

OAS MUST DO MORE TO SUPPORT DEMOCRACY IN VENEZUELA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to call on the Organization of American States, OAS, to take immediate action in support of freedom and democracy in Venezuela. The OAS must not remain silent while the people who are peaceful in Venezuela are being murdered on the streets by the Maduro regime.

I commend the government of Panama for proposing a region-wide foreign minister meeting to discuss the violations of human rights in Venezuela.

If the OAS can convene a special session over the lack of airspace access for a plane from Bolivia, then surely it must convene one on the ongoing democracy in Venezuela.

As a member of the OAS and its largest international donor, the U.S. has a moral obligation to ensure that these democratic principles are upheld, and if the OAS does not do more to address these attacks on freedom, then, Mr. Speaker, we must use our full voice, vote, and influence to compel it into action.

PRODUCTION TAX CREDIT

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

Mr. LOEBSACK. Mr. Speaker, I rise today in strong support of a critical jobs-creating policy for Iowa and our country that must be extended immediately, the production tax credit.

Once again, Congress has allowed the job-creating production tax credit to expire. This is unacceptable. Now is the time to not just talk about job creation but to act on a policy that is a proven job creator.

The production tax credit has helped revitalize our manufacturing base and build a homegrown industry. The wind industry supports some 80,000 jobs across the country and over 6,000 in Iowa alone. With Iowa a leader in wind power, the industry is investing in our rural communities and moving us toward a cleaner, homegrown source of energy.

The last time the PTC expired, thousands of jobs were lost, including hundreds right in my district in Iowa. We can't let these jobs disappear again. The PTC must be extended.

THE TRAIN WRECK OF OBAMACARE CONTINUES

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

Mr. HARRIS. Mr. Speaker, the train wreck of the President's health care plan continues. Last Friday afternoon,

curious timing, the Centers for Medicare Services released a report.

Mr. Speaker, the CMS is working with the IRS to implement ObamaCare, and the report said it looked at the effect on small businesses of ObamaCare and the effect on the premiums that were going to be paid by men and women who work in those small businesses.

Mr. Speaker, their report, from the President's own administration, said that 11 million workers will pay a higher health care premium under the Affordable Care Act. That is more than 5 million women who are going to pay a higher health care premium, when the promise the President made was that every family would save \$2,500 per year.

Mr. Speaker, they are not only not going to save \$2,500, those 11 million Americans are going to pay more for their health care next year, hard-working middle class Americans who can't afford it.

America deserves better.

PRODUCTION TAX CREDIT EXTENSION

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

Mr. McDERMOTT. Mr. Speaker, while we fool around again with a lot of minor bills here today, we refuse to deal with the ones that we ought to be dealing with. We need to be involved in passing things that create jobs.

Now, the production tax credit is an absolute no-brainer. We have used it for years and years. As long as I have been in the Congress it has been here, and the wind industry is dependent on it.

It is 3,000 jobs in my State, and thousands of jobs across this country. We passed it in the nineties. We let it expire. We lost all the jobs, and we are doing it again.

Now, climate change ought to be impressing people that we have to move away from fossil fuels and look for alternative energy, and this is the way we are going to do it.

In the 20th century, we invested in aerospace and microchip industries through the production tax credit, and we made all the advances of the Internet and everything else on the basis of these Production Tax Credits.

The 21st century is going to be about alternative energy, and this House dawdles around, attacking the IRS, and trying to repeal the ACA and all of this.

Why don't you make it a suspension bill?

It would pass in a minute.

□ 1215

LOGAN REGIONAL HOSPITAL'S 100TH ANNIVERSARY

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

Mr. BISHOP of Utah. Mr. Speaker, today, I rise to recognize the 100th anniversary of the Logan Regional Hospital, which serves the citizens of the Cache Valley of northern Utah.

In 1914, a new hospital with 60 beds was established that boasted modern patient conveniences, such as an X-ray machine. From 1948–75, the LDS church assumed responsibility for the hospital. In 1975, Intermountain Healthcare, a not-for-profit community service, was organized, which became a model for health care excellence.

In 1980, the hospital was expanded and moved to its present location, thanks to the help of \$2 million from private donors. Today, the hospital has 148 beds and offers a full range of hospital services.

The 100 years of continued health care service has been possible thanks to the professionals who have donated so much of their lives to provide excellence in health care to their patients.

Logan Regional Hospital fulfills the dreams of its original founders. Its not-for-profit community governance from committed board members continues to excel in providing for quality health care services.

THE COST OF A COLLEGE EDUCATION

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

Mrs. DAVIS of California. Mr. Speaker, as the cost of a college education continues to rise, Americans have become increasingly dependent on Federal student loans for access. Families are watching tuition creep up year after year, while their incomes and their savings have not kept pace.

To make matters worse, there have been widespread reports of abusive practices in the student loan servicing industry, and that makes it harder for borrowers to repay their loans. These trends jeopardize the promise of higher education as the great equalizer, a place of opportunity for all. Parents are worried that their children won't ever get a shot at the American Dream because they are drowning in debt.

And this week, the majority will bring up legislation that would undermine the Consumer Financial Protection Bureau's independence and their rulemaking authority; and this bill would weaken essential consumer protections and make it all but impossible to fight abuse in the student loan industry.

Mr. Speaker, I urge my colleagues to vote "no" on H.R. 3193 and stand up for students and families who deserve fair treatment.

PRODUCTION TAX CREDIT

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, my home State of Hawaii is fortunate to

have some of the most abundant renewable energy resources in the world, and yet we still spend \$4.5 billion every year to import fossil fuels to power our State.

This is not sustainable, and that is why Hawaii is aggressively working towards a goal of being 70 percent alternative energy source by the year 2030. But in order to succeed, we need strong, responsible policies that support and invest in clean energy development; and all alternative energy options are necessary.

We must renew the production tax credit for wind energy. Due to the PTC, the U.S. now leads the world in wind energy production, and the industry supports more than 80,000 domestic jobs. It is in the best interest of our environment, our economy, and future generations that we renew the PTC to ensure that our Nation continues to be a world leader in clean energy.

END THE WAR IN AFGHANISTAN

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

Mr. NOLAN. Mr. Speaker and Members of the House, I rise in support of the President, the Republicans, and the Democrats in this institution and across this country who want an end to the war in Afghanistan. It has cost us trillions of dollars that we can ill-afford.

There has been \$100 billion spent on infrastructure, yet the inspector general cannot find where the money has gone nor where the projects have been completed. There is \$30 billion in the pipeline now. We need to end that.

We need to bring all the troops home. Bring them home now. Save that money. Put it toward deficit reduction and investing in America—our roads, our bridges, our schools, our health care system. Our priorities demand it and require it.

Afghanistan is now the most corrupt nation in the world. Afghanistan supplies more illegal drugs to the rest of the world than all of the rest of the nations combined. It is time to end our involvement and stop this shameful waste of America's taxpayer treasure and our patriots' blood.

CLIMATE CHANGE

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

Mr. MORAN. Mr. Speaker, if you listen to the other side, you would think that the costs of the Environmental Protection Agency's efforts to reduce global warming and to protect our environment are breaking the back of our economy, but that is hardly the case.

What is really beginning to break the back of our economy is the costs associated with extreme weather events. From Hurricane Sandy to the droughts

in the Midwest and the West, it is costing tens of billions of dollars every year, and it is getting worse.

In fact, 10 years ago, the insurance industry estimated what the costs would be, and it was way less than it is today; and they acknowledge it is because of the effects of climate change. This applies to the Hartford Financial Services Group, AIG Prudential, and the Reinsurance Association of America. They all say that this is the footprint of climate change and that extreme weather conditions are going to get worse.

So you have to ask yourself: If the insurance industry is acknowledging the presence of climate change, why can't the Congress? Will the majority of this House stay in denial that the climate is changing, that human activities are contributing to this change? Are they going to continue to play an obstructionist role, or are they going to act responsibly for the benefit of future generations? I hope it is the latter.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion 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.

Any record vote on the postponed question will be taken later.

TAXPAYER TRANSPARENCY ACT OF 2014

Mr. FARENTHOLD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3308) to require a Federal agency to include language in certain educational and advertising materials indicating that such materials are produced and disseminated at taxpayer expense, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3308

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 "Taxpayer Transparency Act of 2014".

SEC. 2. REQUIREMENTS FOR PRINTED MATERIALS AND ADVERTISEMENTS BY FEDERAL AGENCIES.

(a) REQUIREMENT TO IDENTIFY FUNDING SOURCE FOR COMMUNICATION FUNDED BY FEDERAL AGENCY.—Each communication funded by a Federal agency that is an advertisement, or that provides information about any Federal Government program, benefit, or service, shall clearly state—

(1) in the case of a printed communication, including mass mailings, signs, and billboards, that the communication is printed or published at taxpayer expense; and

(2) in the case of a communication transmitted through radio, television, the Internet, or any means other than the means referred to in paragraph (1), that the communication is produced or disseminated at taxpayer expense.

(b) ADDITIONAL REQUIREMENTS.—

(1) PRINTED COMMUNICATION.—Any printed communication described in subsection (a)(1) shall—

(A) be of sufficient type size to be clearly readable by the recipient of the communication;

(B) to the extent feasible, be contained in a printed box set apart from the other contents of the communication; and

(C) to the extent feasible, be printed with a reasonable degree of color contrast between the background and the printed statement.

(2) RADIO, TELEVISION, AND INTERNET COMMUNICATION.—

(A) AUDIO COMMUNICATION.—Any audio communication described in subsection (a)(2) shall include an audio statement that communicates the information required under that subsection in a clearly spoken manner.

(B) VIDEO COMMUNICATION.—Any video communication described in subsection (a)(2) shall include a statement with the information referred to under that subsection—

(i) that is conveyed in a clearly spoken manner;

(ii) that is conveyed by a voice-over or screen view of the person making the statement; and

(iii) to the extent feasible, that also appears in writing at the end of the communication in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds.

(C) E-MAIL COMMUNICATION.—Any e-mail communication described in subsection (a)(2) shall include the information required under that subsection, displayed in a manner that—

(i) is of sufficient type size to be clearly readable by the recipient of the communication;

(ii) is set apart from the other contents of the communication; and

(iii) includes a reasonable degree of color contrast between the background and the printed statement.

(c) IDENTIFICATION OF OTHER FUNDING SOURCE FOR CERTAIN COMMUNICATIONS.—In the case of a communication funded entirely by user fees, by any other source that does not include Federal funds, or by a combination of such fees or other source, a Federal agency may apply the requirements of subsections (a) and (b) by substituting “by the United States Government” for “at taxpayer expense”.

(d) DEFINITIONS.—In this Act:

(1) FEDERAL AGENCY.—The term “Federal agency” has the meaning given the term “Executive agency” in section 133 of title 41, United States Code.

(2) MASS MAILING.—The term “mass mailing” means any mailing or distribution of 499 or more newsletters, pamphlets, or other printed matter with substantially identical content, whether such matter is deposited singly or in bulk, or at the same time or different times, except that such term does not include any mailing—

(A) in direct response to a communication from a person to whom the matter is mailed; or

(B) of a news release to the communications media.

(e) SOURCE OF FUNDS.—The funds used by a Federal agency to carry out this Act shall be derived from amounts made available to the agency for advertising, or for providing information about any Federal Government program, benefit, or service.

(f) EFFECTIVE DATE.—This section shall apply only to communications printed or otherwise produced after the date of the enactment of this Act.

SEC. 3. GUIDANCE FOR IMPLEMENTATION.

Not later than 6 months after the date of the enactment of this Act, the Director of the Office of Management and Budget shall develop and issue guidance on implementing the requirements of this Act.

SEC. 4. JUDICIAL REVIEW AND ENFORCEABILITY.

(a) JUDICIAL REVIEW.—There shall be no judicial review of compliance or noncompliance with any provision of this Act.

(b) ENFORCEABILITY.—No provision of this Act shall be construed to create any right or benefit, substantive or procedural, enforceable by any administrative or judicial action.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. FARENTHOLD) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. FARENTHOLD. 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 Texas?

There was no objection.

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

I am here today to speak on H.R. 3308, which requires the Federal Government to disclose that advertisements and information on government programs and services are paid for by the taxpayer.

Advertisements provide information, but in many instances, they are designed to induce people to buy or use a product or service. While we can debate whether individual Federal advertising campaigns are overly promotional, surely we can agree that the public should know that they, themselves, are sponsoring a government marketing piece.

Americans deserve to know how their tax dollars are being spent, and H.R. 3308 adds needed transparency to the business of government by requiring disclosures when taxpayer dollars are spent on advertising and educational materials.

This bill is designed to help people know what is going on. It is not intended to be a burden on local broadcasters, their advertisers, or any of the work that they do in local communities.

As a former broadcaster, I understand the important role that advertising plays, but it is also important that the people know what is an advertisement being paid for with government money, what is a public service announcement, and what is being paid for by private individuals.

This bill adds a disclaimer to ads in printed material very similar to what all of us in this Chamber are familiar with. There are advertising rules for Members' campaigns, where you have to indicate, This was paid for by so-and-so.

This would just require government agencies who purchase advertising or produce written material to add a disclaimer saying something to the effect of, Produced and aired at taxpayer expense.

I will reserve the balance of my time at this point, Mr. Speaker.

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

Under this legislation, Mr. Speaker, any communication an agency makes that is an advertisement or that provides information about a Federal Government program, benefit, or service would have to say that it is printed or published at taxpayer expense. Emails, radio, and television ads would have to say that they are produced and disseminated at taxpayer expense.

Some agencies already identify the agencies that print them. For example, the Army prints, “Paid for by the United States Army” on its recruiting posters. This bill would require the Army to change its wording and say, “Printed at taxpayer expense.” I have not heard any explanation, either at the committee or here on the floor, for why such a change is so necessary.

The gentlewoman from Illinois, Congresswoman DUCKWORTH, the former Assistant Secretary of Veterans Affairs, raised an important point during our committee's consideration of this bill. She pointed out that some materials printed by the Department of Veterans Affairs state that the VA produced the materials. This is important because veterans need to be able to trust the source of the information, and seeing “Department of Veterans Affairs” engenders just that trust.

Four years ago, this body passed a law, cosponsored by Chairman ISSA, the chairman of our committee, that prohibited nongovernment parties from sending mailings marked “census” without a clear disclaimer with the name of the party sending the mailing.

That law was passed after the Republican National Committee sent a mailing that led recipients to think it was an official census document when it was not.

□ 1230

We passed that law because we wanted to protect consumers from being misled into believing a communication from a nongovernmental source was, in fact, an official government document. We should use that same logic and caution with this bill. I think it is important that this bill is interpreted to allow agencies to continue to say that a communication is paid for by that agency rather than being required to say that the document is printed or published at taxpayer expense.

During the committee's consideration of this legislation, Chairman ISSA and my friend, Chairman FARENTHOLD, made commitments to Representative DUCKWORTH to work with her in finding mutually agreeable language. Representative DUCKWORTH suggested language that would address the issues we

raised with the military and the Veterans Administration. Unfortunately, Mr. Speaker, that language is not—*not*—included in this bill, and no changes were made at all since the committee considered it, despite the assurances given to Representative DUCKWORTH.

I will not vote against the bill, but I certainly hope that, if this bill or a similar bill moves through the Senate, the majority in the House will keep the commitments made to Representative DUCKWORTH and the Democrats on our committee to find a satisfactory resolution to the legitimate concerns that were raised.

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

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

I would like to take a moment to address the concerns raised by the gentleman from Virginia before yielding to the author of the bill, Mr. LONG.

During the markup, Representative DUCKWORTH was concerned about certain agencies like the VA and the Department of Defense; and during the markup, we did add a provision, at the minority's request, that allowed the Office of Management and Budget to implement regulations in exactly how this is going to be done. It certainly does not prohibit "paid for by the Army" or "paid for by the Veterans Administration." It would simply add, "paid for by the Army at taxpayer expense," which would clearly be compliant with this law, the idea being to determine what the taxpayers are paying for and what is being donated for time, for instance, by a broadcast facility for public service announcements or to differentiate ads that are not paid for by the government. There is no disclaimer. We know it is not paid for with taxpayer dollars.

What we are after here is to let the taxpayer know when they see something on the television, hear something on the radio, or see a printed material that their tax dollars funded it and it is something they can either be proud of or they can pick up the phone and call us up here in Washington, D.C. and say, What the heck are you doing wasting our money on these types of ads?

It empowers the public to know. We are not trying to limit Federal agencies. We are not trying to detract from the fine work that the VA does or to detract from the recruiting efforts that our Armed Forces are in.

Mr. CONNOLLY. Will my friend yield?

Mr. FARENTHOLD. I yield to the gentleman from Virginia.

Mr. CONNOLLY. I thank my friend.

Is there any doubt, do you think, in a taxpayer's mind that if the current situation that identifies something as paid for by the U.S. Army, then certainly we all understand that it is also paid for by the U.S. taxpayer?

Mr. FARENTHOLD. Reclaiming my time, we have got an alphabet soup of

government agencies. As I review documents for the budget, I sometimes have to Google what some of the agencies in the Federal Government do. Obviously, almost everybody knows what the Army is, but if you are not in the financial services, do you know what the CFPB is? Or do you know what some of the smaller subagencies are? And I think that is what we are getting at.

At this point, I will, however, yield as much time as he may consume to the gentleman from Missouri, Mr. BILLY LONG, the author of this bill, my good friend and a fellow broadcaster, I might add.

Mr. LONG. Mr. Speaker, I thank my colleague from Texas for yielding to me.

Every day, Federal agencies spend money advertising various programs without mentioning where the funding for these programs or their ads are coming from. Supreme Court Justice Louis Brandeis famously said that sunlight is said to be the best of disinfectants. The Taxpayer Transparency Act is about shining a light on how taxpayer dollars are spent by requiring executive branch agencies to disclose that these advertisements are paid for at taxpayer expense. Simply, this bill extends similar requirements already imposed on the House and the Senate to the executive branch.

It is time for government to start working for the people again. By providing more transparency in their spending, executive branch agencies will have to answer to the people. Americans have every right to know exactly how their tax dollars are being spent. As Members of Congress, we should all support an open and honest government, and this legislation does that by requiring executive branch agencies to be transparent with spending taxpayer dollars which promote Federal programs.

I urge the House to support this bill and look forward to further action by our colleagues in the Senate.

Mr. CONNOLLY. Could I inquire of the Speaker how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Virginia has 17½ minutes remaining. The gentleman from Texas has 14½ minutes remaining.

Mr. CONNOLLY. Mr. Speaker, I have no other speakers on this side. Does the gentleman have others on his side?

Mr. FARENTHOLD. I don't have any further speakers, and I am prepared to close.

Mr. CONNOLLY. I yield myself such time as I may consume.

In closing, Mr. Speaker, I certainly laud the intent of the bill. I sometimes wish, however, that we applied this same rubric to ourselves here in Congress. Wouldn't it be interesting for the taxpayers to know, for example, that a dead-end kind of inquiry on the IRS being pursued by the majority in this body just in our committee alone has already cost the taxpayers of the United States \$14 million producing

virtually nothing? And it would be very interesting to know how much it has cost the taxpayers of this country when we had 46 or 47 repeal of the Affordable Care Act amendments in bills in this Congress and in the previous Congress.

Having said that, I certainly am not going to vote against the bill, but I am concerned that some of the concerns raised by my colleagues, particularly Congresswoman DUCKWORTH, were not, in fact, addressed in the final bill brought before this floor. It is my hope we could continue to work together to try to resolve that with some compromise language as we work with our colleagues in the other body.

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

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

Without getting into the pros and cons of the various investigations that this body does, I will say that it is our constitutional obligation to provide oversight to the various Federal agencies. One of the ways we do that is through the investigation that our committee does bring up.

I do want to say we did visit with Representative DUCKWORTH, and we do feel as if her concerns have been addressed. We could not agree on specific language with Ms. DUCKWORTH, but we were able to come up with these provisions that the minority requested at the markup that allowed the OMB to come up with the implementing regulations. It also includes a provision suggested by the minority to make clear that communications funded entirely by user fees or by sources other than that that do not include Federal funds may indicate how it is funded through the United States Government.

But this is a bill all designed to provide transparency, let taxpayers see the fruits of the spending of taxpayer dollars on advertisements, and to make a judgment about that on their own and know what is going on and know how their money is being spent.

As my colleague from Missouri pointed out, sunshine is the best disinfectant. It is what we are about in the Oversight and Government Reform Committee. It is what this bill does, again, designed as a regulation on government agencies, not as an attempt to go after broadcasters, print shops, or anything like that. This is just to get the government agencies to tell the taxpayers what they bought with the disclaimer on there.

It is commonsense legislation. I urge all my colleagues to stand behind it. It is something that I think will be a huge step forward towards transparency, and I look forward to this bill's passage.

I yield back the balance of my time.

Mr. WESTMORELAND. Mr. Speaker, last fall we learned that the Department of Health and Human Services spent nearly \$12 million dollars of taxpayer money for airtime campaigns to promote Obamacare. While this was

a gross misuse of taxpayer dollars allocated to specifically target states that have opted out of Medicaid expansion, it was not an isolated event.

For this reason, I joined my colleague from Missouri as the original cosponsor of H.R. 3308, the Taxpayer Transparency Act.

This bill does just what it says—provides transparency when spending tax dollars earned by hard working Americans.

My colleague's bill would require agencies in the executive branch to disclose any and all advertisements funded by taxpayers. This includes all mailers, brochures, tv and radio ads, emails, billboards, and posters.

Both the House and Senate are required to disclose this information in franked mailing—so why are executive branch agencies not held to the same standard of transparency? Our constituents deserve better.

To my colleagues, I urge you to pass this bill to hold the federal government accountable for waste and abuse of taxpayer money.

Mr. CUMMINGS. Madam Chairman, I rise in opposition to this legislation.

For the last three years, House Republicans have repeatedly attacked critical public health, safety, and environmental protections.

This package of anti-regulatory bills is just another such attack on agency rulemakings—one that is falsely advertised as an effort to improve transparency.

Title one of this bill, which was reported by the Oversight and Government Reform Committee, would prevent a rule from taking effect until certain information is posted online for at least six months.

The only exception to this requirement would be for the agency to forgo a notice and comment period or for the President to issue an Executive Order.

This delay is completely unnecessary and is effectively a six-month moratorium on rules. It also could give agencies a perverse incentive to avoid a public comment period altogether if a statutory or court-ordered deadline could be missed.

Just one example of a rule that could be affected by this bill is the Food and Drug Administration's proposed rule on electronic prescribing information, which would ensure that doctors have the most current safety information on prescription drugs.

Under this bill, this drug safety rule could not be finalized until OMB posts information about the rule on its web site for six months.

FDA, like other agencies, already details the status of its rulemakings on its website, and extensive information about proposed rules is also available on the website Regulations.gov.

Yet under this bill, if OMB failed to post a required piece of information, FDA could not finalize the rule unless the President stepped in and issued an Executive Order. It should not be that hard for doctors to have the most up-to-date safety information about prescription drugs.

That is just title one of this Frankenstein bill. The other three titles of this bill are even worse. One title would add 60 additional requirements to the rulemaking process.

We should be making the regulatory process more efficient and effective. Adding 60 new requirements will do exactly the opposite and make it needlessly complex.

Madam Chairman, this is a package of bad bills that would do nothing to improve our rule-making process. I urge every Member to oppose it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill, H.R. 3308, as amended.

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

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3865, STOP TARGETING OF POLITICAL BELIEFS BY THE IRS ACT OF 2014; PROVIDING FOR CONSIDERATION OF H.R. 2804, ALL ECONOMIC REGULATIONS ARE TRANSPARENT ACT OF 2014; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 487 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 487

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3865) to prohibit the Internal Revenue Service from modifying the standard for determining whether an organization is operated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2804) to amend title 5, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to publish information about rules on the Internet, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Oversight and Government Reform now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute

consisting of the text of Rules Committee Print 113-38. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. It shall be in order at any time on the legislative day of February 27, 2014, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to the bill (H.R. 3370) to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their comments.

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

There was no objection.

□ 1245

Mr. WOODALL. Mr. Speaker, you have heard me say it before, it makes me so happy to be a member of the Rules Committee because our entire resolution gets read down here. The entire Rules resolution gets read, and by golly, Mr. Speaker, if you are not proud of what you are doing in your committee, you better not sign up for a committee where every word of the work that you do gets read each and every time, but I am proud of the work we are doing in the Rules Committee.

The rule that we have on the floor today, Mr. Speaker, is going to make two bills in order. Both, I would argue, are incredibly important for providing

not just transparency to what goes on here in Washington but also to ensure that the people's voice continues to be heard in Washington.

House Resolution 487, this rule, is a closed rule for consideration of H.R. 3865. That is the Stop Targeting of Political Beliefs by the IRS Act, Mr. Speaker. That is in response to what now every American understands to be the 501(c)(4) scandal, for lack of a better word; that for the first time in my lifetime, there are allegations that the IRS is targeting folks on the basis of their political beliefs for whether or not they are able to have their organization certified as a tax-exempt organization. That is not just a concern of groups on one side of the aisle or the other, Mr. Speaker, that is a concern of folks across the spectrum, and I would argue it is a concern for all Americans who believe that having their voice heard is important.

Mr. Speaker, this resolution provides for a structured rule for the consideration of H.R. 2804, the All Economic Regulations are Transparent Act.

Mr. Speaker, in that structured rule, we made in order 11 amendments. We had two Members come by and testify on behalf of their amendments last night in the Rules Committee. We made both of those amendments in order. In addition, we made four Republican amendments and five other Democratic amendments in order; so for a total of 11 amendments, four Republican amendments and seven Democratic amendments were made in order on that underlying bill. As is customary, it provides the minority with a motion to recommit on both bills.

Mr. Speaker, I sit on the Government Reform Committee. We just had a Government Reform Committee bill pass here on the floor of the House, and we have another one here today. It aims for transparency. There is just no question in my mind, Mr. Speaker, that we have replaced taxation in this country with regulation. Rarely does someone come down and say, "I want to tax an industry." What they will come down and say is, "I want to regulate an industry." In fact, in my great State of Georgia, Mr. Speaker, we are regulating jobs right out of existence. We don't have to tax them out of existence. We don't have to outlaw an industry. We just regulate it out of existence.

Perhaps there are some industries that need to be regulated out of existence, and we should have that full and open debate on the floor of the House, but what is absolutely certain is that the American people need to be able to understand the power of the regulatory process, and the impact that it has on jobs and economic development in their community.

Today in statute, Mr. Speaker, there is a requirement that the administration twice a year publish a notice of all of those regulations that are being considered and what their impact is anticipated to be, but we have had instances,

as recently as 2012, Mr. Speaker, where the administration just ignored that statute altogether. Now understand, the requirement is that you must inform the American people twice a year, just twice a year, about the regulations that are coming through the pipeline that will impact them, their families, and their businesses, and yet, that has been ignored. There has been no ability for folks to understand the magnitude of those regulations.

So we came back in this piece of legislation, Mr. Speaker, and said, listen, not only should you be doing that, you should probably be doing it once a month. If you have seen the Federal Register, Mr. Speaker, it is thick. It comes out every day of the week. It captures all of the new rules and regulations that are coming out. They are coming out like water out of a spigot. They are tough to keep track of. So this bill says let's do it not twice a year, let's do it once a month. Let's make sure that the American people understand in a volume that they can see and read once a month what those new rules and regulations are, and, if an agency chooses to ignore that requirement, that proposed rule and regulation will not go into effect such that the American people will get six months of notice about what it is that is going on.

I will give a good example, Mr. Speaker. It goes to the second bill we are considering, the Stop Political Targeting bill that is on the floor here today. There is a public comment period that is on right now. I don't know if most folks in America know that. I know everybody understands the IRS targeting scandal. I don't know if they know that the administration is involved in a rulemaking right now. The investigation is still ongoing into the IRS. The extent of the abuse is not yet understood at the IRS. The committees are continuing to work through that process, as the law requires, and yet the administration has released a rule that says we think we know how to fix this, even though the investigation is not done yet; this is what we want to do, and the public comment period ends tomorrow. The public comment period ends tomorrow.

Now, folks can go to www.regulations.gov. They can still go and file their comment if they believe that the people's voice being heard is important, but think about that, Mr. Speaker. A scandal that everyone in America understands, a scandal that I believe is offensive to absolutely everyone in America because it doesn't matter which party you are in, you shouldn't target folks who disagree with you; we should absolutely have an full and open debate and let the best ideas win. Yet the administration has proposed a solution to a problem that is not yet fully understood, and the opportunity for the American people to comment on it ends tomorrow. I don't think folks know that back home, Mr. Speaker.

This transparency bill we have on the floor today intends to address that, not just for this regulation, but for all future regulations, and the Stop Political Targeting bill that we have on the floor today says this and this alone: it says since we don't fully understand what is going on, and since we know with certainty that the IRS has breached the public's trust, not the entire IRS but just this one scandal here in the 501(c)(4) operations, since we know with certainty that the public's trust has been diminished, let's not have the administration, in the absence of a full understanding by the Congress, the absence of full comment by the American people, let's not have the administration completely re-regulate that area. Rather, let's put this off, not forever, Mr. Speaker, because we all agree that work needs to be done, but for 1 year and 1 year only so that the Congress can have a full understanding and the American people can have a full accounting of what it was that led to citizens' voices being silenced by the Internal Revenue Service in their applications for 501(c)(4) status.

Those are the two bills we have on the floor today, Mr. Speaker. Again, all of the germane amendments that were offered, and candidly, there were no germane amendments that were offered to the Stop Political Targeting Act, so that is a closed rule with just the one motion to recommit, and 11 amendments made in order for the government transparency bill on the floor today, only four Republican amendments, seven Democratic amendments, so we can have a full and open debate. I am very proud of this rule, Mr. Speaker.

With that, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentleman from Georgia for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I am forced to rise again in opposition to the rule and the two underlying bills that are counterproductive and aren't dealing with the issues that our constituents sent us here to address. Each of these bills was brought under a restrictive process, one of them a completely closed rule that blocked all efforts from both sides of the aisle to improve the legislation.

Let's talk about the IRS bill first.

The IRS bill has a title that I think would engender broad bipartisan support. If we want to run a bill that prevents the IRS from discriminating against organizations based on their political affiliations, whether they are progressive or tea party or anywhere in between, I think there would be a way to come together in support, hopefully near unanimous support, around such a bill.

Like many Americans, I was outraged that organizations had been singled out based on the name of their organization for additional scrutiny.

That is simply not the right criteria that the IRS should be using. I hope they got the message over at the IRS loud and clear, and I hope we can move to fully implement the recommendations of the inspector general to ensure that this never happens again.

However, this bill actually undoes one of the very recommendations of the inspector general from the inspector general's own report. There is even a Republican bill in the Ways and Means Committee by PETE ROSKAM that would require the IRS Commissioner to implement all of the recommendations of the inspector general, including these very regulations that this other Republican bill is seeking to prevent the implementation of. So make up our minds here, folks.

If we want to move together to prevent the IRS from discriminating against any organization because of their political affiliation, let's do so, whether it is something binding, implementing in statute the recommendations of the inspector general, whether it is a sense of Congress, I stand ready to work with my colleague from Georgia and others to speak with a strong voice that that kind of discrimination has no role in the IRS. However, that is entirely separate from what this bill does, which guts one of the very inspector general recommendations that was designed to remedy this problem going forward.

As for the other bill, the ALERRT Act, it would slow down the regulatory process and increase red tape for agencies. It has been estimated that this bill increases reporting requirements for agencies by six times. This is a Republican bureaucrat welfare bill. How many more government bureaucrats are you going to have to hire to deal with six times more paperwork that is going to come from this bill?

You know, when I talk to my constituents in Colorado about what do we need to do, they don't say, "You need to go to Washington and help bury government workers in more paperwork. I want more red tape."

Yet, that is the bill we have here today, a Republican bill that would bury the Federal Government under six times as much reporting requirements for agencies. That is not what the American people want. That is why I urge my colleagues to vote "no" on this rule and this bill.

Look, there are some issues that we could be working on here today, Mr. Speaker. Let me talk about a few of those. These are the kinds of issues that I believe if my party had the opportunity to bring bills to the floor of this Chamber, we would be bringing those bills to the floor of this Chamber. One of those is immigration reform. Rather than spending time debating bills that are counterproductive and aren't going anywhere, let's consider legislation that would replace our broken immigration system with one that works.

The Senate, Mr. Speaker, was able to come together, 68 Members, Demo-

cratic and Republican, around a commonsense solution, securing our border, ensuring that people who are here illegally get in line behind those who are here legally, implementing mandatory workplace authentication of workers, making sure the future flow of workers is in line with the needs of our economy and America can continue to compete in the 21st century. We have a nearly identical bill in the House, H.R. 15, a bipartisan bill. I think if we brought it forward under a rule, it would pass. Let's bring that bill forward, Mr. Speaker.

Nearly a year ago, the New Democratic Coalition Immigration Task Force, which I cochair, released detailed principles on comprehensive immigration reform. I applaud the Republican principles that were issued on immigration reform. There is a lot that we have in common. I believe that we can work together to pass a bill to create American jobs, ensure that we are more competitive in the global economy, reduce the deficit by hundreds of billions of dollars, and that reflects our values as Americans and reflects our values as people of faith.

Yet, the House majority has found time to shepherd dozens of bills through the Judiciary Committee to the floor of the House, including one that we are considering today, but the House hasn't dedicated a single moment of floor time to an immigration reform bill. We haven't even tried, Mr. Speaker. We haven't had a 3-hour debate, we haven't had a 1-hour debate, we haven't had a 1-minute debate on any immigration reform bill here on the floor of the House of Representatives. You don't get to "yes" without scheduling the time and the space for Democrats and Republicans of good faith to work together to solve a problem that the American people want and demand a solution for.

Across the country, business leaders, faith leaders, national and local editorial boards, and the law enforcement community are calling for real leadership on advancing immigration reform now. In fact, just yesterday, the Chamber of Commerce sent a letter to Speaker BOEHNER from more than 600 businesses urging Congress to pass immigration reform. The Chamber president, Tom Donohue, posted a blog post emphasizing the need to have a modernized E-Verify system, provisions that are included in H.R. 15.

Last week, a Wall Street Journal op-ed criticized the Republicans' failure to act on commonsense reform. Citing a recent study from the American Farm Bureau about the cost of failing to act, The Wall Street Journal wrote:

Republicans have killed immigration reform for now, but the Farm Bureau study shows that in the real economy it is still needed. The irony is that many Republicans who support handouts to farmers oppose reforms that wouldn't cost taxpayers a dime and would help the economy.

So instead of passing a bill that reduces the deficit, secures our borders,

and makes the reforms we need, Republicans say let's bury the government in red tape, increasing the paperwork for agencies by six times, and let's give government handouts to farmers. Those are the Republican policies that we are seeing in this Congress, and it is why the American people hold this institution in great disapproval. The longer we delay in passing comprehensive immigration reform, the greater the cost of inaction becomes.

□ 1300

According to the Congressional Budget Office's nonpartisan analysis, passing immigration reform would increase our gross domestic product by 3.3 percent, raise wages by \$470 billion for American citizens, and create an average of 121,000 jobs for Americans each year over the next decade.

So, rather than create jobs for Federal bureaucrats having to deal with six times as much paperwork, let's create jobs in the private sector, Mr. Speaker. Let's pass immigration reform to ensure that American companies can compete in the increasingly complex global marketplace.

If we have the ability, Mr. Speaker, to bring a bill forward to the floor, another bill we would bring forward is increasing the minimum wage to \$10.10. Just before coming up here today to manage this rule, Mr. Speaker, I signed a discharge petition to bring that bill to the floor, a bill that I proudly cosponsor, a bill authored by my colleague, Mr. MILLER of California.

Raising the minimum wage would help restore fairness for working men and women across the country. It would lift millions of Americans out of poverty. It would fuel demand and economic growth.

A letter from over 600 economists, including seven Nobel Prize winners, said:

At a time when persistent high unemployment is putting enormous downward pressure on wages, such a minimum wage increase will provide a much-needed boost.

It is no panacea, but if we are looking at helping Americans earn enough so that they don't have to be part of the social safety net or government welfare programs, we need to make sure that they can do that in the private sector because—you know what?—at current minimum wage levels, a family working full-time, 40 hours a week, earns about \$14,000 a year.

Mr. Speaker, you try living on \$14,000 a year. I couldn't do it. I don't think you could do it, Mr. Speaker.

Guess what? That is why we have a social safety net that helps Americans and supplements their income. Whether it is Medicaid, whether it is food stamps, Americans earning \$14,000 a year don't live a great life, but they get a little help from us, and that is the right thing to do; it reflects our values.

Do you know what? If we can help them earn a little bit more, they will require less help from other taxpayers

in paying their rent, paying their bills, putting groceries on their table.

So we can be fiscally responsible in reducing the need for social safety net programs if we can help lift up more Americans out of poverty. One substantial step towards doing that will be to increase the minimum wage to \$10.10.

Another issue that we would love to bring forward, Mr. Speaker, would be renewing unemployment insurance. Again, when unemployment insurance ran out with employment at high levels, it sucked money out of the economy, money that could otherwise go to create jobs and private sector growth.

In the past and in prior recessions and in prior times when we had this level of unemployment, this has always been a bipartisan issue. There has always been responsible governing majorities of Republicans and Democrats, in this Chamber and the other Chamber, that have put together extensions for unemployment insurance.

And yet, once again, it has run out, and we seek to bring a simple bill to the floor that ensures that we don't endanger our recovery by sucking money out of the economy in our time of need.

I will go on and on, Mr. Speaker, about bills we could be considering, but sadly, the truth is—and the American people see this—we are not considering those bills here today. We are considering a bill that adds six times as much paperwork to already overworked Federal workers, and we are considering a bill that guts one of the recommendations of the inspector general that was designed to help prevent the IRS from discriminating based on political affiliation and ensure that we have sufficient transparency, consistent with our Tax Code around entities in the political arena.

We can do better, Mr. Speaker. I encourage my colleagues on the other side of the aisle to do better. I am confident that, if they are not able to do better, Mr. Speaker, the American people will give my side of the aisle a chance to do better. Either way, Mr. Speaker, immigration reform doesn't solve itself. It takes the United States Congress to solve it.

While the President can move forward with his executive powers, as he has with the deferred action program, the only comprehensive solution can come from the United States Congress.

I encourage my colleagues on both sides of the aisle to work in good faith towards addressing the flaws in our immigration system and replacing chaos with the rule of law, increasing our competitiveness, reducing our deficits, securing our borders, making America safer, and creating jobs for Americans.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, at this time, I yield 10 minutes to the gentleman from Georgia (Mr. COLLINS), a freshman Member, a young Member of the Oversight and Government Reform Committee, in support of this legislation.

Mr. COLLINS of Georgia. Mr. Speaker, I thank the gentleman from Georgia for yielding me the time.

One of the things that comes when we have these debates, and we have a lot of issues that come before the floor, we speak in terms of—and my good friend from Georgia, we talked about this before—we talk in terms of bill numbers; we talk in terms of rules, the good gentleman from across the aisle from Colorado often speaks of; and we all talk in the terms that we understand.

But many times, when you look at bills and you look at the things that are coming before the floor, it is a good idea to start painting the picture of those that are impacted by it. Mr. Speaker, when we begin to do that and when we begin to look at the bills on the floor today, I want to tell you a story.

The story involves Mr. Puckett. He owns a small business that has been creating jobs for over 100 years, a family-owned brick company. Mr. Puckett attributes the success of his business to their hard work and loyal employees.

Unfortunately, when I met Mr. Puckett, the conversation was not so optimistic. He testified before the Judiciary Committee on the first bill I introduced, H.R. 1493, which is now title IV of this legislation, because his company had just lost 50 jobs as a result of two regulations crafted behind closed doors.

In a Nation of over 300 million, 50 jobs may not seem like much, but in Mr. Puckett's town, that is the difference between 50 families having food on the table or going hungry; or for small towns, like I have in northeast Georgia, it means the difference in staying in their beloved part of the State or moving somewhere else to find a job.

Every State, every congressional district, has their Mr. Pucketts. No business has been untouched by the toll of costly and overburdensome regulations. That is why I rise today in strong support of this rule and the underlying legislative package.

Now, a lot will be said and has been said about this, in saying that we need to do other things, we need to go on to this project. I just heard from my friend from across the aisle. As I have done before from here, I will simply remind him, in that nirvana state of just a few years ago, when they had the choice to do whatever they wanted to do, they chose to leave immigration on the table while they fixed other things which we are fixing today.

But today, we are going to talk about the Mr. Pucketts of the world and the business owners, but not just the business owners, the folks who work for them, the folks that so many times are missed by what we are trying to do.

By reforming our Nation's regulatory system, we jump-start the engine of our economy. When our economy gets up and going, our families flourish.

A lot can be said about this whole package. There are other speakers who will speak later today about the dif-

ferent titles. I am speaking specifically to title IV, which is commonly known as "sue and settle."

I have talked to Members of both Democrats and Republicans who go home and have townhall meetings. One of the things that happens all the time is you begin to talk about regulation in bills and what does this do. I see this sense of many who are in the audience. All of a sudden, their eyes just glaze over, and they say: Here it comes, Washington speak; we don't get it.

Well, I am just a country boy from northeast Georgia, and I just want to put it in simple terms. This makes it very simple to understand the sue-and-settle legislation.

Two people have a problem. They don't get along. Something is not right. In one group, they have maybe a business or a group that have a disagreement on something going on, and they can't seem to find their solution, so the one actually says: Whoa, I see something here. There is a regulation that I can sue on. This is a government agency that I can go sue. So we have a third party in play.

So what we do is we take two people who have an issue—and I will just use "people" as the term here—and we have their outlet as saying: I will sue a third party—being the Federal Government—and while I am suing, I will work out a deal with the bureaucrats in this agency and go to a judge and get a consent order; and then, by the way, then that consent order is binding on the other person.

I grew up in a family with a brother. I have often kidded that I thought he was adopted, but he is not. He is actually my brother. It is like any other sibling rivalry, but when we would have a disagreement, it is sort of like him going to Mom and Mom only believing him, only hearing his side of the story, and then punishing me—which, by the way, for anybody watching today, that happened quite regularly.

I have spoken many times to my mom and dad about that. But is that fair? No, it is not fair. Both sides need to be heard. You need to have the opportunity. That is what sue-and-settle legislation does.

You can hear a lot, and I am sure there will be many folks who will come to the floor today and tonight saying: No, that is not what it does; you are gumming up the works. And I will get to that in a minute.

But when we understand what these do—the abusive use of consent and decree and settlements to coerce agency action is often referred to, as I have said, to sue and settle—it is the reason Mr. Puckett was losing these jobs. He did not have the input because of one of these decrees.

Agencies are failing to uphold their statutory rulemaking discretion and are allowing lawsuits from outside the groups to determine their priorities and duties. Between 2009 and 2012, the majority of these sue-and-settle actions occurred in the environmental

realm, Clean Water Act, Clean Air Act, and Endangered Species Act.

Again, when you come forward trying to make regulatory rules, we have, like we had testified into Rules Committee last night, that anybody threatening to say something about the regulatory action is wanting dirty water, dirty air, and baby cribs that fall apart, that is just a mischaracterization and not worthy of debate to the American people.

There is no one on this side of the aisle, Mr. Speaker, that wants to breathe dirty air; there is no one on this side of the aisle that wants dirty drinking water; and there is no one on this side of the aisle that wants malfunctioning parts that hurt people. That is not worthy of this debate.

This is simply saying that we are having an issue of fairness. Our President talks fairness. He discusses transparency. We are calling on him to say: We agree with you, Mr. President, on this issue. Let's have transparency. Let's have fairness here.

But, when someone enters an out-of-sight backroom deal with unelected employees—bureaucrats—to establish when the EPA will meet its past-due responsibilities, it is effectively deciding how EPA will use its limited resources and, thus, creating policy priorities for the Agency.

If the EPA needs assistance in prioritizing its many regulatory responsibilities, I recommend they consult the States who must implement these regulations and the communities that will be impacted by them.

Unlike what some claim, H.R. 1493 does nothing to hinder the rights of citizens to bring suit against their government. Again, another "let's throw up something against the wall to see if it sticks." This does nothing. They can still bring the suits. We are just simply asking for transparency.

Instead of buying into the mantra of special interest groups that benefit from these sweetheart deals, let's look at what it actually does. As I described before in basic terms, it allows fairness; it allows transparency; and it allows those with constitutional standing to be part of a suit so that they can have input into something that will affect them. I believe everyone can agree to that.

If you are being affected, you ought to—and especially when it comes to the United States Government—we ought to be able to tell what this bill and what these rules and regulations do to us.

This is good governance. Why should we let just a certain area and a certain group—Mr. Speaker, you know of this as well. There are areas in which they get into disagreements and only their views are put forward. Sue and settle works to eliminate that.

And then, also, the bill actually requires agencies to publish notice of a proposed decree or settlement in the Federal Register and take and respond to public comments at least 60 days

prior to filing the decree or the settlement. Again, it is simply improving public participation.

This is what we are about here. This is what this bill does. This bill takes a measured and reasonable approach to the sue-and-settle problem. It ensures that settlements are conducted out in the open and impacted stakeholders can have a seat at the table.

That is good governance. That is putting transparency out there. That is doing the things that we are supposed to do here.

I also have to respond to my friend from Colorado. We have great debates down here. I enjoy listening to your perspective and coming down, Mr. Speaker, and having this kind of conversation; but I was amazed because I believe, today, the American people—there are many times I have very frustrated people in the Ninth District of Georgia who say: Both your Houses, Republican, Democrats, you are the same. I am tired of it all.

Well, today is one of those days, in this discussion right here, that you can honestly say: Here is the difference in governing philosophy. And it came out just a minute ago.

I am here with a bill and other parts of this bill today that are actually looking for transparency, openness, and willing to get regulations that are effective in a limited form of government which our Founders thought of, so that businesses can still be businesses, employees can still have jobs, moms and dads can still have paychecks and take care of the kids at home and take care of their families.

□ 1315

What I heard just a few minutes ago was the concern about the burden on the Federal Government. We are more concerned that this may cause extra work. Frankly, from my perspective, I believe this legislation can help because we can trim the size of the Federal Government and give roles and responsibilities where they need to be with States and others, and when we do so, that gives us the proper respect.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOODALL. I yield the gentleman an additional 2 minutes.

Mr. COLLINS of Georgia. I think what we see here is a concern for the Federal Government. Our government employees are great folks—they do good work—but I am more concerned with the American business owner. More importantly, I am concerned with the workers who will lose their jobs, have lost their jobs, or who have had to change jobs.

This is the difference right now, Mr. Speaker. If you want to see governance philosophy that is different, I am concerned that government should do what it is supposed to do and that the burden they are putting on themselves should be removed. My concern is the business owner and the worker. My concern is Mr. Puckett. My concern

even more is for the 50 folks who don't have jobs because the government, through regulatory backroom deals, has cut out their livelihoods.

Who do they see for that, Mr. Speaker? Who do they go and complain to? What government agency takes their phone calls when their government has, in essence, helped put them out of jobs?

No one on this side wants anything except an economy that is flourishing and people who are working and jobs that are secure. It is about the everyday man and woman who gets up and goes to work, but their business owners are having to tell them "not today." We are being inundated with rules and regulations. I will stand with the American worker every day. I will acknowledge the role of our government in its limited form, but don't ever mistake there is a separate philosophy here, one that encourages Big Government and one that says, "I am for the workers who get up every morning and go to work to take care of their families."

Mr. POLIS. Mr. Speaker, before further yielding, I want to address some of the comments, and I yield myself such time as I may consume.

Again, this bill creates a backdoor increase in the Federal bureaucracy. When you are talking about increasing reporting requirements by six times and adding 60 additional procedural and analytical requirements to the rulemaking process, you know that this bill must contemplate increasing the size of the Federal bureaucracy to deal with these increased requirements.

As an entrepreneur who started a number of small businesses, I know the importance of having certainty and predictability in the regulatory process. The additional bureaucracy instituted by this ALERRT Act will simply not help businesses thrive and grow. This legislation would create headaches for businesses at a time when many small businesses are already struggling to recover from the recession.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 1010, which is legislation to raise the minimum wage to \$10.10 an hour, in order to restore fairness for men and women across our country.

To discuss our proposal, I yield 3 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentleman from Colorado for yielding.

Mr. Speaker, I rise in opposition on the motion to move the previous question so that this body may consider H.R. 1010, the Fair Minimum Wage Act of 2013.

This crucial piece of legislation will positively impact the lives of nearly 30 million American workers and their families by gradually raising the Federal minimum wage from its current

\$7.25 an hour to \$10.10 an hour by 2016. Beyond 2016, the bill ties the Federal minimum wage to annual inflation, ensuring that hardworking men and women will never again see their wages stagnate due to congressional obstruction or inaction.

Let's first discuss who benefits from this legislation. I am sure that many watching at home and some in this very room may have a skewed perception of the contemporary minimum wage worker. I will try my best to clear up a few of these fallacies so that this debate can be framed by fact and not by stereotype.

The average age of the minimum wage worker is 35 years old: 54 percent of them are full-time workers, and 55 percent of them are women. The average affected worker earns half of his or her family's total income, and more than one-fourth of the minimum wage workers have children. Of the Nation's, roughly, 75 million children, nearly one-fifth of them have at least one parent who would receive a raise if the minimum wage were increased to \$10.10 an hour. An employee working 40 hours per week for the entire 52-week calendar—no time off—at the Federal minimum wage will earn just \$15,080 in 2014.

Now, who can live on \$15,000 a year?

I just heard the gentleman from Georgia speak passionately about his concern for the American worker. I would ask that gentleman and others who are concerned about the American worker: Are you concerned about all of the American workers, or are you just concerned with those who earn at higher brackets than \$15,080 a year? A worker who works full time and is still below the Federal poverty level will qualify for Medicaid, for CHIP, for SNAP, and for other public assistance programs that will cost taxpayers approximately \$7 billion this year alone.

Let's raise the minimum wage, and let's lift people out of poverty without spending a dime of additional Federal money. Let's save on those programs that the Federal Government has put in place to help those maintain a standard of living who need a helping hand.

A recent poll conducted by Quinnipiac University found that 71 percent of American workers support raising the minimum wage. That same poll found that Democrats, Republicans and Independents are all in agreement that raising the minimum wage is the right thing to do.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield an additional 1 minute to the gentleman from New York.

Mr. BISHOP of New York. I refer back to the words of Speaker BOEHNER in his first speech to this Chamber upon being sworn in as Speaker on January 5, 2011.

He said:

This is the people's House. This is their Congress—it is not about us; it is about

them—and what they want is a government that is honest, accountable, and responsive to their needs.

Seventy-one percent of the American people are asking us to do this. If the Speaker's words mean more than just words on a page, I would urge him to bring this bill to the floor so that we can respond to the 71 percent of the American people who think that raising the minimum wage is good economic policy and that it is good personnel policy.

Mr. WOODALL. Mr. Speaker, I would ask my colleague from Colorado if he has any speakers remaining.

Mr. POLIS. Mr. Speaker, we do. We have at least one speaker who is here and ready to go.

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

Mr. POLIS. Mr. Speaker, I yield 2½ minutes to the gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. I thank the distinguished gentleman from Colorado.

Mr. Speaker, the people whom I represent at home in Brooklyn and in Queens have been hit hard by the devastation of Superstorm Sandy, and many of these working families are still struggling to recover from this vicious storm. Homes were destroyed. Businesses were ruined. Lives have been turned upside down.

That is why, Mr. Speaker, we need to deal with the issue that has been brought before the people who have suffered from this storm and who now face significant flood insurance rate increases as a result of the Biggert-Waters law passed in 2012. The people who were victimized by Superstorm Sandy are now facing the prospect of significant flood insurance premium rate increases that are heading directly at them like an out-of-control freight train, and this House should be stepping in to stop that freight train dead in its tracks. That is why I support the reform of the Biggert-Waters law. We should suspend the flood insurance increases that are heading towards these Superstorm Sandy victims. We should allow for FEMA to conduct an affordability study. We should give Congress the opportunity to get this issue correct.

The failure of this House to act on flood insurance reform is yet another example of the delay and the dysfunction in dealing with the real issues that confront the American people, and our inability to move forward as previously planned is just yet another time when a manmade disaster from this House is being imposed on the American people.

Mr. WOODALL. Mr. Speaker, I yield myself 3 minutes to say, if you care about any of these issues that have been brought up today—and these are not issues that are involved in the rule, and these are not issues that are coming to the floor today—then you care about whether or not the American people are able to make their voices heard, because I am absolutely certain,

as I have learned in my 3 years of having a voting card, Mr. Speaker, that the American voters still run this show. Now, the voters have a tough time having their voices heard, but if they can have their voices heard, they can make a difference.

We are talking about issues that we wish we could change, Mr. Speaker. Today on the floor, we have an issue that we can change. The administration is proposing regulations that will silence voices on these very issues that my colleagues are raising.

Let me read from Cathy Duvall, the Sierra Club's director of public advocacy and partnerships, who says this about the proposed regulations from the Obama administration's Treasury Department:

The proposal harms efforts that have nothing to do with politics—from our ability to communicate with our members about clean air and water to our efforts to educate the public about toxic pollution.

Mr. Speaker, if you believe in this process as I do, if you believe in this Nation as I do, then you believe that it is paramount that the people's voices are able to be heard. That is the issue here today. If you believe that the priorities of this House should be changed, if you believe the priorities of this Nation should be changed, if you believe anything in this Nation should be changed, you must believe that we should preserve the power of the individual's voice.

That is why this rule moratorium is here today, Mr. Speaker. That is why the investigations must go on. That is why we must reject the administration's rush to judgment here and ensure that our priority continues to be that of the board of directors of this country—the American voters.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the rule because it needs an amendment. I rise today in order to ask, when the motion on the previous question to end the debate is brought up, that we vote "no" so that at that point an amendment can be introduced.

If that possibility is available, I would like to bring up the provisions of H.R. 1010, which will provide a long overdue increase in the minimum wage. The bills that we are considering today are just distractions from the issues that are most important. We need to be addressing the problems that people are having.

Mr. Speaker, today's families are struggling to pay for basic needs, such as housing, health care, groceries, transportation. Someone working full time at a minimum wage job today only earns about \$14,000 a year. At that Federal minimum wage today of \$7.25, a parent working full time, year round, doesn't earn enough to get above the poverty level. When I say a "parent,"

that is because studies have been done and have shown that the average minimum wage worker is 35 years old;

Raising the minimum wage not only increases workers' income and reduces turnover, it stimulates the economy. That is because people earning the minimum wage are spending every dime that they get, thus helping the economy. We have heard fears about possible job losses, but the effect of an increased minimum wage on jobs has been studied for decades, and these studies have proven that no job loss can be expected with a modest increase in the minimum wage.

We have a clear choice. We can choose to require a fair, living wage so that people can afford food and housing for their families, or we as taxpayers can be left picking up the tab through increased public assistance when they cannot pay their bills, and we can be left with a stagnant economy that is not as improved as it would be with an increased minimum wage.

So I urge my colleagues to vote "no" when the previous question is moved. I also encourage them to support legislation to increase the minimum wage so that we can improve the quality of life for millions of Americans and improve the economy in the process.

□ 1330

Mr. WOODALL. Mr. Speaker, I yield myself 2 minutes.

I say to my friend from Virginia I think he is absolutely speaking from the heart when it comes to sharing the voice of his constituents in Virginia. My constituents take a slightly different view. They look to the non-partisan Congressional Budget Office that said, yes, you can raise the minimum wage. You called it a modest raise. I think they called it a more than 40 percent increase in the minimum wage. But you can raise the minimum wage, as some are proposing, and that is going to lift 900,000 families above the poverty line and that is going to destroy 500,000 jobs.

I don't fault my colleagues at all for being concerned about those 900,000 individuals that are going to be lifted above the poverty line. I think we all want folks lifted above the poverty line. I don't want folks working a lifetime for minimum wage.

I want people working their way up the ladder. It is a ladder of opportunity that we ought to be building in this House. But to dismiss those 500,000 individuals that the Congressional Budget Office said will lose their jobs altogether are not partisan fights we have, Mr. Speaker. These are heartfelt discussions that we have about how best to serve the American people to whom we have sworn an oath to the Constitution that rules this land.

These are very difficult issues, but they are made better each and every time, I am certain, Mr. Speaker, if we preserve the power of the American people to have their voice heard in this debate. That is what is so important

about this rule and why we must pass this rule today—to bring to the floor the Stop Targeting of Political Beliefs by the IRS Act—so that Americans' voices are not just silenced on the basis of their content, but not silenced period.

It is abhorrent that we would silence voices on the basis of their content, but I would argue, Mr. Speaker, it is abhorrent if we have an opportunity to stop voices from being silenced at all.

I believe this House will take that step today, and that is why I am proud to be here representing this rule.

I reserve the balance of my time.

Mr. POLIS. I would inquire if the gentleman from Georgia has remaining speakers.

Mr. WOODALL. I do not have any remaining speakers.

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

Mr. Speaker, in closing, these underlying bills are destined, if they pass this Chamber, like so many bills, for the Senate's bill graveyard. Why? Because they are counterproductive. They are not what the American people want. They don't do what they say.

If we had a bill that fully implemented the recommendations to prevent any kind of discrimination based on political affiliation at the IRS, we could pass that bill. That would be an important step forward in ensuring that the terrible embarrassment and pie on your face that the IRS had, the loss of confidence that it engendered among the American people, will not happen again.

That is a good issue to work on, but that is not what we have. Instead, we have a bill that actually guts one of the very recommendations of the inspector general designed to prevent this from happening again—the exact opposite of the title of the bill.

We also have a bill before us that creates more red tape in the Federal Government and regulatory agencies. I don't think the American people are calling out for more red tape. I don't think small businesses want regulators, whose approval they need, to be so buried with six times as many reports and 60 times more analytical requirements that they won't even be able to give routine approval for various things that small businesses and entrepreneurs need. It is a counterproductive step.

So instead of addressing the issues that the American people want us to act on, from immigration reform to raising the minimum wage to extending unemployment insurance, we are debating counterproductive, single-Chamber bills that will die in the Senate and would be harmful to the country if passed.

My colleagues Mr. SCOTT and Mr. BISHOP gave eloquent testimony for the importance of raising the minimum wage. I certainly agree with my colleague from Georgia that it is not a panacea. Would that there were a silver bullet to lift people out of poverty, it would have 435 votes.

I do believe that the American people agree that when you work full time, you shouldn't need a government hand-out. You should be able to support your family at a very basic level. You shouldn't have to live in poverty if you are working 40, 50, 60 hours a week at a backbreaking job. Raising the minimum wage to \$10.10 will help accomplish that.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 1010, legislation to raise the minimum wage to \$10.10 an hour, to restore fairness for working men and women across the country.

Someone working full-time, year-round at minimum wage earns just over \$14,000. That is nearly \$4,000 below the poverty line. It means that other Americans will need to subsidize that person through government support, welfare, or food stamps. Because, guess what. That \$14,000 isn't enough to provide for a family, have a shot at the American Dream, or even to put a roof over your head and food on the table.

By raising the minimum wage to \$10.10, we can help Americans become self-sufficient to support themselves and their families with pride and have a job that gives them pride to put food on their table and a roof over their head without the need for government support.

Increasing the minimum wage to \$10.10 is simply a return to the level of the minimum wage in the 1960s. It would allow millions of additional American workers to support their families.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous materials, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. Mr. Speaker, as my colleague from Georgia said, this rule does not contain immigration reform and minimum wage, but I think it is important for the American people to know what it could contain, what it should contain with this Chamber under Republican leadership, what it would contain if this Chamber were under Democratic leadership.

The agriculture community, the faith-based community, the business community, the law enforcement community, and the fiscal responsibility community all speak with one voice on immigration reform. What we are doing now doesn't work.

There are over 10 million people here illegally. Companies violate the law every day. There is over close to 2 million deportations, each at cost to the taxpayers of \$10,000 to \$20,000.

It is time to replace our broken immigration system with the rule of law, reduce our deficit by hundreds of billions of dollars, create over 100,000 jobs

for Americans, finally secure our borders, and ensure that nobody works illegally in this country, potentially undermining wages for American workers. That is what we can accomplish. We recognize it would be a bipartisan solution.

H.R. 15, the Senate-passed bill, doesn't have everything that Democrats want in it; it doesn't have everything that Republicans want in it; but it would be good for our country. It would be great for our country and for the American people.

I urge my colleagues to vote "no" and defeat the previous question. I urge a "no" vote on the rule, and I yield back the balance of my time.

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

Mr. Speaker, you have heard a lot of heartfelt sentiments from my friends here on the floor of the House today. Unfortunately, what you haven't heard is what we are going to do together to ensure that the heartfelt sentiments of every single citizen of these United States can be heard here in Washington.

I fear my friend from Colorado is right. I don't say that lightly. He has a lot of good ideas, and I hope to collaborate with him on even more. I fear he is right that this is a single-Chamber solution. I fear that only the United States House of Representatives is concerned with protecting the voice of the people—not just people who agree with me, Mr. Speaker, but people from all stripes.

I have read from the Sierra Club earlier. Let me read from the ACLU's comments to the administration on this rule. This is what they say: "Social welfare organizations praise or criticize candidates for public office on the issues and they should be able to do so freely, without fear of losing or being denied tax-exempt status."

That is "the heart of our representative democracy," the ACLU says.

"The proposed rule"—that is the administration's rule; that is the rule we are here today to stop—"threatens to discourage or sterilize an enormous amount of political discourse in America."

Mr. Speaker, I have a chart here today. It lists what tax-exempt organizations are able to do. A 501(c) is that section of the Tax Code that deals with tax-exempt organizations.

You have 501(c)(3)'s that are able to do get-out-the-vote work, voter registration work, and candidate forums. 501(c)(4)'s are where the administration is regulating, and that is the source of the scandal: the targeting of American citizens based on their political beliefs. And 501(c)(5)'s are the labor unions in the country.

Mr. Speaker, what folks need to understand is that, as we sit here today, all of these groups can do get-out-the-vote work. All can do voter registration work and candidate forums. Why? Because it advances our Republic. It advances the cause of freedom and discourse in America.

But this, Mr. Speaker, is what the administration is proposing. For 501(c)(5)'s, or labor unions, it is proposing they continue doing all of that material. Also, for 501(c)(3)'s to continue doing all of that. But the 501(c)(4)'s—the very same 501(c)(4)'s that were targeted by the IRS on the basis of their political beliefs—those groups, and those groups alone, would be silenced.

Mr. Speaker, America is not advantaged by that rule. Maybe in some shortsighted way someone believes their personal political agenda is advanced by that scheme, Mr. Speaker, but we do not. We as a Nation do not. It is a shortsighted gain. That is why we put this bill on the floor today to delay these new regulations, this change of how American political discourse occurs, for 1 year—and 1 year only—while the investigation completes itself.

Mr. Speaker, I just want to read from the report that the inspector general crafted at the Treasury Department. He says, What were the words, what triggered this additional investigation that went on?

This is what they were, Mr. Speaker.

If you use the word "Tea Party," you might get special scrutiny. If you use the word "patriot" in your name, you might get special scrutiny. If you were concerned, Mr. Speaker—and this is reading from the Treasury Department report—if you were concerned about government spending, government debt, or taxes, you could be subjected to special scrutiny. If you wanted, Mr. Speaker, to "make America a better place to live," you could be subjected to special scrutiny.

The administration has gone far beyond that, Mr. Speaker. They are not just going to subject some groups to special scrutiny, as is the source of the scandal. They are silencing all groups. If you had a statement in your case file, Mr. Speaker, that criticized how this country is being run, you were subject to special scrutiny.

Mr. Speaker, that is not just our right, that is our obligation. Our obligation as citizens is to criticize the way this country is being run when we don't agree. Because, after all, Mr. Speaker, the President doesn't run this country. The Congress doesn't run this country. We the people run this country.

This rule to bring this bill is about one thing and one thing only, and that is making sure that those people to whom the Constitution invests every bit of power that the country has to offer, the American citizens have a voice with which to express their concerns and the information on which to educate that voice.

My colleague from Georgia was absolutely right, Mr. Speaker. There are so many things that happen on the floor of this House, you can't tell the difference between who is who regionally, politically, and what it is that folks believe. But this issue is one of those defining issues.

Do you believe that the board of directors of America, the United States citizen, deserves a loud voice and full information? If you do, you vote "yes" on this rule, you vote "yes" on the underlying legislation, you reject the administration's effort to silence the American people on both sides of the aisle, and you commit yourself to believing that a full and open debate is the only way in which this country will succeed.

Mr. GINGREY of Georgia. Mr. Speaker, I rise today as a proud cosponsor of H.R. 3865, the Stop Targeting of Political Beliefs by the IRS Act, offered by my friend and Chairman of the Ways and Means Committee, Mr. Camp of Michigan.

In the wake of the IRS's admission last year that it improperly targeted conservative groups, troubling information continues to come to light detailing just how high the scandal went. In response, the President briefly feigned the appropriate indignation and did some cursory bureaucratic reshuffling.

Then, rather than actually addressing this stunning abuse of First Amendment rights, the Administration decided to double down by proposing a regulation that all but codifies the targeting. The proposed IRS regulation—which would change the way that tax exempt status is determined for social welfare organizations—is a move that would significantly impact the activities and First Amendment rights of those organizations. It adds a massive paperwork burden for organizations, and broadens the IRS's power over political activity.

The IRS issued the rule despite six ongoing investigations into the discriminatory targeting and the fact that the existing guidance has been in place and functioning for more than 50 years.

In order to combat this proposed overreach by the IRS, H.R. 3685 prohibits it from finalizing this unnecessary rule—and similar rules—for one year.

Despite President Obama's claims that there was "not even a smidgen of corruption" at the IRS, I believe the American people still deserve real answers and a true commitment to preserving their First Amendment rights. H.R. 3865 is critical to working to regain the trust of Americans and preventing the Administration from codifying the IRS's unacceptable and discriminatory targeting.

Mr. Speaker, Americans deserve more than opaque and hurried rule changes meant to crush political discourse. At the very least, the Administration should commit to having all the facts from completed investigations before drastically changing the rules to suit its election year strategy. For that reason, I urge my colleagues to join me in fighting the IRS's continued attempts to stifle free speech by supporting H.R. 3865.

Mr. LEWIS. Mr. Speaker, I rise in strong opposition to H.R. 3865.

For years, Congress demanded action on this issue. In an independent report, the Treasury Inspector General for Tax Administration (TIGTA) told the IRS and Treasury to remove the gray and give clear guidance regarding the tax treatment of social welfare organizations.

There were dramatic hearings, and the public demanded clear, fair rules. Members of this Congress from both sides of the aisle agreed that the IRS should implement all nine of the TIGTA recommendations.

This is just what the IRS and Treasury did. They are taking their time, and trying to do the right thing—once and for all. The IRS already received 23,000 comments on the proposed rulemaking—23 thousand, Mr. Speaker.

And today, not even eight months later, this body is trying to tear down long overdue progress and restart the clock at square one. So, you can see why I oppose bringing this bill to the Floor today. It makes no sense, no sense at all.

Mr. Speaker, Members of Congress can be constructive, supportive, and effective. Instead, this bill returns to the old tradition of no, by any means necessary.

I urge each and every one of my colleagues to oppose this unnecessary bill.

Mr. POSEY. Mr. Speaker, today the House will vote on H.R. 3865 the Stop Targeting of Political Beliefs by the IRS Act, legislation to prevent the IRS from implementing newly proposed rules to restrict the First Amendment rights of certain non-profit groups. This legislation is an important step in holding the IRS accountable for its illegal targeting of conservative organizations in the run-up to the 2012 election.

Last year it was revealed by the Treasury Inspector General for Tax Administration that the IRS used inappropriate criteria to review organizations applying for tax-exempt status based upon their names and policy positions. Now the IRS wants to rewrite the rules to justify its inappropriate and likely criminal behavior. Congress should not let the IRS take ANY regulatory action until wrong-doers within the IRS are held accountable.

In April, top IRS official Lois Lerner revealed in a public forum that the agency had been discriminating against more than 75 groups with conservative sounding names in the run-up to November 2012. Ms. Lerner actually went so far as to plant a question in the audience about the issue in order to pre-empt the release of the Inspector General's audit.

When all this became public, Members of the Administration including the President and the Attorney General expressed their outrage and called it unacceptable. The Attorney General even went so far as to declare his intent to conduct a criminal investigation.

Furthermore, it's clear from testimony given during the various Congressional hearings over the years and correspondence with the IRS that officials there were not telling Members of Congress the truth. In March of 2012—a year before this story broke—then-IRS Commissioner Douglas Shulman assured Congress: 'there is no targeting of conservative groups.' On April 23, 2012, I joined with 62 of my House colleagues in writing the IRS Commissioner inquiring further about the possible targeting and we were assured that there was no targeting or delay in processing IRS applications submitted by conservative groups.

Ms. Lerner, a longtime federal employee and senior IRS official, has since asserted her Fifth Amendment Constitutional right by refusing to testify before Congress and tell the American people exactly what the IRS was doing and who had ordered these discriminatory actions.

To make matters worse, it was further revealed that IRS employees released confidential donor information and even private taxpayer records. Disclosing confidential taxpayer information is one of the worst things an IRS employee can do—it's a felony, punishable

with a \$5,000 fine and up to 5 years in prison. In fact, the Treasury Inspector General noted at least eight instances of unauthorized access to records, with at least one willful violation.

These are serious abuses but to date, not a single IRS employee has been indicted. The FBI has refused to file criminal charges. The Washington Post has reported that the investigation into this scandal is being led by Barbara Bosserman, a partisan who 'donated a combined \$6,750 to President Obama's elections and the Democratic National Committee between 2004 and 2012.' Furthermore, she does not serve in the Public Integrity Section that typically oversees these matters, but rather the Civil Rights Division, historically the most partisan office at the Department of Justice.

This week I am joined by nearly fifty of my House colleagues in writing to the Attorney General demanding the appointment of an independent special prosecutor to investigate the IRS's illegal targeting of conservative groups. Only an independent investigator who is not aligned with either political party will have the credibility to get to the bottom of this matter and hold wrong-doers accountable—whenever they may be.

I have also introduced H.R. 3762 which would hold federal employees at the IRS personally accountable when they release private taxpayer information. Under this bill, individuals whose private information is released would have a personal right of action against the employee rather than simply hoping that the Department of Justice will take action.

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

AN AMENDMENT TO H. RES. 487 OFFERED BY
MR. POLIS OF COLORADO

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

SEC. 4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1010) to provide for an increase in the Federal minimum wage. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 5. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1010.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

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

Mr. WOODALL. With that, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered, and suspending the rules and passing H.R. 1944.

The vote was taken by electronic device, and there were—yeas 224, nays 192, not voting 14, as follows:

[Roll No. 65]

YEAS—224

Aderholt	Graves (MO)	Pearce
Amash	Griffin (AR)	Perry
Amodei	Griffith (VA)	Petri
Bachmann	Grimm	Pittenger
Bachus	Guthrie	Pitts
Barletta	Hall	Poe (TX)
Barr	Hanna	Pompeo
Barton	Harper	Price (GA)
Benishek	Harris	Reed
Bentivolio	Hartzler	Reichert
Bilirakis	Hastings (WA)	Renacci
Bishop (UT)	Heck (NV)	Ribble
Black	Hensarling	Rice (SC)
Blackburn	Herrera Beutler	Rigell
Boustany	Holding	Roby
Brady (TX)	Hudson	Roe (TN)
Bridenstine	Huelskamp	Rogers (AL)
Brooks (AL)	Huizenga (MI)	Rogers (KY)
Broun (GA)	Hultgren	Rogers (MI)
Buchanan	Hunter	Rohrabacher
Buchon	Hurt	Rokita
Burgess	Issa	Rooney
Byrne	Jenkins	Ros-Lehtinen
Calvert	Johnson (OH)	Roskam
Camp	Johnson, Sam	Ross
Campbell	Jones	Rothfus
Capito	Jordan	Royce
Carter	Joyce	Runyan
Cassidy	Kelly (PA)	Ryan (WI)
Chabot	King (IA)	Salmon
Chaffetz	King (NY)	Sanford
Coble	Kingston	Scalise
Coffman	Kinzinger (IL)	Schock
Cole	Kline	Schweikert
Collins (GA)	Labrador	Scott, Austin
Collins (NY)	LaMalfa	Sensenbrenner
Conaway	Lamborn	Sessions
Cook	Lance	Shimkus
Cotton	Lankford	Shuster
Cramer	Latham	Simpson
Crawford	Latta	Smith (MO)
Crenshaw	LoBiondo	Smith (NE)
Culberson	Long	Smith (NJ)
Daines	Lucas	Smith (TX)
Denham	Luetkemeyer	Southerland
Dent	Lummis	Stewart
DeSantis	Marchant	Stivers
DesJarlais	Marino	Stockman
Diaz-Balart	Massie	Stutzman
Duffy	McAllister	Terry
Duncan (SC)	McCarthy (CA)	Thompson (PA)
Duncan (TN)	McCauley	Thornberry
Ellmers	McClintock	Tipton
Farenthold	McHenry	Turner
Fincher	McKeon	Upton
Fitzpatrick	McKinley	Valadao
Fleischmann	McMorris	Wagner
Fleming	Rodgers	Walberg
Flores	Meadows	Walden
Forbes	Meehan	Walorski
Fortenberry	Messer	Weber (TX)
Fox	Mica	Webster (FL)
Franks (AZ)	Miller (FL)	Wenstrup
Frelinghuysen	Miller (MI)	Westmoreland
Gardner	Mullin	Whitfield
Garrett	Mulvaney	Williams
Gerlach	Murphy (PA)	Wilson (SC)
Gibbs	Neugebauer	Wittman
Gibson	Noem	Wolf
Gingrey (GA)	Nugent	Womack
Gohmert	Nunes	Woodall
Goodlatte	Nunnelee	Yoder
Gowdy	Olson	Yoho
Granger	Palazzo	Young (AK)
Graves (GA)	Paulsen	Young (IN)

NAYS—192

Barber	Bass	Becerra
Barrow (GA)	Beatty	Bera (CA)

Bishop (GA)	Hanabusa	Owens
Bishop (NY)	Hastings (FL)	Pallone
Bonamici	Heck (WA)	Pascarell
Brady (PA)	Higgins	Payne
Braley (IA)	Himes	Pelosi
Brown (FL)	Hinojosa	Perlmutter
Brownley (CA)	Holt	Peters (CA)
Bustos	Honda	Peters (MI)
Butterfield	Horsford	Peterson
Capps	Hoyer	Pingree (ME)
Capuano	Huffman	Pocan
Cárdenas	Israel	Polis
Carney	Jackson Lee	Price (NC)
Carson (IN)	Jeffries	Quigley
Cartwright	Johnson (GA)	Rahall
Castor (FL)	Johnson, E. B.	Range
Castro (TX)	Kaptur	Richmond
Chu	Keating	Roybal-Allard
Cicilline	Kelly (IL)	Ruiz
Clark (MA)	Kennedy	Ruppersberger
Clarke (NY)	Kildee	Ryan (OH)
Clay	Kilmer	Sánchez, Linda
Cleaver	Kind	T.
Clyburn	Kirkpatrick	Sanchez, Loretta
Cohen	Kuster	Sarbanes
Connolly	Langevin	Schakowsky
Conyers	Larsen (WA)	Schiff
Cooper	Larson (CT)	Schneider
Costa	Lee (CA)	Schrader
Courtney	Levin	Schwartz
Crowley	Lewis	Scott (VA)
Cuellar	Lipinski	Scott, David
Cummings	Loebsack	Serrano
Davis (CA)	Loftgren	Sewell (AL)
Davis, Danny	Lowenthal	Shea-Porter
DeFazio	Lowe	Sherman
DeGette	Lujan Grisham	Sinema
Delaney	(NM)	Sires
DeLauro	Luján, Ben Ray	Slaughter
DelBene	(NM)	Smith (WA)
Deutch	Lynch	Speier
Dingell	Maffei	Swalwell (CA)
Doggett	Maloney,	Takano
Doyle	Carolyn	Thompson (CA)
Edwards	Maloney, Sean	Thompson (MS)
Engel	Matheson	Tierney
Enyart	Matsui	Titus
Eshoo	McDermott	Tonko
Esty	McGovern	Tsongas
Farr	McIntyre	Van Hollen
Fattah	McNerney	Vargas
Foster	Meeke	Veasey
Frankel (FL)	Meng	Vela
Fudge	Michaud	Velázquez
Gabbard	Miller, George	Visclosky
Gallego	Moore	Walz
Garamendi	Moran	Wasserman
Garcia	Murphy (FL)	Schultz
Grayson	Nader	Waters
Green, Al	Napolitano	Waxman
Green, Gene	Neal	Welch
Grijalva	Negrete McLeod	Wilson (FL)
Gutiérrez	Nolan	Yarmuth
Hahn	O'Rourke	

NOT VOTING—14

Blumenauer	Ellison	Pastor (AZ)
Brooks (IN)	Gosar	Posey
Cantor	McCarthy (NY)	Rush
Davis, Rodney	McCollum	Tiberi
Duckworth	Miller, Gary	

□ 1411

Ms. KUSTER and Messrs. CICILLINE and KENNEDY changed their vote from “yea” to “nay.”

Messrs. RIGELL and BROOKS of Alabama changed their vote from “nay” to yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on rollcall No. 65 I was meeting with a local official, Mayor Chris Koos, and missed the time to cast my vote. Had I been present, I would have voted “yes.”

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. POLIS. 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 231, noes 185, not voting 14, as follows:

[Roll No. 66]

AYES—231

Aderholt	Graves (MO)	Perry
Amash	Griffin (AR)	Peters (CA)
Amodei	Griffith (VA)	Peterson
Bachmann	Grimm	Petri
Bachus	Guthrie	Pittenger
Barletta	Hall	Pitts
Barr	Hanna	Poe (TX)
Barton	Harper	Pompeo
Benishek	Harris	Posey
Bentivolio	Hartzler	Price (GA)
Bilirakis	Hastings (WA)	Reed
Bishop (UT)	Heck (NV)	Reichert
Black	Hensarling	Renacci
Blackburn	Herrera Beutler	Ribble
Boustany	Holding	Rice (SC)
Brady (TX)	Hudson	Rigell
Bridenstine	Huelskamp	Roby
Brooks (AL)	Huizenga (MI)	Rogers (AL)
Broun (GA)	Hultgren	Rogers (KY)
Buchanan	Hunter	Rogers (MI)
Buchon	Hurt	Rohrabacher
Burgess	Issa	Rokita
Byrne	Jenkins	Roosey
Calvert	Johnson (OH)	Ros-Lehtinen
Camp	Johnson, Sam	Roskam
Campbell	Jones	Ross
Capito	Jordan	Rothfus
Carter	Joyce	Royce
Cassidy	Kelly (PA)	Runyan
Chabot	King (IA)	Ryan (WI)
Chaffetz	King (NY)	Salmon
Coble	Kingston	Sanford
Coffman	Kinzinger (IL)	Scalise
Cole	Kline	Schock
Collins (GA)	Labrador	Schweikert
Collins (NY)	LaMalfa	Scott, Austin
Conaway	Lamborn	Sensenbrenner
Cook	Lance	Sessions
Cotton	Lankford	Shimkus
Cramer	Latham	Shuster
Crawford	Latta	Simpson
Crenshaw	LoBiondo	Smith (MO)
Culberson	Long	Smith (NE)
Daines	Lucas	Smith (NJ)
Denham	Luetkemeyer	Smith (TX)
Dent	Lummis	Southerland
DeSantis	Marchant	Stewart
DesJarlais	Marino	Stivers
Diaz-Balart	Massie	Stockman
Duffy	McAllister	Stutzman
Duncan (SC)	McCarthy (CA)	Terry
Duncan (TN)	McCauley	Thompson (PA)
Ellmers	McClintock	Thornberry
Farenthold	McHenry	Tipton
Fincher	McKeon	Turner
Fitzpatrick	McKinley	Upton
Fleischmann	McMorris	Valadao
Fleming	Rodgers	Wagner
Flores	Meadows	Walberg
Forbes	Meehan	Walden
Fortenberry	Messer	Walorski
Fox	Mica	Weber (TX)
Franks (AZ)	Miller (FL)	Webster (FL)
Frelinghuysen	Miller (MI)	Wenstrup
Gardner	Mullin	Westmoreland
Garrett	Mulvaney	Whitfield
Gerlach	Murphy (PA)	Williams
Gibbs	Neugebauer	Wilson (SC)
Gibson	Noem	Wittman
Gingrey (GA)	Nugent	Wolf
Gohmert	Nunes	Womack
Goodlatte	Nunnelee	Woodall
Gowdy	Olson	Yoder
Granger	Palazzo	Yoho
Graves (GA)	Paulsen	Young (AK)
		Young (IN)

NOES—185

Barrow (GA)	Bera (CA)	Brady (PA)
Bass	Bishop (GA)	Braley (IA)
Beatty	Bishop (NY)	Brown (FL)
Becerra	Bonamici	Brownley (CA)

Bustos
 Butterfield
 Capps
 Capuano
 Carney
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly
 Conyers
 Costa
 Courtney
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 Deutch
 Dingell
 Doggett
 Doyle
 Duckworth
 Edwards
 Engel
 Enyart
 Eshoo
 Esty
 Farr
 Fattah
 Foster
 Frankel (FL)
 Fudge
 Gabbard
 Gallego
 Garamendi
 Garcia
 Grayson
 Green, Al
 Green, Gene
 Grijalva
 Hahn
 Hanabusa
 Hastings (FL)
 Heck (WA)
 Higgins
 Himes

NOT VOTING—14

Blumenauer
 Cárdenas
 Cooper
 Ellison
 Gosar

□ 1421

So the resolution was agreed to.
 The result of the vote was announced as above recorded.
 A motion to reconsider was laid on the table.

PRIVATE PROPERTY RIGHTS PROTECTION ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1944) to protect private property rights, on which the yeas and nays were ordered.

The Clerk read the title of the bill.
 The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 353, nays 65, not voting 12, as follows:

[Roll No. 67]

YEAS—353

Aderholt
 Amash
 Amodei
 Bachmann
 Bachus
 Barber
 Barletta
 Barr
 Barrow (GA)
 Barton
 Bass
 Beatty
 Benishke
 Bentivolio
 Bera (CA)
 Bilirakis
 Bishop (GA)
 Bishop (NY)
 Bishop (UT)
 Black
 Blackburn
 Bonamici
 Boustany
 Brady (PA)
 Brady (TX)
 Braley (IA)
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Brown (GA)
 Brown (FL)
 Brownley (CA)
 Buchanan
 Bucshon
 Burgess
 Byrne
 Calvert
 Camp
 Campbell
 Hanna
 Harper
 Capito
 Capps
 Cárdenas
 Carney
 Carson (IN)
 Carter
 Cassidy
 Castro (TX)
 Chabot
 Chaffetz
 Himes
 Hinojosa
 Clyburn
 Coble
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Conaway
 Cook
 Costa
 Cotton
 Courtney
 Cramer
 Crawford
 Crenshaw
 Cuellar
 Culberson
 Daines
 Davis (CA)
 Davis, Danny
 Davis, Rodney
 DeFazio
 Delaney
 DeLauro
 DelBene
 Denham
 Dent
 DeSantis
 DesJarlais
 Deutch
 Diaz-Balart
 Doggett
 Doyle
 Duckworth
 Duffy
 Duncan (SC)
 Duncan (TN)
 Ellmers
 Enyart
 Eshoo
 Esty
 Farenthold

Royce
 Ruiz
 Runyan
 Ruppertsberger
 Ryan (OH)
 Ryan (WI)
 Salmon
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sanford
 Sarbanes
 Scalise
 Schiff
 Schneider
 Schock
 Schrader
 Schwartz
 Schweikert
 Scott, Austin
 Scott, David
 Sensenbrenner
 Sessions
 Sewell (AL)
 Shea-Porter
 Sherman
 Shimkus
 Shuster

NAYS—65

Becerra
 Bustos
 Butterfield
 Capuano
 Cartwright
 Castor (FL)
 Chu
 Cicilline
 Clark (MA)
 Clarke (NY)
 Cleaver
 Cohen
 Connolly
 Conyers
 Cooper
 Crowley
 Cummings
 DeGette
 Dingell
 Edwards
 Engel
 Farr

NOT VOTING—12

Blumenauer
 Ellison
 Gosar
 Hudson

□ 1429

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. COOPER. Mr. Speaker, I unintentionally missed rollcall vote No. 66 and cast an incorrect vote for rollcall vote No. 67 on Wednesday, February 26, 2014. I would like to correct my error and ask that the record reflect the following: on H. Res. 487, rollcall vote No. 66, I should have voted “no;” on H.R. 1944, rollcall vote No. 67, I should have voted “aye.”

□ 1430

STOP TARGETING OF POLITICAL BELIEFS BY THE IRS ACT OF 2014

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 487, I call up the bill (H.R. 3865) to prohibit the Internal Revenue Service from modifying the standard for determining whether an organization is operated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. COLINS of Georgia). Pursuant to House Resolution 487, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, is adopted. The bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3865

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 “Stop Targeting of Political Beliefs by the IRS Act of 2014”.

SEC. 2. APPLICABLE STANDARD FOR DETERMINATIONS OF WHETHER AN ORGANIZATION IS OPERATED EXCLUSIVELY FOR THE PROMOTION OF SOCIAL WELFARE.

(a) IN GENERAL.—The standard and definitions as in effect on January 1, 2010, which are used to determine whether an organization is operated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986 shall apply for purposes of determining the status of organizations under section 501(c)(4) of the Internal Revenue Code of 1986 after the date of the enactment of this Act.

(b) PROHIBITION ON MODIFICATION OF STANDARD.—The Secretary of the Treasury may not issue, revise, or finalize any regulation (including the proposed regulations published at 78 Fed. Reg. 71535 (November 29, 2013)), revenue ruling, or other guidance not limited to a particular taxpayer relating to the standard and definitions specified in subsection (a).

(c) APPLICATION TO ORGANIZATIONS.—Except as provided in subsection (d), this section shall apply with respect to any organization claiming tax exempt status under section 501(c)(4) of the Internal Revenue Code of 1986 which was created on, before, or after the date of the enactment of this Act.

(d) SUNSET.—This section shall not apply after the one-year period beginning on the date of the enactment of this Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stop Targeting of Political Beliefs by the IRS Act of 2014”.

SEC. 2. APPLICABLE STANDARD FOR DETERMINATIONS OF WHETHER AN ORGANIZATION IS OPERATED EXCLUSIVELY FOR THE PROMOTION OF SOCIAL WELFARE.

(a) IN GENERAL.—The standard and definitions as in effect on January 1, 2010, which are used to determine whether an organization is operated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986 shall apply for purposes of determining the status of organizations under section 501(c)(4) of the Internal Revenue Code of 1986 after the date of the enactment of this Act.

(b) PROHIBITION ON MODIFICATION OF STANDARD.—The Secretary of the Treasury may not (nor may any delegate of such Secretary) issue, revise, or finalize any regulation (including the proposed regulations published at 78 Fed. Reg. 71535 (November 29, 2013)), revenue ruling, or other guidance not limited to a particular taxpayer relating to the standard and definitions specified in subsection (a).

(c) APPLICATION TO ORGANIZATIONS.—Except as provided in subsection (d), this section shall apply with respect to any organization claiming tax exempt status under section 501(c)(4) of the Internal Revenue Code of

1986 which was created on, before, or after the date of the enactment of this Act.

(d) SUNSET.—This section shall not apply after the one-year period beginning on the date of the enactment of this Act.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 3865.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 3865, the Stop Targeting of Political Beliefs by the IRS Act of 2014, to stop the IRS and Treasury from restricting free speech activities of social welfare organizations that have been in place for over 50 years.

Last May, we learned that the IRS targeted conservative groups seeking tax-exempt status. For over 9 months, committee investigators have reviewed hundreds of thousands of internal IRS documents and interviewed IRS officials regarding the targeting. Our investigation is not yet over, and the Ways and Means Committee continues to wait for the IRS to turn over Lois Lerner's emails. Despite the ongoing investigations both in Congress and by the inspector general, last November Treasury rushed forward with proposed new regulations to stifle 501(c)(4) groups, upending rules that have been in place for over half a century.

Under the proposed rule, social welfare organizations would face additional, unprecedented scrutiny for engaging in the most basic nonpartisan political activity, such as organizing nonpartisan get-out-the-vote drives, registering voters, or hosting candidate forums in their neighborhood. If the Treasury Department and the IRS have their way, these sorts of activities would jeopardize the tax-exempt status of social welfare organizations.

Making matters worse, the administration is pushing the proposed rule based on a false premise. Treasury issued these rules under the premise of “considerable confusion” in the tax-exempt application process. They use the term considerable confusion to justify their actions. However, the committee's investigation has found no evidence that confusion caused the IRS to systematically target conservative groups. In fact, we found evidence to the contrary, that IRS workers in Cincinnati flagged Tea Party cases for Washington, D.C., because of “media attention.” Before Washington got involved, front-line IRS employees were already processing and approving Tea Party applications with no intrusive questionnaires or signs of confusion.

In addition to being based on a false premise, the proposed rule was drafted in secrecy and long before the administration's proclaimed need for clarity. Our investigation has discovered that Treasury and the IRS were working on these new rules behind closed doors for years—well before the targeting came to light.

While the administration claims that the proposed rule is a response to the inspector general's audit report, IRS employees told committee staff in transcribed interviews that discussions about the rule started much earlier, in the spring of 2011. Further, a June 2012 email between Treasury officials and then-IRS director of tax exempt organizations, Lois Lerner, shows that these potential regulations were being discussed off plan—meaning that the plans for the regulations were to be discussed behind closed doors. This type of behavior raises serious questions about the integrity of the rule-making process and counsels for putting a hold on the draft rules.

The intent of the rules proposed by the Obama administration is clear: to legalize the IRS' inappropriate targeting of conservative groups. These proposed rules severely limit groups' rights to engage in public debate by labeling activities such as candidate forums, get-out-the-vote efforts, and voter registration as “political activity” for 501(c)(4) groups. However, 501(c)(3)'s—which are not allowed to engage in my political activity—and labor unions are free to continue to engage in these activities without limitation.

It is clear that the American people are also concerned that these proposed rules would squash their First Amendment rights. Treasury has received over 94,000 comments on the rule so far, which is the most they have ever received on any rule ever. Given the American public's significant interest in the proposed rules, it is imperative that Treasury put a hold on them until the investigations into the targeting are complete so that all the facts are known and the public has ample opportunity to be heard.

This legislation will ensure that Treasury does not rush this rule into effect this year, allows the ongoing investigations to issue findings on the targeting, helps us to stop the IRS' targeting of taxpayers based on their personal beliefs, and is a commonsense step to preserve these groups' ability to engage in public debate.

I urge my colleagues to join me in voting “yes” to this legislation.

I reserve the balance of my time.

Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana (Mr. BOUSTANY) control the remainder of my time.

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

There was no objection.

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

On a day when the chairman of the Ways and Means Committee, Mr. CAMP, is unveiling a tax measure that requires serious bipartisanship to be successful, we are here on the floor considering a totally political bill in an attempt to resurrect an alleged scandal that never existed.

Was there incompetence at the IRS in the processing of 501(c)(4) applications?

Yes—and I was among the very first who said that those in supervision should be held accountable.

Was there corruption, political interference, White House involvement, an enemies list, as the Republicans have claimed since day one?

Absolutely not; no evidence whatsoever.

Yesterday, the IRS Commissioner confirmed that \$8 million has been spent directly on those investigations as over 255 people have spent over 79,000 hours doing nothing but responding to congressional investigations. An additional \$6 million to \$8 million has been spent to add capacity to information technology systems to process securely the 500,000 pages of documents Congress has received.

What have they learned? That both progressive and conservative groups were inappropriately screened out by name and not activity, and that no one was involved in this outside of the IRS, and that there was no political motivation involved.

When the inspector general asked his chief investigator to look into the possibility of political motivation by the IRS, that investigator concluded:

There was no indication that pulling these selected applications was politically motivated. The email traffic indicated there were unclear processing directions and the group wanted to make sure they had guidance on processing the applications so they pulled them. This is a very important nuance.

Indeed, it is, and it is precisely that lack of clarity that the IRS was responding to in proposing new regulations for 501(c)(4) organizations. New regulations that are designed to bring certainty in determining whether an organization's primary activities are political.

The regulations are among several steps the IG himself recommended in his audit report that the IRS undertake, each of which the Republicans repeatedly called for action on.

In a June 3, 2013, hearing before the House Appropriations Committee, Chairman CRENSHAW told Acting IRS Commissioner Danny Werfel:

We're going to insist that the IRS implement all nine of the recommendations in the inspector general's report.

A Republican member of the Ways and Means Committee, Mr. ROSKAM, has a bill to implement all of the inspector general's recommendations, including implementing new 501(c)(4) regulations.

Why is this important? Because applications for 501(c)(4) status have nearly doubled between 2010 and 2012—to 3,357, and spending has skyrocketed.

In 2006, \$1 million was spent by (c)(4) organizations. In 2010, \$92 million was spent. In 2012, \$256 million has been spent by (c)(4) organizations.

The (c)(4) designation presently allows organizations to keep their donors secret, hidden as to which individuals contributed, and that is exactly the secrecy that the Republicans are trying to preserve.

Why? Because the three largest spenders, representing fully 51 percent of the total, are a Who's Who list of Republican political operatives.

□ 1445

It is indicated here: Crossroads GPS, Karl Rove, \$71 million; Americans for Prosperity, the Koch brothers, \$36 million; and the American Future Fund, the Koch brothers again, \$25 million. That is \$132 million of the skyrocketing \$256 million that the Federal Election Commission had reported to it, according to the Center for Responsive Politics.

If you live in a targeted State and you turn on your television, you have probably seen these groups at work distorting the Affordable Care Act.

That is why we are here today, purely and simply, not because Republicans want to stand up for the rights of social welfare organizations—and they often talk about small ones—but to preserve the secrecy around the Republicans' big campaign efforts.

These are draft regulations that the Republicans themselves called for. Over 76,000 comments—and I think now more—have been received, and the comment period does not close until Friday.

These regulations aren't likely to come out this year anyway with all these comments, so why this bill? Why this bill? It is very, very clear, and it is very simple. There is a problem with 501(c)(4)'s. The three organizations that I mentioned that are involved as political operatives, in one form or another, these are people who have donors nobody knows. This is secret money.

Why are we standing here and saying to the IRS: Don't look at 502(c)(4)'s; don't look at the possible massive abuse; don't look at what has happened in the last few years where political operatives, under the guise of 501(c)(4), have moved from \$1 million in many cases to \$256 million reported to the FEC?

Our constituents, Democrats and Republicans, are offering their comments. Some of them I agree with and they deserve to be read, but not to be shredded at the hands of a November campaign strategy by the Republican Party of this country and by the Republican Conference of this House.

I reserve the balance of my time.

Mr. Speaker, I ask unanimous consent that the gentleman from New York (Mr. CROWLEY) control the balance of the time.

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

There was no objection.

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

I want to take a moment just to respond to some of the comments that my friend on the other side made.

First of all, there are three ongoing investigations that are incomplete. There is the congressional investigation being conducted by multiple committees, incomplete; there is the inspector general investigation, still incomplete and ongoing; and there is a third, a criminal investigation.

I ask, first off, the question: Why start regulating now when we don't have all the information? Let's let all this go to conclusion and then institute the proper reforms.

I want to point out that in its report on targeting, the inspector general recommended the Treasury and the IRS provide guidance on how to measure political activity—not what constitutes political activity, how to measure it.

The proposed rule has been in development since 2011. Internal IRS emails between Treasury and IRS show that they were developing the rule off plan—off plan. That means beyond the sunshine of disclosure and out in the open—off plan. What do they have to hide? Why are they doing this? And this is actually before all the allegations came out.

Then, when asked at the markup of H.R. 3865—this legislation—whether the proposed rule answers the inspector general's recommendation for the IRS and Treasury to provide guidance on measuring political activity, Tom Barthold, the chief of staff of the Joint Committee on Taxation, nonpartisan, said: The proposed rule does not address the measurement issue.

All we are seeking to do is to delay the implementation of this rule until we complete the investigation and we have all the facts, and then we can talk about what necessary reforms should be implemented.

But I think it is a bit premature to start putting forth regulations that will infringe on First Amendment rights. It is a very blunt instrument and a very dangerous path to embark upon at this point in time.

With that, I am happy to yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY), my friend, a member of the Ways and Means Committee.

Mr. KELLY of Pennsylvania. Mr. Speaker, I rise in strong support of the piece of legislation we are talking about.

I think it is rather chilling that 223 years ago, our First Amendment rights were enshrined in our Bill of Rights. We have all taken the same oath. We said, to the best of our ability, we preserve, protect, and defend the Constitution of the United States. I am hearing now dollar signs or dollar numbers being there saying, well, we can't afford to spend this kind of money.

Never before in America were we ever worried about the cost of money when

it comes to defending our freedoms and liberties under our Constitution and our Bill of Rights. It has no dollar attached to it. It is basically fundamentally American.

When we talk about American citizens not being able to talk that way—the First Amendment, by the way, protects us and enshrines us, 45 words in the First Amendment that protect and enshrine our rights.

This is not a political issue. This is not about an “R” or a “D.” This is about a “we.” This is about the entire country. If we are going to sit here and say: Oh, no, this just has to do with an election—an election—really, an election?—we cannot allow the voice of the people not to be heard in our town squares. When they need to speak out, they need to know that they can speak out without being threatened or without being worried about what is going to happen to them.

This is so basically who we are as Americans. It has nothing to do with Republicans and Democrats, Independents and Libertarians. It has to do with who we are. If we cannot see that and we turn this into a political agenda and talking points, then, my gosh, how far we have fallen from what the Founders intended at the very beginning.

We cannot have this debate in seriousness and say we are spending too much money to protect the rights of our American citizens. That is absolutely foolish.

I am very, very strong on the protection of what we are talking about. H.R. 3865 reconfirms what the American people need to know. They can speak out on anything, anytime, anywhere they want, without having to be worried about anybody interfering with it, especially a government.

This is a government that serves the people; this is not a people that serve our government. And to think that we have to have a piece of legislation in addition to our First Amendment rights on the floor is absolutely so different than what we think.

Again, the voice of the American people has got to be heard. I don't care—conservative, liberal, I don't care where you are coming from. You have the right to speak out anytime you want.

Mr. CROWLEY. Mr. Speaker, may I inquire as to how much time is remaining on both sides, for housekeeping purposes?

The SPEAKER pro tempore. The gentleman from New York has 22 minutes remaining. The gentleman from Louisiana has 21½ minutes remaining.

Mr. CROWLEY. Thank you, Mr. Speaker.

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

Mr. Speaker, we have all heard the outrage and the innuendos from my Republican colleagues and their chief mouthpiece, FOX News. The facts should show this is phony, a phony investigation against President Obama launched for political purposes: facts

like the person who began these investigations was a self-described conservative Republican; facts like more than 500,000 pages of documents have been provided to Congress, and there is no smoking gun; facts like, of the five dozen interviews of IRS employees at 15 congressional hearings, that nothing was found.

These are the facts, but I realize some will choose to not believe the facts versus fiction. Let me provide some basic commonsense information.

The inspector general who oversees the IRS, someone who was appointed by then-President George W. Bush—someone who has admitted that he covered up political targeting of progressive groups in his report to Congress; someone who had a number of private meetings with the Republican chair of the Oversight Committee, DARRELL ISSA, and then came out to issue public statements as facts—this someone, J. Russell George, has testified under oath that he notified Congressman DARRELL ISSA of his investigation into the IRS in the summer of 2012.

Do you know what else was happening in the summer of 2012? A very close Presidential election.

Does anyone honestly think, if there was an actual scandal or an actual targeting of just Tea Party groups by the administration in the months and the weeks leading up to the 2012 elections when Barack Obama was going to the ballot, that Congressman DARRELL ISSA wouldn't blow the whistle and expose it when he was notified that an investigation was ongoing and occurring?

It just doesn't pass the laugh test. This is another phony scam in the realm of phony scams my Republican colleagues make up to go after Democratic Presidents.

But what is also interesting is that, just as the Republicans continue their crusade to discredit the IRS, the Republicans have rallied around their version of tax reform—I have a copy of the summation right here; this is just the summation—a radical version that will empower—empower—the IRS. This legislation that they are offering today will empower the IRS and raise taxes on families while cutting them for multinational corporations.

For the past several years, the public has been told that the Republicans would try to rip the Tax Code out from its roots and that it would be rewritten by Democrats and Republicans together.

Well, guess what. Democrats were never once invited to help draft, draft this bill. Speaker BOEHNER even dismissed Democratic criticism of the process by saying, “Blah, blah, blah.”

So what is the result? A radical Republican tax plan that will, if enacted, end the tax break for families to deduct their State and local income taxes that they already paid in taxes to the States and local governments. It will slash the mortgage interest deduction for homeowners. It will create a new tax on Social Security. It will tax

workers for the health care offered by their employer. It will increase taxes on hundreds of thousands of our military families. It will institute the chained CPI to raise taxes, and it is also known to reduce veterans' and Social Security benefit checks.

This really does beg the question: Whose side are our Republican colleagues on? They try to look populist by creating false and fake scandals and bashing the IRS, but in reality, their words and actions mask their bill to empower the IRS and radically redesign the Tax Code, making families pay more so international corporations can pay less.

That is the real scandal here this afternoon, Mr. Speaker.

With that, I reserve the balance of my time.

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

I welcome the opportunity to debate tax reform, but it is obvious to me that the gentleman hasn't read the bill yet, and I think you should read the bill before you debate tax reform. That will come on another day.

But I want to get back to why we are here today. I want to point out that this is a bipartisan IRS investigation by Congress. I want to also point out, in that regard, that the Ways and Means Committee document requests are bipartisan joint requests from Chairman CAMP and Ranking Member LEVIN. Ranking Member LEVIN also admits that the investigation is incomplete.

So we have to get down to the bottom of this and let this investigation be done. The American people deserve to know what the truth is before we start issuing new law or having new regulations issued by the executive branch which will have the chilling effect of infringing on First Amendment rights.

One of the previous speakers on the other side mentioned the IRS spending money and manpower on this investigation. Yes, the IRS also spent \$40 million on conferences over the period of the targeting.

□ 1500

One conference alone cost \$4.1 million—waste. In 2012, the IRS spent \$21.6 million on union activity—taxpayer dollars on union activity. Explain that to the taxpayer. The IRS also spends about \$5 million annually on its full-service production studio in New Carrollton, Maryland.

The fact of the matter is that the American people are tired of the waste. They are tired, and they are also very concerned about the infringement on their First Amendment rights.

With that, I am very pleased to yield 4 minutes to the gentleman from Ohio (Mr. RENACCI).

Mr. RENACCI. Mr. Speaker, I rise today in support of H.R. 3865, the Stop Targeting of Political Beliefs by the IRS Act.

Last year, northeast Ohioans and Americans across the country were

deeply troubled to learn the IRS abused its power by targeting conservative groups. Many in Ohio's 16th District, my district, contacted my office to express grave concerns about the lack of accountability and transparency within the IRS. Not only did the Federal agency violate the public trust, but it infringed on our First Amendment rights.

The Ways and Means Committee began investigating allegations of potential political discrimination within the IRS nearly 3 years ago. What was discovered is disturbing. The committee found evidence that conservative groups were targeted to an extent far beyond what was initially reported. As part of its ongoing investigation, the committee requested and reviewed hundreds of thousands of internal IRS documents, and it interviewed dozens of its employees.

Recently, the IRS published draft rules that would essentially authorize the continued targeting of political groups. These rules represent a disregard for liberties outlined in our Constitution, and they demonstrate the dangers of a growing Federal Government. The IRS' actions bring to light just how rampant abuse is within this administration. The American people will not tolerate it, and neither will Congress.

This legislation is commonsense. It would require the IRS to halt this rule-making process until the committee completes its investigation. It is critical that the committee gathers all the facts before the IRS implements these rules, which were created behind closed doors. That is not political. That is just common sense. There should be no controversy at all.

This legislation builds upon a bill I introduced last year which would specifically spell out that any IRS employee, regardless of political affiliation, who targeted a taxpayer for political purposes could be immediately relieved of his duties. It passed the House with broad bipartisan support.

This is not a partisan issue. Whether you are a Republican, a Democrat or an Independent, above all, we are Americans. Targeting anyone based on any affiliation goes against the very principles this country was founded upon. Americans of all political beliefs deserve to know that they will not be targeted by their government for political purposes.

I thank Chairman CAMP for his hard work on this important legislation, and I urge my colleagues to support it.

Mr. CROWLEY. Mr. Speaker, I just want to remind the gentleman from Ohio that this tax bill, known as the Tax Reform Act of 2014, which was made public today, will be a sucker punch to the guts of families who live in higher tax States, like Illinois, Wisconsin, Nebraska, New York, and Ohio. All of these States have representation from the Republican Party on the Ways and Means Committee. They helped to draft this legislation. The question is: Whose side are they on?

With that, Mr. Speaker, I yield 3 minutes to the gentleman from Washington State (Mr. McDERMOTT).

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

Mr. McDERMOTT. Mr. Speaker, here we are back in the theater of the absurd. The Republicans are wasting valuable time and resources on political theater, crafted to make the producers at FOX television happy while they should be moving forward with the country's business.

There have been six separate investigations. Not a single shred of evidence has been found demonstrating political motivation or White House involvement in the IRS grouping of the tea party applications by name. Now, one of my colleagues is a physician. He is from Louisiana. He has operated many times. You do not begin surgery until you know what is going on with the patient. We have six investigations which found no reason to operate, no reason to pass this legislation. Yet here it is. Ironically, the real trickery of this is this bill. It is designed to protect Karl Rove's Crossroads GPS and the Koch Brothers of Houston from exposing where the money that they put into the political process is being used.

Everyone knows what a 501(c)(4) is about. You give the money to the organizations. They don't have to report your name to anyone, and then the organizations can use it any way they want. Now, if an organization goes to the IRS and says, "we want a 501(c)(4)," the IRS should ask a few questions, don't you think, if they are going to give an exemption from the American people, from those people paying the taxes who put it in there? Karl Rove and all of his cohorts ought to pay taxes if they are going to use it for the political process, and it is the IRS' job to find that out. It is the same with liberal groups. Any group that comes in has to explain what it is going to do with the money.

We have had six investigations, but now we have a bill without any conclusion from any committee or any investigation that there is a problem. The floor of the House should not be the stage for the Republicans to work out their November election strategy and funding. If Republicans really want to work on behalf of the American people, they should get serious and roll up their sleeves. The production tax credit ought to pass out of here as a unanimous consent. There are a thousand things that ought to be happening here today instead of this silly bill, which will have no effect. It is not going through the Senate. The President isn't going to sign it. It is simply political theater to give the directors at FOX TV things to put on television.

If you intend to do something real, you can, but this bill is not real. It is simply to reignite the baseless allegations against the White House.

Mr. BOUSTANY. Mr. Speaker, I am pleased to yield 1 minute to the gen-

tleman from Virginia (Mr. CANTOR), the majority leader of the House.

Mr. CANTOR. I thank the gentleman from Louisiana.

Mr. Speaker, I rise today in support of the Stop Targeting of Political Beliefs by the IRS Act.

Political speech was considered by our Founders to be deserving of the utmost protection. The First Amendment they wrote is no less crucial to our democracy today than it was in those initial days. Since those days, Americans have come up with all sorts of ways to exercise their fundamental free speech rights, including assembling together in organizations to express their thoughts about what their government is doing.

These groups, including those known as 501(c)(4) organizations, are an important part of our democracy. Many of these groups are formed to specifically engage and educate our citizenry through candidate forums, debates, grassroots lobbying, voter registration, and other activities to promote the common good so America has an informed public.

For over 50 years, these organizations have been eligible to apply for tax-exempt status, but now, Mr. Speaker, that status is under threat from new regulations being proposed by the IRS. The goal here is clear. These regulations were reverse engineered in order to directly silence political opponents of this administration's.

That is the worst kind of government abuse. Silencing your critics is commonplace in authoritarian countries, not in the United States of America. Frankly, it is a cowardly act to silence people via backroom regulations. Those who disagree with any administration's policies, whether conservative or liberal, still deserve the constitutional protections afforded to them. This kind of government abuse must stop, and it must stop now.

Today, we have an opportunity to act in a bipartisan manner because this bill prevents these costly regulations from taking effect on groups that promote issues both sides of the aisle deeply care about. Nearly 70,000 comments have been submitted about this proposed regulation from both sides or all sides of the ideological spectrum. The majority of those submissions are negative.

Recently, the American Civil Liberties Union submitted a 26-page comment to IRS Commissioner John Koskinen, stating:

Social welfare organizations praise or criticize candidates for public office on the issues, and they should be able to do so freely, without fear of losing or being denied tax-exempt status, even if doing so could influence a citizen's vote.

The ACLU continued, stating that the advocacy work done by these groups is "the heart of our representative democracy."

The ACLU and so many others who have also spoken out in opposition to this proposed regulation are absolutely

right. Political speech represents the best part of America, the ability for Americans to be able to reach out to their elected representatives and let them know when they agree or disagree with them.

No matter which side of the aisle we are on, Mr. Speaker, we must protect that fundamental freedom. So let us stand together today and pass this bill so that Americans, whether individually or collectively, can continue to strengthen our political process without fear of retribution.

I would like to thank Chairman CAMP as well as subcommittee Chairman BOUSTANY on the Ways and Means Committee and all of those across our country who have spoken out on this issue, and I ask my colleagues to support this bill.

Mr. CROWLEY. The only threat, Mr. Speaker, to the freedoms of Americans is not the bill we are discussing on the floor today but the bill that was announced this afternoon, the Tax Reform Act of 2014—the freedom of Americans to purchase their first homes, the freedom of Americans not to have attacks placed on their health care. Those are the types of freedoms that are being threatened today.

With that, I yield 3 minutes to the gentleman from California (Mr. BECERRA), the chair of the Democratic Caucus of the House of Representatives.

Mr. BECERRA. I thank the gentleman for yielding.

Mr. Speaker, I think the best way to describe this bill is to call it the “prevent secret money from disclosure act,” because that is what we are really talking about.

What matters today to most Americans? If you talk to folks back home or on the street, they will tell you: Are you working on making sure the private sector is creating jobs? Does this bill help create jobs? No. They will say: Then at least make sure, if I am paying taxes, you are using them the right way. Does this bill help taxpayers save money? No.

So why are we doing this?

You are hearing folks talk about the Constitution. The Constitution doesn't guarantee campaign donors get special tax treatment or protections. The First Amendment protects speech, not secret contributions.

So what is the problem?

The problem is that the IRS has finally figured out that a whole bunch of folks are funneling a lot of dark, secret money into organizations that under the Tax Code are permitted and that they are using this to influence our American campaigns.

We have no idea who is making these contributions of millions of dollars—secret dollars—to influence campaigns here in America. Is it foreign governments giving these millions of dollars? We don't know. Is it money launderers trying to influence elections? We don't know. We have no idea who is giving this money because, under the Tax

Code under which these organizations are filing, they have no obligation to disclose who has given them one red cent.

That Tax Code section, 501(c)(4), is very similar to the 501(c)(3), the charitable organization we are very familiar with. 501(c)(4)s are classified as “social welfare organizations.” Guess what? Do you know how much those social welfare organizations spent doing campaign and political work in our elections? How much do you think the political campaigns spent, the Republican National Committee and the Democratic National Committee combined? \$255 billion in the 2012 election. That is what the two political parties spent together. How much did social welfare organizations spend on campaign and political activity? More than the two political parties combined—\$256 billion. Can you tell me where one penny came from? No, you can't, because it is all secret money.

What are the proponents of this bill trying to do? They are trying to hide the names of those who gave the money. Why? We don't know.

□ 1515

But it sure would be nice to know who is getting all this money, when just 8 years ago, those same social welfare organizations gave a total of \$1 million for political purposes. It was \$256 billion in 2012. Eight years ago, it was \$1 million.

Something is going on in America. Someone is trying to buy elections. And we can't figure it out because those donors don't have to be disclosed. It is time to make sure that those donations are disclosed. That is all the IRS is trying to do.

It is cloaked as something different by proponents of this bill. Let's not hide the money. It is time to disclose those contractors.

Vote down this bill.

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

There is no denying that we may need reforms in this. There has been a lot of debate about this. The gentleman from California and I have had those kinds of conversations. But I would point out that the investigations are not complete, and they need to be complete.

The ranking member mentioned earlier in his comments money and donors as reasons for this rule, but neither the word “donor,” “money,” or “contributions” appears in the regulation.

It has been cited by the former Commissioner of the IRS that there was confusion. A confusion narrative emerged, but it was on the basis of no internal investigation at the IRS. There has been no interview of the employees, no facts established. We are still doing this investigation, from our standpoint, as is the inspector general.

We know from our investigation so far, having interviews with the Cincinnati employees, that they were not confused by the rules. They were proc-

essing the applications until interference came down from Washington, from higher up in the Exempt Organizations Division of the IRS. Employees then flagged Tea Party applications and others because of what they said were “media interest,” not confusion. Within 24 hours of the flagging for media interest, these Washington, D.C., officials at the IRS requested Tea Party applications.

Unlike the IRS, the Committee on Ways and Means has been investigating this matter, and we have not completed this investigation. But committee investigators have interviewed nearly three dozen IRS officials, from frontline screeners to the former commissioner. We have reviewed hundreds of thousands of documents. It is nearing completion, but this investigation is being held up.

A central figure in this investigation is Lois Lerner. We have not gotten the information that we have requested from Lois Lerner. We have put the newly confirmed Commissioner on notice that if he wants to move forward with reforms and do all the things he wants to do during his tenure at IRS, we have got to get this investigation done. We have to get the facts on the table, and this IRS has to come clean before the American people.

This agency occupies a central part of every single American's life. It affects every one of us. This agency has the power to destroy each and every one of us. And that is why the trust and the integrity needs to be restored.

All this rule does is shuts down speech. It does nothing that these gentlemen, our friends on the other side of the aisle, have mentioned in terms of reforms and cleaning up the election system and all that. No, it does none of that. It just simply stifles speech. I don't think that is appropriate.

We owe it to the American people and we owe it to the integrity of this institution to complete this investigation, put the facts on the table, and follow these facts wherever they may lead. This is not political. This is simply looking at the facts.

Rather than a recently drafted cure for confusion, this proposed rule, like I said, simply focuses to silence some of these small groups, silence conservatives.

As early as 2011, long before the inspector general audit, IRS officials in Washington, D.C., began talking about the proposed rule. We have email from Treasury to IRS, off plan—off plan. Now we are trying to get more of those emails because we want to know what they mean by “off plan.” What was really discussed and why was all this talked about before the allegations even came forward from these various groups?

This is not right. We need to get to the bottom of it. And rather than curbing confusion, the proposed rule would simply silence these social welfare organizations and have a disproportionate effect on some of these right-

leaning conservative groups that were subject, in the first place, to the targeting.

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

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

My good friend from Louisiana would continue to have you believe that only right-wing and conservative groups were being investigated when in fact he knows and we know that it went well beyond that. There were progressive groups who were also subject to this investigation.

Mr. Speaker, let me also point out to my friend from Louisiana, he mentioned that maybe members of the Democratic Caucus had not yet perused the Republican Tax Reform Act of 2014. I would just point out for the record that I am assuming he read the proposed regulations. He mentioned that money was not mentioned, when in fact on the first page, in the fourth stand-out:

Contributions of money or anything of value to, or solicitation of contributions on behalf of, a candidate, political organization, or any other section 501(c) organization engaged in candidate-related political activity.

So money is mentioned on the first page, just to set the record straight, Mr. Speaker.

Mr. Speaker, this Republican radical tax plan will, for the first time, tax workers for their health insurance benefits that they are provided through their job and tax previously untaxed Social Security income. The question, again, is: Whose side are they on?

With that, Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey, Mr. BILL PASCRELL, my friend.

Mr. PASCRELL. Mr. Speaker, I sincerely have the greatest respect for the good doctor. I think he is a reasonable man and a good person, but when you are explaining, you are losing.

I rise in strong opposition to this legislation.

After we learned last year about the inexcusable way the IRS evaluated applications for tax-exempt status—because that is what is at the heart of this issue—I was hopeful that we could have a bipartisan response. After all, it was not only conservative groups, as you have heard, that had their applications singled out solely because of words like “Tea Party.” No one is denying that. Progressive groups were inappropriately filtered as well. My Democratic colleagues and I were equally outraged by this behavior. We put it on the record. But those hopes faded quickly when it became apparent that my colleagues on the other side weren’t actually interested in investigating this wrongdoing and fixing the problems.

This bill is just the latest example of how, instead, they are only concerned with scoring cheap political points. Where I am from in Paterson, New Jersey, we would call this Pyrrhic sophistry. That is what we would call it. Empty arguments, deceitful. That is what that means.

The examples the Republican leader pointed out could be under section 527. But if you are under 527, you need to disclose where the money came from. So you choose not to be under section 527 of the Tax Code. You would rather be in another section. And what is that other section? You are not tax liable and you don’t have to disclose who gave you the money.

What is this? Russia? China?

You heard the numbers. We are talking about billions of dollars. The difference? They would have to disclose where the money came from.

No evidence of any retribution has been found yet within either political party. So this is really a witch hunt. For the American people, unfortunately, it is the integrity of our electoral process here that is on trial.

The fact is that the Supreme Court’s rulings have legalized a torrent of hundreds of millions of dollars in corporate spending that has infected our elections.

We ask again today, join us in correcting that decision by the Supreme Court. It has infected our legal process.

The SPEAKER pro tempore. The time of the gentleman has expired.

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

Mr. PASCRELL. One of the most egregious newly legal big spenders are organizations operating as 501(c)(4) tax-exempt groups. They could easily be under section 527. We created a special section of the Tax Code precisely for tax-exempt political groups. No, they don’t want to go under those groups, because if they go under those groups, they have got to tell us who is contributing to them.

This is absolutely chicanery. These regulations aren’t some wild-eyed, down-the-rabbit-hole conspiracy theory to prosecute the President’s political enemies.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. CROWLEY. I yield the gentleman an additional 1 minute.

Mr. PASCRELL. They are simply about preserving congressional intent and providing clear rules of the road, both for tax-exempt groups and the IRS, about what exactly is political activity so they know what is permissible under the law.

This isn’t about free speech. This isn’t about being a Tea Party or a Progressive. Spend all the money you want to say whatever you want about any election. Just don’t expect to be able to do so while calling yourself a tax-exempt social welfare group.

We are paying more taxes because these people are getting away with it. That is the bottom line. And you, I know, Doctor, are totally against that, because you would not really, in the final analysis, prefer that some groups are better than others—those particularly who don’t tell us who donated to the group.

The SPEAKER pro tempore. All Members are reminded to address their remarks to the Chair.

Mr. CROWLEY. Mr. Speaker, how much time is left on both sides?

The SPEAKER pro tempore. The gentleman from New York has 4½ minutes remaining. The gentleman from Louisiana has 11½ minutes remaining.

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

In the Nation Magazine, Nan Aron of the liberal judicial lobby, the Alliance for Justice, writes:

501(c)(4)’s are made up of over 86,000 mostly small organizations nationwide that are active participants in civic life.

They were not invented in the last election cycle. They have been around for generations. Their purpose isn’t to hide donors. It is to advance policies.

Ms. Aron also adds:

These groups were involved in elections because it is often impossible to advance a policy cause without being involved in the political process.

This is from the liberal side of the political spectrum.

I am now pleased to yield 4 minutes to the gentleman from Indiana, TODD YOUNG, a member of the Ways and Means Committee.

Mr. YOUNG of Indiana. Thank you, Mr. Chairman. Thank you for your leadership on this issue.

Mr. Speaker, I rise today because this is an essential issue that affects groups in my home State of Indiana, as well as groups throughout the country.

As a member of the Committee on Ways and Means, I have been present during hearings where we have learned that the IRS targeted conservative and Tea Party groups. During those same hearings, I have shared letters and documents that showed some of the targeted conservative groups were my fellow Hoosiers.

Regretfully, it appears that the IRS, rather than holding those responsible for this targeted sort of activity, is seeking to make political targeting part of their standard operating procedure. The recently proposed IRS regulation that pertains to these 501(c)(4) groups is designed to do so in a way that clearly inhibits their First Amendment activities.

501(c)(4) is the section of our Tax Code that many of the conservative groups tried to file under. They can’t file as a 501(c)(3) because that would limit their ability to engage in grassroots lobbying. They can’t file as a 501(c)(5) because they aren’t a labor union. They can’t file as a 501(c)(6) because they aren’t a chamber of commerce. They can’t file as a 527 because that would limit them only to political activity.

None of these other organizations are affected by the new regulations—only 501(c)(4)’s.

Now, this seems curious to me, and the regulation seems aimed at preventing such groups from engaging in civil discourse. This is why I strongly support H.R. 3865, the Stop Targeting of Political Beliefs, or STOP, Act.

This bill doesn’t say that the IRS cannot regulate this issue, or even that they should not regulate this issue.

□ 1530

Instead, it just tells them to wait until the investigation into this targeting concludes before discussing whether any changes to the rules are necessary.

It is eminently reasonable. It would help protect the political speech and the civil rights of my constituents and those around the country. I urge my colleagues on both sides of the aisle to support this bill.

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

Mr. BOUSTANY. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. ROSKAM), our friend on the Ways and Means Committee.

Mr. ROSKAM. Mr. Speaker, there is one thing worse than gridlock, according to my predecessor, Congressman Henry Hyde. The worst thing than gridlock is the greased chute of government.

It is ironic that the very administration that jammed through the Affordable Care Act, also known in the vernacular as ObamaCare, the very group that foisted that on the American public in the middle of the night, without much oversight, without much discussion, just jammed it all through, now has a new remedy as it relates to this newest problem, and that is, do it again. Do it again on another issue.

We heard our friend from New Jersey posing a question, and he is misinformed. The nature of his question was somehow that the American public is paying for this, and yet, we had testimony that Mr. CAMP, the chairman of the Ways and Means Committee, asked this question of Mr. Barthold, who is the chief of staff for the Joint Committee on Taxation.

He asked this question—this is DAVE CAMP, chairman of the committee:

Do these proposed regulations respond to some kind of revenue loss or some kind of tax avoidance scheme?

Answer: Not that I am aware of, sir. These organizations are generally exempt, and a revenue loss has not been identified as the basis of these proposed regulations.

So let's not kid ourselves. Here is the reality. The reality is that this stifles speech. This is from an administration that has been complicit in overseeing an Internal Revenue Service that has picked winners and losers, Mr. Speaker, has been able to say you get to participate in the public debate and you don't.

We ought not do this. There have been over 100,000 comments on this proposed regulation. For those that want to participate and offer their own comment, Mr. Speaker, they can go to roskam.house.gov/dontbesilenced to make sure that their voice is heard as well offering an official comment on this.

One thing we do know: we know that an administration which has a tendency to over-respond, we know that an administration that has not much credibility, frankly, on being thoughtful and nimble as it comes to legislation, is not the administration that we

should trust at this point in time with a rule of such incredible consequence when they have demonstrated no capacity to do right things in the past.

I urge the passage of this bill.

Mr. CROWLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, Federal law states that social welfare groups must exclusively promote social welfare. Social welfare includes activities like early childhood education, environmental protection, or veterans' assistance, not partisan political campaign activity.

Now, there is an important book on the House floor, and it is a dictionary. We have that book here because this is a lawmaking institution, and the precise definition of words is incredibly important.

Now, last time I looked up the word "exclusively," it meant everything, excluding everything else, solely, or only.

However, the IRS must have found an alternative definition for exclusively when it issued a regulation allowing social welfare organizations to only primarily promote social welfare. This contradiction between Federal law and IRS regulation has allowed these groups to spend over a quarter-billion dollars on political campaign activity, not their social welfare mission, while keeping their donors secret.

I urge my colleagues simply to vote against the bill and let the IRS move forward with this proposed regulation to correct this. "Exclusively" should mean exclusively.

Mr. BOUSTANY. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Louisiana has 6½ minutes remaining. The gentleman from New York has 3½ minutes remaining.

Mr. BOUSTANY. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. Mr. Speaker, I thank my colleague from Louisiana for yielding and for his leadership on holding the IRS accountable.

Mr. Speaker, we should not stand by and let the IRS target American citizens based on their political beliefs, and yet, that is what has been going on. It has been uncovered.

The President tries to act like it is some isolated incident, and yet, of course, we have got all kind of testimony that shows this goes way beyond some local office. This is widespread abuse of power by the Internal Revenue Service, and what we are seeing now, with this latest proposed rule, is literally something that would try to shut down an entire segment of American people who want to participate in the democratic process, Mr. Speaker.

The IRS should not be able to go and target people based on their political views, and yet that is what is happening, and President Obama is encouraging this kind of activity where you,

literally, have the White House using enemy lists to go after people with groups like the IRS.

We have seen it with the EPA. We have seen it with the NLRB and the entire alphabet soup of Federal agencies that seems to want to go after people that might say something, exercising their First Amendment rights, that the White House disagrees with.

That is not how America works. That is not what this great country is built upon, Mr. Speaker.

If the President doesn't like the political views of somebody, that is what the great discourse of this country is all about. That is what makes our country so great, that we can disagree. We can exercise those great rights that the Founding Fathers put in place and that was later established in the Bill of Rights, the first of those Bill of Rights being the First Amendment, encouraging free speech. It is what makes us strong as a Nation.

Yet here comes the IRS trying to shut down, use the heavy hammer of their power to try to shut down political speech of people who disagree with them.

It is not going to work, Mr. Speaker. We are not going to stand for it here in this House. I commend my colleague for bringing the legislation, which I am proud to cosponsor. Over 94,000 Americans have already weighed in on this as well, signing letters and inputting public comment, including 70 members of the Republican Study Committee who have chimed in.

We are not going to stand for this. This will be a bipartisan vote in support of this legislation to stop the abuse of the IRS.

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

Obviously my Republican colleagues don't want to talk about their radical Republican tax bill. I understand. I know why, because it is an actual bill on the American taxpaying public, a bill that would tax Social Security and would eliminate tax deductions on State and local taxes that taxpayers have already paid. It will implement chainsaw CPI.

Instead, they want to focus on a phony scandal—I understand it—and not this extreme scandal Republican tax bill, a bill they will force upon the American public.

With that, Mr. Speaker, I yield the balance of my time to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Speaker, I thank my friend and colleague. I have listened all afternoon as my Republican colleagues have held forth about the importance of the First Amendment. No one is debating that. That is not what this bill is about, despite your best efforts to suggest it is.

What this bill is about is letting organizations spend millions of dollars of secret money, secret money, to try to buy elections to serve their special interests. That is what this bill is about.

Now, our Republican colleagues have talked repeatedly about the Treasury

inspector general's report. I don't know if they have read the report, but one of the recommendations was for the IRS to revise its regulations and guidelines to clarify this particular area.

I would have hoped that all of us would want the IRS out of the business of determining whether or not a 501(c)(4) is primarily involved in political activity or primarily involved in social welfare activity.

I don't want them under the nose of every organization trying to figure it out, and that is why the IRS is trying to reform this area of the law.

So why isn't that what our Republican colleagues want?

Because this isn't about allowing those groups to exercise free speech. It is allowing those organizations to be used to channel secret money without disclosing those expenditures to the voters. That is what this is all about, because you can spend as much money as you want on political advocacy and campaigns. All you have to do is organize as a 527, which is another organization under the Tax Code which, by the way, is also tax exempt.

So why isn't that good enough?

You can say as much as you want, spend millions of dollars. I will tell you why. Because under 527's, people are spending all that money to influence elections, they have to disclose. They have to tell voters who they are spending millions of dollars to try and influence those votes.

That is not good enough for our Republican colleagues. They want to preserve this messy situation because it allows all that secret money to flow into these campaigns.

We believe voters have a right to know who is trying to spend millions of dollars to influence these votes, and by the way, eight of the nine Justices on the Supreme Court in *Citizens United*, a case which I had lots of problems with lots of parts of it, but eight of the nine Justices agree with us that transparency is important.

Here is what Justice Kennedy said. These transparency laws "impose no ceiling on campaign-related activities" and "do not prevent anyone from speaking," but they have "a governmental interest in providing the electorate with information about the sources of election-related spending."

Eight out of nine Supreme Court Justices agree with what every poll shows, that the American people overwhelmingly want transparency in our elections. Because why? Transparency brings accountability.

I think every American has an interest in knowing who is spending millions of dollars to try and get them elected to Congress, to serve particular special interests.

So, Mr. Speaker, for goodness sakes, this isn't about the First Amendment. Everyone is in favor of the First Amendment. This is about allowing secret money in campaigns, and we should not allow that. It is against the public interest.

The SPEAKER pro tempore. The gentleman's time has expired.

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

I would, first off, mention that the regulation does not mention donors.

Secondly, I would like to point out that the ACLU itself said these requirements "will pose insurmountable compliance issues that go beyond practicality and raise First Amendment concerns of the highest order."

The gentleman mentioned the Treasury inspector general report, but he didn't quite precisely characterize what the inspector general said. The inspector general said in his report that the IRS, one of the recommendations is the IRS provide guidance on how to measure political activity, not what constitutes political activity.

So with those clarifications, I yield 2 minutes to the gentleman from Texas (Mr. BRADY), a member of the Ways and Means Committee.

Mr. BRADY of Texas. Mr. Speaker, I thank the chairman and DAVE CAMP for leading this effort to protect our free speech.

Whenever someone in Washington tells you don't worry, it is not really about free speech, trust me, it is.

A lot of Americans are frightened by the thought that their government would target them based on their political beliefs, and I am convinced the darkest days in America's history have been when the government has tried to silence the voices of those who disagree with it.

We suffered under this intimidation during the civil rights era, under the antiwar era, and now today, because conservative organizations, constitutional organizations, some who simply want to make the country better and have that voice, are now being targeted.

Make no mistake. This is not about clearing up confusion. This is about intimidation. This is about the government using one of the most powerful agencies it has, the IRS, the only agency that can destroy your life, your family, your business' life with their immense power, targeting people because of their political beliefs.

If you talk about what is free speech, I would point to this: look at organizations back home in your community. Those who want to do get out to vote, so go vote and have your voices heard. Voter registration, candidate forms, let's find out what elected officials and candidates feel about the issues.

Then just grassroots lobbying, letting their neighbors, their communities, their members understand the issues and weigh in. That is free speech. That is the First Amendment, and when this government targets Americans based on it, we have got to stop it.

Make no mistake, Republican, Democrat, Tea Party, Progressive, I don't care where you are at on there, we cannot let the government have this power. It must be stopped now.

□ 1545

Mr. BOUSTANY. Mr. Speaker, let me simply close this debate by saying that, throughout all of this vigorous discussion, we want to make clear that this bill just simply asks for a 1-year delay in the implementation of this rule to allow ample time for Congress to complete its investigation and for the Treasury Inspector General for Tax Administration to complete its investigation, so that we have the facts on the table.

We shouldn't be jumping ahead of the gun and possibly, and likely, infringe on the First Amendment rights of so many people unless we have the facts.

The ranking member of the committee, Mr. LEVIN, has admitted that the investigation is incomplete. Let's just give this time. We owe it to the American people to do that. We owe it to the integrity of this institution to do our work prior to having these premature judgments come forward, especially when the rule does not address all the issues that have been discussed today.

Mr. Speaker, with that, I ask that we all vote in favor of this bill, support it, and move it forward. Let's hit that pause button. Let's complete the investigation and do our due diligence.

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

The SPEAKER pro tempore. Pursuant to House Resolution 487, the previous question is ordered on the bill, as amended.

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

Mr. VAN HOLLEN. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. VAN HOLLEN. I am opposed.

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

The Clerk will read as follows:

Mr. Van Hollen moves to recommit the bill, H.R. 3865, to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following new sections:

SEC. 3. PRESERVING DEMOCRACY FROM THE CORRUPTING INFLUENCE OF SECRET DONORS.

Nothing in this Act shall limit, restrict, or prohibit the Secretary of the Treasury from issuing regulations requiring the disclosure of secret political donors.

SEC. 4. RESTORING UNEMPLOYMENT BENEFITS FOR AMERICA'S JOB SEEKERS.

This Act shall not take effect until the Secretary of the Treasury has certified that the most recent percentage of the insured unemployed (those for whom unemployment taxes were paid during prior employment) who are receiving Federal or State unemployment insurance (UI) benefits when they are actively seeking work is at least equal to the percentage receiving such benefits for the last quarter of 2013, as determined by the

Department of Labor's quarterly UI data summary measurement of the Unemployment Insurance reciprocity rate for all UI programs.

Mr. CAMP. Mr. Speaker, I reserve a point of order against the motion to recommit.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to the rule, the gentleman from Maryland is recognized for 5 minutes in support of his motion.

Mr. VAN HOLLEN. 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, and as the motion indicated, it addresses secret money in elections. I am trying to make sure we end that secret money. It also deals with the issue of extending unemployment insurance, which my colleague from Michigan (Mr. LEVIN) will discuss in a minute.

But I want to focus on this issue of secret money because this resolution, what we are asking our Republican colleagues to join us on, is to vote on a very simple statement: to say that nothing in this act shall limit, restrict, or prohibit the Secretary of the Treasury from issuing regulations requiring the disclosure of secret political donors.

Our Republican colleagues all afternoon have said this is about the First Amendment. This is about protecting the right of people to express their views.

That is not what their bill is about. Everyone is in favor of people being able to express their views. As I indicated earlier, you can form what is known as a 527 organization; and whether you are an individual or an organization in that form, you can spend millions of dollars to try to influence the outcome of elections.

What we are saying is the voters have a right to know who is bankrolling these campaign efforts. What we have seen over the last couple of years is a huge increase, an explosion of money being spent by outside groups to try to influence the outcome of elections to try to elect Members of Congress to support whatever interests those groups may support.

This motion, what we are proposing, would still allow all this money to be spent. But—and here is the key—most of that money is now flowing through 501(c)(4) organizations because some groups have been abusing those organizations to allow them to use them as secret conduits, conduits to allow them to secretly fund campaigns.

All we are saying is let's not take away the right and ability of the Treasury Department to adopt regulations to make sure we don't allow that secret money because I thought most of us agreed in transparency, and I thought most of us agreed in accountability.

And I know that eight of the nine Supreme Court Justices, even in a con-

troversial case, support transparency and disclosure. They say that is good for democracy. And you know what? Every poll shows that the American people overwhelmingly agree. So let's vote for disclosure and vote for this motion.

With that, I yield to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Let's look at the facts. Only those who won't look don't see them.

There have been 1.9 million long-term unemployed Americans who have lost their unemployment insurance since December 28 and another 72,000 every week. Unemployment insurance lifted 2.5 million from poverty in 2012, and now hundreds of thousands are sinking into poverty because this institution and the House majority will not act.

The long-term unemployment rate in this country: 36 percent of jobless workers over 6 months; the lowest percentage of jobless receiving unemployment insurance in over 50 years. It is mindless not to act in terms of the national economy. It is heartless not to act in terms of the individual lives of hundreds and hundreds and hundreds and hundreds and hundreds and hundreds of thousands of Americans and their families.

Vote for this motion to recommit. I don't see how anybody can go home and vote "no."

Mr. VAN HOLLEN. I yield back the balance of my time.

Mr. CAMP. Mr. Speaker, I withdraw my point of order, and I seek the time in opposition to the motion.

The SPEAKER pro tempore. The reservation is withdrawn.

The gentleman from Michigan is recognized for 5 minutes in opposition to the motion.

Mr. CAMP. Mr. Speaker, this motion to recommit actually allows and perpetuates the targeting of Americans by the Internal Revenue Service. This motion to recommit permits the government to restrict the free speech of Americans.

I can't stand for this. The American people can't stand for this and should not stand for this. Vote "no" on this 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.

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 191, nays 230, not voting 9, as follows:

[Roll No. 68]

YEAS—191

Barber	Green, Al	Nolan
Barrow (GA)	Green, Gene	O'Rourke
Bass	Grijalva	Pallone
Beatty	Gutiérrez	Pascrell
Becerra	Hahn	Payne
Bera (CA)	Hanabusa	Pelosi
Bishop (GA)	Hastings (FL)	Perlmutter
Bishop (NY)	Heck (WA)	Peters (CA)
Bonamici	Higgins	Peters (MI)
Brady (PA)	Himes	Peterson
Braley (IA)	Hinojosa	Pingree (ME)
Brown (FL)	Holt	Pocan
Brownley (CA)	Honda	Polis
Bustos	Horsford	Price (NC)
Butterfield	Hoyer	Quigley
Capps	Huffman	Rahall
Capuano	Israel	Rangel
Cárdenas	Jackson Lee	Richmond
Carney	Johnson (GA)	Royal-Allard
Carson (IN)	Johnson, E. B.	Ruiz
Cartwright	Kaptur	Ruppersberger
Castor (FL)	Keating	Ryan (OH)
Castro (TX)	Kelly (IL)	Sánchez, Linda
Chu	Kennedy	T.
Cicilline	Kildee	Sanchez, Loretta
Clark (MA)	Kilmer	Sarbanes
Clarke (NY)	Kind	Schakowsky
Clay	Kirkpatrick	Schiff
Cleaver	Kuster	Schneider
Clyburn	Langevin	Schrader
Cohen	Larsen (WA)	Schwartz
Connolly	Larson (CT)	Scott (VA)
Conyers	Lee (CA)	Scott, David
Cooper	Levin	Serrano
Costa	Lewis	Sewell (AL)
Courtney	Lipinski	Shea-Porter
Crowley	Loeb sack	Sherman
Cuellar	Lofgren	Sinema
Cummings	Lowenthal	Sires
Davis (CA)	Lowe y	Slaughter
Davis, Danny	Lujan Grisham	Smith (WA)
DeFazio	(NM)	Speier
DeGette	Luján, Ben Ray	Swalwell (CA)
Delaney	(NM)	Takano
DeLauro	Lynch	Thompson (CA)
DelBene	Maffei	Thompson (MS)
Deutch	Maloney,	Tierney
Dingell	Carolyn	Titus
Doggett	Maloney, Sean	Tonko
Doyle	Matheson	Tsongas
Duckworth	Matsui	Van Hollen
Edwards	McDermott	Vargas
Engel	McGovern	Veasey
Enyart	McIntyre	Vela
Eshoo	McNerney	Velázquez
Esty	Meeks	Visclosky
Farr	Meng	Walz
Fattah	Michaud	Wasserman
Foster	Miller, George	Schultz
Frankel (FL)	Moore	Waters
Fudge	Moran	Waxman
Gabbard	Murphy (FL)	Welch
Gallego	Nadler	Wilson (FL)
Garamendi	Napolitano	Yarmuth
Garcia	Neal	
Grayson	Negrete McLeod	

NAYS—230

Aderholt	Capito	Farenthold
Amash	Carter	Fincher
Amodei	Cassidy	Fitzpatrick
Bachmann	Chabot	Fleischmann
Bachus	Chaffetz	Fleming
Barletta	Coble	Flores
Barr	Coffman	Forbes
Barton	Cole	Fortenberry
Benishek	Collins (GA)	Fox
Bentivolio	Collins (NY)	Franks (AZ)
Bilirakis	Conaway	Frelinghuysen
Bishop (UT)	Cook	Gardner
Black	Cotton	Garrett
Blackburn	Cramer	Gerlach
Boustany	Crawford	Gibbs
Brady (TX)	Crenshaw	Gibson
Bridenstine	Culberson	Gingrey (GA)
Brooks (AL)	Daines	Gohmert
Brooks (IN)	Davis, Rodney	Goodlatte
Broun (GA)	Denham	Gowdy
Buchanan	Dent	Granger
Bucshon	DeSantis	Graves (GA)
Burgess	DesJarlais	Graves (MO)
Byrne	Diaz-Balart	Griffin (AR)
Calvert	Duffy	Griffith (VA)
Camp	Duncan (SC)	Grimm
Campbell	Duncan (TN)	Guthrie
Cantor	Ellmers	Hall

Hanna McKinley
 Harper McMorris
 Harris Rodgers
 Hartzler Meadows
 Hastings (WA) Meehan
 Heck (NV) Messer
 Hensarling Mica
 Herrera Beutler Miller (FL)
 Holding Miller (MI)
 Hudson Miller, Gary
 Huelskamp Mullin
 Huizenga (MI) Mulvaney
 Hultgren Murphy (PA)
 Hunter Neugebauer
 Hurt Noem
 Issa Nugent
 Jenkins Nunes
 Johnson (OH) Nunnelee
 Johnson, Sam Olson
 Jones Owens
 Jordan Palazzo
 Joyce Paulsen
 Kelly (PA) Pearce
 King (IA) Perry
 King (NY) Petri
 Kingston Pittenger
 Kinzinger (IL) Pitts
 Kline Poe (TX)
 Labrador Pompeo
 LaMalfa Posey
 Lamborn Price (GA)
 Lance Reed
 Lankford Reichert
 Latham Renacci
 Latta Ribble
 LoBiondo Rice (SC)
 Long Rigell
 Lucas Roby
 Luetkemeyer Roe (TN)
 Lummis Rogers (AL)
 Marchant Rogers (KY)
 Marino Rogers (MI)
 Massie Rohrabacher
 McAllister Rokita
 McCarthy (CA) Rooney
 McCaul Ros-Lehtinen
 McClintock Roskam
 McHenry Ross
 McKeon Rothfus

NOT VOTING—9

Blumenauer Jeffries
 Ellison McCarthy (NY)
 Gosar McCollum

□ 1620

Messrs. PITTENGER, COBLE, POSEY, RICE of South Carolina, BILIRAKIS, AMODEI, ADERHOLT, SCHOCK, and Ms. GRANGER changed their vote from “yea” to “nay.”

Ms. FUDGE, Messrs. SERRANO and COHEN changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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. VAN HOLLEN. 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 243, noes 176, not voting 11, as follows:

[Roll No. 69]

AYES—243

Aderholt Barletta
 Amash Barr
 Amodei Barrow (GA)
 Bachmann Barton
 Bachus Benishek
 Barber Bentivolio

Bilirakis
 Bishop (UT)
 Black
 Blackburn
 Boustany
 Brady (TX)

Bridenstine
 Brooks (AL)
 Brooks (IN)
 Broun (GA)
 Buchanan
 Bucshon
 Burgess
 Byrne
 Calvert
 Camp
 Campbell
 Cantor
 Capito
 Carter
 Cassidy
 Chabot
 Chaffetz
 Coble
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Conaway
 Cook
 Costa
 Cotton
 Cramer
 Crawford
 Crenshaw
 Cuellar
 Culberson
 Daines
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart
 Duffy
 Duncan (SC)
 Duncan (TN)
 Ellmers
 Farenthold
 Fincher
 McCaul
 Fitzpatrick
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gallego
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guthrie
 Hall
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)

Bass
 Beatty
 Becerra
 Bera (CA)
 Bishop (GA)
 Bishop (NY)
 Bonamici
 Brady (PA)
 Braly (IA)
 Brown (FL)
 Brownley (CA)
 Bustos
 Butterfield
 Capps
 Capuano
 Cárdenas
 Carney
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)

Heck (NV)
 Hensarling
 Herrera Beutler
 Pompeo
 Posey
 Price (GA)
 Rahall
 Reed
 Reichert
 Renacci
 Ribble
 Rice (SC)
 Rigell
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross
 Kline
 Rothfus
 Royce
 Runyan
 Ryan (WI)
 Salmon
 Sanford
 Scalise
 Schock
 Schweikert
 Scott, Austin
 Long
 Lucas
 Sessions
 Sessions
 Shimkus
 Shuster
 Simpson
 Sinema
 Smith (MO)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stewart
 Stivers
 Stockman
 Stutzman
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner
 Upton
 Valadao
 Wagner
 Walberg
 Walorski
 Weber (TX)
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Owens
 Palazzo
 Paulsen
 Pearce
 Perry
 Peterson
 Petri
 Pittenger

NOES—176

Chu
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly
 Conyers
 Cooper
 Courtney
 Crowley
 Cummings
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene

Grijalva
 Gutiérrez
 Hahn
 Hanabusa
 Hastings (FL)
 Heck (WA)
 Higgins
 Himes
 Hinojosa
 Holt
 Honda
 Horsford
 Hoyer
 Huffman
 Israel
 Jackson Lee
 Johnson (GA)
 Johnson, E. B.
 Kaptur
 Keating
 Kelly (IL)
 Kennedy
 Kildee
 Kilmer
 Kind
 Kuster
 Langevin
 Larson (CT)
 Lee (CA)
 Levin
 Lewis
 Lipinski
 Loebsack
 Long
 Lowenthal
 Lowey
 Lujan Grisham (NM)
 Luján, Ben Ray (NM)
 Lynch
 Maffei
 Maloney,
 Carolyn
 Maloney, Sean
 Matsui
 McDermott
 McGovern
 McNeerney
 Meeks
 Meng
 Michaud
 Miller, George
 Moore
 Moran
 Nadler
 Napolitano
 Neal
 Negrete McLeod
 Nolan
 O'Rourke
 Pallone
 Pascrell
 Payne
 Pelosi
 Perlmutter
 Peters (CA)
 Peters (MI)
 Pingree (ME)
 Pocan
 Polis
 Price (NC)
 Quigley
 Richmond
 Roybal-Allard
 Ruiz
 Ruppertsberger
 Ryan (OH)
 Sánchez, Linda T.

NOT VOTING—11

Blumenauer
 Ellison
 Gosar
 Jeffries
 McCarthy (NY)
 McCollum
 Pastor (AZ)
 Rangel
 Rush
 Scott, David
 Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1627

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Speaker, I have an amendment at the desk to correct the name of the bill to the Protect Anonymous Special Interests Act.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Mr. Polis of Colorado moves to amend the title of H.R. 3865 to read as follows:

To protect anonymous special interests by prohibiting the Internal Revenue Service from modifying the standard for determining whether an organization is operated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986.

The SPEAKER pro tempore. Under clause 6 of rule XVI, the amendment is not debatable.

The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

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

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 177, noes 241, not voting 12, as follows:

[Roll No. 70]

AYES—177

Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi

Garcia
Grayson
Green, Al
Green, Gene
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsock
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McDermott
McGovern
McNerney
Meeks
Meng
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Negrete McLeod

Nolan
O'Rourke
Pallone
Pascarell
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Kennedy
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walz
Wasserman
Schultz
Waters
Welch
Wilson (FL)
Yarmuth

NOES—241

Aderholt
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishak
Bentivolio
Billirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell

Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Eillers

Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallego
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall

Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Larsen (WA)
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maffei
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre

McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross

Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—12

Blumenauer
Ellison
Gosar
Grijalva

Jeffries
McCarthy (NY)
McCollum
Pastor (AZ)

Rangel
Rush
Waxman
Westmoreland

□ 1645

Mr. CALVERT changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2431. An act to reauthorize the National Integrated Drought Information System.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 899, UNFUNDED MANDATES INFORMATION AND TRANSPARENCY ACT OF 2013

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 113-362) on the resolution (H. Res. 492) providing for consideration of the bill (H.R. 899) to provide for additional safeguards with respect to im-

posing Federal mandates, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ALL ECONOMIC REGULATIONS ARE TRANSPARENT ACT OF 2014

GENERAL LEAVE

Mr. GOODLATTE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 2804.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 487 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2804.

The Chair appoints the gentlewoman from North Carolina (Ms. FOXX) to preside over the Committee of the Whole.

□ 1648

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2804) to amend title 5, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to publish information about rules on the Internet, and for other purposes, with Ms. FOXX in the chair.

The Clerk read the title of the bill.

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

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Georgia (Mr. JOHNSON) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

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

Just over 6 months ago, President Obama announced that he would once again pivot to the economy. The bottom line of his speech: after 4½ years of the Obama administration, “We’re not there yet.”

The President was right. We were not there yet nor are we there today. Job creation and economic growth continue to fall short of what is needed to produce a real and durable recovery in our country. The nominal unemployment rate is down, but that is not because enough workers have found jobs; it is because so many unemployed workers have despaired of ever finding new full-time work. They have either left the workforce or have settled for part-time jobs.

As long as this situation continues, Congress must stay focused on enacting reforms that will stop the losses, return America to prosperity, and return discouraged workers to the dignity of a good, full-time job. The legislation we consider today is just that

kind of reform. Through its strong, commonsense measures, the ALERRT Act will powerfully and comprehensively reform the Federal regulatory system, from how regulations are planned to how they are promulgated to how they are dealt with in court.

This is legislation that Congress cannot pass too soon, for while the Obama administration's pivot to the economy has faltered, the Federal bureaucracy has not wavered an instant in its imposition of new and costly regulation on our economy. The ALERRT Act responds by offering real relief to the real Americans who suffer under the mounting burdens of tyrannical regulation.

Consider, for example, Rob James, a city councilman from Avon Lake, Ohio, who testified before the Judiciary Committee this term about the impacts of new and excessive regulation on his town, its workers, and its families.

Avon Lake is a small town facing devastation by ideologically driven, anti-fossil fuel power plant regulations. These regulations are expected to destroy jobs at Avon Lake, harm Avon Lake's families, and make it even harder for Avon Lake to find the resources to provide emergency services, quality schools, and help for its neediest citizens, all the while doing comparatively little to control mercury emissions, which are the stated target of the regulations.

Title I of the ALERRT Act helps people and towns like Rob James and Avon Lake to know in real time when devastating regulations are planned, comment in time to help change them, estimate their real costs, and better plan for the results as agencies reach their final decisions.

Consider, too, Bob Sells, one of my constituents and president of the Virginia-based division of a heavy construction materials producer. His company and its workers were harmed by EPA cement kiln emission regulations that were technically unattainable and included provisions vastly changed from what EPA proposed for public comment; other EPA emission regulations that were stricter than needed to protect health, gerrymandered to impose expensive controls on other types of emissions and which prohibited commonsense uses of cheap and safe fuel that could actually help the environment; and Department of Transportation regulations that, without increasing safety, vastly increased record-keeping for ready-mix concrete drivers, unnecessarily limited their hours and suppressed their wages.

Title II of the ALERRT Act helps to protect people like Bob Sells and his workers from regulations that ask job creators to achieve the unachievable, do not help to control their stated regulatory targets, suppress hours and wages for no good reason, and inundate Americans with unnecessary paperwork.

Title III of the ALERRT Act offers long-needed help to small business peo-

ple like Carl Harris, the vice president and general manager of Carl Harris Co., Inc., in Wichita, Kansas. Mr. Harris is a small home builder. Every day, he has to fight and overcome the fact that government regulations now account for 25 percent of the final price of a new single-family home.

Mr. Harris participates in small business review panels of existing law uses to try to lower the costs of regulations for small businesses, but he has seen firsthand how loopholes in existing law allow Federal agencies to ignore small business concerns while "checking the box" of contacting small businesses. One case is that of the Occupational Safety and Health Administration's Cranes and Derricks Rule, which was effectively negotiated before small business was ever consulted and threatened to impose disproportionate costs on small builders.

Title III of the ALERRT Act helps small business job creators like Mr. HARRIS make sure that agencies like OSHA stop treating them like procedural hurdles and afterthoughts, take into real account the difficulties small businesses face, and lower costs on small businesses that must be lowered.

Finally, consider Allen Puckett, III, who is the fourth-generation owner of Columbus Brick Company, a family-owned enterprise that has been making fired-clay bricks in Columbus, Mississippi, since 1890. His company distributes bricks to more than 15 States, has second-, third- and fourth-generation employees, offers a fully funded, profit-sharing retirement plan and a 401(k) matching program, and has a nurse practitioner come on site twice a month to provide a free clinic to all of its employees.

Mr. Puckett's company may now be shuttered in the face of two waves of sue-and-settle brick-making emissions regulations that threaten to put his company and others like it out of business. After time-consuming litigation, the first regulations were thrown out in court but not before Mr. Puckett's company had already lost at least \$750,000 in compliance costs and the entire industry had lost \$100 million. The second replacement regulations threaten to be twice as expensive, so expensive that Columbus Brick Company expects to have to downsize by two-thirds or close.

The translation for hardworking Americans employed by such businesses is: higher prices for goods, fewer job opportunities and lower wages.

Title IV of the ALERRT Act helps people like Allen Puckett find out about sue-and-settle rulemaking deals in time, make sure their concerns are heard by agencies and the courts, and have a fighting chance to achieve a just result for themselves, their employees, and the families and communities that depend on them.

In all of these ways and more, the ALERRT Act brings urgently needed regulatory reform to hardworking Americans, whether they are small

business people struggling to be heard by faceless Washington bureaucracies or whether they are citizens of small towns who are crushed by the impacts of regulations that force plant closings, harm families, and kill the revenues needed to provide vital services.

I thank Mr. BACHUS, Mr. HOLDING, and Mr. COLLINS for joining with me in offering the individual bills that now come to the floor together as the ALERRT Act, and I urge my colleagues to vote for this urgently needed legislation.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Madam Chair, I yield myself such time as I may consume.

Earlier this week, we had a declaration that this week would be "stop government abuse" week. My colleagues on the other side called for us to commemorate this week by the introduction of draconian anti-safety legislation that would allow businesses to declare war on the rules that protect Americans, including babies, children, and the elderly. That is why, Madam Chair, I rise in opposition to H.R. 2804, the Achieving Less Excess in Regulation and Requiring Transparency Act of 2014, also known as the so-called "ALERRT Act."

The ALERRT Act is a continuation of the same Republican obstruct at all costs paradigm that led to the sequester and to the shutdown of the Federal Government. This race to the bottom approach to the regulatory process is wasteful and dangerous, and it prioritizes profits over protecting Americans.

Although the ALERRT Act purports to ease the burden of regulations on American businesses, it would not create a single job, grow the economy or help any small business to thrive, nor does it address serious issues—the minimum wage, unemployment insurance, pay equity or immigration reform—that would help so many American workers and businesses. Instead, the only purpose of this bill is to strait-jacket the same rulemaking process that protects countless Americans every day.

Title I of the bill imposes a 6-month moratorium on rules. The rulemaking process is already transparent, deliberative, and exhaustively inclusive of the views of small businesses and other interested parties.

□ 1700

Adding an additional 6 months to this process would do little except create uncertainty and increase compliance costs.

Instead of cutting through red tape, title II of the bill would add over 60 additional procedural and analytical requirements to the rulemaking process. This is yet another clear message that this bill would lengthen, not shorten or streamline, the rulemaking process, thus undermining the regulatory certainty and predictability that small businesses rely on to make long-term decisions.

In case the first two titles didn't adequately convey the message that Republicans are dead serious about helping deep-pocketed interests create regulatory mischief and confusion instead of offering serious solutions, titles III and IV would authorize virtually any party under the sun to challenge a proposed rule or intervene in litigation in Federal court no matter their connection, or lack thereof, to the issue.

Make no mistake. This bill is a wolf in sheep's clothing. It would jeopardize critical public health and safety regulatory protections and undermine the very small businesses it claims to protect.

By giving a handout to well-funded organizations to challenge proposed rules, consent decrees, and settlement agreements at every opportunity, the ALERRT Act would stack the deck against the public interest and the American taxpayer.

And who would be harmed by this de-regulatory train wreck? Every American who wants to be able to breathe fresh air and who wants to drink clean water; every mother who wants safe formula for her baby and cribs that don't collapse on the baby in the middle of the night; and every small business competing for an edge in a marketplace dominated by large, well-funded competitors. And the list goes on and on and on.

I hope you will join me in my observation of stop government abuse by Republicans week and my opposition to the ALERRT Act.

I urge my colleagues to oppose this dangerous legislation, and I reserve the balance of my time.

Mr. GOODLATTE. Madam Chairman, it is now my pleasure to yield 4 minutes to the gentleman from North Carolina (Mr. HOLDING), a member of the Judiciary Committee and a contributor of one of the bills that has been included in the ALERRT Act.

Mr. HOLDING. Madam Chairman, I rise in support of H.R. 2804, the ALERRT Act.

I would like to thank Chairman GOODLATTE, Chairman BACHUS, and the gentleman from Georgia for their hard work and contributions to making this legislation better.

In my district in North Carolina, small businesses are a primary driver of the economy. The businesses, like many across the country, are being harmed by excessive regulations. Excessive regulations mean lower wages for workers, fewer jobs, and higher prices for consumers.

Oftentimes, Madam Chairman, small businesses are not given enough notice of how new regulations will affect their everyday operations. They are faced with tough decisions like whether to cut workers' hours or wages or adjust their business plan elsewhere. That is why I introduced the ALERRT Act, to ensure that the administration publishes its regulatory agenda in a timely manner and provides annual disclosures about planned regulations, their

expected costs, final rules, and cumulative regulatory costs, in general.

During President Obama's first term, our Nation's cumulative regulatory cost burden increased by \$488 billion. Compounding the problem, this administration has failed to make public, as required by law, the effects of new regulations in a timely, reasonable manner.

The administration is required to submit a regulatory agenda twice a year, but they have consistently failed to do so on time. You will recall, Madam Chairman, that in 2012 the administration made neither disclosure required by law until December, after the general election. This deprived voters of the opportunity to see how proposed regulations would increase prices for household goods, lead to stagnant wages, and decrease job opportunities. This is important when Federal regulations already place an average burden of almost \$15,000 per year on each American household. That is not a burden that folks in this economy—or any economy—should have to bear.

Madam Chairman, this bill is not about shutting down the regulatory process but about providing much-needed sunlight and transparency. It requires monthly online updates of information on planned regulations and their expected costs so everyone who is going to be affected can know, in real time, how to plan for the regulations' impacts or how to cast their vote.

The ALERRT Act is comprehensive reform that promotes economic growth and takes steps toward reform of the regulatory system to provide the government accountability that our citizens deserve.

Mr. JOHNSON of Georgia. Madam Chair, I yield 2 minutes to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW of Georgia. I thank the gentleman for yielding.

Madam Chair, I rise today in support of H.R. 2804, the All Economic Regulations Are Transparent, or ALERRT, Act of 2013, and in support of the Miller-Courtney amendment.

I am pleased that this legislation includes the Regulatory Flexibility Improvements Act, a bill for which I am an original cosponsor with my Republican colleague from Alabama (Mr. BACHUS).

There are 30 million small businesses in America, and they employ over half of our workforce. These are companies in my district like Sarah in the City in Baxley or Buona Caffe in Augusta. Every day they open their doors and go to work helping American families and drive American commerce.

I also rise in support of the Miller-Courtney amendment. In February of 2008, 14 people were killed and 40 people were injured in a combustible dust explosion at the Imperial Sugar refinery in Port Wentworth, Georgia. Since then, I have worked with my colleague, Mr. MILLER, to pressure OSHA to mitigate this known hazard. I am hopeful that OSHA can complete its long-over-

due work in this area to save families from ever having to go through this kind of grief again.

Now is the time for us to focus on getting people back to work and creating good-paying local jobs. That is why I support the Miller-Courtney amendment and the underlying legislation.

I urge "yes" votes on both.

Mr. GOODLATTE. Madam Chairman, at this time it is my pleasure to yield 2 minutes to the gentleman from Missouri (Mr. GRAVES), the chairman of the Small Business Committee.

Mr. GRAVES of Missouri. Madam Chair, I want to thank the chairman of the committee for working with us today.

I rise in support of H.R. 2804, the ALERRT Act. This legislation represents a very important effort to bring some common sense and transparency to an out-of-control regulatory process that is stifling job growth, especially among small businesses.

I am especially pleased that legislation which the Committee on Small Business worked on, H.R. 2542, the Regulatory Flexibility Improvements Act, was incorporated into the ALERRT Act. Again, I want to thank Chairman GOODLATTE for working with the committee on the title of this bill.

For over 30 years, agencies have been required by the Regulatory Flexibility Act, or RFA, to examine the impacts of regulations on small businesses. If those impacts are significant, agencies must consider less burdensome alternatives. The problem is that agencies still fail to comply with that law, and the result is unworkable regulations that put unnecessary burdens on America's best job creators, which are small businesses.

In numerous hearings over the years, the Small Business Committee has heard about the consequences that burdensome regulations have on farmers, homebuilders, manufacturers, and many others. Instead of using their limited resources to grow and create jobs, small businesses have to spend more time and money on regulatory compliance and paperwork.

The Regulatory Flexibility Improvements Act is going to eliminate loopholes that agencies have used to avoid compliance with the RFA. Most importantly, it requires agencies to generally scrutinize the impacts of regulations on small businesses before they are finalized.

Examining whether there are less burdensome or less costly ways to implement a regulation just makes common sense. Reducing unnecessary regulatory burdens frees up scarce time, money, and resources that small businesses can use to expand their operations and hire new employees.

The Regulatory Flexibility Improvements Act is bipartisan legislation. It has strong support among the business communities. It simply requires agencies to do their homework before they regulate. If agencies do their work,

more Americans are going to be working.

Mr. JOHNSON of Georgia. Madam Chair, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I want to thank my good friend, Congressman JOHNSON, for his leadership and the management of this legislation.

I would just like us to take a journey down memory lane:

I am sure that many of us will be reminded of the famous Pinto and the crafting of that automobile. I have no commentary on the great industry that so many of us admire, but for those of us who have memories, we realize some of the injuries that occurred in the structure of the Pinto;

Or maybe it is cars without seatbelts or airbags;

Or maybe we recall times when we travel throughout our community and we notice not only a heavy fog but polluted air. Maybe some of us have been exposed to polluted water;

Or maybe you traveled internationally, even in the 21st century, seeing the conditions that many who live outside of the United States live in, with the utilization of dirty water because they have no other water or the food danger because it is not regulated.

Well, my friends, unfortunately, the legislation that is here on the floor of the House seems to take us backwards down a poisonous memory lane. So it is very difficult to support this legislation.

I said today in a committee hearing that I know that Members come here with good intentions. So I will not attribute to anyone that this bill does not come to the floor with good intentions, but it is a bill that has not been, as a whole, considered by the Judiciary Committee.

This is now being brought to the floor with three separate bills combined, now called the ALERRT Act. But it really imposes unneeded and costly analytical and procedural requirements on agencies that would prevent them from performing their statutory responsibilities to protect the public health and safety. This, I believe, is an important responsibility. It creates unnecessary regulatory and legal uncertainty and increases costs for businesses and State, local, and tribal governments and impedes plain common sense.

I will offer an amendment dealing with homeland security. We just had a hearing today that emphasized the importance of the work of the Homeland Security Department. With our new Secretary of Homeland Security, Secretary Johnson, we are very much on the right track, recognizing franchise terrorism and the need for securing the border. Much of the work done by Homeland Security is a regulatory structure.

Why would we want to impede securing America?

Well, my friends, that is what is going to occur with this legislation,

the All Economic Regulations Are Transparent Act.

I also offered an amendment dealing with baby formula. For those of us mothers who have raised children and tend to their needs as newborns and use infant formula, it is well known that there is a great need to regulate companies that manufacture infant formulas in an effort to protect babies from food-borne illnesses and promote healthy growth.

On Thursday, the FDA announced plans to revise, earlier this month, infant formula regulations with an interim final rule that will be published soon. But guess what. The legislation that we have will stand in the way as an iron wall, if you will, prohibiting any rule from being finalized until certain information is posted for 6 months.

How long will 6 months be in the life of an infant?

The CHAIR. The time of the gentlewoman has expired.

Mr. JOHNSON of Georgia. Madam Chair, I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE. It will override existing statutes, such as the Clean Air and Clean Water Act, and override any aspect of regulating this important food product, adding more than 60 additional procedural and analytical requirements to the FDA's work on trying to help babies and making it easier for rules to be delayed or stopped by allowing regulated industry and entities to intervene.

And so, in actuality, this is not saving money. It will be a quagmire of spending money. In the meantime, the protections of our innocent babies who demand the responsibility of adults to protect the food products that they need for life by good regulations will be stopped.

□ 1715

Well, Madam Chairman, I don't want to go back down memory lane and horrible car crashes and no seatbelts and no airbags and polluted air and dangerous water. That is what we will be doing.

I look forward to introducing my amendment on the floor regarding the U.S. Department of Homeland Security. I can't imagine that my colleagues would want to stand in the way of securing America.

With that in mind, I hope that we will find a way to defeat this legislation, or to make it better, and ask our colleagues who are they standing for.

Madam Chair, I rise today to speak on H.R. 2804, the "All Economic Regulations Are Transparent Act of 2014," the so-called "ALERRT Act."

H.R. 2804 makes numerous changes to the federal rule-making process, including: (1) requiring agencies to consider numerous new criteria when issuing rules, such as alternatives to rules proposals; (2) requiring agencies to review the "indirect" costs of proposed and existing rules; (3) giving the Small Business Administration expanded authority to in-

tervene in the rule-making of other agencies; and (4) requiring federal agencies to file monthly reports on the status of their rule-making activities.

I cannot support this legislation in its present form for two reasons, one procedural and one substantive.

Procedurally, I oppose the bill because in its present form it was never considered by the Judiciary Committee. This bill was reported by the Oversight and Government Reform Committee on a party line 19–15 vote but was not acted on by Judiciary Committee.

As reported, the bill contained only provisions relating to monthly reporting requirements regarding agency rule-making.

But the bill being brought to the floor now includes three additional and very controversial Judiciary bills (H.R. 2122, Regulatory Accountability Act; H.R. 1493, Sunshine for Regulatory Decrees and Settlements Act; and H.R. 2542, Regulatory Flexibility Improvements Act).

This is not the way to legislate on matters that have such serious consequences for the public health and safety.

Substantively, I oppose the bill because it imposes unneeded and costly analytical and procedural requirements on agencies that would prevent them from performing their statutory responsibilities to protect the public health and safety.

I oppose the bill also because it creates unnecessary regulatory and legal uncertainty, increases costs for businesses and State, local and tribal governments, and impedes common-sense protections for the American public.

Madam Chairman, the bill is unnecessary and invites frivolous litigation. When a federal agency promulgates a regulation, it already must adhere to the requirements of the statute that it is implementing.

Agencies already must adhere to the robust and well-understood procedural requirements of federal law, including the Administrative Procedure Act, the Regulatory Flexibility Act (RFA), the Unfunded Mandates Reform Act of 1995 (UMRA), the Paperwork Reduction Act (PRA), and the Congressional Review Act.

Regulatory agencies already are required to promulgate regulations only upon a reasoned determination that the benefits of the regulations justify the costs and to consider regulatory alternatives. Final regulations are subject to review by the federal courts which, among other things, examine whether agencies have satisfied the substantive and procedural requirements of all applicable statutes.

Finally, Madam Chairman, H.R. 2804 in its current form does not include an exemption for rules promulgated by the Department of Homeland Security to protect the safety of the American people and the security of our country.

For this reason, I offered an amendment that provides this important exception and I thank the Rules Committee for making it in order.

The security of the homeland is one of the most preeminent concerns of the federal government. The increased need for national security following the attacks of September 11th makes it important that the Department of Homeland Security not be unduly impeded in the promulgation of rules that may preempt attacks against our nation.

Unnecessary delays to rules set forth by the Department of Homeland Security can wastes

scarce resources that keep our nation safe as well as impede the regular operations of the agency.

The Jackson Lee Amendment to H.R. 2804 will improve the bill. But, on balance, the bill still has too many defects and should not be passed by this body.

Mr. GOODLATTE. Madam Chairman, at this time it is my pleasure to yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the majority leader.

Mr. CANTOR. Madam Chair, I thank the gentleman from Virginia.

Madam Chair, I rise today in support of the ALERTT Act and in defense of working middle class families who face the danger that overzealous Washington regulators will destroy their jobs and impose new red tape that cuts their wages.

An America that works allows small businesses to flourish, jobs to be created, and for folks to have more take-home pay in their pockets. America doesn't work when Washington regulators impose more red tape on businesses, large and small, regardless of the cost. This bill fixes that.

Madam Chair, I hear a lot on this floor about the warnings of days gone by and the fearmongering attached to trying to at least instill some accountability on this bureaucracy in Washington. I don't think any of us on either side of the aisle wants to defend overzealous bureaucrats and imposing unnecessary burdens that have clogged this economy.

Now, America doesn't work when special interest groups use the courts to impose backroom regulations that destroy jobs and reduce take-home pay. This bill before us fixes that.

Now, make no mistake, excessive red tape hurts working middle class families. For example, it was recently reported that a proposed OSHA regulation would impose costs on a portion of the growing domestic energy sector equal to \$1,120 per affected employee. These employees should not have to worry that the proposed regulations could mean smaller paychecks.

Or take, for example, another emerging practice of Washington regulators that hides the real impact that excessive regulation has on jobs. Under the pretense of minimal regulatory impact, this administration argues that the jobs lost, for instance, in mining, manufacturing, or construction, will be offset by new jobs in regulatory compliance. Therefore, a majority of their regulations look a lot better and not as harmful.

This is wrong. This is not being straight with the public. We must deliver transparency and accountability on the part of this administration and its bureaucracy.

I doubt it is any solace to the plant worker who loses his or her job because of regulations that a new job in another sector will be created to comply with these regulations.

Today, we will consider an amendment by a colleague, the gentleman

from Pennsylvania, KEITH ROTHFUS, to fix these problems. This amendment will help protect middle class jobs and wages. It is exactly the kind of reform that will make America work again.

Americans should not have to settle for the "new normal" of slow economic and job growth that the Obama administration seems to have embraced. We, in this House, reject this "new normal" and we will continue to fight to create an America that works again.

I want to thank the gentleman from Virginia, Chairman GOODLATTE, and Representatives HOLDING, COLLINS and BACHUS, who have worked hard on this bill before us, and I urge my colleagues in the House to support working middle class families by supporting this bill.

Mr. JOHNSON of Georgia. Madam Chair, I yield myself such time as I may consume.

Mining, construction work, manufacturing, those are the kinds of livelihoods that have made this country a great nation, people being able to go to work with a lunchbox in hand and work hard every day, make a decent wage.

By the way, \$7.25 an hour for a full-time worker would equate to about \$14,500 a year. That is just simply not enough for a working person to raise a family and take care of that family. They need help when they make \$7.25 an hour. They would need help from the government if they couldn't rely on friends and relatives for support.

So that is a shame, in this day and time, where a person working a manufacturing job, or even a job in a mine or on a construction site, would be making \$7.25 an hour.

We should, perhaps, Madam Chair, be paying attention to income generators such as that kind of legislation, as opposed to legislation like H.R. 2804, which would simply make it difficult to protect those workers in those unsafe occupations like mining, like construction work, like manufacturing, keeping the work site, the job place safe. Regulations are what do that.

With that, Madam Chair, I reserve the balance of my time.

Mr. GOODLATTE. Madam Chairman, at this time it is my pleasure to yield 2 minutes to the gentleman from Washington (Mr. HASTINGS), the chairman of the Natural Resources Committee.

Mr. HASTINGS of Washington. Madam Chair, I thank the gentleman for yielding.

I rise to support this measure, and particularly the portion that is sponsored by our colleague from Georgia (Mr. COLLINS) that will ensure transparency of Federal agencies' litigation settlement practices.

In 2011, the Obama administration entered into a mega-settlement, which was a closed-door, sweeping Endangered Species Act settlement with two litigious groups that greatly increased the ESA listings and habitat designations that could impact tens of thousands of acres and thousands of river miles across the country.

These settlements shut out affected States, local governments, private property owners, and other stakeholders who deserve to know that the most current and best scientific data is being used on these decisions.

In my own district, the Fish and Wildlife Service just listed a plant subspecies, despite clear data showing that the plant was not a species likely to go extinct. In other words, settlement deadlines trumped the science.

Let me give a couple of examples. These settlement listings could result in a listing of the Lesser Prairie Chickeen that would impact five Western States, and next year the listing of the Greater Sage Grouse could cover an area of 250 million acres in 13 Western States.

Then there is the long-eared bat that could impact 39 Midwestern and Eastern States.

That is not all, Madam Chairman. The settlements also mandate decisions for 374 aquatic species in the Gulf of Mexico.

The point is, important ESA discussions should not be forced by arbitrary court decisions or deadlines, or negotiated behind closed doors by Federal lawyers supposedly on behalf of the public interest.

This legislation aims to help correct this abuse by ensuring affected States and other parties can have a say in settlements before an unelected judge signs them, and it ensures that no settlement moves forward without the public knowing what is in it.

I thank the gentleman for yielding.

Mr. JOHNSON of Georgia. Madam Chair, I yield myself such time as I may consume.

Madam Chair, oh, how I wish that my friends on the Republican side of the aisle cared as much about America's workers as they do about America's big businesses.

Oh, how I wish that they cared more to let a minimum wage bill come to the floor, where I believe that most Members of the House of Representatives would find it within their hearts to realize that \$7.25, you just can't make it on that without help. Everyone who goes out and works hard every day should be able to be paid a fair living wage and be able to support themselves and their family.

Madam Chair, I reserve the balance of my time.

Mr. GOODLATTE. Madam Chairman, at this time it is my pleasure to yield 2 minutes to the gentleman from Texas (Mr. SMITH), a member of the Judiciary Committee, and chairman of the Science, Space, and Technology Committee.

Mr. SMITH of Texas. Madam Chairman, I thank the gentleman from Virginia, the chairman of the Judiciary Committee, for yielding me time this afternoon.

Madam Chairman, I support H.R. 2804, the Achieving Less Excess in Regulation and Requiring Transparency Act, known as the ALERTT Act.

One of the biggest concerns that I hear from Texas employers is the avalanche of unnecessary Federal regulatory costs. Regulation redirects scarce capital from investment and job creation to compliance with the Federal Government. In fact, the Small Business Administration has determined that Federal regulations cost the economy \$1.75 trillion each year.

This commonsense legislation is an omnibus package of regulatory relief bills that the Judiciary Committee has worked on in recent years to protect businesses. I previously authored two of the bills that are included in H.R. 2804, and appreciate their being considered again this Congress.

The ALERRT Act adds transparency to the regulatory process. It strengthens existing laws in order to prevent Federal agencies from bypassing cost-benefit analyses designed to protect small businesses, and the bill requires Federal agencies to pick the least costly alternative rule to achieve that statutory goal.

H.R. 2804 limits organizations' ability to bring sue-and-settle lawsuits against Federal agencies. These lawsuits result in one-sided regulations that shut stakeholders out of the process. The ALERRT Act restores the proper balance to regulatory consent decrees and settlements.

Madam Chairman, I thank Chairman GOODLATTE and my colleagues for their efforts to provide much-needed regulatory relief to American businesses, and I urge adoption of H.R. 2804.

Mr. JOHNSON of Georgia. Madam Chair, I yield myself such time as I may consume.

Madam Chairman, the majority deliberately downplays the benefits of regulation and exaggerates the cost of regulation, when in fact, the benefits of regulation far exceed the costs, whether those benefits are defined in monetary terms or in terms of promoting values like protecting public health and safety, and ensuring civil rights and human dignity.

The explosion that occurred down in Texas not too long ago that wiped out an entire town, I believe it was a fertilizer plant. Many lives lost. If there had been adequate legislation and adequate regulation to protect those people and the workers in the plant, then those folks would still be here today.

What we are doing with this legislation is preventing the promulgation of the kinds of rules that would protect the health and safety of people throughout America, not just workers, but people who have to eat, people who have to drink, people who have to breathe. The benefits of regulation far outweigh the costs.

□ 1730

A 2012 draft of the Office of Management and Budget report to Congress on the costs and benefits of regulations concluded that the net benefits of regulation promulgated through the third fiscal year of the Obama administration have exceeded \$91 billion.

This amount, which includes not only monetary savings, but also lives saved and injuries prevented, is more than 25 times the net benefits through the third fiscal year of the previous administration, and these are important points that I believe my friends on the other side of the aisle like to omit from their analysis.

With that, I reserve the balance of my time.

Mr. GOODLATTE. Madam Chairman, at this time, it is my pleasure to yield 2 minutes to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Madam Chair, I thank the chairman for his leadership on the ALERRT Act, and I appreciate the opportunity to respond to my friends on the other side of the aisle who talk about the importance of taking into consideration workers in America.

And I would submit, Madam Chair, that if we truly are interested in the interests of American workers, we would vote immediately to pass regulatory relief in the form of the ALERRT Act.

If my friends on the other side of the aisle were truly interested in the welfare of the working people of America, they would stop the overly burdensome regulation that is putting the American people out of work.

In Kentucky, in my home State, if you don't think this is true, consider the facts, and the facts are these: that the unemployment rate in eastern Kentucky is 1½ percent higher than the national average. There is not a recession in eastern Kentucky.

It is a depression, and it is a depression because of overly burdensome regulations coming out of the EPA, which are putting thousands of my fellow Kentuckians and all of our fellow Americans out of work.

These are heartless policies. We have lost 7,000 jobs in Kentucky's coal mines in just the last 5 years, bringing coal industry employment in the Commonwealth to its lowest level since 1927. If you want to talk about the welfare of workers, these people need paychecks.

It is because of unaccountable, overly burdensome regulations, unaccountable bureaucrats in the executive branch, that these people no longer have the opportunity to provide for their families. This is wrong. We need to roll back these burdensome regulations.

I would just say this in conclusion, Madam Chair. It is dangerous when we combine legislative power into the hands of the executive branch. Madison, in Federalist Paper No. 47, in quoting Montesquieu, said:

The accumulation of all powers, legislative, executive, and judiciary, in the same hands; whether of one, a few, or many, and whether hereditary, self-appointed, or elective; may justly be pronounced the very definition of tyranny. There can be no liberty where the legislative and executive powers are united in the same person.

That is what is happening in America today.

Mr. JOHNSON of Georgia. Madam Chair, I reserve the balance of my time.

Mr. GOODLATTE. Madam Chairman, at this time, it is my pleasure to yield 4 minutes to the gentleman from Alabama (Mr. BACHUS), the chairman of the Regulatory Reform, Commercial, and Antitrust Law Subcommittee, who has worked so closely with us on this legislation and who is the sponsor of one of the pieces of the ALERRT Act.

Mr. BACHUS. I thank the chairman. Madam Chairman, when the law is against you, argue the facts. When the facts are against you, argue the law. When the law and the facts are against you, yell like hell and call your opponent names; and that is what we are seeing here.

This is a good law that we are proposing. The facts are on our side. And I have got to hand it to the gentleman from Georgia—crib-collapsing, baby formula-poisoning Republicans—you have done a good job, but let's go back to the facts. Get rid of the rhetoric, and talk about the facts.

The number one fact is that America is out of work. The chairman mentioned that. The gentleman from Kentucky, ANDY BARR, talked about people out of work. This country needs jobs.

Now, you have accused us of being against the American worker. We want American workers; we want people to have jobs; and to be an American worker, you have to have a job.

We can talk about the wages, but when you are unemployed, there is no wage. You talk about the American Dream, owning a home. It's not anymore. It is just having a job.

And 14 percent of our gross domestic product is absorbed by Federal regulations. Now, some of those are good regulations. We are not down here on the floor wanting to repeal some safety regulations for cribs. We are not trying to loosen the regulations on baby formula.

We are attacking—and let me say that there are good regulations; there are bad regulations; and then there are some really ugly regulations. \$1.8 trillion is the annual price tag in complying with Federal regulations. That is not income tax. That is not health care. That is Federal regulations.

The Small Business Administration, not some Republican, said it costs \$11,000 per American worker to comply with Federal regulations—\$11,000. We are not saying that all of that is bad, but we are saying that of the hundreds of thousands of Federal regulations—and, by the way, of that \$1.8 trillion, \$520 million of that burden was passed in the last 4 years, and there are \$87 billion worth of regulations waiting just this year to be passed.

Now, the Federal Reserve and Treasury, they come to testify at the Financial Services Committee every year, and they say: If you can increase the gross domestic product by 2 percent, we can create jobs—2 percent, if we can grow it from 2 to 4 percent. Well, let

me submit that, of that 14 percent of the gross national product that is absorbed by Federal regulations, we can find one out of seven of those regulations to change.

I will close by telling you a good one. The chairman started by talking about the cement industry. The EPA proposed a regulation that would have put 200,000 American cement workers out of work.

When we asked why, they said it is because of mercury and arsenic in the air. And we had a map, and it showed no mercury or arsenic around any of our cement plants, and we said, well, where is this mercury and arsenic coming from? China and Mexico.

The CHAIR. The time of the gentleman has expired.

Mr. GOODLATTE. Madam Chairman, it is my pleasure to yield an additional 1 minute to the gentleman from Alabama.

Mr. BACHUS. But our response wasn't to go to Mexico or China. Well, it was, really. Our response was to raise our standards or tighten our standards to be three times more stringent than the EU. It would have cost all the profits of the cement industry for 25 years to comply.

When I asked someone at the EPA and I said, Well, wait a minute, the pollution is not coming from our plants, it is coming from Mexico and China, they said: That is not our problem.

Yes, it is. Just like Andy Barr's problem, because his workers are being put out of a job, it is all of our problems. It is my problem. It is your problem. It is his problem. We are up here standing for the American worker.

If we grow this economy by 2 or 3 more percent, we won't have a problem with jobs, and these regulations will start that process.

Mr. JOHNSON of Georgia. Madam Chair, the gentleman speaks eloquently as a lawyer, and he makes excellent points.

Regulations do cost. So out of a \$15 trillion gross domestic product, \$1.8 trillion dedicated for regulatory expenses which protect lives—I can't put a value on one human life—but tens of thousands, hundreds of thousands of people are dying because of unsafe conditions on the job. It is certainly worth \$1.7 trillion out of \$15 trillion in a year.

I yield 4 minutes to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Madam Chairman, this bill is being brought to the floor during this week that has been labeled "stop government abuse week." I am here to say that this is a bill that has some stopping power, all right.

It would stop the government from protecting our health and safety by bringing the regulatory process to a grinding halt.

And I want to address title I of this antiregulatory package right now. It includes the text of the All Economic Regulations are Transparent Act. This legislation, Madam Chairwoman, is unnecessarily burdensome for agencies.

Agencies are already required to provide status updates twice a year on their plans for proposing and finalizing rules pursuant to the Regulatory Flexibility Act and Executive Order No. 12866.

This legislation would require agencies to report monthly. They are already required to report twice a year. This takes them to monthly. It is incredibly burdensome on agencies.

But the most egregious provision in title I would prohibit agency rules from taking effect until the Office of Information and Regulatory Affairs has posted the information required by the bill online for at least 6 months. This moratorium can only be avoided if the agency claims an exception from the notice and comments requirements of the Administrative Procedure Act or if the President issues an executive order. Therefore, it delays most regulations by an additional 6 months.

I think we can all agree that transparency in the rulemaking process is a good thing, but this bill sacrifices common sense in the name of improving transparency without achieving any kind of meaningful transparency.

Agencies already make significant amounts of information available during the rulemaking process on the Web site www.regulations.gov. This bill could simply require agencies to make additional information publicly available, but it doesn't do that.

Under this bill, an agency could post information about the cost of a proposed rule on its own Web site for a year; but if the administrator of the Office of Information and Regulatory Affairs didn't post the information for at least 6 months, the agency would be prohibited from finalizing the rule.

Madam Chair, my amendment would strike the moratorium provision in title I. Striking that provision would ensure that an agency rule will not be needlessly held up because the Office of Information and Regulatory Affairs did not post a piece of information online for exactly 6 months.

I have been assured by the Congressional Budget Office that my amendment is revenue-neutral. I urge Members to vote for my amendment.

Mr. GOODLATTE. Madam Chairman, I have no further requests for time. I believe that I have the right to close, so if the gentleman from Georgia would proceed, I will reserve the balance of my time.

Mr. JOHNSON of Georgia. Madam Chair, my colleague from Alabama said that we all need to come together to find real solutions to create jobs. I submit that one way that we could create jobs, in addition to making sure that we have equal pay for equal work and that we increase the minimum wage to a living wage, another way to do that is through immigration reform.

The Chamber of Commerce and small businesses everywhere have come together in support of comprehensive immigration reform. Why? Because it creates jobs.

□ 1745

David Park, the cofounder and creator of Job Creators Alliance, wrote in 2012:

Immigration reform is key to spurring innovation and getting the economy back on track. I am a small business owner who realizes the role legal immigrants play in creating new jobs. As founder and CEO of a boutique merchant bank, I have started or acquired nearly 30 small and midsize companies, creating hundreds of jobs for Americans across the country. I am also an immigrant and an example of how highly skilled immigrants educated in the United States can drive job creation right here.

So immigration reform, Madam Chair, is a job creator. We can't seem to get an immigration bill—which, by the way, has been passed by the Senate. We can't get it heard by this Congress. We cannot bring a bill to the floor that would pass the House that would result in comprehensive immigration reform. We cannot bring a bill to the floor of the House that would provide for a raise for Americans who work for \$7.25 an hour, full-time. \$14,500 a year is simply not enough to feed the family and take care of one's self. We can't get job-creating bills that would stimulate our economy by providing for dollars to go towards transportation and towards repairing and enhancing our infrastructure. Instead, we get caught up on messaging bills like the achieving less excess in regulation and requiring transparency act of 2014, also known as the ALERRT Act.

I oppose this bill for numerous reasons, the most important of which is that it would jeopardize critical public health and safety regulatory protections. For example, the bill requires agencies to consider potential costs and benefits associated with proposed and final rules, notwithstanding any other provisions of law. This supermandate would effectively trump all other statutes—such as the Clean Air Act, the Clean Water Act, and the Occupational Safety and Health Act—that prohibit or limit the use of cost information in setting health and safety standards.

In addition, title II of the bill would require agencies and Federal courts to consider whether a rule has "significant adverse effects on . . . the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets." The practical effect, Madam Chair, of this definition is that it will require agencies and the courts to consider the business and regulatory environment of other nations.

Consider, for example, a proposed rule that imposes heightened clean air requirements on American steel manufacturers. H.R. 2804 would necessarily require consideration of whether this regulation—which could potentially result in higher compliance costs—could make American steel products less competitive in a country, such as China, that has a much less stringent or no regulatory regime.

While the economic analysis under this requirement may be deceptively

simple, its dangerous ramifications for public health cannot be underestimated. Chinese officials have only recently begun to acknowledge the health hazard risks presented by extensive air pollution; and if you have been over there and tried to breathe, you know that the air is greatly polluted over there. And so the Chinese have finally awakened to that fact, but the end result is that the public health of Americans and the safety of the environment would be compromised so that American manufacturers can better compete with their foreign counterparts. This is a shortsighted regulatory race to the bottom that prioritizes profits over saving lives.

Another fundamental flaw with H.R. 2804 is that it will greatly lengthen and not shorten the already time-consuming process by which Federal rules are promulgated. Avoiding undue delay in rulemaking is important because strong regulation is vital to protecting Americans in nearly every aspect of their lives. On average, Madam Chair, it takes between 4 to 8 years for an agency to promulgate a new rule. But instead of streamlining the rulemaking process, this bill extensively adds numerous procedural hurdles to the process.

In title II of the bill, 60 additional procedural steps to the rulemaking process are included. Not only that, title II reinstates a long discredited rulemaking process that requires trial-type procedures. Known as formal rulemaking, this time-consuming process was widely rejected decades ago as being highly ineffective.

Recently proposed regulations that could be impacted by this and other provisions in the bill include rules implementing the Food Safety Modernization Act's standards to reduce food contaminants like salmonella, and that would help prevent 1.75 million cases of illness.

Another thing that would be interrupted, another rules process, strengthening chemical facility accident prevention standards in response to the 2013 fertilizer explosion in West, Texas, that resulted in the deaths of 12 volunteer firefighters and two other individuals.

Another interruption would be preventing the manufacture and distribution of tainted and counterfeit prescription drugs.

Also impacted would be the implementation of the Justice Department's national standards to prevent, detect, and respond to prison rape.

Another interruption would be adjusting the reimbursement rates to Medicare providers for end-stage renal disease and setting payments to primary care physicians under the Vaccines for Children Program.

It would also stop the establishment of meal requirements for the National School Lunch Program under the Healthy, Hunger-Free Kids Act of 2010.

It would prevent implementation of the Labor Department's standards for H-2B aliens in the United States.

For all of those reasons, Madam Chair, I oppose this legislation, and I would ask my colleagues to do the same.

I yield back the balance of my time.

Mr. GOODLATTE. Madam Chairman, I yield myself the balance of my time, and I urge my colleagues to support this commonsense legislation.

Let's begin by reviewing the facts: \$1.8 trillion plus—and that is just Federal Government regulations, mind you. That is not State government regulations or local government regulations. \$1.8 trillion, one-eighth of the total economic production of our country, is spent on government regulations. Some of those regulations are necessary, and this law by no means eliminates the regulations. It puts them through a process whereby we will know that the regulations are needed and are done in the most cost-effective way and in the most commonsense way.

What will be the result of that? Lower costs for goods and services; lower taxes for Americans who face, right now, an average per-family cost of \$11,500 a year in higher costs of goods and services and higher taxes as a result of regulatory burdens. So imagine if some of that money were reduced what the savings would be. Imagine what it would do to job creation in our country.

We have talked a lot about manufacturing here today. Last year, for the first time in history, manufacturing in the United States reached \$2 trillion in production—\$2 trillion. It sounds remarkable until you consider that regulations cost \$1.86 trillion—just Federal Government regulations almost wiping out the entire economic production of the manufacturing sector of our economy if all those regulations apply to manufacturing, which, of course, they do not.

But consider the impact on individuals. Consider the impact upon Rob James, the city councilman in Avon Lake, Ohio, who is experiencing reduced revenues coming in to meet basic obligations like education and emergency services because regulations of power plants with unnecessary ideologically driven anti-fossil fuel burdensome regulations are expected to destroy jobs in Avon Lake.

Consider the job loss in the business of Mr. Allen Puckett and his brick manufacturing company in Mississippi who expects to have to lay off two-thirds of his employees because of the second round of sue-and-settle brick-making emissions regulation where somebody sues, and the regulatory agency makes a settlement of that in a friendly case that Mr. Puckett and his employees didn't even know about the process where the suit was being brought and couldn't enter into it and say this is what is going to happen if you have to implement these regulations.

Or consider the impact on the cost of buying a home, one of the basic parts

of the American Dream, when Mr. Karl Harris of Wichita, Kansas, says that one-quarter of the cost—one-quarter of the cost of a home today is in the form of regulation, the cost of those regulations.

With this legislation in place, businesses across America and workers across America will experience an increase in their profitability and an increase in their wages. We don't need to have government interference in the marketplace with regard to wages. They would rise on their own if the government would take practical steps in reviewing regulations before they are implemented in this country.

Finally, let me say that this is all about the individual and their freedom. Government regulation suppresses freedom of ideas and of implementing new ways of doing things. Yes, we need to have regulations to protect safety in the workplace. Yes, we need to have regulations to protect the environment, but they need to be commonsense regulations that are going about doing what needs to be done and no more, and are going about doing what needs to be done in the most effective way, and they are going about doing what needs to be done in a way that the people who are going to be impacted by those regulations, who are going to see their businesses lost, their workers lose their jobs and not even have any notice that this is going to occur.

I urge my colleagues to support this important legislation and yield back the balance of my time.

Mr. CONYERS. Madam Chair, I rise in strong opposition to H.R. 2804, the "Achieving Less Excess in Regulation and Requiring Transparency Act of 2014," also known as the so-called ALERRT Act.

I oppose this bill for numerous reasons, the most of important of which is that it would jeopardize critical public health and safety regulatory protections.

For example, the bill requires agencies to consider potential costs and benefits associated with proposed and final rules "[N]withstanding any other provision of law."

This "supermandate" would effectively trump all other statutes—such as the Clean Air Act, the Clean Water Act, and the Occupational Safety and Health Act—that prohibit or limit the use of cost information in setting health and safety standards.

In addition, title II of the bill would require agencies and federal courts to consider whether a rule has "significant adverse effects on . . . the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets." The practical effect of this definition is that it will require agencies and the courts to consider the business and regulatory environments of other nations.

Consider, for example, a proposed rule that imposes heightened clean air requirements on American steel manufacturers.

H.R. 2804 would necessarily require consideration of whether this regulation—which could potentially result in higher compliance costs—could make American steel products less competitive in a country, such as China, that has a much less stringent regulatory regime.

While the economic analysis under this requirement may be deceptively simple, its dangerous ramifications for public health cannot be underestimated. Chinese officials have only recently begun to acknowledge the health hazards presented by extensive air pollution that affects its cities, including its capital.

The end result is that the public health of Americans and the safety of the environment will be compromised so that American manufacturers can better compete with their foreign counterparts.

This is a shortsighted regulatory “race to the bottom” that prioritizes profits over saving lives.

Another fundamental flaw with H.R. 2804 is that it will greatly lengthen—not shorten—the already time-consuming process by which federal rules are promulgated.

Avoiding undue delay in rulemaking is important because strong regulation is vital to protecting Americans in nearly every aspect of their lives.

On average, it already takes between 4 to 8 years for an agency to promulgate a new rule.

But, instead of streamlining the rulemaking process, the bill extensively adds numerous procedural hurdles to this process.

Title II of the bill, for example, adds more than 60 additional procedural steps to the rulemaking process.

Not only that, title II re-institutes a long-discredited rulemaking process that requires “trial-type” procedures. Known as formal rulemaking, this time-consuming process was widely-rejected decades ago as being highly ineffective.

Recently proposed regulations that could be impacted by this and other provisions in the bill include rules: implementing the Food Safety Modernization Act’s standards to reduce food contaminants like salmonella and that would help prevent 1.75 million illnesses; “strengthening chemical facility accident prevention standards in response to the 2013 fertilizer explosion in West, Texas that resulted in the deaths of 12 volunteer firefighters and 2 other individuals; preventing the manufacture and distribution of tainted and counterfeit prescription drugs; implementing the Justice Department’s National Standards to prevent, detect, and respond to prison rape; adjusting the reimbursement rates to Medicare providers for end-stage renal diseases; setting payments to primary care physicians under the Vaccines for Children Program; establishing meal requirements for the National School Lunch Program under the Healthy, Hunger-Free Kids Act of 2010; implementing Labor Department Standards for H-2B Aliens in the United States; establishing the subsistence allowance for veterans under the Vocational Rehabilitation and Employment Program; and setting the Patent and Trademark Office’s fees for patents.

And, this is just a small sample of the many kinds of protections that this bill would jeopardize. I could go on and on.

This also explains why more than 150 consumer groups, environmental organizations, labor unions, and other entities, strenuously oppose this bill. These organizations include: The AFL-CIO, The Alliance for Justice; The American Federation of State, County and Municipal Employees; The American Lung Association; The Consumer Federation of America; Consumers Union; The International Brother-

hood of Teamsters; The UAW; The League of Conservation Voters; The National Women’s Law Center; The Natural Resources Defense Council; People for the American Way; Public Citizen; the Sierra Club; Service Employees International Union; the Union of Concerned Scientists; and the United Steelworkers; just to name a few.

Likewise, the Administration issued a strongly worded veto threat against this bill. It warns that the bill “would impose unneeded and costly analytical and procedural requirements on agencies that would prevent them from performing their statutory duties.”

Finally, H.R. 2804 will give well-funded, anti-regulatory interests even more opportunities to derail rulemaking.

Agencies often spend many months, if not years, to perfect these rules based on feedback from these sources and their own expertise.

Under the bill, however, well-funded regulated industries could exert even more influence over federal rulemaking than they already do.

For instance, the bill’s less deferential standard of judicial review gives additional opportunities for anti-regulatory interests to engage in dilatory tactics that can substantially slow down an already slow rulemaking process.

As Public Citizen, a nonprofit consumer advocacy organization representing consumer interests, warns: “This new and inappropriate role for the courts is a recipe for more activist judges, increased litigation, endless delays, and more rather than less uncertainty for regulated parties and the public.”

Similarly, the nonpartisan Congressional Research Service has expressed concerns about the provision’s potential to make the rulemaking process more lengthy and costly.

The American people deserve better.

Accordingly, I strongly urge my colleagues to join me in opposing this seriously flawed bill.

The CHAIR. All time for general debate has expired.

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

In lieu of the amendment in the nature of a substitute recommended by the Committee on Oversight and Government Reform, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-38. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 2804

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 “Achieving Less Excess in Regulation and Requiring Transparency Act of 2014” or as the “ALERRT Act of 2014”.

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

Sec. 1. Short title; table of contents.

TITLE I—ALL ECONOMIC REGULATIONS ARE TRANSPARENT ACT

Sec. 101. Short title.

Sec. 102. Office of Information and Regulatory Affairs publication of information relating to rules.

TITLE II—REGULATORY ACCOUNTABILITY ACT

Sec. 201. Short title.

Sec. 202. Definitions.

Sec. 203. Rule making.

Sec. 204. Agency guidance; procedures to issue major guidance; presidential authority to issue guidelines for issuance of guidance.

Sec. 205. Hearings; presiding employees; powers and duties; burden of proof; evidence; record as basis of decision.

Sec. 206. Actions reviewable.

Sec. 207. Scope of review.

Sec. 208. Added definition.

Sec. 209. Effective date.

TITLE III—REGULATORY FLEXIBILITY IMPROVEMENTS ACT

Sec. 301. Short title; table of contents.

Sec. 302. Clarification and expansion of rules covered by the Regulatory Flexibility Act.

Sec. 303. Expansion of report of regulatory agenda.

Sec. 304. Requirements providing for more detailed analyses.

Sec. 305. Repeal of waiver and delay authority; additional powers of the Chief Counsel for Advocacy.

Sec. 306. Procedures for gathering comments.

Sec. 307. Periodic review of rules.

Sec. 308. Judicial review of compliance with the requirements of the Regulatory Flexibility Act available after publication of the final rule.

Sec. 309. Jurisdiction of court of appeals over rules implementing the Regulatory Flexibility Act.

Sec. 310. Establishment and approval of small business concern size standards by Chief Counsel for Advocacy.

Sec. 311. Clerical amendments.

Sec. 312. Agency preparation of guides.

Sec. 313. Comptroller General report.

TITLE IV—SUNSHINE FOR REGULATORY DECREES AND SETTLEMENTS ACT

Sec. 401. Short title.

Sec. 402. Definitions.

Sec. 403. Consent decree and settlement reform.

Sec. 404. Motions to modify consent decrees.

Sec. 405. Effective date.

TITLE I—ALL ECONOMIC REGULATIONS ARE TRANSPARENT ACT

SEC. 101. SHORT TITLE.

This title may be cited as the “All Economic Regulations are Transparent Act of 2014” or the “ALERT Act of 2014”.

SEC. 102. OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATION OF INFORMATION RELATING TO RULES.

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

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

“Sec.

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

“652. Office of Information and Regulatory Affairs Publications.

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

“654. Definitions.

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

“On a monthly basis, the head of each agency shall submit to the Administrator of

the Office of Information and Regulatory Affairs (referred to in this chapter as the "Administrator"), in such a manner as the Administrator may reasonably require, the following information:

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

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

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

- "(i) any statutory or judicial deadline; and
"(ii) whether the legal basis restricts or precludes the agency from conducting an analysis of the costs or benefits of the rule during the rule making, and if not, whether the agency plans to conduct an analysis of the costs or benefits of the rule during the rule making.

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

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

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

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

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

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

- "(i) less than \$50,000,000;
"(ii) \$50,000,000 or more but less than \$100,000,000;
"(iii) \$100,000,000 or more but less than \$500,000,000;
"(iv) \$500,000,000 or more but less than \$1,000,000,000;
"(v) \$1,000,000,000 or more but less than \$5,000,000,000;
"(vi) \$5,000,000,000 or more but less than \$10,000,000,000; or
"(vii) \$10,000,000,000 or more; and

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

"§ 652. Office of Information and Regulatory Affairs Publications

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

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

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

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

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

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

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

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

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

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

- "(i) repealed a rule;
"(ii) reduced the scope of a rule;
"(iii) reduced the cost of a rule; or
"(iv) accelerated the expiration date of a rule.
"(D) The total cost (without reducing the cost by any offsetting benefits) of all rules proposed or finalized, and the number of rules for which an estimate of the cost of the rule was not available.

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

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

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

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

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

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

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

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

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

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

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

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

- "(A) necessary because of an imminent threat to health or safety or other emergency;
"(B) necessary for the enforcement of criminal laws;
"(C) necessary for national security; or
"(D) issued pursuant to any statute implementing an international trade agreement.

"§ 654. Definitions

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

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

Table with 2 columns: Description and Page Number. Includes '6. The Analysis of Regulatory Functions' (601) and '6A. Office of Information and Regulatory Affairs Publication of Information Relating to Rules' (651).

(c) EFFECTIVE DATES.—

(1) AGENCY MONTHLY SUBMISSION TO THE OFFICE OF INFORMATION AND REGULATORY AFFAIRS.—The first submission required pursuant to section 651 of title 5, United States Code, as added by subsection (a), shall be submitted not

later than 30 days after the date of the enactment of this title, and monthly thereafter.

(2) CUMULATIVE ASSESSMENT OF AGENCY RULE MAKING.—

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

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

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

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

TITLE II—REGULATORY ACCOUNTABILITY ACT

SEC. 201. SHORT TITLE.

This title may be cited as the "Regulatory Accountability Act of 2014".

SEC. 202. DEFINITIONS.

Section 551 of title 5, United States Code, is amended—

(1) in paragraph (13), by striking "and" at the end;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

"(15) 'major rule' means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose—

"(A) an annual cost on the economy of \$100,000,000 or more, adjusted annually for inflation;

"(B) a major increase in costs or prices for consumers, individual industries, Federal, State, local, or tribal government agencies, or geographic regions;

"(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

"(D) significant impacts on multiple sectors of the economy;

"(16) 'high-impact rule' means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose an annual cost on the economy of \$1,000,000,000 or more, adjusted annually for inflation;

"(17) 'guidance' means an agency statement of general applicability and future effect, other than a regulatory action, that sets forth a policy on a statutory, regulatory or technical issue or an interpretation of a statutory or regulatory issue;

"(18) 'major guidance' means guidance that the Administrator of the Office of Information and Regulatory Affairs finds is likely to lead to—

"(A) an annual cost on the economy of \$100,000,000 or more, adjusted annually for inflation;

“(B) a major increase in costs or prices for consumers, individual industries, Federal, State, local or tribal government agencies, or geographic regions;

“(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

“(D) significant impacts on multiple sectors of the economy;

“(19) the ‘Information Quality Act’ means section 515 of Public Law 106–554, the Treasury and General Government Appropriations Act for Fiscal Year 2001, and guidelines issued by the Administrator of the Office of Information and Regulatory Affairs or other agencies pursuant to the Act; and

“(20) the ‘Office of Information and Regulatory Affairs’ means the office established under section 3503 of chapter 35 of title 44 and any successor to that office.”.

SEC. 203. RULE MAKING.

(a) Section 553(a) of title 5, United States Code, is amended by striking “(a) This section applies” and inserting “(a) APPLICABILITY.—This section applies”.

(b) Section 553 of title 5, United States Code, is amended by striking subsections (b) through (e) and inserting the following:

“(b) **RULE MAKING CONSIDERATIONS.**—In a rule making, an agency shall make all preliminary and final factual determinations based on evidence and consider, in addition to other applicable considerations, the following:

“(1) The legal authority under which a rule may be proposed, including whether a rule making is required by statute, and if so, whether by a specific date, or whether the agency has discretion to commence a rule making.

“(2) Other statutory considerations applicable to whether the agency can or should propose a rule or undertake other agency action.

“(3) The specific nature and significance of the problem the agency may address with a rule (including the degree and nature of risks the problem poses and the priority of addressing those risks compared to other matters or activities within the agency’s jurisdiction), whether the problem warrants new agency action, and the countervailing risks that may be posed by alternatives for new agency action.

“(4) Whether existing rules have created or contributed to the problem the agency may address with a rule and whether those rules could be amended or rescinded to address the problem in whole or part.

“(5) Any reasonable alternatives for a new rule or other response identified by the agency or interested persons, including not only responses that mandate particular conduct or manners of compliance, but also—

“(A) the alternative of no Federal response;

“(B) amending or rescinding existing rules;

“(C) potential regional, State, local, or tribal regulatory action or other responses that could be taken in lieu of agency action; and

“(D) potential responses that—

“(i) specify performance objectives rather than conduct or manners of compliance;

“(ii) establish economic incentives to encourage desired behavior;

“(iii) provide information upon which choices can be made by the public; or

“(iv) incorporate other innovative alternatives rather than agency actions that specify conduct or manners of compliance.

“(6) Notwithstanding any other provision of law—

“(A) the potential costs and benefits associated with potential alternative rules and other

responses considered under section 553(b)(5), including direct, indirect, and cumulative costs and benefits and estimated impacts on jobs (including an estimate of the net gain or loss in domestic jobs), economic growth, innovation, and economic competitiveness;

“(B) means to increase the cost-effectiveness of any Federal response; and

“(C) incentives for innovation, consistency, predictability, lower costs of enforcement and compliance (to government entities, regulated entities, and the public), and flexibility.

“(c) **ADVANCE NOTICE OF PROPOSED RULE MAKING FOR MAJOR RULES, HIGH-IMPACT RULES, AND RULES INVOLVING NOVEL LEGAL OR POLICY ISSUES.**—In the case of a rule making for a major rule or high-impact rule or a rule that involves a novel legal or policy issue arising out of statutory mandates, not later than 90 days before a notice of proposed rule making is published in the Federal Register, an agency shall publish advance notice of proposed rule making in the Federal Register. In publishing such advance notice, the agency shall—

“(1) include a written statement identifying, at a minimum—

“(A) the nature and significance of the problem the agency may address with a rule, including data and other evidence and information on which the agency expects to rely for the proposed rule;

“(B) the legal authority under which a rule may be proposed, including whether a rule making is required by statute, and if so, whether by a specific date, or whether the agency has discretion to commence a rule making;

“(C) preliminary information available to the agency concerning the other considerations specified in subsection (b); and

“(D) in the case of a rule that involves a novel legal or policy issue arising out of statutory mandates, the nature of and potential reasons to adopt the novel legal or policy position upon which the agency may base a proposed rule;

“(2) solicit written data, views or argument from interested persons concerning the information and issues addressed in the advance notice; and

“(3) provide for a period of not fewer than 60 days for interested persons to submit such written data, views, or argument to the agency.

“(d) **NOTICES OF PROPOSED RULE MAKING; DETERMINATIONS OF OTHER AGENCY COURSE.**—(1) Before it determines to propose a rule, and following completion of procedures under subsection (c), if applicable, the agency shall consult with the Administrator of the Office of Information and Regulatory Affairs. If the agency thereafter determines to propose a rule, the agency shall publish a notice of proposed rule making, which shall include—

“(A) a statement of the time, place, and nature of public rule making proceedings;

“(B) reference to the legal authority under which the rule is proposed;

“(C) the terms of the proposed rule;

“(D) a description of information known to the agency on the subject and issues of the proposed rule, including but not limited to—

“(i) a summary of information known to the agency concerning the considerations specified in subsection (b);

“(ii) a summary of additional information the agency provided to and obtained from interested persons under subsection (c);

“(iii) a summary of any preliminary risk assessment or regulatory impact analysis performed by the agency; and

“(iv) information specifically identifying all data, studies, models, and other evidence or information considered or used by the agency in connection with its determination to propose the rule;

“(E)(i) a reasoned preliminary determination of need for the rule based on the information described under subparagraph (D); and

“(ii) an additional statement of whether a rule is required by statute;

“(F) a reasoned preliminary determination that the benefits of the proposed rule meet the relevant statutory objectives and justify the costs of the proposed rule (including all costs to be considered under subsection (b)(6)), based on the information described under subparagraph (D);

“(G) a discussion of—

“(i) the alternatives to the proposed rule, and other alternative responses, considered by the agency under subsection (b);

“(ii) the costs and benefits of those alternatives (including all costs to be considered under subsection (b)(6));

“(iii) whether those alternatives meet relevant statutory objectives; and

“(iv) why the agency did not propose any of those alternatives; and

“(H)(i) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule; and

“(ii) if so, whether or not the agency proposes to amend or rescind any such rules, and why.

All information provided to or considered by the agency, and steps to obtain information by the agency, in connection with its determination to propose the rule, including any preliminary risk assessment or regulatory impact analysis prepared by the agency and all other information prepared or described by the agency under subparagraph (D) and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by that Office in consultations with the agency, shall be placed in the docket for the proposed rule and made accessible to the public by electronic means and otherwise for the public’s use when the notice of proposed rule making is published.

“(2)(A) If the agency undertakes procedures under subsection (c) and determines thereafter not to propose a rule, the agency shall, following consultation with the Office of Information and Regulatory Affairs, publish a notice of determination of other agency course. A notice of determination of other agency course shall include information required by paragraph (1)(D) to be included in a notice of proposed rule making and a description of the alternative response the agency determined to adopt.

“(B) If in its determination of other agency course the agency makes a determination to amend or rescind an existing rule, the agency need not undertake additional proceedings under subsection (c) before it publishes a notice of proposed rule making to amend or rescind the existing rule.

All information provided to or considered by the agency, and steps to obtain information by the agency, in connection with its determination of other agency course, including but not limited to any preliminary risk assessment or regulatory impact analysis prepared by the agency and all other information that would be required to be prepared or described by the agency under paragraph (1)(D) if the agency had determined to publish a notice of proposed rule making and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by that Office in consultations with the agency, shall be placed in the docket for the determination and made accessible to the public by electronic means and otherwise for the public’s use

when the notice of determination is published.

“(3) After notice of proposed rule making required by this section, the agency shall provide interested persons an opportunity to participate in the rule making through submission of written data, views, or arguments with or without opportunity for oral presentation, except that—

“(A) if a hearing is required under paragraph (4)(B) or subsection (e), opportunity for oral presentation shall be provided pursuant to that requirement; or

“(B) when other than under subsection (e) of this section rules are required by statute or at the discretion of the agency to be made on the record after opportunity for an agency hearing, sections 556 and 557 shall apply, and paragraph (4), the requirements of subsection (e) to receive comment outside of the procedures of sections 556 and 557, and the petition procedures of subsection (e)(6) shall not apply.

The agency shall provide not fewer than 60 days for interested persons to submit written data, views, or argument (or 120 days in the case of a proposed major or high-impact rule).

“(4)(A) Within 30 days of publication of notice of proposed rule making, a member of the public may petition for a hearing in accordance with section 556 to determine whether any evidence or other information upon which the agency bases the proposed rule fails to comply with the Information Quality Act.

“(B)(i) The agency may, upon review of the petition, determine without further process to exclude from the rule making the evidence or other information that is the subject of the petition and, if appropriate, withdraw the proposed rule. The agency shall promptly publish any such determination.

“(ii) If the agency does not resolve the petition under the procedures of clause (i), it shall grant any such petition that presents a prima facie case that evidence or other information upon which the agency bases the proposed rule fails to comply with the Information Quality Act, hold the requested hearing not later than 30 days after receipt of the petition, provide a reasonable opportunity for cross-examination at the hearing, and decide the issues presented by the petition not later than 60 days after receipt of the petition. The agency may deny any petition that it determines does not present such a prima facie case.

“(C) There shall be no judicial review of the agency's disposition of issues considered and decided or determined under subparagraph (B)(ii) until judicial review of the agency's final action. There shall be no judicial review of an agency's determination to withdraw a proposed rule under subparagraph (B)(i) on the basis of the petition.

“(D) Failure to petition for a hearing under this paragraph shall not preclude judicial review of any claim based on the Information Quality Act under chapter 7 of this title.

“(e) HEARINGS FOR HIGH-IMPACT RULES.—Following notice of a proposed rule making, receipt of comments on the proposed rule, and any hearing held under subsection (d)(4), and before adoption of any high-impact rule, the agency shall hold a hearing in accordance with sections 556 and 557, unless such hearing is waived by all participants in the rule making other than the agency. The agency shall provide a reasonable opportunity for cross-examination at such hearing. The hearing shall be limited to the following issues of fact, except that participants at the hearing other than the agency may waive determination of any such issue:

“(1) Whether the agency's asserted factual predicate for the rule is supported by the evidence.

“(2) Whether there is an alternative to the proposed rule that would achieve the relevant

statutory objectives at a lower cost (including all costs to be considered under subsection (b)(6)) than the proposed rule.

“(3) If there is more than one alternative to the proposed rule that would achieve the relevant statutory objectives at a lower cost than the proposed rule, which alternative would achieve the relevant statutory objectives at the lowest cost.

“(4) Whether, if the agency proposes to adopt a rule that is more costly than the least costly alternative that would achieve the relevant statutory objectives (including all costs to be considered under subsection (b)(6)), the additional benefits of the more costly rule exceed the additional costs of the more costly rule.

“(5) Whether the evidence and other information upon which the agency bases the proposed rule meets the requirements of the Information Quality Act.

“(6) Upon petition by an interested person who has participated in the rule making, other issues relevant to the rule making, unless the agency determines that consideration of the issues at the hearing would not advance consideration of the rule or would, in light of the nature of the need for agency action, unreasonably delay completion of the rule making. An agency shall grant or deny a petition under this paragraph within 30 days of its receipt of the petition.

No later than 45 days before any hearing held under this subsection or sections 556 and 557, the agency shall publish in the Federal Register a notice specifying the proposed rule to be considered at such hearing, the issues to be considered at the hearing, and the time and place for such hearing, except that such notice may be issued not later than 15 days before a hearing held under subsection (d)(4)(B).

“(f) FINAL RULES.—(1) The agency shall adopt a rule only following consultation with the Administrator of the Office of Information and Regulatory Affairs to facilitate compliance with applicable rule making requirements.

“(2) The agency shall adopt a rule only on the basis of the best reasonably obtainable scientific, technical, economic, and other evidence and information concerning the need for, consequences of, and alternatives to the rule.

“(3)(A) Except as provided in subparagraph (B), the agency shall adopt the least costly rule considered during the rule making (including all costs to be considered under subsection (b)(6)) that meets relevant statutory objectives.

“(B) The agency may adopt a rule that is more costly than the least costly alternative that would achieve the relevant statutory objectives only if the additional benefits of the more costly rule justify its additional costs and only if the agency explains its reason for doing so based on interests of public health, safety or welfare that are clearly within the scope of the statutory provision authorizing the rule.

“(4) When it adopts a final rule, the agency shall publish a notice of final rule making. The notice shall include—

“(A) a concise, general statement of the rule's basis and purpose;

“(B) the agency's reasoned final determination of need for a rule to address the problem the agency seeks to address with the rule, including a statement of whether a rule is required by statute and a summary of any final risk assessment or regulatory impact analysis prepared by the agency;

“(C) the agency's reasoned final determination that the benefits of the rule meet the relevant statutory objectives and justify the rule's costs (including all costs to be considered under subsection (b)(6));

“(D) the agency's reasoned final determination not to adopt any of the alternatives to the

proposed rule considered by the agency during the rule making, including—

“(i) the agency's reasoned final determination that no alternative considered achieved the relevant statutory objectives with lower costs (including all costs to be considered under subsection (b)(6)) than the rule; or

“(ii) the agency's reasoned determination that its adoption of a more costly rule complies with subsection (f)(3)(B);

“(E) the agency's reasoned final determination—

“(i) that existing rules have not created or contributed to the problem the agency seeks to address with the rule; or

“(ii) that existing rules have created or contributed to the problem the agency seeks to address with the rule, and, if so—

“(I) why amendment or rescission of such existing rules is not alone sufficient to respond to the problem; and

“(II) whether and how the agency intends to amend or rescind the existing rule separate from adoption of the rule;

“(F) the agency's reasoned final determination that the evidence and other information upon which the agency bases the rule complies with the Information Quality Act; and

“(G)(i) for any major rule or high-impact rule, the agency's plan for review of the rule no less than every ten years to determine whether, based upon evidence, there remains a need for the rule, whether the rule is in fact achieving statutory objectives, whether the rule's benefits continue to justify its costs, and whether the rule can be modified or rescinded to reduce costs while continuing to achieve statutory objectives; and

“(ii) review of a rule under a plan required by clause (i) of this subparagraph shall take into account the factors and criteria set forth in subsections (b) through (f) of section 553 of this title.

All information considered by the agency in connection with its adoption of the rule, and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by that Office in consultations with the agency, shall be placed in the docket for the rule and made accessible to the public for the public's use no later than when the rule is adopted.

“(g) EXCEPTIONS FROM NOTICE AND HEARING REQUIREMENTS.—(1) Except when notice or hearing is required by statute, the following do not apply to interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice:

“(A) Subsections (c) through (e).

“(B) Paragraphs (1) through (3) of subsection (f).

“(C) Subparagraphs (B) through (H) of subsection (f)(4).

“(2)(A) When the agency for good cause, based upon evidence, finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that compliance with subsection (c), (d), or (e) or requirements to render final determinations under subsection (f) of this section before the issuance of an interim rule is impracticable or contrary to the public interest, including interests of national security, such subsections or requirements to render final determinations shall not apply to the agency's adoption of an interim rule.

“(B) If, following compliance with subparagraph (A) of this paragraph, the agency adopts an interim rule, it shall commence proceedings that comply fully with subsections (d) through (f) of this section immediately upon publication of the interim rule, shall treat the

publication of the interim rule as publication of a notice of proposed rule making and shall not be required to issue supplemental notice other than to complete full compliance with subsection (d). No less than 270 days from publication of the interim rule (or 18 months in the case of a major rule or high-impact rule), the agency shall complete rule making under subsections (d) through (f) of this subsection and take final action to adopt a final rule or rescind the interim rule. If the agency fails to take timely final action, the interim rule will cease to have the effect of law.

“(C) Other than in cases involving interests of national security, upon the agency’s publication of an interim rule without compliance with subsections (c), (d), or (e) or requirements to render final determinations under subsection (f) of this section, an interested party may seek immediate judicial review under chapter 7 of this title of the agency’s determination to adopt such interim rule. The record on such review shall include all documents and information considered by the agency and any additional information presented by a party that the court determines necessary to consider to assure justice.

“(3) When the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are unnecessary, including because agency rule making is undertaken only to correct a de minimis technical or clerical error in a previously issued rule or for other noncontroversial purposes, the agency may publish a rule without compliance with subsections (c), (d), (e), or (f)(1)–(3) and (f)(4)(B)–(F). If the agency receives significant adverse comment within 60 days after publication of the rule, it shall treat the notice of the rule as a notice of proposed rule making and complete rule making in compliance with subsections (d) and (f).

“(h) **ADDITIONAL REQUIREMENTS FOR HEARINGS.**—When a hearing is required under subsection (e) or is otherwise required by statute or at the agency’s discretion before adoption of a rule, the agency shall comply with the requirements of sections 556 and 557 in addition to the requirements of subsection (f) in adopting the rule and in providing notice of the rule’s adoption.

“(i) **DATE OF PUBLICATION OF RULE.**—The required publication or service of a substantive final or interim rule shall be made not less than 30 days before the effective date of the rule, except—

“(1) a substantive rule which grants or recognizes an exemption or relieves a restriction;

“(2) interpretive rules and statements of policy; or

“(3) as otherwise provided by the agency for good cause found and published with the rule.

“(j) **RIGHT TO PETITION.**—Each agency shall give an interested person the right to petition for the issuance, amendment, or repeal of a rule.

“(k) **RULE MAKING GUIDELINES.**—(1)(A) The Administrator of the Office of Information and Regulatory Affairs shall establish guidelines for the assessment, including quantitative and qualitative assessment, of the costs and benefits of proposed and final rules and other economic issues or issues related to risk that are relevant to rule making under this title. The rigor of cost-benefit analysis required by such guidelines shall be commensurate, in the Administrator’s determination, with the economic impact of the rule.

“(B) To ensure that agencies use the best available techniques to quantify and evaluate anticipated present and future benefits, costs, other economic issues, and risks as accurately as possible, the Administrator of the Office of

Information and Regulatory Affairs shall regularly update guidelines established under paragraph (1)(A) of this subsection.

“(2) The Administrator of the Office of Information and Regulatory Affairs shall also issue guidelines to promote coordination, simplification and harmonization of agency rules during the rule making process and otherwise. Such guidelines shall assure that each agency avoids regulations that are inconsistent or incompatible with, or duplicative of, its other regulations and those of other Federal agencies and drafts its regulations to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.

“(3) To ensure consistency in Federal rule making, the Administrator of the Office of Information and Regulatory Affairs shall—

“(A) issue guidelines and otherwise take action to ensure that rule makings conducted in whole or in part under procedures specified in provisions of law other than those of subchapter II of this title conform to the fullest extent allowed by law with the procedures set forth in section 553 of this title; and

“(B) issue guidelines for the conduct of hearings under subsections 553(d)(4) and 553(e) of this section, including to assure a reasonable opportunity for cross-examination. Each agency shall adopt regulations for the conduct of hearings consistent with the guidelines issued under this subparagraph.

“(4) The Administrator of the Office of Information and Regulatory Affairs shall issue guidelines pursuant to the Information Quality Act to apply in rule making proceedings under sections 553, 556, and 557 of this title. In all cases, such guidelines, and the Administrator’s specific determinations regarding agency compliance with such guidelines, shall be entitled to judicial deference.

“(l) **INCLUSION IN THE RECORD OF CERTAIN DOCUMENTS AND INFORMATION.**—The agency shall include in the record for a rule making, and shall make available by electronic means and otherwise, all documents and information prepared or considered by the agency during the proceeding, including, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, documents and information communicated by that Office during consultation with the Agency.

“(m) **MONETARY POLICY EXEMPTION.**—Nothing in subsection (b)(6), subparagraphs (F) and (G) of subsection (d)(1), subsection (e), subsection (f)(3), and subparagraphs (C) and (D) of subsection (f)(5) shall apply to rule makings that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.”.

SEC. 204. AGENCY GUIDANCE; PROCEDURES TO ISSUE MAJOR GUIDANCE; PRESIDENTIAL AUTHORITY TO ISSUE GUIDELINES FOR ISSUANCE OF GUIDANCE.

(a) **IN GENERAL.**—Chapter 5 of title 5, United States Code, is amended by inserting after section 553 the following new section:

“§553a. Agency guidance; procedures to issue major guidance; authority to issue guidelines for issuance of guidance

“(a) Before issuing any major guidance, or guidance that involves a novel legal or policy issue arising out of statutory mandates, an agency shall—

“(1) make and document a reasoned determination that—

“(A) assures that such guidance is understandable and complies with relevant statutory objectives and regulatory provisions (including any statutory deadlines for agency action);

“(B) summarizes the evidence and data on which the agency will base the guidance;

“(C) identifies the costs and benefits (including all costs to be considered during a rule making under section 553(b) of this title) of conduct conforming to such guidance and assures that such benefits justify such costs; and

“(D) describes alternatives to such guidance and their costs and benefits (including all costs to be considered during a rule making under section 553(b) of this title) and explains why the agency rejected those alternatives; and

“(2) confer with the Administrator of the Office of Information and Regulatory Affairs on the issuance of such guidance to assure that the guidance is reasonable, understandable, consistent with relevant statutory and regulatory provisions and requirements or practices of other agencies, does not produce costs that are unjustified by the guidance’s benefits, and is otherwise appropriate.

Upon issuing major guidance, or guidance that involves a novel legal or policy issue arising out of statutory mandates, the agency shall publish the documentation required by subparagraph (1) by electronic means and otherwise.

“(b) **Agency guidance—**

“(1) is not legally binding and may not be relied upon by an agency as legal grounds for agency action;

“(2) shall state in a plain, prominent and permanent manner that it is not legally binding; and

“(3) shall, at the time it is issued or upon request, be made available by the issuing agency to interested persons and the public by electronic means and otherwise.

Agencies shall avoid the issuance of guidance that is inconsistent or incompatible with, or duplicative of, the agency’s governing statutes or regulations, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.

“(c) The Administrator of the Office of Information and Regulatory Affairs shall have authority to issue guidelines for use by the agencies in the issuance of major guidance and other guidance. Such guidelines shall assure that each agency avoids issuing guidance documents that are inconsistent or incompatible with, or duplicative of, the law, its other regulations, or the regulations of other Federal agencies and drafts its guidance documents to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.”.

(b) **CLERICAL AMENDMENT.**—The table of sections for chapter 5 of title 5, United States Code, is amended by inserting after the item relating to section 553 the following new item:

“553a. Agency guidance; procedures to issue major guidance; authority to issue guidelines for issuance of guidance.”.

SEC. 205. HEARINGS; PRESIDING EMPLOYEES; POWERS AND DUTIES; BURDEN OF PROOF; EVIDENCE; RECORD AS BASIS OF DECISION.

Section 556 of title 5, United States Code, is amended by striking subsection (e) and inserting the following:

“(e)(1) The transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, constitutes the exclusive record for decision in accordance with section 557 and shall be made available to the parties and the public by electronic means and, upon payment of lawfully prescribed costs, otherwise. When an agency decision rests on official notice of a material

fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.

“(2) Notwithstanding paragraph (1) of this subsection, in a proceeding held under this section pursuant to section 553(d)(4) or 553(e), the record for decision shall also include any information that is part of the record of proceedings under section 553.

“(f) When an agency conducts rule making under this section and section 557 directly after concluding proceedings upon an advance notice of proposed rule making under section 553(c), the matters to be considered and determinations to be made shall include, among other relevant matters and determinations, the matters and determinations described in subsections (b) and (f) of section 553.

“(g) Upon receipt of a petition for a hearing under this section, the agency shall grant the petition in the case of any major rule, unless the agency reasonably determines that a hearing would not advance consideration of the rule or would, in light of the need for agency action, unreasonably delay completion of the rule making. The agency shall publish its decision to grant or deny the petition when it renders the decision, including an explanation of the grounds for decision. The information contained in the petition shall in all cases be included in the administrative record. This subsection shall not apply to rule makings that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.”

SEC. 206. ACTIONS REVIEWABLE.

Section 704 of title 5, United States Code, is amended—

(1) by striking “Agency action made” and inserting “(a) Agency action made”; and

(2) by adding at the end the following: “Denial by an agency of a correction request or, where administrative appeal is provided for, denial of an appeal, under an administrative mechanism described in subsection (b)(2)(B) of the Information Quality Act, or the failure of an agency within 90 days to grant or deny such request or appeal, shall be final action for purposes of this section.

“(b) Other than in cases involving interests of national security, notwithstanding subsection (a) of this section, upon the agency’s publication of an interim rule without compliance with section 553(c), (d), or (e) or requirements to render final determinations under subsection (f) of section 553, an interested party may seek immediate judicial review under this chapter of the agency’s determination to adopt such rule on an interim basis. Review shall be limited to whether the agency abused its discretion to adopt the interim rule without compliance with section 553(c), (d), or (e) or without rendering final determinations under subsection (f) of section 553.”

SEC. 207. SCOPE OF REVIEW.

Section 706 of title 5, United States Code is amended—

(1) by striking “To the extent necessary” and inserting “(a) To the extent necessary”; and

(2) in paragraph (2)(A) of subsection (a) (as designated by paragraph (1) of this section), by inserting after “in accordance with law” the following: “(including the Information Quality Act)”; and

(3) by adding at the end the following:

“(b) The court shall not defer to the agency’s—

“(1) interpretation of an agency rule if the agency did not comply with the procedures of section 553 or sections 556–557 of chapter 5 of this title to issue the interpretation;

“(2) determination of the costs and benefits or other economic or risk assessment of the action, if the agency failed to conform to guidelines on such determinations and assessments established

by the Administrator of the Office of Information and Regulatory Affairs under section 553(k);

“(3) determinations made in the adoption of an interim rule; or

“(4) guidance.

“(c) The court shall review agency denials of petitions under section 553(e)(6) or any other petition for a hearing under sections 556 and 557 for abuse of agency discretion.”

SEC. 208. ADDED DEFINITION.

Section 701(b) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end, and inserting “; and”; and

(3) by adding at the end the following:

“(3) ‘substantial evidence’ means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion in light of the record considered as a whole, taking into account whatever in the record fairly detracts from the weight of the evidence relied upon by the agency to support its decision.”

SEC. 209. EFFECTIVE DATE.

The amendments made by this title to—

(1) sections 553, 556, and 704 of title 5, United States Code;

(2) subsection (b) of section 701 of such title;

(3) paragraphs (2) and (3) of section 706(b) of such title; and

(4) subsection (c) of section 706 of such title, shall not apply to any rule makings pending or completed on the date of enactment of this title.

TITLE III—REGULATORY FLEXIBILITY IMPROVEMENTS ACT

SEC. 301. SHORT TITLE; TABLE OF CONTENTS.

This title may be cited as the “Regulatory Flexibility Improvements Act of 2014”.

SEC. 302. CLARIFICATION AND EXPANSION OF RULES COVERED BY THE REGULATORY FLEXIBILITY ACT.

(a) IN GENERAL.—Paragraph (2) of section 601 of title 5, United States Code, is amended to read as follows:

“(2) RULE.—The term ‘rule’ has the meaning given such term in section 551(4) of this title, except that such term does not include a rule pertaining to the protection of the rights of and benefits for veterans or a rule of particular (and not general) applicability relating to rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services, or allowances therefor or to valuations, costs or accounting, or practices relating to such rates, wages, structures, prices, appliances, services, or allowances.”

(b) INCLUSION OF RULES WITH INDIRECT EFFECTS.—Section 601 of title 5, United States Code, is amended by adding at the end the following new paragraph:

“(9) ECONOMIC IMPACT.—The term ‘economic impact’ means, with respect to a proposed or final rule—

“(A) any direct economic effect on small entities of such rule; and

“(B) any indirect economic effect (including compliance costs and effects on revenue) on small entities which is reasonably foreseeable and results from such rule (without regard to whether small entities will be directly regulated by the rule).”

(c) INCLUSION OF RULES WITH BENEFICIAL EFFECTS.—

(1) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (c) of section 603 of title 5, United States Code, is amended by striking the first sentence and inserting “Each initial regulatory flexibility analysis shall also contain a detailed description of alternatives to the proposed rule which minimize any adverse significant economic impact or maximize any bene-

ficial significant economic impact on small entities.”

(2) FINAL REGULATORY FLEXIBILITY ANALYSIS.—The first paragraph (6) of section 604(a) of title 5, United States Code, is amended by striking “minimize the significant economic impact” and inserting “minimize the adverse significant economic impact or maximize the beneficial significant economic impact”.

(d) INCLUSION OF RULES AFFECTING TRIBAL ORGANIZATIONS.—Paragraph (5) of section 601 of title 5, United States Code, is amended by inserting “and tribal organizations (as defined in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l))),” after “special districts.”

(e) INCLUSION OF LAND MANAGEMENT PLANS AND FORMAL RULEMAKING.—

(1) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (a) of section 603 of title 5, United States Code, is amended in the first sentence—

(A) by striking “or” after “proposed rule;” and

(B) by inserting “or publishes a revision or amendment to a land management plan,” after “United States.”

(2) FINAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (a) of section 604 of title 5, United States Code, is amended in the first sentence—

(A) by striking “or” after “proposed rulemaking;” and

(B) by inserting “or adopts a revision or amendment to a land management plan,” after “section 603(a).”

(3) LAND MANAGEMENT PLAN DEFINED.—Section 601 of title 5, United States Code, is amended by adding at the end the following new paragraph:

“(10) LAND MANAGEMENT PLAN.—

“(A) IN GENERAL.—The term ‘land management plan’ means—

“(i) any plan developed by the Secretary of Agriculture under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604); and

“(ii) any plan developed by the Secretary of the Interior under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

“(B) REVISION.—The term ‘revision’ means any change to a land management plan which—

“(i) in the case of a plan described in subparagraph (A)(i), is made under section 6(f)(5) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)); or

“(ii) in the case of a plan described in subparagraph (A)(ii), is made under section 1610.5-6 of title 43, Code of Federal Regulations (or any successor regulation).

“(C) AMENDMENT.—The term ‘amendment’ means any change to a land management plan which—

“(i) in the case of a plan described in subparagraph (A)(i), is made under section 6(f)(4) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(4)) and with respect to which the Secretary of Agriculture prepares a statement described in section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)); or

“(ii) in the case of a plan described in subparagraph (A)(ii), is made under section 1610.5-5 of title 43, Code of Federal Regulations (or any successor regulation) and with respect to which the Secretary of the Interior prepares a statement described in section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).”

(f) **INCLUSION OF CERTAIN INTERPRETIVE RULES INVOLVING THE INTERNAL REVENUE LAWS.**—

(1) **IN GENERAL.**—Subsection (a) of section 603 of title 5, United States Code, is amended by striking the period at the end and inserting “or a recordkeeping requirement, and without regard to whether such requirement is imposed by statute or regulation.”.

(2) **COLLECTION OF INFORMATION.**—Paragraph (7) of section 601 of title 5, United States Code, is amended to read as follows:

“(7) **COLLECTION OF INFORMATION.**—The term ‘collection of information’ has the meaning given such term in section 3502(3) of title 44.”.

(3) **RECORDKEEPING REQUIREMENT.**—Paragraph (8) of section 601 of title 5, United States Code, is amended to read as follows:

“(8) **RECORDKEEPING REQUIREMENT.**—The term ‘recordkeeping requirement’ has the meaning given such term in section 3502(13) of title 44.”.

(g) **DEFINITION OF SMALL ORGANIZATION.**—Paragraph (4) of section 601 of title 5, United States Code, is amended to read as follows:

“(4) **SMALL ORGANIZATION.**—

“(A) **IN GENERAL.**—The term ‘small organization’ means any not-for-profit enterprise which, as of the issuance of the notice of proposed rulemaking—

“(i) in the case of an enterprise which is described by a classification code of the North American Industrial Classification System, does not exceed the size standard established by the Administrator of the Small Business Administration pursuant to section 3 of the Small Business Act (15 U.S.C. 632) for small business concerns described by such classification code; and

“(ii) in the case of any other enterprise, has a net worth that does not exceed \$7,000,000 and has not more than 500 employees.

“(B) **LOCAL LABOR ORGANIZATIONS.**—In the case of any local labor organization, subparagraph (A) shall be applied without regard to any national or international organization of which such local labor organization is a part.

“(C) **AGENCY DEFINITIONS.**—Subparagraphs (A) and (B) shall not apply to the extent that an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions for such term which are appropriate to the activities of the agency and publishes such definitions in the Federal Register.”.

SEC. 303. EXPANSION OF REPORT OF REGULATORY AGENDA.

Section 602 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking “, and” at the end and inserting “;”;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following:

“(3) a brief description of the sector of the North American Industrial Classification System that is primarily affected by any rule which the agency expects to propose or promulgate which is likely to have a significant economic impact on a substantial number of small entities; and”;

and

(2) in subsection (c), to read as follows:

“(c) Each agency shall prominently display a plain language summary of the information contained in the regulatory flexibility agenda published under subsection (a) on its website within 3 days of its publication in the Federal Register. The Office of Advocacy of the Small Business Administration shall compile and prominently display a plain language summary of the regulatory agendas referenced in subsection (a) for

each agency on its website within 3 days of their publication in the Federal Register.”.

SEC. 304. REQUIREMENTS PROVIDING FOR MORE DETAILED ANALYSES.

(a) **INITIAL REGULATORY FLEXIBILITY ANALYSIS.**—Subsection (b) of section 603 of title 5, United States Code, is amended to read as follows:

“(b) Each initial regulatory flexibility analysis required under this section shall contain a detailed statement—

“(1) describing the reasons why action by the agency is being considered;

“(2) describing the objectives of, and legal basis for, the proposed rule;

“(3) estimating the number and type of small entities to which the proposed rule will apply;

“(4) describing the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report and record;

“(5) describing all relevant Federal rules which may duplicate, overlap, or conflict with the proposed rule, or the reasons why such a description could not be provided;

“(6) estimating the additional cumulative economic impact of the proposed rule on small entities beyond that already imposed on the class of small entities by the agency or why such an estimate is not available; and

“(7) describing any disproportionate economic impact on small entities or a specific class of small entities.”.

(b) **FINAL REGULATORY FLEXIBILITY ANALYSIS.**—

(1) **IN GENERAL.**—Section 604(a) of title 5, United States Code, is amended—

(A) in paragraph (4), by striking “an explanation” and inserting “a detailed explanation”;

(B) in each of paragraphs (4), (5), and the first paragraph (6), by inserting “detailed” before “description”; and

(C) by adding at the end the following:

“(7) describing any disproportionate economic impact on small entities or a specific class of small entities.”.

(2) **INCLUSION OF RESPONSE TO COMMENTS ON CERTIFICATION OF PROPOSED RULE.**—Paragraph (2) of section 604(a) of title 5, United States Code, is amended by inserting “(or certification of the proposed rule under section 605(b))” after “initial regulatory flexibility analysis”.

(3) **PUBLICATION OF ANALYSIS ON WEBSITE.**—Subsection (b) of section 604 of title 5, United States Code, is amended to read as follows:

“(b) The agency shall make copies of the final regulatory flexibility analysis available to the public, including placement of the entire analysis on the agency’s website, and shall publish in the Federal Register the final regulatory flexibility analysis, or a summary thereof which includes the telephone number, mailing address, and link to the website where the complete analysis may be obtained.”.

(c) **CROSS-REFERENCES TO OTHER ANALYSES.**—Subsection (a) of section 605 of title 5, United States Code, is amended to read as follows:

“(a) A Federal agency shall be treated as satisfying any requirement regarding the content of an agenda or regulatory flexibility analysis under section 602, 603, or 604, if such agency provides in such agenda or analysis a cross-reference to the specific portion of another agenda or analysis which is required by any other law and which satisfies such requirement.”.

(d) **CERTIFICATIONS.**—Subsection (b) of section 605 of title 5, United States Code, is amended—

(1) by inserting “detailed” before “statement” the first place it appears; and

(2) by inserting “and legal” after “factual”.

(e) **QUANTIFICATION REQUIREMENTS.**—Section 607 of title 5, United States Code, is amended to read as follows:

“§607. Quantification requirements

“In complying with sections 603 and 604, an agency shall provide—

“(1) a quantifiable or numerical description of the effects of the proposed or final rule and alternatives to the proposed or final rule; or

“(2) a more general descriptive statement and a detailed statement explaining why quantification is not practicable or reliable.”.

SEC. 305. REPEAL OF WAIVER AND DELAY AUTHORITY; ADDITIONAL POWERS OF THE CHIEF COUNSEL FOR ADVOCACY.

(a) **IN GENERAL.**—Section 608 is amended to read as follows:

“§608. Additional powers of Chief Counsel for Advocacy

“(a)(1) Not later than 270 days after the date of the enactment of this section, the Chief Counsel for Advocacy of the Small Business Administration shall, after opportunity for notice and comment under section 553, issue rules governing agency compliance with this chapter. The Chief Counsel may modify or amend such rules after notice and comment under section 553. This chapter (other than this subsection) shall not apply with respect to the issuance, modification, and amendment of rules under this paragraph.

“(2) An agency shall not issue rules which supplement the rules issued under subsection (a) unless such agency has first consulted with the Chief Counsel for Advocacy to ensure that such supplemental rules comply with this chapter and the rules issued under paragraph (1).

“(b) Notwithstanding any other law, the Chief Counsel for Advocacy of the Small Business Administration may intervene in any agency adjudication (unless such agency is authorized to impose a fine or penalty under such adjudication), and may inform the agency of the impact that any decision on the record may have on small entities. The Chief Counsel shall not initiate an appeal with respect to any adjudication in which the Chief Counsel intervenes under this subsection.

“(c) The Chief Counsel for Advocacy may file comments in response to any agency notice requesting comment, regardless of whether the agency is required to file a general notice of proposed rulemaking under section 553.”.

(b) **CONFORMING AMENDMENTS.**—

(1) Section 611(a)(1) of such title is amended by striking “608(b).”.

(2) Section 611(a)(2) of such title is amended by striking “608(b).”.

(3) Section 611(a)(3) of such title is amended—

(A) by striking subparagraph (B); and

(B) by striking “(3) A small entity” and inserting the following:

“(3) A small entity”.

SEC. 306. PROCEDURES FOR GATHERING COMMENTS.

Section 609 of title 5, United States Code, is amended by striking subsection (b) and all that follows through the end of the section and inserting the following:

“(b)(1) Prior to publication of any proposed rule described in subsection (e), an agency making such rule shall notify the Chief Counsel for Advocacy of the Small Business Administration and provide the Chief Counsel with—

“(A) all materials prepared or utilized by the agency in making the proposed rule, including the draft of the proposed rule; and

“(B) information on the potential adverse and beneficial economic impacts of the proposed rule on small entities and the type of small entities that might be affected.

“(2) An agency shall not be required under paragraph (1) to provide the exact language of any draft if the rule—

“(A) relates to the internal revenue laws of the United States; or

“(B) is proposed by an independent regulatory agency (as defined in section 3502(5) of title 44).

“(c) Not later than 15 days after the receipt of such materials and information under subsection (b), the Chief Counsel for Advocacy of the Small Business Administration shall—

“(1) identify small entities or representatives of small entities or a combination of both for the purpose of obtaining advice, input, and recommendations from those persons about the potential economic impacts of the proposed rule and the compliance of the agency with section 603; and

“(2) convene a review panel consisting of an employee from the Office of Advocacy of the Small Business Administration, an employee from the agency making the rule, and in the case of an agency other than an independent regulatory agency (as defined in section 3502(5) of title 44), an employee from the Office of Information and Regulatory Affairs of the Office of Management and Budget to review the materials and information provided to the Chief Counsel under subsection (b).

“(d)(1) Not later than 60 days after the review panel described in subsection (c)(2) is convened, the Chief Counsel for Advocacy of the Small Business Administration shall, after consultation with the members of such panel, submit a report to the agency and, in the case of an agency other than an independent regulatory agency (as defined in section 3502(5) of title 44), the Office of Information and Regulatory Affairs of the Office of Management and Budget.

“(2) Such report shall include an assessment of the economic impact of the proposed rule on small entities, including an assessment of the proposed rule’s impact on the cost that small entities pay for energy, an assessment of the proposed rule’s impact on start-up costs for small entities, and a discussion of any alternatives that will minimize adverse significant economic impacts or maximize beneficial significant economic impacts on small entities.

“(3) Such report shall become part of the rule-making record. In the publication of the proposed rule, the agency shall explain what actions, if any, the agency took in response to such report.

“(e) A proposed rule is described by this subsection if the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget, the head of the agency (or the delegatee of the head of the agency), or an independent regulatory agency determines that the proposed rule is likely to result in—

“(1) an annual effect on the economy of \$100,000,000 or more;

“(2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local governments, tribal organizations, or geographic regions;

“(3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

“(4) a significant economic impact on a substantial number of small entities.

“(f) Upon application by the agency, the Chief Counsel for Advocacy of the Small Busi-

ness Administration may waive the requirements of subsections (b) through (e) if the Chief Counsel determines that compliance with the requirements of such subsections are impracticable, unnecessary, or contrary to the public interest.

“(g) A small entity or a representative of a small entity may submit a request that the agency provide a copy of the report prepared under subsection (d) and all materials and information provided to the Chief Counsel for Advocacy of the Small Business Administration under subsection (b). The agency receiving such request shall provide the report, materials and information to the requesting small entity or representative of a small entity not later than 10 business days after receiving such request, except that the agency shall not disclose any information that is prohibited from disclosure to the public pursuant to section 552(b) of this title.”

SEC. 307. PERIODIC REVIEW OF RULES.

Section 610 of title 5, United States Code, is amended to read as follows:

“§610. Periodic review of rules

“(a) Not later than 180 days after the enactment of this section, each agency shall publish in the Federal Register and place on its website a plan for the periodic review of rules issued by the agency which the head of the agency determines have a significant economic impact on a substantial number of small entities. Such determination shall be made without regard to whether the agency performed an analysis under section 604. The purpose of the review shall be to determine whether such rules should be continued without change, or should be amended or rescinded, consistent with the stated objectives of applicable statutes, to minimize any adverse significant economic impacts or maximize any beneficial significant economic impacts on a substantial number of small entities. Such plan may be amended by the agency at any time by publishing the revision in the Federal Register and subsequently placing the amended plan on the agency’s website.

“(b) The plan shall provide for the review of all such agency rules existing on the date of the enactment of this section within 10 years of the date of publication of the plan in the Federal Register and for review of rules adopted after the date of enactment of this section within 10 years after the publication of the final rule in the Federal Register. If the head of the agency determines that completion of the review of existing rules is not feasible by the established date, the head of the agency shall so certify in a statement published in the Federal Register and may extend the review for not longer than 2 years after publication of notice of extension in the Federal Register. Such certification and notice shall be sent to the Chief Counsel for Advocacy of the Small Business Administration and the Congress.

“(c) The plan shall include a section that details how an agency will conduct outreach to and meaningfully include small businesses (including small business concerns owned and controlled by women, small business concerns owned and controlled by veterans, and small business concerns owned and controlled by socially and economically disadvantaged individuals (as such terms are defined in the Small Business Act)) for the purposes of carrying out this section. The agency shall include in this section a plan for how the agency will contact small businesses and gather their input on existing agency rules.

“(d) Each agency shall annually submit a report regarding the results of its review pursuant to such plan to the Congress, the Chief Counsel for Advocacy of the Small Business Administration, and, in the case of agencies other than independent regulatory agencies (as defined in

section 3502(5) of title 44) to the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget. Such report shall include the identification of any rule with respect to which the head of the agency made a determination described in paragraph (5) or (6) of subsection (e) and a detailed explanation of the reasons for such determination.

“(e) In reviewing a rule pursuant to subsections (a) through (d), the agency shall amend or rescind the rule to minimize any adverse significant economic impact on a substantial number of small entities or disproportionate economic impact on a specific class of small entities, or maximize any beneficial significant economic impact of the rule on a substantial number of small entities to the greatest extent possible, consistent with the stated objectives of applicable statutes. In amending or rescinding the rule, the agency shall consider the following factors:

“(1) The continued need for the rule.

“(2) The nature of complaints received by the agency from small entities concerning the rule.

“(3) Comments by the Regulatory Enforcement Ombudsman and the Chief Counsel for Advocacy of the Small Business Administration.

“(4) The complexity of the rule.

“(5) The extent to which the rule overlaps, duplicates, or conflicts with other Federal rules and, unless the head of the agency determines it to be infeasible, State, territorial, and local rules.

“(6) The contribution of the rule to the cumulative economic impact of all Federal rules on the class of small entities affected by the rule, unless the head of the agency determines that such calculations cannot be made and reports that determination in the annual report required under subsection (d).

“(7) The length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.

“(f) The agency shall publish in the Federal Register and on its website a list of rules to be reviewed pursuant to such plan. The agency shall include in the publication a solicitation of public comments on any further inclusions or exclusions of rules from the list, and shall respond to such comments. Such publication shall include a brief description of the rule, the reason why the agency determined that it has a significant economic impact on a substantial number of small entities (without regard to whether it had prepared a final regulatory flexibility analysis for the rule), and request comments from the public, the Chief Counsel for Advocacy of the Small Business Administration, and the Regulatory Enforcement Ombudsman concerning the enforcement of the rule.”

SEC. 308. JUDICIAL REVIEW OF COMPLIANCE WITH THE REQUIREMENTS OF THE REGULATORY FLEXIBILITY ACT AVAILABLE AFTER PUBLICATION OF THE FINAL RULE.

(a) IN GENERAL.—Paragraph (1) of section 611(a) of title 5, United States Code, is amended by striking “final agency action” and inserting “such rule”.

(b) JURISDICTION.—Paragraph (2) of such section is amended by inserting “(or which would have such jurisdiction if publication of the final rule constituted final agency action)” after “provision of law.”

(c) TIME FOR BRINGING ACTION.—Paragraph (3) of such section is amended—

(1) by striking “final agency action” and inserting “publication of the final rule”; and

(2) by inserting “, in the case of a rule for which the date of final agency action is the

same date as the publication of the final rule," after "except that".

(d) INTERVENTION BY CHIEF COUNSEL FOR ADVOCACY.—Subsection (b) of section 612 of title 5, United States Code, is amended by inserting before the first period "or agency compliance with section 601, 603, 604, 605(b), 609, or 610".

SEC. 309. JURISDICTION OF COURT OF APPEALS OVER RULES IMPLEMENTING THE REGULATORY FLEXIBILITY ACT.

(a) IN GENERAL.—Section 2342 of title 28, United States Code, is amended—

(1) in paragraph (6), by striking "and" at the end;

(2) in paragraph (7), by striking the period at the end and inserting "; and"; and

(3) by inserting after paragraph (7) the following new paragraph:

"(8) all final rules under section 608(a) of title 5."

(b) CONFORMING AMENDMENTS.—Paragraph (3) of section 2341 of title 28, United States Code, is amended—

(1) in subparagraph (D), by striking "and" at the end;

(2) in subparagraph (E), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(F) the Office of Advocacy of the Small Business Administration, when the final rule is under section 608(a) of title 5."

(c) AUTHORIZATION TO INTERVENE AND COMMENT ON AGENCY COMPLIANCE WITH ADMINISTRATIVE PROCEDURE.—Subsection (b) of section 612 of title 5, United States Code, is amended by inserting "chapter 5, and chapter 7," after "this chapter,".

SEC. 310. ESTABLISHMENT AND APPROVAL OF SMALL BUSINESS CONCERN SIZE STANDARDS BY CHIEF COUNSEL FOR ADVOCACY.

(a) IN GENERAL.—Subparagraph (A) of section 3(a)(2) of the Small Business Act (15 U.S.C. 632(a)(2)(A)) is amended to read as follows:

"(A) IN GENERAL.—In addition to the criteria specified in paragraph (1)—

"(i) the Administrator may specify detailed definitions or standards by which a business concern may be determined to be a small business concern for purposes of this Act or the Small Business Investment Act of 1958; and

"(ii) the Chief Counsel for Advocacy may specify such definitions or standards for purposes of any other Act."

(b) APPROVAL BY CHIEF COUNSEL.—Clause (iii) of section 3(a)(2)(C) of the Small Business Act (15 U.S.C. 632(a)(2)(C)(iii)) is amended to read as follows:

"(iii) except in the case of a size standard prescribed by the Administrator, is approved by the Chief Counsel for Advocacy."

(c) INDUSTRY VARIATION.—Paragraph (3) of section 3(a) of the Small Business Act (15 U.S.C. 632(a)(3)) is amended—

(1) by inserting "or Chief Counsel for Advocacy, as appropriate" before "shall ensure"; and

(2) by inserting "or Chief Counsel for Advocacy" before the period at the end.

(d) JUDICIAL REVIEW OF SIZE STANDARDS APPROVED BY CHIEF COUNSEL.—Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following new paragraph:

"(9) JUDICIAL REVIEW OF STANDARDS APPROVED BY CHIEF COUNSEL.—In the case of an action for judicial review of a rule which includes a definition or standard approved by the Chief Counsel for Advocacy under this subsection, the party seeking such review shall be entitled to join the Chief Counsel as a party in such action."

SEC. 311. CLERICAL AMENDMENTS.

(a) DEFINITIONS.—Section 601 of title 5, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking the semicolon at the end and inserting a period; and

(B) by striking "(1) the term" and inserting the following:

"(1) AGENCY.—The term";

(2) in paragraph (3)—

(A) by striking the semicolon at the end and inserting a period; and

(B) by striking "(3) the term" and inserting the following:

"(3) SMALL BUSINESS.—The term";

(3) in paragraph (5)—

(A) by striking the semicolon at the end and inserting a period; and

(B) by striking "(5) the term" and inserting the following:

"(5) SMALL GOVERNMENTAL JURISDICTION.—The term"; and

(4) in paragraph (6)—

(A) by striking "; and" and inserting a period; and

(B) by striking "(6) the term" and inserting the following:

"(6) SMALL ENTITY.—The term".

(b) INCORPORATIONS BY REFERENCE AND CERTIFICATIONS.—The heading of section 605 of title 5, United States Code, is amended to read as follows:

"§ 605. Incorporations by reference and certifications".

(c) TABLE OF SECTIONS.—The table of sections for chapter 6 of title 5, United States Code, is amended—

(1) by striking the item relating to section 605 and inserting the following new item:

"605. Incorporations by reference and certifications.";

(2) by striking the item relating to section 607 and inserting the following new item:

"607. Quantification requirements.";

and

(3) by striking the item relating to section 608 and inserting the following:

"608. Additional powers of Chief Counsel for Advocacy."

(d) OTHER CLERICAL ADENDMENTS TO CHAPTER 6.—Chapter 6 of title 5, United States Code, is amended as follows:

(1) In section 603, by striking subsection (d).

(2) In section 604(a) by striking the second paragraph (6).

SEC. 312. AGENCY PREPARATION OF GUIDES.

Section 212(a)(5) of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note) is amended to read as follows:

"(5) AGENCY PREPARATION OF GUIDES.—The agency shall, in its sole discretion, taking into account the subject matter of the rule and the language of relevant statutes, ensure that the guide is written using sufficiently plain language likely to be understood by affected small entities. Agencies may prepare separate guides covering groups or classes of similarly affected small entities and may cooperate with associations of small entities to distribute such guides. In developing guides, agencies shall solicit input from affected small entities or associations of affected small entities. An agency may prepare guides and apply this section with respect to a rule or a group of related rules."

SEC. 313. COMPTROLLER GENERAL REPORT.

Not later than 90 days after the date of enactment of this title, the Comptroller General of the United States shall complete and publish a study that examines whether the Chief Counsel for Advocacy of the Small Business Administration has the capacity and resources to carry out the duties of the Chief Counsel under this title and the amendments made by this title.

TITLE IV—SUNSHINE FOR REGULATORY DECREES AND SETTLEMENTS ACT

SEC. 401. SHORT TITLE.

This title may be cited as the "Sunshine for Regulatory Decrees and Settlements Act of 2014".

SEC. 402. DEFINITIONS.

In this title—

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

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

(A) seeking to compel agency action;

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

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

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

(C) brought under—

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

(ii) any other statute authorizing such an action;

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

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

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

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

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

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

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

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

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

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

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

SEC. 403. CONSENT DECREE AND SETTLEMENT REFORM.

(a) PLEADINGS AND PRELIMINARY MATTERS.—

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

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

(b) INTERVENTION.—

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

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

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

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

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

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

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

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

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

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

(B) a statement providing—

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

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

(2) *PUBLIC COMMENT.*—

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

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

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

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

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

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

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

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

(3) *PUBLIC HEARINGS PERMITTED.*—

(A) *IN GENERAL.*—After providing notice in the Federal Register and online, an agency may

hold a public hearing regarding whether to enter into a proposed covered consent decree or settlement agreement.

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

(i) the agency shall—

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

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

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

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

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

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

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

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

(e) *SUBMISSION BY THE GOVERNMENT.*—

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

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

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

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

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

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

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

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

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

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

(ii) that—

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

(II) commits the agency to expend funds that have not been appropriated and that have not

been budgeted for the regulatory action in question; or

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

(f) *REVIEW BY COURT.*—

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

(2) *REVIEW OF DEADLINES.*—

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

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

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

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

(2) a description of the statutory basis for—

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

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

SEC. 404. MOTIONS TO MODIFY CONSENT DECREES.

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

SEC. 405. EFFECTIVE DATE.

This title shall apply to—

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

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

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those

printed in House Report 113-361. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. JOHNSON OF GEORGIA

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113-361.

Mr. JOHNSON of Georgia. As the designee of Mr. CARTWRIGHT, I am offering amendment No. 1.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, after line 4, the table of sections is amended to read as follows:

“Sec.

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

“652. Office of Information and Regulatory Affairs Publications.

“653. Definitions.”

Page 8, strike line 21, and all that follows through page 9, line 15.

Page 9, line 16, strike “654” and insert “653”.

Page 11, strike lines 3 through 7.

The CHAIR. Pursuant to House Resolution 487, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Madam Chair, this amendment simply strikes the moratorium provisions in title I of the bill. Madam Chair, a regulatory moratorium makes absolutely no sense. Cass Sunstein, the former head of the Office of Information and Regulatory Affairs, has observed:

A moratorium would not be a scalpel or a machete; it would be more like a nuclear bomb, in the sense that it would prevent regulations that cost very little and have very significant economic and public health benefits.

□ 1800

This is yet another iteration of an attempt by the majority to obstruct at all costs and stop all regulations. In the last Congress, we considered H.R. 4078, which would have imposed a moratorium for “any quarter” where the Bureau of Labor Statistics average of monthly unemployment rates is equal to or less than 6 percent. Although the Republican-controlled House passed the bill, it of course died in the Senate.

A moratorium threatens key health and safety regulations. During the 104th Congress, the House passed the Regulatory Transition Act of 1995, a bill that imposed a regulatory moratorium pending the institution of a risk analysis and assessment regime. The Committee on Oversight and Government Reform Democrats, in their dissent to the reported bill, observed that

the legislation was “ill-conceived” and that it had “unknown consequences.” In particular, they noted:

The bill ignores the interests of the average American. There is no effort in this bill to sort out the good from the bad. It is a one-size-fits-all solution. The bill will threaten key health and safety regulations, such as improved meat and poultry inspection procedures, while also halting regulations favored by business, such as rules at the FCC to allocate portions of the spectrum for new telephone systems.

Accordingly, I urge my colleagues to support this amendment that would strike the bill’s pernicious moratorium provision.

I reserve the balance of my time.

Mr. GOODLATTE. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR (Ms. ROSLEHTINEN). The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Madam Chair, as Federal regulatory agencies attempt to pile more and more regulatory burdens on America’s struggling workers, families and small businesses, the least we can ask is that they be transparent about it. What could be more transparent than requiring them, the regulators, on a monthly basis, online, to update the public with real-time information about what new regulations are coming and how much they will cost?

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

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

The amendment seeks to eliminate that incentive. Without an incentive like that in existing law, what have we seen from the Obama administration? Repeated failures to make disclosures required by statute and executive order, including the administration’s yearlong hiding of the ball on new regulations during the 2012 election cycle. I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Madam Chair, the majority is pursuing this legislation in complete disregard of various recent examples of regulatory failure. These include the Massey coal mine explosion in West Virginia which took the lives of 29 miners. In fact, next month will mark the 1-year anniversary of that explosion. The explosion of BP’s Deepwater Horizon oil rig in the Gulf of Mexico that stemmed from lax regulation of oil drilling platforms is also a prominent example. The home foreclosure crisis, the 2008 financial crisis, and the ensuing Great Recession, all of which stemmed from the

fact that regulators under the Bush administration lacked the direction, resources, and authority to confront the highly reckless behavior of the private sector, and particularly the lending and financial service industries.

It was a direct response to these regulatory failures in the financial realm that Congress passed the Dodd-Frank Act and other measures during the 111th Congress, and Republicans have tried to repeal those measures and have tried to repeal the Affordable Care Act.

Of the 58 bills that were passed out of this so-called do-nothing Congress in the first year of this session, not one of them was a jobs bill; not one job created. Do we set ourselves up again for the kind of regulatory Wild Wild West that got us into trouble in the first place?

I reserve the balance of my time.

Mr. GOODLATTE. Madam Chair, I yield 1 minute to the gentleman from Alabama (Mr. BACHUS), the chairman of the subcommittee.

Mr. BACHUS. Madam Chair, let me say this: the gentleman from Georgia has talked about these regulations all being necessary, but the President himself on the campaign trail said we need to repeal unnecessary Federal regulations. He stood right here in the House when he gave two State of the Unions and said we need to eliminate some of our Federal regulations, and he charged the Congress to do that. It has been part of his agenda. It has been part of what he has campaigned on and what he has brought to the Congress as his State of the Union message, and that is exactly what this bill does.

He said regulations aren’t abstract ideas. They cost money. In certain cases, the benefit is simply not there. We are not talking about endangering public health. We are talking about regulations that endanger jobs unnecessarily.

Mr. JOHNSON of Georgia. Madam Chair, I think everyone can agree that the Federal agencies need the resources to be able to go back and review and rescind and repeal any unnecessary regulations, but we have been busy cutting government for the last 3 years. This legislation before us won’t cut any regulations, but it certainly will keep any regulations from coming forward. I think that would accomplish the objective of the Republicans here, which is to protect Big Business.

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

Mr. GOODLATTE. Madam Chair, I yield myself the balance of my time, and just say that the fact of the matter is that the provision in the bill that this amendment attacks is a very straightforward provision that just provides for transparency. It doesn’t stop any of the regulations the gentleman from Georgia referenced; it simply says if you do the regulations, tell us about them ahead of time so as you move toward the final implementation, the last 6 months before it goes

into effect, the public gets to see it, the media gets to see it, the businesses that are impacted get to see it, the workers who may lose their jobs get to see it. That allows them to prepare for it, and it allows them to comment. It allows them to try to change the law. It is simply a fair way to enter into regulations. It is a commonsense provision that should be kept in the bill, and the amendment should be defeated.

I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT NO. 2 OFFERED BY MR. MURPHY OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113-361.

Mr. MURPHY of Florida. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In the bill, strike title II and title IV, and redesignate provisions and conform the table of contents accordingly.

The Acting CHAIR. Pursuant to House Resolution 487, the gentleman from Florida (Mr. MURPHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MURPHY of Florida. Madam Chair, as a former small businessman, I am acutely aware of the strain unnecessary regulations have on businesses. While I strongly support the underlying bill's goal of reducing the regulatory burden on American companies, truly smart regulatory reform would preserve government's ability to enforce clean air laws, food safety, and consumer protections. It would not pile on duplicative procedural hurdles on already inefficient agencies, gumming up government bureaucracy and obstructing agencies' most basic functions.

Too often, the debate up here is about more regulations versus fewer regulations, but we should be focused on smarter regulations.

We should all be able to agree that government has a role to play in clean water for Americans, an issue the people in the Treasure Coast are all too familiar with.

We should all be able to agree that when a consumer walks through the door of a bank looking for a mortgage, that government has a role to play in protecting that consumer, but these regulations should help the public without unnecessarily hindering business, our Nation's economic engine. We must both protect Americans and enable commerce. The business community is not against all regulation, they are against excessively burdensome regulation.

In my district, business owners believe that protecting the environment

and clean water standards is not antigrwth. In fact, it is pro-jobs.

When I recently toured the family-run Armellini trucking company in my district, the Armellinis were not against truck safety standards. They do the right thing by their workers, and they abide by safe driving rules. They want regulations to ensure that others do the same. What they are against are new truck safety standards that hinder growth without actually making trucking any safer.

Smarter regulations should protect good businesses from bad actors.

I will give another example. Denny Hudson runs Seacoast Bank, a small community bank in Stuart, Florida. Like many small financial institutions, Seacoast weathered the financial crisis because they were not involved in risky financial behavior. They expected mortgages to be repaid on time, and they wanted the small businesses they supported to succeed.

After the financial crisis of 2008 nearly took down the global economy, most people agreed that government regulators needed to better protect our financial system, but if new regulations keep community banks like Seacoast from getting creditworthy young families into their first home, or providing capital to new small businesses, that is a problem.

My amendment is simple. While recognizing the goal of the underlying legislation to improve the regulatory process, my amendment maintains the government's responsibility to protect the environment, consumer health, and workplace safety. I propose removing costly hurdles that would make government less efficient, while protecting the right of the American people to hold their government accountable when it fails to protect their health, safety, and civil rights.

My colleagues across the aisle frequently complain about too much bureaucracy. We should not compound the problem by creating duplicative government processes. Let's examine the effectiveness of regulations already in place.

Senator KING introduced a bipartisan bill that would do exactly that. It would establish a process to identify and either strike or improve outdated and obsolete regulations. We should be doing the same thing in this body. At a time when we should be doing more with less, can we really afford to increase spending with more government bureaucracy?

I urge my colleagues to support this commonsense amendment to improve the underlying bill, save the partisan fight over controversial sections for another day, streamline the regulatory process, and save 70 million taxpayer dollars. I thank my colleagues.

I yield back the balance of my time.

Mr. GOODLATTE. Madam Chair, I rise in opposition to the amendment.

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

Mr. GOODLATTE. America's small businesses, workers, and families are being crushed by an annual regulatory burden that in 2012 amounted to \$15,000 per household. That is an expense bigger than any family expense except for housing, and the number of new costly regulations just keeps growing and growing.

□ 1815

In response, titles II and IV of the bill, which this amendment seeks to strike, those two titles write into statute best practices into rulemaking that help to lower costs, avoid unnecessary regulation, and keep pro-regulatory special interests from abusing the courts to force new costly regulations upon the public.

They do all of this without denying the ability of agencies to issue new regulations that are sensible to fulfill statutory mandates.

Why is this so important that the bill do that? Because although these are best practices, they are too often honored in the breach or not at all because they are not yet written into statute.

The amendment substantially guts the bill; denies important protections to American workers, families, and job creators; and unjustifiably prolongs the time during which regulatory agencies can operate without adequate checks and balances.

I urge my colleagues to oppose the amendment, and I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT NO. 3 OFFERED BY MR. ROTHFUS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113-361.

Mr. ROTHFUS. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after line 19, insert the following (and redesignate accordingly):

“(17) ‘negative-impact on jobs and wages rule’ means any rule that the agency that made the rule or the Administrator of the Office of Information and Regulatory Affairs determines is likely to—

“(A) in one or more sectors of the economy that has a 6-digit code under the North American Industry Classification System, reduce employment not related to new regulatory compliance by 1 percent or more annually during the 1-year, 5-year, or 10-year period after implementation;

“(B) in one or more sectors of the economy that has a 6-digit code under the North American Industry Classification System, reduce average weekly wages for employment not related to new regulatory compliance by 1 percent or more annually during the 1-year, 5-year, or 10-year period after implementation;

“(C) in any industry area (as such term is defined in the Current Population Survey conducted by the Bureau of Labor Statistics) in which the most recent annual unemployment rate for the industry area is greater than 5 percent, as determined by the Bureau

of Labor Statistics in the Current Population Survey, reduce employment not related to new regulatory compliance during the first year after implementation; or

“(D) in any industry area in which the Bureau of Labor Statistics projects in the Occupational Employment Statistics program that the employment level will decrease by 1 percent or more, further reduce employment not related to new regulatory compliance during the first year after implementation;”.

Page 16, line 16, insert after “domestic jobs,” the following: “wages;”.

Page 16, line 25, insert after “HIGH-IMPACT RULES” the following: “NEGATIVE-IMPACT ON JOBS AND WAGES RULES.”.

Page 17, line 2, strike “a major rule or high-impact rule” and insert the following: “a major rule, a high-impact rule, a negative-impact on jobs and wages rule.”.

Page 29, line 13, strike “and”.

Page 29, line 14, strike “major rule or high-impact rule,” and insert the following: “major rule, high-impact rule, or negative-impact on jobs and wages rule.”.

Page 30, line 2, strike the period at the end and insert “; and”.

Page 30, after line 2, insert the following:

“(H) for any negative-impact on jobs and wages rule, a statement that the head of the agency that made the rule approved the rule knowing about the findings and determination of the agency or the Administrator of the Office of Information and Regulatory Affairs that qualified the rule as a negative impact on jobs and wages rule.”.

The Acting CHAIR. Pursuant to House Resolution 487, the gentleman from Pennsylvania (Mr. ROTHFUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. ROTHFUS. Madam Chairman, Americans face a regulatory burden with staggering costs to our economy and with substantial impacts on family budgets.

A recent paper by the Competitive Enterprise Institute estimates that the cost of Federal regulations to the economy exceeds \$1.8 trillion. The American Action Forum predicts that \$143 billion in new regulations may be finalized this year.

These figures are very troubling. That is why the bill we are considering is so important. H.R. 2804 reforms the regulatory process and will help promote the economic growth we so desperately need to get our economy booming again and add jobs.

The amendment that I offer today with my friend, Mr. BARR, is simple and one that I hope my colleagues on both sides of the aisle will support.

If a regulation decreases employment or wages by 1 percent or more in an industry, it will be subject to heightened review and additional transparency requirements.

The amendment also requires agency heads to certify that they knowingly approved a rule that will result in lost jobs or reduced wages.

The principle is simple: If Federal bureaucrats are going to implement rules that take wages or jobs from Americans, they should take responsibility for their decisions.

It is important that Washington bureaucrats think through the impacts,

the costs, and the burdens that red tape imposes on American families and communities. Bureaucratic elites are regulating solid, good-paying jobs right out of existence.

At a time when wages are stagnant for many American workers and when we so desperately need to grow the economy and add jobs, this is unbelievable.

On February 7, with my hardhat secured and my headlamp on, I had the privilege of traveling underground to learn more about the work and operations of the Madison mine in Nanty Glo, Pennsylvania. Miners like these work hard every day to power our electric grid and to supply our steel mills.

But their way of life is being purposefully regulated out of existence. Dan, the mine electrician, recently asked me what is going to be done to curb the President's war on coal. He wrote: As a mine electrician in your district, my men are asking me questions like: Is this ever going to end, or are we all going to be looking for new jobs?

My friends, this problem extends well beyond the coalfields of Pennsylvania or Kentucky. Regulations cost each household almost \$14,700. That is almost 30 percent of an average Pennsylvania family's annual income.

Complying with this mountain of paperwork will also cost families and businesses almost 10.4 billion hours this year. Who thinks that this is the most productive use of their time?

Madam Chairman, the American people cannot afford more lost jobs and further reduced wages. Every lost job means one less person helping with the taxes needed to support Social Security, Medicare, and other critical programs for veterans, health care, education, and national defense.

I urge my colleagues to support the Rothfus-Barr amendment and the underlying bill.

Madam Chairman, I yield 1 minute to the gentleman from Kentucky (Mr. BARR), my friend.

Mr. BARR. Madam Chairman, I thank the gentleman and my friend from Pennsylvania for yielding. I appreciate the hard work that both he and his staff have put into this important amendment, which I had the pleasure to join him in introducing.

As I indicated earlier in the debate on the underlying legislation, in Kentucky, the overregulation of the Kentucky coal industry has really taken a toll. Under President Obama, Appalachian Kentucky has lost about 7,000 jobs in just 5 years, putting coal industry employment in the Commonwealth to its lowest level since records were first kept in 1927.

This amendment would strengthen the underlying regulatory reform legislation by holding accountable those agencies that go after already suffering workers like Kentucky and Pennsylvania coal miners.

Mr. JOHNSON of Georgia. Madam Chairman, I rise in opposition to the Rothfus amendment.

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

Mr. JOHNSON of Georgia. Madam Chairman, this amendment would add an additional level of analysis in the regulatory process that examines whether or not regulations have a negative impact on jobs and wages.

Adding this additional requirement that is highly speculative and analytical would further slow down the rule-making process, adding more red tape.

I invite the gentleman to support my amendment, amendment No. 9, which we will get to shortly, that would exclude from the bill any rule, consent decree, or settlement agreement that would result in net job creation or have greater benefits than costs.

I would also hope that my friends on both sides of the aisle would have a desire to improve the economy and take actions to foster job growth, instead of adding more red tape to the regulatory process.

To the extent that regulations have anything to do with jobs, H.R. 2804's proponents should overwhelmingly support my amendment No. 9, which exempts from the bill all rules that OMB determines would result in net job creation.

With respect to regulations stifling job creation, the evidence, Madam Chairman, is to the contrary. If anything, regulations can promote job growth and put Americans back to work.

For instance, the BlueGreen Alliance notes:

Studies on the direct impact of regulations on job growth have found that most regulations result in modest job growth or have no effect, and economic growth has consistently surged forward in concert with these health and safety protections. The Clean Air Act is a shining example, given that the economy has grown 204 percent and private sector job creation has expanded 86 percent since its passage in 1970.

In reference to the Clean Air Act, the Office of Management and Budget observed that 40 years of success with this measure have demonstrated that strong environmental protections and strong economic growth go hand-in-hand.

Regulations create valuable jobs and research across industries. For example, a pending regulation limiting the amount of airborne mercury will not just reduce the amount of seriously toxic pollutants, but create as many as 45,000 temporary jobs and possibly 8,000 permanent jobs, as The New York Times noted last month.

Heightened vehicle emissions standards have spurred clean vehicle research, development, and production efforts that in turn have already generated more than 150,000 jobs at 504 facilities in 43 States across the United States of America.

The majority's own witness clearly debunked the myth that regulations stymie job creation during his testimony at a Judiciary Committee hearing held in the last Congress on an antiregulatory bill.

Christopher DeMuth, with the American Enterprise Institute, a conservative think tank, stated in his prepared testimony:

The “focus on jobs . . . can lead to confusion in regulatory debates” and that the employment effects of regulation, while important, “are indeterminant.”

The claim by the bill’s proponents, namely, that regulatory uncertainty creates a disincentive for businesses to add jobs, was rejected by Bruce Bartlett, a senior policy analyst in the Reagan and George H. W. Bush administrations.

He observed:

Regulatory uncertainty is a canard invented by Republicans that allows them to use current economic problems to pursue an agenda supported by the business community, year in and year out. In other words, it is a simple case of political opportunism, not a serious effort to deal with high employment.

That was Bruce Bartlett.

Leading scholars, such as Wake Forest Law Professor Sidney Shapiro has testified:

All of the available evidence contradicts the claim that regulatory uncertainty is deterring business development and investment.

Scant demand, not regulations, drives hiring choices.

In sum, there is no credible evidence that regulations depress job creation.

I yield back the balance of my time. Mr. ROTHFUS. Madam Chairman, may I inquire as to how much time is remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 1 minute remaining.

Mr. ROTHFUS. Madam Chairman, I yield 30 seconds to the gentleman from Virginia (Mr. GOODLATTE), the chairman.

Mr. GOODLATTE. Madam Chairman, I thank the gentleman from Pennsylvania for yielding.

I strongly support the amendment that he and the gentleman from Kentucky (Mr. BARR) have offered. I urge my colleagues to support it as well, which protects America’s workers.

I support the amendment.

Those who suffer the most from over-reaching regulations are workers who lose their jobs or see their wages cut on account of regulations that cost too much. Displaced workers suffer lower earnings once they find new work. That earnings gap persists over the long-term. Blue collar workers are the hardest hit.

Those who take too long to find new work are more likely to leave the labor force and retire. These workers, their families, and this country cannot afford to lose good work, good workers and good wages to needless regulatory excess. This amendment makes sure that agencies better analyze the potential impacts of new regulations on jobs and wages. And it makes sure that agencies come clean with the American people when they impose new regulations that they know will impose real adverse impacts on jobs and wages.

It will protect America’s workers and families—and give voters the information they need to hold agencies and their enablers ac-

countable when agencies recklessly destroy jobs and wages.

I urge my colleagues to support the amendment.

Mr. ROTHFUS. Madam Chair, I urge my colleagues to pass this amendment. It is a good amendment. It will shine a light on the process of the regulatory elites here in Washington, D.C., and the impact it is having on our jobs and on our wages.

I yield back the balance of my time.

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

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

Mr. ROTHFUS. Madam Chairman, I demand a recorded vote.

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

AMENDMENT NO. 4 OFFERED BY MR. BRADY OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113-361.

Mr. BRADY of Texas. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, line 23, strike “; and” and insert the following: “;”.

Page 18, line 4, insert “and” after “rule;”;

Page 18, insert after line 4 the following: “(E) an achievable objective for the rule and metrics by which the agency will measure progress toward that objective;”.

Page 19, line 20, strike “and”.

Page 19, line 22, insert “and” after “state;”.

Page 19, insert after line 22 the following: “(iii) an achievable objective for the rule and metrics by which the agency will measure progress toward that objective;”.

Page 29, line 13, strike “and”.

Page 29, insert after line 13 the following:

“(G) the agency’s reasoned final determination that the rule meets the objectives that the agency identified in subsection (d)(1)(E)(iii) or that other objectives are more appropriate in light of the full administrative record and the rule meets those objectives;”

“(H) the agency’s reasoned final determination that it did not deviate from the metrics the agency included in subsection (d)(1)(E)(iii) or that other metrics are more appropriate in light of the full administrative record and the agency did not deviate from those metrics; and”.

Page 29, line 14, strike “(G)(i) for any major rule” and insert the following: “(D)(i) for any major rule”.

The Acting CHAIR. Pursuant to House Resolution 487, the gentleman from Texas (Mr. BRADY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BRADY of Texas. Madam Chairman, we are going through a very disappointing economic recovery. Millions of people can’t find full-time work; millions more have given up looking

for work; and our local businesses are just drowning in red tape.

They often ask: Doesn’t anyone in Washington consider the impact on our local businesses and the economy from all this new red tape before they put it in place? Well, sadly not often enough.

In 2012, the Federal Government imposed 3,708 new Federal rules. Guess how many of them had a cost benefit analysis? Simply ask the question: How does this affect the economy? The answer is 14—14 out of more than 3,000.

I applaud Chairman GOODLATTE’s commitment to reforming the way this government conducts red tape. I have an amendment that complements his efforts, one drawn from my own Sound Regulation Act, which I think is helpful as we move this reform through.

The point here is this: When a Federal agency sets out to adopt new rules and red tape, the agency has a responsibility to state clearly the achievable objective of those rules or regulations. After all, our citizens have the right to know what their Federal Government intends to accomplish with this red tape.

□ 1830

The agency also has the responsibility to tell the American people up front what metrics it is going to use to measure the progress toward that objective. No more manipulative statistics. No more fuzzy math. When the agency publishes the final rule, it has the responsibility to certify to the American people that the rule actually meets the objective the agency originally identified. It is just common sense.

My amendment says to regulators: Tell us your objective. Tell us how you are going to meet it and measure it. Then tell us you actually did what you promised.

It is common sense, and it may just help put this painful recovery behind us.

Madam Chairman, I yield to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the committee.

Mr. GOODLATTE. I thank the gentleman from Texas for yielding, and I strongly support his amendment.

Madam Chairman, one of the simplest, most effective, and most commonsense measures we can take to make sure agencies issue smarter regulations is to require them to do just what this amendment requires: identify achievable objectives for new regulations when they propose them; identify metrics by which they will measure whether those objectives are achieved; and at the end of their rulemakings, live by their own, stated objectives and whether the metrics say the proposed regulations can achieve them.

That is plain, simple, commonsense decisionmaking that American families and businesses live by every day. It is high time that Federal agencies be required to live by these standards, too.

I urge my colleagues to support the gentleman from Texas' amendment.

Mr. BRADY of Texas. Madam Chair, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Madam Chair, I rise in opposition to the amendment.

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

Mr. JOHNSON of Georgia. Madam Chair, this amendment reminds me of how things used to be when I was a young parent and I had my children at home. When it came time for my favorite TV program, I would tell them to go upstairs and clean up their room again.

They would say, Daddy, we already cleaned up the room, and I would say, Go clean it up again.

Then when they would scamper upstairs, I would put the TV on and watch my program in peace. So it gave them some busy work.

That is pretty much what this amendment does. It creates an additional requirement in the rulemaking process for an agency to articulate achievable objectives and metrics indicating progress toward those objectives.

This amendment piles on the bill's numerous mandatory new rulemaking requirements, and it implies that agencies issue rules that lack an achievable objective, notwithstanding the fact that regulations already go through an extensive public notice and comment period as well as being subjected to judicial review.

The bill would impose unneeded and costly analytical and procedural requirements on agencies that would prevent them from performing their statutory responsibilities. It would also create needless regulatory and legal uncertainty, increase costs for businesses and State, local, and tribal governments, and it would impede common-sense protections for the American public.

That is why, Madam Chair, there are more than 150 consumer groups, environmental organizations, labor unions, and other entities that are strenuously opposed to this bill. These organizations include the AFL-CIO, the Alliance for Justice, the American Federation of State, County and Municipal Employees, the American Lung Association, the Consumer Federation of America, the Consumers Union, the International Brotherhood of Teamsters, the UAW, the League of Conservation Voters, the National Women's Law Center, the National Resources Defense Council, People For the American Way, Public Citizen, the Sierra Club, the Service Employees International Union, the Union of Concerned Scientists, and the United Steelworkers, just to name a few.

Likewise, the administration has issued a strongly worded veto threat against this bill. It warns that the bill would impose unneeded and costly analytical and procedural requirements on agencies that would prevent them from performing their statutory duties.

For those reasons, I strongly urge my colleagues to oppose this amendment.

Madam Chair, I yield back the balance of my time.

Mr. BRADY of Texas. Madam Chair, very briefly, my friend from Georgia is a good man. I am surprised there aren't regulations about when you can send your kids up to clean their rooms again.

Look, this is just saying to Washington: tell us what your goal is—how you are going to measure it and if you achieve it—before you put this red tape on our local businesses. It is common sense and, frankly, long overdue. I urge strong support for this amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. RIGELL

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 113-361.

Mr. RIGELL. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 53, line 24, strike "and".

Page 54, line 3, after "entitites" the following: "; and".

Page 54, line 3, insert before the first period the following:

"(8) describing any impairment of the ability of small entities to have access to credit".

The Acting CHAIR. Pursuant to House Resolution 487, the gentleman from Virginia (Mr. RIGELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. RIGELL. I would like to thank my fellow Virginian, Chairman GOODLATTE, for his leadership on the underlying bill. I also want to thank Mr. GRAVES, the chairman of the House Committee on Small Business, for working with me and my staff on advancing my amendment.

Madam Chairman, I think my amendment is noteworthy first for its brevity, as it is only 14 words long in total, yet it packs a powerful and much-needed punch because it addresses a central issue to job creation, which is a shared value and a shared objective in this House: increasing access to credit and, in some cases, not prohibiting access to credit.

This is not a theoretical issue for me. I have been a businessman for 30 years and an entrepreneur for about 23 years, and I know the great joy of looking into an applicant and fellow American's eyes and saying these incredible words: "You're hired." Those are life-changing words.

One of the reasons that I could say those words to those who applied at our company was that a local lender, a small local bank, was able to lend me

the money I needed to start my business and to grow my business. Yet those very same small lenders—those small banks in Virginia's Second Congressional District—are reeling. They are reeling from waves of new regulations, nearly all of which are overly burdensome and so many of which are not needed at all. They should never have been written. The result is that some banks are hiring, but they are not hiring loan officers; they are hiring compliance officers.

From my own experience, Madam Chairman, and from my own deliberate and intentional listening to the small businesses and lenders of Virginia's Second Congressional District, I have come to a conclusion which is clear, which is irrefutable in my mind, and which is deeply troubling. That is that the actions of this body collectively and of the administration have made it more difficult—not easier but more difficult—for small businesses to get the credit they need to grow their businesses and to hire more people.

This cannot be reconciled with the words that President Obama shared in this very Chamber in his State of the Union speech in 2012. It was a statement that should have been the basis for common ground. He noted correctly that most new jobs and businesses, like my own, were created in startups and small businesses.

He said this:

Let's pass an agenda that helps small businesses succeed. Tear down regulations that prevent aspiring entrepreneurs from getting the financing to grow.

H.R. 2804 does just that. It is a significant and meaningful step forward in that area.

That is why I have come to the House floor this evening. What a privilege it is to be here, to be a strong voice for the hardworking men and women across this country who are laboring under an increasing level of burden from the Federal Government—one that should get out of the way, yet it continues to put roadblock after roadblock after roadblock in the way of hardworking Americans who are trying to create jobs. They have mortgages on their homes. They have signed these loans personally. I understand the burden and the challenges that are faced by small business owners. One reason I sought this office was to be as strong a voice as I could be for those who, if you unleash them, are the most powerful job-creating engine the world has ever known—small business owners in America.

That is what H.R. 2804 does, and I think my amendment strengthens that. I appreciate the opportunity to speak in favor of this, and I ask my colleagues for their careful consideration of my amendment because I think, in doing so, they will vote in the affirmative. I urge my colleagues to vote in favor of H.R. 2804 and for my amendment.

Madam Chairman, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Madam Chair, I rise in opposition to this amendment.

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

Mr. JOHNSON of Georgia. Madam Chair, this amendment harkens me back to the time when my kids were young and when I was trying to make sure that they would not jump into something where one of their schoolmates might be being bullied, and then they would jump in on the part of the bully or would just participate in the antagonism against the victim, and I told them not to pile on.

This amendment is a classic case of piling on. It would add an eighth requirement for the initial regulatory flexibility analysis specified by the bill. The agency would have to provide a detailed statement describing any impairment of the ability of small entities to have access to credit. The bill already requires agencies to consider all indirect costs, which would include this issue. This amendment would allow yet another ground for a regulated entity to challenge a rulemaking.

Title III does nothing to help small businesses and other small entities reduce compliance costs or to ensure agency compliance with the RFA. Instead, this amendment would impose another unnecessary burden on agencies. This is just another piling on of the already burdensome new rulemaking requirements.

This amendment as well as the bill ignore the fact that the small businesses, like their larger counterparts, can substantially impact the health and safety of their workers as well as that of the general public. Small businesses, like all businesses, provide services and goods that affect our lives and carry the same risks of harm as the services and goods that large businesses provide. It makes no difference to someone who is breathing dirty air or drinking poisoned water whether the hazards come from a small or a large business.

Speaking of business, the American Sustainable Business Council is a growing national coalition of businesses and business organizations committed to advancing policies that support a vibrant and sustainable economy. The American Sustainable Business Council, through its partner organizations, represents over 200,000 businesses and more than 325,000 business professionals, including industry associations, local and State Chambers of Commerce, micro enterprises, social enterprises, green and sustainable businesses, local livable economy groups, women and minority business leaders, and investors and investor networks.

While some inside the beltway claim that regulations are holding back our economic recovery, the American Sustainable Business Council has a different view. It, along with other small business organizations, released a February 2012 poll of small business owners which found that small businesses

don't see regulations as a major concern. Its polling confirmed that small business owners value regulations if they are well-constructed and fairly enforced.

□ 1845

They found that small business owners believe certain governmental regulations play an important role: 86 percent of them believe some regulation is necessary for a modern economy; 93 percent of respondents believe their business can live with some regulation if it is fair and manageable; 78 percent of small employers agree regulations are important in protecting small businesses from unfair competition and to help level the playing field with big businesses; 79 percent of small business owners support having clean air and water in the community in order to keep their family, employees, and customers healthy.

Madam Chair, I include the letter from the American Sustainable Business Council in the RECORD, and I yield back the balance of my time.

AMERICAN SUSTAINABLE
BUSINESS COUNCIL,

Washington, DC, February 25, 2014.

DEAR REPRESENTATIVE: I write you today to urge you to oppose the mini-omnibus bill of four flawed regulatory proposals (packaged into H.R. 2804 and H.R. 899, the Unfunded Mandates Transparency and Information Act. Votes on these bills are expected this week. These bills hurt small and medium sized businesses by halting the regulatory process that levels the playing field for these businesses to compete, creates incentives for innovation and protects our customers and employees.

The package of Anti-Regulatory policies these bills represent constitutes a shift away from forty years of regulatory precedent that protects the public against a range of market imperfections. These policies will also lead to a more chaotic and less competitive market. And finally, the bills will have the unintended consequence of shifting the burden of proof for environmental, health and safety issues back to taxpayers and away from powerful corporate interests. Eroding the operational capacity of regulatory agencies to do their job, as these bills appear designed to do, will not foster productive growth among small and mid-sized firms. Instead these actions will allow the largest firms to further dominate the marketplace.

Also if enacted, this package of bills would open the door for more problems like the financial and mortgage crisis of 2008. This would, in our view, would further damage our economy, stifle consumer demand and put small companies out of business.

The American Sustainable Business Council (ASBC) is a growing national coalition of businesses and business organizations committed to advancing policies that support a vibrant and sustainable economy. ASBC, through its partner organizations, represents over 200,000 businesses and more than 325,000 business professionals, including industry associations, local and state chambers of commerce, micro-enterprise, social enterprise, green and sustainable business, local living economy groups, woman and minority business leaders, and investor networks.

While some inside the Beltway claim that regulations are holding back our economic recovery, ASBC has a different view. ASBC, along with other small business organiza-

tions, released in February 2012 a poll of small business owners which found that small businesses don't see regulations as a major concern.

Our polling confirmed that small business owners value regulations if they are well-constructed and fairly enforced:

Small business owners believe certain government regulations play an important role

86% believe some regulation is necessary for a modern economy and 93% of respondents believe their business can live with some regulation if it is fair and manageable.

78% of small employers agree regulations are important in protecting small businesses from i unfair competition and to level the playing field with big business.

79% of small business owners support having clean air and water in their community in order to keep their family, employees and customers healthy.

61% support standards that move the country towards energy efficiency and clean energy.

Supporting the ASBC 2012 poll is a Wells Fargo/Gallup poll of small businesses conducted this past October, which found that only seven percent mentioned regulations as being an important challenge.

Given the important role regulations play yet there still may be a small percentage of businesses having difficulty with them, the answer is not H.R. 2804 and H.R. 899. Instead we believe the solution lies in expanding the capacity of the regulatory agencies to provide assistance to small businesses in compliance. Increasing the number of agency ombudsmen and/or ombudsmen within the SBA and giving them the resources to be more proactive as well as responsive will target federal dollars to specific areas of concern. Our experience has been that the ombudsmen process works well.

Blocking, weakening or delaying critical standards and safeguards will not address existing needed regulations that a small number of small businesses have trouble with compliance. It will only worsen the uneven economic playing field that leaves many small and medium sized businesses at a competitive disadvantage. It also inhibits innovation in new technologies that can create good, sustainable jobs and create safer products, workplaces and communities.

We call on the House of Representatives to reject this package of anti-regulatory policies.

Sincerely

DAVID LEVINE,
CEO.

FRANK KNAPP,
Co-chair, ASBC Action
Fund & CEO, South
Carolina Small Business
Chamber of
Commerce.

Mr. RIGELL. Madam Chair, I would just state to my friend and colleague that the only piling on, as I see it, are the regulations that are continuing to burden the small business owners.

I yield the remainder of my time to the gentleman from Virginia, Chairman GOODLATTE, my friend and colleague.

Mr. GOODLATTE. I thank the gentleman for yielding, and I strongly support his amendment.

Madam Chair, title III of the ALERRT Act makes important reforms to assure that agencies identify whether their new regulations will have significant adverse effects on small businesses. One of the most important adverse effects is to identify whether

these new regulations will make it harder for small businesses to obtain credit.

Small businesses create the majority of the new jobs in our economy, yet without access to credit, how can they do that? How can they even survive? The gentleman's amendment makes sure that agencies do identify whether new regulations will make it harder for a substantial number of small businesses to obtain credit. It is a reform that is long overdue and especially important as our country struggles to achieve a real and durable job recovery.

I thank the gentleman for his amendment and urge my colleagues to support it.

Mr. RIGELL. Madam Chair, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. TIPTON

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 113-361.

Mr. TIPTON. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 66, line 1, strike "The agency" and insert "Each year, each agency".

The Acting CHAIR. Pursuant to House Resolution 487, the gentleman from Colorado (Mr. TIPTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. TIPTON. Madam Chairman, I would like to thank Chairman GRAVES and Chairman GOODLATTE for all of their work.

I yield myself as much time as I may consume.

Madam Chairman, I rise today in support of my amendment to title III, the Regulatory Flexibility Improvements Act, which will ensure that a requirement under current law, the Regulatory Flexibility Act, or RFA, remains intact.

As the 1970s came to a close, Congress took note of the challenges that small businesses were facing. They were struggling to run their businesses while complying with an increasing number of complicated regulations. This led to the passage of the Regulatory Flexibility Act of 1980, which was designed to improve agency rule-making. Under statute, the Federal Government agencies looking to regulate the private sector must evaluate the costs of doing so on small businesses, and where the costs are found to be significant, seek less burdensome alternatives to their proposed actions.

A key piece of the RFA is section 610, the "look-back" provision, which requires agencies to periodically evaluate the necessity of every existing regulation that has "significant" eco-

omic impact on a substantial number of small businesses and determine whether those regulations should be amended or rescinded to minimize burdens on small businesses. As a part of the section 610 review process, agencies must annually publish the list of regulations they plan to review in the Federal Register. This amendment makes a technical correction to the text of title III to ensure this current annual publication requirement remains in place. It is an entirely appropriate exercise for the agencies to review old regulations and weed out ones that are outdated, ineffective, or overly burdensome.

Ten years is a lifetime in terms of our private sector's ability to radically transform marketplaces. Reviewing the actual impacts of existing regulations every 10 years just makes sense. Understanding real-world consequences of a regulation on small businesses and taking into account changes in other areas of Federal, State, or local law that may affect the necessity of the regulations are just a few of the reasons that make these reviews absolutely essential.

The regulatory burden for small businesses has not lightened since the passage of RFA. In fact, agencies have been so busy issuing new regulations that they have sometimes failed to comply with already existing requirements to annually publish their list of regulations to be reviewed and then to review them. This simply isn't acceptable.

This amendment will relieve Federal agencies of any ambiguity as to whether or not this annual publication requirement still exists and ensure that small businesses can continue to make their voices heard after a regulation has become implemented.

I urge Members to vote "yes" on this amendment, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Madam Chairman, I claim the time in opposition to the amendment, though I am in support of this amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. JOHNSON of Georgia. It is to my horror that I would agree to this amendment, but it simply corrects a drafting error. So we do not oppose this amendment. It makes a thoroughly flawed bill slightly less thoroughly flawed.

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

Mr. TIPTON. Madam Chair, I thank the gentleman for his support of this amendment. It speaks to a very important point. We have got to make sure that the agencies are actually doing what the law is requiring. This clarification simply achieves that.

Mr. GOODLATTE. Will the gentleman yield?

Mr. TIPTON. I yield to the gentleman from Virginia.

Mr. GOODLATTE. I support his commonsense amendment and urge my colleagues to join in making it unanimous.

Mr. TIPTON. Madam Chair, I yield back the balance of my time.

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

The amendment was agreed to.

Mr. GOODLATTE. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TIPTON) having assumed the chair, Ms. ROS-LEHTINEN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2804) to amend title 5, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to publish information about rules on the Internet, and for other purposes, had come to no resolution thereon.

COMMUNICATION FROM THE HONORABLE ROSA L. DELAURO, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable ROSA L. DELAURO, Member of Congress:

HOUSE OF REPRESENTATIVES,
February 25, 2014

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the United States District Court for the District of New Jersey, purporting to require that I produce certain documents, at least some of which relate to official functions, and appear to testify at a deposition on similar matters in a particular civil case.

After consulting with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

ROSA L. DELAURO,
Member of Congress.

APPOINTMENT OF MEMBERS TO THE BOARD OF TRUSTEES OF GALLAUDET UNIVERSITY

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 20 U.S.C. 4303, and the order of the House of January 3, 2013, of the following Members on the part of the House to the Board of Trustees of Gallaudet University:

Mr. YODER, Kansas
Mr. BUTTERFIELD, North Carolina

APPOINTMENT OF MEMBER TO THE BRITISH-AMERICAN INTERPALIAMENTARY GROUP

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 276,

and the order of the House of January 3, 2013, of the following Member on the part of the House to the British-American Interparliamentary Group:

Mr. ROE, Tennessee

BLACK HISTORY MONTH

The SPEAKER pro tempore (Mr. WILLIAMS). Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. AL GREEN) is recognized for 60 minutes as the designee of the minority leader.

Mr. AL GREEN of Texas. Mr. Speaker, I would like to thank all of those associated with leadership who have allowed us to have this time tonight to discuss Black History Month.

As you are aware, Black History Month has not always been a month. It started out as a week. The father of Black History Week, which evolved into Black History Month, was Mr. Carter G. Woodson. In fact, he is renowned for not only his having started this time and made it a part of the annual events that we celebrate, but he is also known for his writings.

I would like to read an excerpt from his book, "The Mis-Education of the Negro." Dr. Woodson encapsulated a significant point with this passage that I shall read.

He indicates:

When you control a man's thinking, you do not have to worry about his actions. You do not have to tell him to stand here or go yonder. He will find his proper place and he will stay in it.

You do not need to send him to the back door. He will go without being told. In fact, if there is no back door, he will cut one for his special benefit. His education makes it necessary.

Dr. Carter G. Woodson wrote this in 1933. In 1933, he was trying to call to the attention of our country the plight of the American Negro. The plight was one that involved the mentality of the American Negro. He was calling to our attention how education was appropriate for the American Negro to become the independent person that could do for himself and take care of himself and live a life that was based upon his fulfilling his role in the American Dream. This was in 1933.

I am honored today that we have a resolution that we have filed with the House, H. Res. 481. This resolution recognizes the significance of Black History Month.

□ 1900

This resolution has been signed onto by all of the members of the Congressional Black Caucus, as well as other Members of Congress. This resolution extols the virtues of Africans who were brought to the Americas, a people who, under harsh circumstances, were able to not only survive, but also thrive.

It really goes into much of what we call the greatest story that has yet to be told, a story of people who came to the Americas involuntarily, and who have done exceedingly well in this country. We still have a long way to

go, but, thank God, we have come as far as we have.

This year, we are celebrating the civil rights in America as a theme for Black History Month, civil rights in America, and we would like to start by talking about the Civil Rights Act of 1964.

However, before you can really understand completely the Civil Rights Act of 1964, it is important to get some sense what the times were like in 1964, to get some understanding of what it was like to live in the United States of America in 1964.

This is not being done to shame anyone. It is not being done to cause persons to have some sort of guilty reflections. This is being done so as to help us commemorate some things and celebrate some others. It is important to understand the times that we lived in.

I lived during these times, and I would like to start with April 12, 1963, and then I would like to walk us up through some events that will bring us to the signing of the Civil Rights Act of 1964.

It was April 12, 1963, that Dr. King was arrested in Birmingham, Alabama. He was there to work with others to integrate a city that was deeply segregated. In so doing, he was informed by some members of the clergy and others that he was taking inappropriate action, he was acting too soon, that the time was not ripe for what he was doing in Birmingham, Alabama.

As a result of being there and protesting, Dr. King was arrested. He was taken to jail, stayed in jail for 9 days, and while in jail, he wrote his famous "Letter from Birmingham Jail" in response to a statement that was published by some other members of the clergy. If you have not read the "Letter from Birmingham Jail," I beg that you read it because it will help you better understand the times, and understand why Dr. King had to do what he was doing.

The "Letter from Birmingham Jail" is one of the greatest pieces of American literature that I have been exposed to, and I beg you to please take the opportunity to read it.

Let's move forward to June 11, 1963. This is when Governor George Wallace stood in the door at the University of Alabama to block the entry of Vivian Malone and James Hood. These were two students who were enrolling. In so doing, he caused the President, at that time, President Kennedy, to federalize the Alabama National Guard so that these two students could make their way into the University of Alabama.

These were the times that I lived in. These were events that occurred leading up to the signing of the Voting Rights Act of 1965, also the Public Accommodations Act of 1964.

June 21, 1964. Three civil rights workers were in Mississippi—Schwerner, Goodman and Chaney. They lost their lives in Mississippi registering people to vote. When they died, it caused the country to grieve, understanding that

three people who but only tried to register people to vote had lost their lives at the hands of the KKK.

These were the times that I lived in.

August 28, 1963. Dr. King called for a march on Washington, and that march took place. That march was one of the greatest events in the history of the civil rights movement. 200,000 to 300,000 people assembled, and this is when Dr. King gave his famous "I Have a Dream" speech.

They also had a list of demands, a list of demands that included a number 8 on a list of 10. Number eight was a minimum wage of \$2 an hour. That minimum wage of \$2 an hour, adjusted for inflation, would be more than \$13 an hour today. The minimum wage was a part of the reason why we had the March on Washington, and I am so proud that Dr. King stood his ground, so as to help us develop that minimum wage that he wanted to have as a living wage.

There is before the House now H.R. 1010, a bill that would produce a living wage because it indexes the minimum wage to the Consumer Price Index. It would move the minimum wage from \$7.25 an hour to \$10.10 an hour increments, not all at once.

It would also help persons who are tip workers, who are making currently \$2.13 an hour. It would raise their wages, and would also continue to index their wages, so that they would find themselves being able to, hopefully, live above the poverty line while working full time.

In this, the richest country in the world, a country where 1 out of every 60 persons is a millionaire—and I don't begrudge anyone who is a millionaire, a country where 1 of every 11 households is worth \$1 million, and I salute those who are worth millions of dollars, but in this country, where we have so much wealth, I don't believe we ought to have people who work full time and live below the poverty line, and find that employers are subsidized so that these workers can be paid a wage that is at or near a poverty level and receive other subsidies from the government to help them make it in America.

So I am honored that Dr. King pushed for a wage of \$2 an hour at that time, which would be more than \$13 an hour today.

Moving forward to September 15 of 1963, a tragic occurrence at the 16th Street Baptist Church. This is when four babies—I say they were babies—Addie was 14, Cynthia was 14, Carole was 14, and Denise was 11. They all lost their lives in church, in church, four babies, four young girls.

These were the times that I lived in. These were the times that preceded the signing of the Voting Rights Act of 1964 and 1965.

November 22, 1963. A President of the United States of America decided to come to Texas, and while in Texas, the President was assassinated. The Honorable John F. Kennedy lost his life in

my home State. I was born in Louisiana, but Texas is my home State at this time.

When he lost his life, the country went into mourning. It was a sad day for this country to have a President assassinated, and this country found that it was necessary to move forward, however.

Another person became President, and that, of course, was the Honorable Lyndon Johnson, who was from the State of Texas, and it was Lyndon Johnson who, on July 2, 1964, signed the Civil Rights Act.

Now, this Civil Rights Act of 1964 is one that brought great benefits to persons of my generation because it dealt with public accommodation, and it integrated, or desegregated public accommodations, hotels, restaurants, places that we frequent now and we take for granted the opportunity to go into these places.

In my lifetime, we could not enter the front door of places that we now take for granted, that these things have always been this way. Many do, not all, but those of us who are of my ilk, we remember what it was like.

I can remember when we would travel across country, Mr. Speaker. We knew that there were certain places that we could stop, and we knew that there were certain places that we dare not stop under any circumstances at all, and we would make sure that we had enough fuel to make it from one stop to the next.

We knew that there were certain places that we could eat, and there were places where we would have to go to the back door, and we would, when we arrived at these places, always be courteous and kind to the people that greeted us, and a good many of them were courteous and kind to us, but there were many who were not.

I remember once, when we were traveling across country and we wanted some water, and we stopped at a service station, and the operator, I don't know that the person was the owner so I shall use the term operator, said, yes, you may have water, but you will have to drink it out of an oil can. You can take that can and you can clean it up as best you can and you can drink your water from that can.

These were the times that I lived in, the times that the 1964 Civil Rights Act, the Public Accommodations Act addressed.

I can remember the "Colored" water fountain. Whenever we went out someplace near my home, and if we wanted water, we had to drink from a "Colored" water fountain. That "Colored" water fountain was usually not nearly as clean as the "White" water fountain.

I can remember having to sit in the back of the bus. I traveled from Texas to California, and I remember sitting in the back of the bus, and when I got to someplace near California, they allowed me to sit near the front of the bus. It was the first time in my life

that I had actually had an opportunity to sit near the front of the bus.

I remember having to sit in the balcony of the movie. We were not allowed, in my lifetime, to sit at the first level. We always were required to go into the balcony of the movie.

Back of the bus, balcony of the movie, and then arrested and placed in the bottom of a jail. This is the era that I grew up in that preceded the signing of the Public Accommodations Act, the Voting Rights Act of 1964.

So, Mr. Speaker, I am sure you can understand that I have great appreciation for the Voting Rights Act. The Voting Rights Act means more to me than a simple document with words on it. This document may have been written in ink, but it was signed in the blood of Schwerner, Goodman, and Chaney; signed in the blood of those babies that lost their lives at the 16th Street Baptist Church. Written in ink, but signed in blood, and it means something to people of my generation.

So I am proud tonight, and I am honored that the leadership has allowed us to have this time to talk about the Civil Rights Act in this country, the means by which we have integrated ourselves.

I am proud that my country has come a long way. Make no mistake about it: we have come a very long way in this country, and if anybody says we haven't come a long way, I would challenge them. I would challenge them because I lived through segregation.

I know what segregation looked like. I saw it on signs that said "Colored" and "White."

□ 1915

I know what it smells like. I went to the back door and to bathrooms that were not clean. I know what it felt like because I was pushed and shoved and told where to go and what to do.

These were the times that I lived in. But thank God, we have come a long way, and we no longer live in the times that preceded the signing of the Voting Rights Act of 1964.

Mr. Speaker, I am honored that I have another Member here who is going to say a few words about civil rights; and then I have another Member who has something special that he will call to our attention; and then I will return; and I am going to say a little bit tonight about the Voting Rights Act of 1965.

But before I do this, I will yield to another Member from the great State of Texas, a district that includes the city of El Paso, Texas' 16th Congressional District, the Honorable BETO O'ROURKE.

Mr. O'ROURKE. Mr. Speaker, it is a great honor to join my colleague from the State of Texas in this Special Order hour today to recognize our history in this country when it comes to achieving civil rights and perseverance in the face of adversity and some of our shameful past that has been turned, through the very hard work—the blood,

the sweat, and the tears referenced by my colleague—into victories and triumphs, victories that are not yet complete, victories that we are still working on, but victories, nonetheless.

And I thought it might be appropriate at this time to share a little bit about the community that I represent, El Paso, Texas, and its role in this struggle to achieve civil rights, human rights, and equality for all men under the law.

I will begin with one of my favorite stories about El Paso. It is the story of the 1949 Bowie Bears high school baseball team. This was a team that was made up of members who lived in the Segundo Barrio of El Paso, all Mexican American members, all members who lived in what would be seen today as extreme levels of poverty, who played baseball with balls that were made of scrap pieces of clothing, gloves that were stitched together in their own homes, and who won the city championship and won the regional championship.

And as they traveled by bus in 1949 on those country highways to our capital in Austin, Texas, they were denied the ability to stay at motels. "No Mexicans or dogs allowed."

They were unable to eat in restaurants. They had to eat in the kitchens or eat outside on the bus. The night before the championship game in Austin, Texas—against an Austin, Texas, high school team—they slept under the bleachers in the field that they were going to play on, instead of being able to stay in a hotel or motel in that city; and they went on to win the first high school State baseball championship in Texas.

Not too long after that, in 1955, El Paso became the first city in the State of Texas to integrate its public schools; and as my colleague from Texas has pointed out, up until that point, there were separate schools for Black children, there were separate schools for White children, and not too long before that, separate schools for Mexican American children.

So in 1955, that school board in El Paso, Texas, made a very important decision to integrate schools. They were the first in Texas, one of the first in the former Confederacy.

In 1957, El Paso elected the first Mexican American mayor of a major U.S. city, Raymond Telles. And then, Mr. Speaker, on June 7, 1962, the El Paso City Council, under the leadership of Alderman Bert Williams, passed the first city ordinance of any major city in the former Confederacy outlawing segregation in hotels, motels, restaurants, and theaters; these places of public accommodation that my colleague has so eloquently described that were segregated and, in many cases, were barred to African Americans and, in some cases, in El Paso in earlier years, to Mexican Americans.

President Kennedy, in a speech that following year, in 1963, a speech which was titled a "Special Message to the

Congress on Civil Rights and Job Opportunities,” recognized this achievement in Texas, El Paso, where we were the first community in the former Confederacy to desegregate those places of public accommodation.

And lastly, Mr. Speaker, I would draw our attention to the 1966 Texas Western Miners, a college basketball team that fielded the first all-Black starting five to compete for a national title game.

Those five young men not only won the national championship against some of the longest of odds versus Kentucky, but in doing so, they effectively ended segregation in intercollegiate athletics and did a lot to further end discrimination more broadly in the United States.

So I would just join with my colleague and associate, myself, with his comments about the Voting Rights Act and the need to persevere in the face of adversity, to recognize those triumphs that we have achieved so far, but not to claim victory until we are assured that everyone is treated equally under the law, that everyone has access to the ballot box, and that we truly are a country that treats everyone equally under the Constitution.

So I hope that, as a representative of El Paso, Texas, a community that has such a proud history of leading in Texas and leading in the former Confederacy, in leading in the U.S. on important civil rights, human rights, and equality issues, that I will be able to join you, Mr. GREEN, in this fight and join this Congress in doing the right thing.

Mr. AL GREEN of Texas. I thank you for your excellent recitation, and you have already become a part of this Congress, of course, but also of the fight. You have really hit the ground running.

I want to salute you and let your constituents know that they can be proud of what you have accomplished in a very short time in the Congress of the United States of America.

Thank you for spending time with us this evening.

Mr. O'ROURKE. Thank you.

Mr. AL GREEN of Texas. Mr. Speaker, if I may, I would like to know how much time I have remaining because I would also like to yield to the gentleman from Florida (Mr. GRAYSON) at the end of my commentary.

The SPEAKER pro tempore. The gentleman from Texas has 35 minutes remaining.

Mr. AL GREEN of Texas. I assure you, Mr. GRAYSON, that I will have time for you.

I would like to now move forward to 1965—1965 and persons who assembled at a church near the Edmund Pettus Bridge. If you have not seen the Edmund Pettus Bridge, I would beg that you take an opportunity to see the Edmund Pettus Bridge.

Remember now, we are talking about civil rights in the United States of America. We talked about the Voting

Rights Act of 1964. I am moving forward to 1965. I have mentioned persons assembled at a church. I have mentioned the Edmund Pettus Bridge.

These persons assembled at this church because they were going to march from Selma to Montgomery, a peaceful march. When they approached the Edmund Pettus Bridge, they knew that on the other side of that bridge were men with clubs, some on horses.

They knew that their fate was uncertain, but they marched on; and when they approached these men—I can remember the Honorable JOHN LEWIS, a Member of Congress from Georgia—he tells this story: He says that they were beating them, and he thought that he was going to die. They were beaten all the way back to the church where they started. This was in 1965, a year after the 1964 Voting Rights Act was signed.

Well, Dr. King came to Montgomery, Alabama, to Selma, Alabama; and Dr. King proceeded with the march. This was after the time that we call “Bloody Sunday.” Dr. King came, and they marched from Selma to Montgomery.

But now, this is where the story gets interesting because there is a person that I have labeled “the greatest unsung hero of the civil rights movement,” barring none, the greatest unsung hero of the civil rights movement, a person who is known to very few people, a person who made it possible for Dr. King and the marchers to move from Selma to Montgomery without having to confront the constabulary that engaged in a brutal act previously and may have done a similar thing.

This man, the greatest unsung hero of the civil rights movement, was a Republican. This man was not of African ancestry. He was an Anglo. This man was appointed to a Federal judgeship by President Eisenhower. This man signed the order for them to march from Selma to Montgomery.

Now, you might say: Well, signing an order is no big deal. It was then. Remember the times. It was a big deal to sign that order. In fact, for more than a decade, he had to be protected by U.S. marshals, the Honorable Frank M. Johnson, a district court judge.

But the story of Frank M. Johnson doesn't really start with the Edmund Pettus Bridge. It actually starts with Rosa Parks. When Rosa Parks took that seat and ignited the spark that started the civil rights movement, Rosa Parks went to jail that night.

There is a White side to Black history. Rosa Parks' bail was posted by Ms. Virginia Durr and her husband. A White woman posted the bail to get Rosa Parks out of jail. There is a White side to Black history.

But let's get back to Frank M. Johnson. They decided that they would not ride the bus; and for over a year, they provided alternative transportation; and they boycotted. And in so doing, in boycotting, they brought this to the attention of not only the United States, but also to the world.

But here is the other side: The boycott was effective. It was an order from Frank M. Johnson, as a part of a three-judge panel, concluding that that segregation was unconstitutional based upon *Brown v. Board of Education*, which had been decided about a year earlier. Frank M. Johnson signed the order along with two other judges.

Frank M. Johnson went on to sign orders integrating schools, voting rights—his history is replete with orders that he signed to change the face of the South. Paraphrasing Dr. King, Frank M. Johnson gave meaning to the word “justice,” a White Republican Federal judge.

I mention these things tonight because I want people to know that Black history is American history and that it includes people of all hues and genders and persuasions; and it is a history that, quite frankly, we cannot forget.

There are some aspects of it that we are not proud of, but it is a history that is ours, and we can never, ever ignore our history. Just as we cannot ignore what happened at Pearl Harbor, just as we cannot ignore what happened on 9/11, we cannot ignore many of the things that happened in the history of African Americans.

So with Frank M. Johnson having allowed the marchers to move forward by signing this order, later on, the same President, Lyndon Johnson, signed the Voting Rights Act of 1965.

I am probably in Congress because of the Voting Rights Act of 1965 because it provided a means by which districts could be drawn with consideration given to population, as opposed to geography.

That Voting Rights Act, section 5, is what allowed a good many people who are right here in this Congress today to be here, the Voting Rights Act of 1965 and section 5 of it.

□ 1930

As you know, section 5 has been made impotent by the evisceration of section 4. Section 4 was declared unconstitutional. One of the things that I have learned in my years on the planet is that while I don't always agree with the judiciary, I do respect the judiciary. I didn't agree with the decision to declare section 4 unconstitutional, but I respect the opinion, and, as a result, I will do what I can to correct it here in the Halls of Congress.

I think that we have a great opportunity here to do something to strengthen the Voting Rights Act, the same Voting Rights Act that Mr. JOHN LEWIS marched to bring into being and that people lost their lives to bring into being. That same Voting Rights Act can be strengthened and be made useful and viable for a good many people.

So I will conclude with this. But I do want one more evidence of how much time I have remaining.

Mr. Speaker, can you give me one more count on the time? And I will come to my conclusion.

The SPEAKER pro tempore. The gentleman from Texas has 27 minutes remaining.

Mr. AL GREEN of Texas. Mr. GRAYSON, I assure you, you will have ample time.

I want to conclude with this: I believe that this is a great country. Notwithstanding all that I have explained about Black history, this is a great country, and I love my country. I believe that this is a country that has allowed me privileges and opportunities that I probably could not have enjoyed in another place. So let me share this brief vignette with you.

I was not born into riches, obviously, based upon the stories that I have told, but from very poor parents. My father could neither read nor write.

I remember going to work with my father one day. I have no idea as to why I was there. My father was a mechanic's helper. He was not a mechanic. He was a helper. He was the person who would clean up the wet spot on the floor. He was the person who would fetch the tools and do the things that were required that many people would not do. And I heard them address my father by a name that I was not familiar with. They called him "Secretary." And as any child would, I suppose, I made an inquiry: Why do they call you Secretary? He explained to me that they were making fun of him, that they were aware that he could not read and that he could not write, and they were making fun of him.

I said: Well, why would you do this? Why would you let them make fun of you like this? Why would you let them do this to you?

It hurt as a young child to see your father being made fun of because he could not read and he could not write.

By the way, it was not his choice. It wasn't his choice to be a person who could not read or write.

But my father's answer is really what this story is all about. When I said to him: Why would you let them do this to you? He said to me, after having told me many more things, but he said to me: I do it, and I accept it because I want you to be able to read and write.

And isn't it wonderful that the son of a secretary can now stand in the well of the House of Representatives in the United States of America and read and write laws for the United States of America?

I thank you for the time, Mr. Speaker. I am grateful to all who made it possible for us to have this hour. And I believe that ours is the best country in the world. I believe that it really doesn't get much better than the United States of America. There are things that we need to do and things that we need to correct. But on a bad day, it is good to live in the USA. On a bad day, when your dog that you reared from a pup wants to bite you, on a bad day when your spouse wants to desert you, if you have to have your dog bite you and your spouse desert you, have it happen in the United States of America.

God bless you, and I yield to Mr. GRAYSON.

Mr. GRAYSON. Mr. Speaker, today is a sad anniversary. Twenty years ago today, the brilliant comedian, Bill Hicks, died of cancer at the age of 32. Hicks' comedy has been an inspiration to me and millions of others. He has been voted the fourth greatest stand-up comedian of all time. And if Hicks were alive to hear that, he would complain bitterly about losing out to Gandhi, Einstein, and Stalin.

In honor of Bill Hicks, I would like to try to yield this platform to him. This is how Bill Hicks ended his own performances. He would say to the audience:

You have been fantastic. I hope you have enjoyed the show. There is a point to my act. Is there a point to my act? Let's find a point. I would say the point of my act—and I have to—but the point is this:

The world is a ride like an amusement park. And when you choose to go on it, you think it is real because that is how powerful our minds are. And the ride goes up and down, and it goes round and round. It has thrills and chills, and it is very brightly colored, and it is very loud and it is fun. For a while.

Some people have been on the ride for a long time, and they begin to question: "Is it real or is it a ride?" And other people, they have remembered, and they come back to us, and they say: "Hey, don't worry. Don't be afraid, ever. Because it is just a ride." And we kill those people. We kill those people.

We tell them: "Shut him up. We have a lot invested in this ride. Shut him up. Look at the furrows of worry. Look at my big bank account and my family. This has to be real."

This can't be just be a ride. But it is just a ride. And we always kill those good guys who try to tell us that it is just a ride. Have you ever noticed that? And we let the demons run amok.

But it doesn't matter because it is just a ride, and we can change it any time we want. It is only a choice. No effort. No worry. No job. No savings and money. It is just a ride.

It is a choice, right now, between fear and love. The eyes of fear want you to put bigger locks on your doors and buy guns and close yourself off. The eyes of love instead see all of us as one.

Here is what we can do to change the world right now into a better ride. Take all the money that we spend on weapons and defense each year and, instead, spend it on feeding, clothing, and educating the poor of this world which we could do many times over—not just one human being, but all of us, no one excluded. And then we can explore space together, both inner and outer, forever in peace.

Thank you very much. You have been great. I hope you enjoyed it. You are fantastic. Thank you very much.

Bill Hicks wrote his own eulogy, and that was how he ended his act. This is what he said in his own final words in his own eulogy:

I left here in love, in laughter, and in truth. And wherever truth, love, and laughter abide, I am there in spirit.

Rest in peace, Bill Hicks.
Mr. AL GREEN of Texas. I yield back.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WESTMORELAND (at the request of Mr. CANTOR) for today after 2:30 p.m. on account of attending a visitation for a funeral.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 39 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 26, 2014, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4812. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General Keith B. Alexander, United States Army, and his advancement on the retired list in the grade of general; to the Committee on Armed Services.

4813. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General William N. Phillips, United States Army, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

4814. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's report on assistance provided for sporting events during calendar year 2013; to the Committee on Armed Services.

4815. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Kenya Airways of Nairobi, Kenya; to the Committee on Financial Services.

4816. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, "The Children's Health Insurance Program Reauthorization Act (CHIPRA) Mandated Evaluation of Express Lane Eligibility: Final Findings"; to the Committee on Energy and Commerce.

4817. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acetochlor; Pesticide Tolerances [EPA-HQ-OPP-2012-0829; FRL-9904-19] received January 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4818. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Attainment Plan for the Philadelphia-Wilmington, Pennsylvania-New Jersey-Delaware Nonattainment Area for the 1997 Annual Fine Particulate Matter Standard; Correction [EPA-R03-OAR-2010-0141; 9905-88-Region 3] received January 30, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4819. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Texas; Approval of Texas Motor Vehicle Rule Revisions [EPA-R06-OAR-2006-0885; FRL-9906-03-Region 6] received January 30, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4820. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Utah; Revisions to Utah Administrative Code-Permit; New and Modified Sources [EPA-R08-OAR-2013-0395; FRL-9904-24-Region 8] received January 30, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4821. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Utah; Revisions to Utah Rule R307-107; General Requirements; Breakdown [EPA-R08-OAR-2012-0746; FRL-9902-49-Region 8] received January 30, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4822. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; Utah; Prevention of Significant Deterioration; Greenhouse Gas Permitting Authority and Tailoring Rule [EPA-R08-OAR-2012-0300; FRL-9903-27-Region 8] received January 30, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4823. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cyantraniliprole; Pesticide Tolerances [EPA-HQ-OPP-2011-0668; FRL-9388-7] received January 30, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4824. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Diflubenzuron; Pesticide Tolerances [EPA-HQ-OPP-2012-0515; FRL-9904-27] received January 30, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4825. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rule on Certain Chemical Substances [EPA-HQ-OPPT-2012-0182; FRL-9399-1] (RIN: 2070-AJ00) received January 30, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4826. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — alpha-Alkyl-w-Hydroxypropyl (Oxypropylene) and/or Poly (Oxyethylene) Polymers Where the Alkyl Chain Contains a Minimum of Six Carbons etc.; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2013-0210; FRL-9394-2] received January 30, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4827. A letter from the Director, Defense Security Cooperation Agency, transmitting the Agency's reports containing the September 30, 2013, status of loans and guarantees issued under Section 25(a)(11) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4828. A letter from the Director, National Legislative Division, American Legion, transmitting the financial statement and independent audit of The American Legion, proceedings of the 95th Annual National Convention of the American Legion, held in Houston, Texas from August 23 — August 29, 2013, and a report on the Organization's activities for the year preceding the Convention; (H. Doc. No. 113—93); to the Committee on Veterans' Affairs and ordered to be printed.

4829. A letter from the Assistant Secretary, Legislative Affairs, Department of State,

transmitting a semi-annual report to Congress on the continued compliance of Azerbaijan, Kazakhstan, Tajikistan, and Uzbekistan with the Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment; to the Committee on Ways and Means.

4830. A letter from the Secretary, Department of the Treasury, transmitting a report concerning the operations and status of the Government Securities Investment Fund (G-Fund) of the Federal Employees Retirement System during the debt issuance suspension period; jointly to the Committees on Oversight and Government Reform and Ways and Means.

4831. A letter from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting a report covering the operation and status of the relevant federal fund accounts; jointly to the Committees on Ways and Means and Oversight and Government Reform.

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:

Ms. FOXX: Committee on Rules. House Resolution 492. Resolution providing for consideration of the bill (H.R. 899) to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes (Rept. 113-362). 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. BECERRA (for himself, Mr. LEVIN, Mr. RANGEL, Mr. DOGGETT, Mr. THOMPSON of California, Ms. SCHWARTZ, and Mr. CROWLEY):

H.R. 4090. A bill to amend title II of the Social Security Act to improve the Social Security Administration's ability to fight fraud, prevent errors, and protect the Social Security Trust Fund, and for other purposes; to the Committee on Ways and Means, 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 Mr. POE of Texas:

H.R. 4091. A bill to authorize Members of Congress to bring an action for declaratory and injunctive relief in response to a written statement by the President or any other official in the executive branch directing officials of the executive branch to not enforce a provision of law; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mr. WELCH, Mr. SIRES, Ms. SHEA-PORTER, Mr. HOLT, Mr. PETERS of California, Mr. LOEBSACK, Mr. LARSON of Connecticut, Mr. LOWENTHAL, Mr. DELANEY, Ms. CLARK of Massachusetts, Mr. SCHIFF, Mr. MULLIN, Mr. PRICE of North Carolina, Mr. POCAN, Mr. CONNOLLY, Mr. GRAYSON, Mr. SABLAN, and Mr. HONDA):

H.R. 4092. A bill to amend the Energy Policy and Conservation Act to establish the Office of Energy Efficiency and Renewable Energy as the lead Federal agency for coordinating Federal, State, and local assistance provided to promote the energy retrofitting

of schools; to the Committee on Energy and Commerce.

By Mr. GRAVES of Missouri:

H.R. 4093. A bill to amend the Small Business Act to raise the prime and subcontract goals, and for other purposes; to the Committee on Small Business.

By Mr. GRAVES of Missouri:

H.R. 4094. A bill to direct the Administrator of the Small Business Administration to develop and implement a plan to improve the quality of data reported on bundled and consolidated contracts, and for other purposes; to the Committee on Small Business.

By Mr. RUNYAN (for himself and Ms. TITUS):

H.R. 4095. A bill to increase, effective as of December 1, 2014, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUNYAN (for himself and Ms. TITUS):

H.R. 4096. A bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans; to the Committee on Veterans' Affairs.

By Mr. McDERMOTT:

H.R. 4097. A bill to ensure that proper information gathering and planning are undertaken to secure the preservation and recovery of the salmon and steelhead of the Columbia River Basin in a manner that protects and enhances local communities, ensures effective expenditure of Federal resources, and maintains reasonably priced, reliable power, to direct the Secretary of Commerce to seek scientific analysis of Federal efforts to restore salmon and steelhead listed under the Endangered Species Act of 1973, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Natural Resources, and 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 Mrs. BLACKBURN (for herself, Mr. FLEISCHMANN, Mr. DUNCAN of Tennessee, Mr. DESJARLAIS, Mr. ROGERS of Kentucky, Mrs. BLACK, Mr. FINCHER, Mr. BARR, Mr. RAHALL, and Mr. ROE of Tennessee):

H.R. 4098. A bill to amend the Horse Protection Act to provide increased protection for horses participating in shows, exhibitions, or sales, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BRALEY of Iowa:

H.R. 4099. A bill to make supplemental appropriations for fiscal year 2014 for the tree and wood pests activities of the Animal and Plant Health Inspection Service and for certain forest health management and urban and community forestry activities of the Forest Service; to the Committee on Appropriations, 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 Mr. COTTON (for himself, Mr. GRAVES of Missouri, Mr. THOMPSON of Pennsylvania, Mr. GRIFFIN of Arkansas, Mr. WOMACK, Mr. BROUN of Georgia, Mr. BRIDENSTINE, and Mr. CRAWFORD):

H.R. 4100. A bill to amend the Water Resources Development Act of 1992 to permit the collection of user fees by non-Federal entities in connection with the challenge cost-sharing program for management of recreation facilities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. ELLMERS:

H.R. 4101. A bill to amend title 10, United States Code, to ensure that a TRICARE beneficiary receives written notice of any change to benefits received by the beneficiary under the TRICARE program, and for other purposes; to the Committee on Armed Services.

By Mr. MILLER of Florida (for himself and Mrs. WALORSKI):

H.R. 4102. A bill to amend title 38, United States Code, to clarify that the estate of a deceased veteran may receive certain accrued benefits upon the death of the veteran, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NADLER:

H.R. 4103. A bill to amend title 17, United States Code, to secure the rights of visual artists to copyright, to provide for resale royalties, and for other purposes; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself and Mr. KEATING):

H. Res. 491. A resolution affirming the support of the United States for Georgia's accession to the North Atlantic Treaty Organization (NATO); to the Committee on Foreign Affairs.

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. BECERRA:

H.R. 4090.

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. POE of Texas:

H.R. 4091.

Congress has the power to enact this legislation pursuant to the following:

Article 3 Section 1

By Mr. CARTWRIGHT:

H.R. 4092.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 (relating to the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.)

By Mr. GRAVES of Missouri:

H.R. 4093.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. GRAVES of Missouri:

H.R. 4094.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the

United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. RUNYAN:

H.R. 4095.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RUNYAN:

H.R. 4096.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. McDERMOTT:

H.R. 4097.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

By Mrs. BLACKBURN:

H.R. 4098.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3. The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BRALEY of Iowa:

H.R. 4099.

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, Section 8, Clause 18 of the United States Constitution.

By Mr. COTTON:

H.R. 4100.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2—The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Mrs. ELLMERS:

H.R. 4101.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Clause 12 of Section 8 of Article 1 of the United States Constitution to raise and support Armies.

By Mr. MILLER of Florida:

H.R. 4102.

Congress has the power to enact this legislation pursuant to the following:

Article I. Section 8.

By Mr. NADLER:

H.R. 4103.

Congress has the power to enact this legislation pursuant to the following:

Article 1, sec. 8, cl. 3 (commerce clause), cl. 8 (copyright clause), and cl. 18 (necessary and proper clause).

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 38: Mr. COURTNEY, Mr. TERRY, and Mr. SMITH of Washington.

H.R. 164: Mr. MURPHY of Pennsylvania, Mr. SCHNEIDER, Mr. MARINO, Mr. VARGAS, Mr. COLE, Mr. SEAN PATRICK MALONEY of New York, and Mr. GINGREY of Georgia.

H.R. 223: Mr. PRICE of North Carolina.

H.R. 259: Mr. GOODLATTE.

H.R. 281: Mr. CARTWRIGHT.

H.R. 303: Mr. YOUNG of Alaska and Ms. JACKSON LEE.

H.R. 401: Ms. JENKINS.

H.R. 485: Ms. WATERS.

H.R. 533: Mr. DAINES.

H.R. 543: Ms. BROWN of Florida.

H.R. 580: Mr. KELLY of Pennsylvania.

H.R. 594: Mr. CONNOLLY, Mr. KEATING, Mr. SIRES, Mr. LANCE, Ms. CLARK of Massachusetts, and Mr. DOYLE.

H.R. 645: Mr. DOYLE and Mr. CARTWRIGHT.

H.R. 647: Mr. COSTA and Mr. HASTINGS of Washington.

H.R. 713: Mr. HUFFMAN.

H.R. 718: Mr. LAMBORN, Mrs. BLACKBURN, and Mr. PITTFENGER.

H.R. 741: Mr. GARDNER.

H.R. 794: Mr. HUFFMAN.

H.R. 812: Mr. FRELINGHUYSEN.

H.R. 921: Ms. BROWN of Florida.

H.R. 946: Mr. ROYCE.

H.R. 962: Mr. FITZPATRICK.

H.R. 964: Ms. PINGREE of Maine.

H.R. 1010: Mr. BERA of California and Mr. PERLMUTTER.

H.R. 1015: Mr. TIERNEY.

H.R. 1252: Mr. HUFFMAN and Mr. TIERNEY.

H.R. 1339: Mr. TERRY.

H.R. 1477: Mr. DEUTCH.

H.R. 1515: Ms. ROS-LEHTINEN.

H.R. 1518: Mr. WITTMAN.

H.R. 1528: Mr. PERLMUTTER, Mr. ISRAEL, Mr. WITTMAN, and Ms. LEE of California.

H.R. 1551: Mr. JORDAN and Mr. BARR.

H.R. 1553: Mr. FOSTER, Mr. QUIGLEY, and Mr. ENYART.

H.R. 1573: Mr. LEWIS.

H.R. 1619: Mr. MARCHANT.

H.R. 1658: Mr. ELLISON.

H.R. 1696: Mr. RIBBLE.

H.R. 1717: Mr. HUNTER and Mrs. ELLMERS.

H.R. 1723: Mr. NADLER.

H.R. 1726: Mr. LUETKEMEYER.

H.R. 1732: Ms. LOFGREN.

H.R. 1738: Ms. KUSTER, Mr. PIERLUISI, Mr. TAKANO, Ms. DELAURO, Ms. KAPTUR, Mr. COURTNEY, and Mr. VEASEY.

H.R. 1751: Mr. DELANEY.

H.R. 1812: Mr. TAKANO.

H.R. 1838: Mr. PASCRELL.

H.R. 1851: Mr. CUELLAR.

H.R. 1915: Mr. DAVID SCOTT of Georgia, Mr. RANGEL, and Ms. MOORE.

H.R. 1918: Mr. MCNERNEY, Mr. CUELLAR, Mr. McDERMOTT, and Mr. PAYNE.

H.R. 1920: Ms. WILSON of Florida.

H.R. 1995: Ms. ESTY.

H.R. 2005: Mr. HONDA.

H.R. 2028: Mr. HOLT and Ms. JACKSON LEE.

H.R. 2078: Mr. KIND.

H.R. 2109: Mr. CONYERS.

H.R. 2220: Mr. OLSON.

H.R. 2305: Mr. OLSON and Mr. KINZINGER of Illinois.

H.R. 2315: Mr. BOUSTANY and Mr. NOLAN.

H.R. 2328: Mr. BARBER.

H.R. 2468: Mr. GARY G. MILLER of California, Mr. LEWIS, Mr. ISRAEL, and Mr. HONDA.

H.R. 2548: Mr. KENNEDY, Mrs. McMORRIS RODGERS, Mr. QUIGLEY, Ms. ROS-LEHTINEN, Mr. CONYERS, and Mr. HIGGINS.

H.R. 2577: Mr. RIBBLE.

H.R. 2656: Ms. CHU.

H.R. 2663: Mr. CICILLINE.

H.R. 2710: Mrs. BACHMANN.

H.R. 2725: Mr. CARSON of Indiana.

H.R. 2772: Mr. KIND.

H.R. 2790: Mr. CONNOLLY.

H.R. 2794: Mr. GARDNER.

H.R. 2818: Mr. POCAN.

H.R. 2841: Mr. BARBER, Ms. BROWN of Florida, Ms. SCHWARTZ, and Mr. HINOJOSA.

H.R. 2854: Mr. NEUGEBAUER.

H.R. 2874: Ms. MCCOLLUM and Mr. LOWENTHAL.

H.R. 2935: Mr. ENGEL.

H.R. 2996: Mr. CROWLEY, Mr. LARSON of Connecticut, Mr. CONNOLLY, Mr. CAPUANO, Mr. NEAL, Mr. TIERNEY, Mr. KEATING, Mr. VARGAS, and Mr. CARNEY.

H.R. 3040: Mr. PERLMUTTER.

H.R. 3116: Mr. CICILLINE.

H.R. 3196: Mrs. BLACKBURN.

H.R. 3240: Mr. LUETKEMEYER, Mr. HONDA, and Mr. COOK.

H.R. 3318: Mr. POLIS, Ms. JACKSON LEE, Ms. NORTON, Mr. HINOJOSA, Mr. CONNOLLY, Mr. GARCIA, and Mrs. KIRKPATRICK.

H.R. 3335: Mr. LUMMIS and Mr. RIGELL.

H.R. 3361: Mr. CAROLYN B. MALONEY of New York.

H.R. 3367: Mr. GOODLATTE.

H.R. 3382: Mr. MCGOVERN.

H.R. 3408: Mr. SEAN PATRICK MALONEY of New York and Mr. GRIFFIN of Arkansas.

H.R. 3467: Mr. DINGELL, Ms. PINGREE of Maine, Ms. SHEA-PORTER, and Mr. NOLAN.

H.R. 3469: Mr. FLORES, Mr. KING of Iowa, Mr. HARRIS, Mr. DESANTIS, Mr. AUSTIN SCOTT of Georgia, Mr. WENSTRUP, Mr. SALMON, Mr. PEARCE, Mr. ROYCE, Mr. MARCHANT, Mr. YOUNG of Alaska, Mr. FARR, Mr. YODER, Mrs. BROOKS of Indiana, and Mrs. HARTZLER.

H.R. 3471: Ms. ESHOO, Ms. BONAMICI, Mr. NADLER, and Mr. PETERS of Michigan.

H.R. 3488: Mr. STEWART.

H.R. 3505: Mr. COURTNEY.

H.R. 3529: Mr. LUETKEMEYER, Mr. FINCHER, Mr. DESANTIS, Mr. PAULSEN, and Mrs. BACHMANN.

H.R. 3556: Mr. MCNERNEY, Ms. CHU, Ms. LOFGREN, Ms. EDWARDS, Mr. CÁRDENAS, Mr. HASTINGS of Florida, and Mrs. LOWEY.

H.R. 3571: Mr. FARR, Mr. REED, Mr. HOLT, Ms. TITUS, and Mr. BERA of California.

H.R. 3602: Ms. BORDALLO, Ms. CHU, Ms. MENG, and Mr. BECERRA.

H.R. 3649: Ms. JACKSON LEE and Mr. HONDA.

H.R. 3655: Mr. HONDA, Mr. SEAN PATRICK MALONEY of New York, Mr. PIERLUISI, Mr. RUSH, Ms. FUDGE, Ms. WILSON of Florida, Ms. CLARKE of New York, and Ms. JACKSON LEE.

H.R. 3658: Mrs. BLACK, Ms. NORTON, Mr. BRADY of Texas, Mrs. CAPITO, Mr. MCCAUL, Mr. SMITH of Texas, Mr. SAM JOHNSON of Texas, Mr. GOHMERT, Mr. HALL, Mr. OLSON, Mr. BURGESS, Mr. NEUGEBAUER, Mr. THORNBERRY, Mr. FARENTHOLD, Mr. CONAWAY, Mrs. NOEM, and Mr. FLORES.

H.R. 3680: Mr. SEAN PATRICK MALONEY of New York.

H.R. 3687: Mr. FLORES, Mr. HARRIS, Mr. ELLMERS, Mr. AUSTIN SCOTT of Georgia, Mr. WENSTRUP, Mr. SALMON, Mr. MARCHANT, Mr. YOUNG of Alaska, Mr. ROYCE, Mr. STEWART, and Mr. HARTZLER.

H.R. 3698: Mr. RUSH and Mr. COFFMAN.

H.R. 3707: Mr. BERA of California, Mr. PETERSON, Mr. QUIGLEY, Mr. LATHAM, Mr. HALL, Mr. JOHNSON of Georgia, Mr. MCGOVERN, Mr. PIERLUISI, Mr. HARRIS, Mr. BISHOP of Georgia, Mr. DANNY K. DAVIS of Illinois, Mr. RUSH, Mr. GARAMENDI, Mr. VARGAS, and Mr. YOUNG of Alaska.

H.R. 3708: Mr. GIBSON, Mr. RODNEY DAVIS of Illinois, Mr. LATTA, and Mr. BUCSHON.

H.R. 3710: Ms. ESHOO, Ms. JACKSON LEE, and Mrs. BUSTOS.

H.R. 3725: Mr. YOHO, Mr. ROE of Tennessee, Mr. WEBER of Texas, Mr. BISHOP of Utah, Mr. FRANKS of Arizona, and Mr. JONES.

H.R. 3757: Ms. KUSTER, Mr. GARAMENDI, Ms. SINEMA, and Ms. DUCKWORTH.

H.R. 3761: Mr. MCKINLEY.

H.R. 3774: Ms. ESTY and Mr. GEORGE MILLER of California.

H.R. 3802: Mr. BISHOP of Utah.

H.R. 3826: Mr. MCINTYRE, Mr. PEARCE, Mr. BUCSHON, Mr. MULLIN, Mr. MESSER, and Mrs. NOEM.

H.R. 3829: Mr. DUNCAN of South Carolina, Mr. KINGSTON and Mr. GOSAR.

H.R. 3836: Mr. TERRY, Mr. WOMACK, Mr. LYNCH, Mr. HARPER, Mr. MATHESON, and Ms. GRANGER.

H.R. 3857: Mr. HARPER.

H.R. 3861: Mr. ENYART.

H.R. 3862: Mr. JOYCE.

H.R. 3877: Mr. LATHAM and Mr. CONNOLLY.

H.R. 3954: Mr. MCGOVERN, Ms. BASS, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. CHRISTENSEN, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. EDWARDS, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. HORSFORD, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. LEWIS, Mr. MEEKS, Ms. MOORE, Mr. PAYNE, Mr. RICHMOND, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Mr. VEASEY, and Ms. WATERS.

H.R. 3973: Mr. NEUGEBAUER, Mr. TIPTON, and Mr. KLINE.

H.R. 3982: Ms. PINGREE of Maine and Mr. LEWIS.

H.R. 3986: Mr. HUFFMAN.

H.R. 3991: Mr. KIND, and Mr. WELCH, Mr. LATHAM, and Mr. MEADOWS.

H.R. 3992: Mr. MORAN, Mrs. MCMORRIS RODGERS, Mr. HUFFMAN, Mr. WALDEN, Mr. BISHOP of Utah, Mr. PEARCE, Mr. TIPTON, Mr. GARAMENDI, Mr. THOMPSON of Pennsylvania, Mr. PETERSON, and Mr. CALVERT.

H.R. 3994: Mr. PEARCE.

H.R. 3998: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 4006: Mr. DUNCAN of South Carolina.

H.R. 4008: Mr. BENTIVOLIO.

H.R. 4012: Mr. NUNNELEE.

H.R. 4015: Mr. O'ROURKE, Ms. SCHWARTZ, Mr. ROGERS of Michigan, Mr. BLUMENAUER, Mr. FITZPATRICK, Mr. BUCSHON, Mr. TERRY,

Mr. FARR, Mr. SESSIONS, Ms. BORDALLO, Mr. FLORES, and Mr. GENE GREEN of Texas.

H.R. 4022: Ms. NORTON.

H.R. 4026: Ms. WATERS.

H.R. 4031: Mr. JONES, Mr. SOUTHERLAND, and Mr. GRIFFIN of Arkansas.

H.R. 4033: Mr. HINOJOSA, Mr. CONYERS, and Mr. RIBBLE.

H.R. 4041: Mr. POCAN, Mr. FARR, Mr. QUIGLEY, Mr. PETERS of Michigan, and Mr. MCDERMOTT.

H.R. 4051: Mr. POCAN, Mr. LATHAM, and Mr. NOLAN.

H.R. 4056: Mr. HUIZENGA of Michigan.

H.R. 4066: Mr. MULVANEY.

H.R. 4070: Mr. GINGREY of Georgia, Mrs. ELLMERS, Mr. OLSON, Mr. GUTHRIE, Mr. NUNNELEE, Mr. JORDAN, Mr. PITTINGER, Mr. FRANKS of Arizona, Mr. SALMON, Mr. CULBERSON, Mr. LAMBORN, Mr. TIPTON, Mr. WEBER of Texas, Mr. WILLIAMS, Mr. FINCHER, Mr. BARTON, Mr. GOHMERT, Mrs. BACHMANN, Mr. HARRIS, Mr. FLEISCHMANN, Mr. DESJARLAIS, and Mr. MEADOWS.

H.R. 4079: Mr. JEFFRIES.

H. Res. 221: Ms. SPEIER and Mr. HONDA.

H. Res. 283: Mr. DOGGETT.

H. Res. 365: Mr. SEAN PATRICK MALONEY of New York, Mr. LARSON of Connecticut, Mr. AL GREEN of Texas, and Mr. CASTRO of Texas.

H. Res. 418: Mr. TAKANO and Mr. MEADOWS.

H. Res. 464: Mr. POCAN, Ms. LINDA T. SÁNCHEZ of California, Mr. TAKANO, Mr. WELCH, Mr. BERA of California, and Ms. DELAURO.

H. Res. 480: Mr. TONKO and Ms. NORTON.

H. Res. 482: Ms. GABBARD and Ms. BORDALLO.

H. Res. 488: Mr. DUFFY, Mr. KING of Iowa, Mr. CHABOT, Mr. HASTINGS of Florida, Mr. KEATING, Mr. COTTON, Mr. GRIMM, Mr. BILIRAKIS, and Ms. FRANKEL of Florida.

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:

The amendment to be offered by Representative CUMMINGS, or a designee, to H.R. 899, the Unfunded Mandates Information and Transparency Act of 2013, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.