Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—17

Chu (CA)
Curbelo (FL)
Duckworth
Frankel (FL)
Grijalva
Gutiérrez
Huffman
Larson (CT)
Lee
Levin
Lofgren
Lowey
Nolan
Nunnelee
Rangel
Roe (TN)
Young (AK)

□ 1339

Mr. SCHIFF changed his vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. CURBELO of Florida. Mr. Speaker, on roll call no. 59 I was unavoidably detained. Had I been present, I would have voted yes.

Stated against:

Ms. FRANKEL of Florida. Mr. Speaker, on roll call no. 59 had I been present, I would have voted No.

Mr. LARSON of Connecticut. Mr. Speaker, I was not present for roll call vote 59. If I had been present for this vote, I would have voted: Nay on roll call vote 59.

Mr. LEVIN. Mr. Speaker, I was unavoidably absent earlier today during roll call vote 59. Had I been present, I would have voted ''nay'' on roll call vote 59, the motion on ordering the previous question on the Rule providing for consideration of H.R. 50 and H.R. 527.

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 243, noes 179, not voting 11, as follows:

[Roll No. 60]

AYES—243

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

NOES—179

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

NOT VOTING—11

Benishek
Chu (CA)
Duckworth
Grijalva
Gutiérrez
Lee
Lofgren
Nunnelee
Poe (TX)
Roe (TN)
Young (AK)

□ 1348

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.

Stated for:

Mr. POE of Texas. Mr. Speaker, on roll call no. 60 I was unavoidably detained. Had I been present, I would have voted Yes.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Pate, one of his secretaries.

PERSONAL EXPLANATION

Ms. JACKSON LEE. Mr. Speaker, on rollcall vote No. 59, ordering the previous question, I inadvertently voted ''yes.'' I would like the RECORD to reflect that I would have voted, appropriately and properly, ''no.''

UNFUNDED MANDATES INFORMATION AND TRANSPARENCY ACT OF 2015

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 50.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 78 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. 50.

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

□ 1352

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. 50) to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes, with Mr. AMODEI 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 Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

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

Mr. Chairman, this bill was referred to three other committees other than the Committee on Oversight and Government Reform. We have been in contact with all of them—Judiciary, Budget, and Rules—and they have agreed to discharge the bill from their committees so that we can consider the bill on the floor today. I include for the RECORD those letters that reflect this understanding between Oversight and Government Reform and the three other committees.

Mr. Chairman, Congress enacted the Unfunded Mandates Reform Act to ''curb the practice of imposing unfunded Federal mandates on States and local governments.''

Twenty years later, we continue to see burdensome unfunded mandates being imposed on State, local, and tribal governments as well as small businesses. Despite high hopes, UMRA, as it is often referred to, had little effect on agency rulemaking because of its limited coverage and its lack of accountability.

In response, H.R. 50 proposes several key reforms to bring needed transparency to how government sets rules that protect our health, our safety, our welfare, as well as the environment. This legislation does this in several key ways.

Mr. Chairman, H.R. 50 requires agencies to consult with the private sector when directly impacted by a proposed rule.

Consult with the private sector. That is a great theme. I love the title of this.

It does actually provide more information, more transparency, and engages those people that are affected by these rules. Requiring agency rulemakers to consult with small business owners will bring needed perspective and common sense to how our rules are made. Small businesses want the government to fully understand how regulations impact their ability to create jobs and promote economic growth. Of course we need rules. Of course there are going to be boundaries. But consulting with the private sector is something that has to happen, and government needs their perspective.

The bill makes independent agencies subject to the Unfunded Mandates Reform Act, also known as UMRA. There are hundreds of Federal independent agencies charged with handling responsibilities, such as managing workplace safety and protecting our forests. It is important these entities are accountable to the public when establishing a new rule. H.R. 50 ensures that that will happen.

H.R. 50 requires an UMRA analysis for all final rules. Under current law, an agency can forgo an UMRA analysis by avoiding a notice of proposed rulemaking. GAO reports that 35 percent of major rules are issued without a notice of proposed rulemaking, making it difficult for the public to comment.

In fiscal year 2014, the administration estimated the annual cost of major regulations between $57 billion and $84 billion. We must have a better understanding of those costs before passing them on to State, local, and tribal governments as well as the private sector.

The bill strengthens congressional oversight by requiring agencies to look back at specific regulations when requested by Congress. Before a rule is tested, it is difficult to understand its consequences, including its costs and its benefits. President Obama supported retrospective reviews of regulations by issuing an executive order requiring agencies to periodically review significant regulations, in Executive Order 13563, in January 2011. These retrospective reviews result in regulations that are more effective and less burdensome in achieving their objective. Retrospective analysis can and should inform future rules.

H.R. 50 allows judicial review when agencies fail to fully consider the least costly or least burdensome alternative rule. The bill allows the judicial branch to place a stay on rules when the agency fails to complete the required UMRA analysis. This provides an important check on the executive branch.

H.R. 50 codifies the Congressional Budget Office practice of estimating the true cost of a Federal mandate. When a Federal mandate is proposed, CBO ensures its cost estimates include lost profits, costs passed on to consumers, and behavioral changes as the result of a Federal mandate.

When enacted, UMRA created an important step to inform Congress of the potential burdens of regulatory mandates on both government and the private sector. This way, Congress could weigh any potential benefits as well as any potential burdens. By updating this law, we can help ensure that all parties, from government entities to small businesses, understand the true cost of prospective mandates.

I commend the gentlewoman from North Carolina (Ms. FOXX). She has poured her heart and soul into this. She believes passionately in this. Her leadership on this bill has brought it to this point today. It has passed three times with bipartisan support in this House, but it is necessary to bring it up again and to share this bill with a new Senate that is now in place.

I encourage my colleagues to support H.R. 50. It is good. It is common sense. It is good for this Nation, and it enjoys bipartisan support.

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

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, January 28, 2015.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On January 27, 2015, the Committee on Oversight and Government Reform ordered reported without amendment H.R. 50, the Unfunded Mandates Information and Transparency Act of 2015, by a vote of 20 to 13. The bill was referred primarily to the Committee on Oversight and Govemment Reform, with an additional referral to the Committee on the Judiciary.

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

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON THE JUDICIARY,
Washington, DC, January 28, 2015.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN CHAFFETZ, Thank you for your letter regarding H.R. 50, the ''Unfunded Mandates Information and Transparency Act of 2015,'' which your Committee ordered reported on January 27, 2015.

As a result of your having consulted with the Committee and in order to expedite the House's consideration of H.R. 50, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration. The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 50 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would request that you include a copy of our letters in the Congressional Record during the floor consideration of this bill.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, January 28, 2015.

Hon. TOM PRICE,
Chairman, Committee on the Budget, Cannon House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On January 27, 2015, the Committee on Oversight and Government Reform ordered reported without amendment H.R. 50, the Unfunded Mandates Information and Transparency Act of 2015, by a vote of 20 to 13. The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on the Budget.

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

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON THE BUDGET,
Washington, DC, January 28, 2015.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: Thank you for your letter regarding H.R. 50, the Unfunded Mandates Information and Transparency Act of 2015, which was ordered reported by the Committee on Oversight and Government Reform on January 27, 2015.

In order to expedite House consideration of H.R. 50, the Committee on the Budget will forgo action on the bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Oversight and Government Reform as well as in the Congressional Record during floor consideration. We appreciate your cooperation and look forward to working with you as this bill moves through the Congress.

Sincerely,

THOMAS PRICE, M.D.,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, January 29, 2015.

Hon. PETER SESSIONS,
Chairman, Committee on Rules, The Capitol, Washington, DC.

DEAR MR. CHAIRMAN: On January 27, 2015, the Committee on Oversight and Government Reform ordered reported without amendment H.R. 50, the Unfunded Mandates Information and Transparency Act of 2015, by a vote of 20 to 13. The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on Rules.

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

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES,
Washington, DC, January 29, 2015.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: On January 27, 2015, the Committee on Oversight and Government Reform ordered reported H.R. 50, the Unfunded Mandates Information and Transparency Act of 2015. As you know, the Committee on Rules was granted an additional referral upon the bill's introduction pursuant to the Committee's jurisdiction under rule X of the Rules of the House of Representatives over rules and joint rules of the House.

Because of your willingness to consult with my committee regarding this matter, I will waive consideration of the bill by the Rules Committee. By agreeing to waive its consideration of the bill, the Rules Committee does not waive its jurisdiction over H.R. 50. In addition, the Committee on Rules reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I ask your commitment to support any request by the Committee on Rules for conferees on H.R. 50 or related legislation.

I also request that you include this letter and your response as part of your committee's report on the bill and in the Congressional Record during consideration of the legislation on the House floor. Thank you for your attention to these matters.

Sincerely,

PETE SESSIONS.

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

Mr. Chairman, I rise in opposition to H.R. 50, the Unfunded Mandates Information and Transparency Act. This legislation may be well intended, but it would have unintended consequences that would make the government less efficient and less effective.

I stood here just 4 months ago when the House, for the second time, considered a package of special interest bills, including this one. I said then that the Republican leadership in the House cannot fool the American people by passing the same bad bills over and over again, yet, Mr. Chairman, here we go again.

Yesterday, the House voted to repeal the Affordable Care Act for the 56th time. Today, we are considering an antiregulatory bill the House has considered three times before. Tomorrow, we will consider another antiregulatory bill the House has also passed before.

H.R. 50, the bill we are considering today, would add red tape to the rulemaking process in an effort to slow down or halt agency rules.

□ 1600

One thing that is different this time around is that the Congressional Budget Office estimated that H.R. 50 as reported would increase direct spending by $18 million over the next 10 years. CBO estimates that this increase would primarily impact the Consumer Financial Protection Bureau, a bureau that was established to protect our constituents.

The majority inserted a last-minute provision last night after the Rules Committee meeting to address this problem. The majority's fix, however, does nothing to reduce the cost of the bill.

The majority instead inserted language to cut the Consumer Financial Protection Bureau's budget by $36 million in fiscal year 2016. Cutting CFPB's budget by $36 million while also requiring the agency to comply with significant new requirements is absurd.

On Saturday, The Huffington Post published an article titled, ''Congress Revives Gingrich-Era Law to Thwart Obama.'' The article said:

> Republicans in Congress aim to revamp an antiregulatory law from the Newt Gingrich era in an effort to paralyze new financial, environmental, and labor rules with a never-ending string of court challenges.

The Unfunded Mandates Reform Act was enacted as a part of Newt Gingrich's Contract with America. Even in the context of the extreme agenda of the Contract with America, Congress included several limitations in the Unfunded Mandates Reform Act.

This bill would repeal those limitations. For example, under this bill, agencies would be required to consult with regulated industries on proposed rules before they are even made public.

For example, if the Consumer Financial Protection Bureau planned to propose a new rule to protect consumers from abusive mortgage practices, banks would get advance access to the rule and the opportunity to shape it before our constituents, the consumers.

I believe that businesses should have the opportunity to provide comments on proposed rules, but they should do it through the normal public comment process just like other stakeholders.

H.R. 50 would also expand judicial review under the Unfunded Mandates Reform Act. The statute currently prohibits courts from using its requirements to delay or invalidate a rule.

This bill eliminates that restriction which would allow regulated industries to use the law to slow down rulemakings.

This bill also would put independent agencies in jeopardy of political interference. The Unfunded Mandates Reform Act currently exempts independent agencies from its reporting requirements. The bill removes that exemption.

That would mean that the independent regulatory agencies like the Securities and Exchange Commission and the Consumer Financial Protection Bureau would have to submit their rules to the Office of Management and Budget for review which could undermine their independence.

Section 12 of the bill would require an agency to perform retrospective review, including an additional cost-benefit analysis of any existing rules if requested by the chairman or ranking member of a committee. It is interesting that we always talk about being able to predict what is going to go on in the business world. This certainly would add a high level of unpredictability.

I will offer an amendment at the appropriate time to strike that provision. These flaws are reason enough to oppose this bill.

The most important reason is that we rely on agency rulemakings to protect our children, protect our workers, protect our economy, and protect our constituents, the folks who sent us here.

That is why the Coalition for Sensible Safeguards—a group of more than 150 good government, labor, scientific, faith, health, and community organizations—sent a letter to the Oversight Committee opposing this bill.

Here is what the letter said: ''The costs of deregulation should be obvious by now: the Wall Street economic collapse, various food and product safety recalls, and numerous disasters, including the recent Dan River coal ash spill in North Carolina and the Freedom Industries chemical spill in West Virginia, demonstrate the need for a regulatory system that protects the public, not corporate interests.''

Congress should be moving forward to protect the public from harm, not rolling back the clock and weakening important safeguards.

Yesterday, the White House issued a statement opposing this bill.

I urge my colleagues to vote ''no,'' and I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, at this time, I am pleased to yield 5 minutes to the gentlewoman from North Carolina, Dr. FOXX, the prime sponsor of this bill.

Ms. FOXX. Mr. Chairman, I thank the chairman for yielding time and for the leadership he has provided in getting this bill passed out of the Oversight and Government Reform Committee.

Mr. Chairman, we are going to probably have to say this many times today, but our colleagues on the other side of the aisle want to make this an antiregulation bill. We are not opposed to regulations on our side of the aisle. We are in favor of commonsense rules.

Mr. Chairman, each year, Washington imposes thousands of pages of rules and regulations on America's private sector employers, as well as State and local governments. Buried in those pages are costly Federal mandates that make it harder for businesses to hire and cash-strapped States, counties, and cities to serve their citizens.

As a former State senator, I can testify to the difficulty of balancing the State's budget when there are dozens of complicated, mostly unfunded Federal mandates that must be taken into account.

As a former small business owner, I understand firsthand the concerns that job creators have about how lengthy, confusing rules affect their ability to conduct business and provide jobs and opportunities to their employees.

That is why I introduced H.R. 50, the Unfunded Mandates Information and Transparency Act, which we call UMITA, and am proud to see it brought before the House for consideration.

The bill builds upon the bipartisan 1995 Unfunded Mandates Reform Act, also known as UMRA, and will ensure awareness and public disclosure of the cost in dollars and jobs that Federal dictates pose to the economy and local governments.

H.R. 50 does not seek to prevent the Federal Government from regulating; rather, it seeks to ensure that its regulations are deliberative and economically defensible. Asking regulators to consider thoroughly and understand the cost of a rule in addition to its benefits should not be controversial. It is just plain common sense.

Regulators and legislators should know exactly what they are asking the American people to pay and whether the costs of compliance might make it harder for family businesses to meet payroll and stay afloat. No government body, on purpose or accidentally, should skirt public scrutiny when jobs and scarce resources are at stake.

In the nearly 20 years since UMRA's passage, weaknesses in the law have been revealed, weaknesses that some government agencies and independent regulatory bodies have exploited. UMITA makes independent regulatory agencies subject to UMRA's requirements, ending a two-tier system that allowed regulations to be implemented without the required consideration, scrutiny, or public input.

H.R. 50 recognizes that the Federal Government's reach extends well beyond the taxes it collects and the money it spends. Regulations can advance government initiatives without using tax dollars.

Rather than count expenses for new programs, the government can require the private sector, as well as State and local governments, to pay for Federal initiatives through compliance costs. This bill shines much-needed light on the murky regulatory process and ensures the public has transparent access to proposed rules and regulations.

Both Democrats and Republicans recognize that appropriate regulations don't need to be issued in the dead of night or negotiated behind closed doors. That is why the House has considered and passed this bill three times in the 112th and 113th Congresses.

I urge my colleagues to vote ''yes'' on this commonsense, bipartisan bill.

Mr. CUMMINGS. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), the chairman of the Subcommittee on Government Operations.

Mr. CONNOLLY. Mr. Chairman, I thank the distinguished gentleman from Maryland.

I rise today in opposition to H.R. 50, the Unfunded Mandates Information and Transparency Act.

This act boasts an Orwellian title that attempts, I think, deception of the public into believing that it is simply an innocuous attempt to enhance transparency for the public and State and local governments while masking the true nature of this act which—make no mistake—is a subversive legislative assault of public health, safety, and environmental protections.

This bill is simply an effort to throw a wrench into the rulemaking process, ensuring that private industry is provided privileges and rights above any other stakeholder in the process.

In many respects, H.R. 50 represents the ''Mitt Romney principle'' on steroids, for it appears that in the minds of some of my colleagues, not only is it a fact that ''corporations are people, my friend,'' but under this measure, they appear to be embracing an ethos that treats corporations even better than people.

My longstanding principle is that I will never defend the indefensible, and regrettably, this bill provides private corporations with an unfair consultation over every other stakeholder in the regulatory process, and that is indefensible.

Under this bill, Federal agencies would be required to consult with private industry ''before issuance of a notice of proposed rulemaking,'' yet it does not afford that same level of protection or consultation to average citizens, consumers, or anybody else who relies on agency rules to preserve and protect their health, welfare, and safety.

There is no justification for enacting an irrational statutory framework that requires the Federal Government to consult with private firms and nobody else—such as a large agribusiness, for example—prior to proposing a rule that could have an impact on that company, yet does not require such consultation on public health with public health experts.

I cannot defend a regulatory framework that would provide big oil companies a guaranteed right to weigh in before any drilling regulation is promulgated to protect the public from big oil

spills, such as one we experienced just a few years ago.

To be clear, I strongly support the right of industry to have its voice and to have the opportunity to provide comments on proposed rules. This fosters more informed and high-quality rulemaking, benefiting business and society; indeed, that is why our current administrative procedures mandate that a public comment period be provided prior to the adoption of such rules.

Equally concerning, H.R. 50 would also undermine the critical independence of aptly titled independent regulatory agencies. It is not clear how eliminating the independence of agencies, such as the Consumer Product Safety Commission, by empowering Presidential administrations to play a significant role in shaping the rules for those agencies before they issue them, would in any way address unfunded mandates.

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

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

Mr. CONNOLLY. The bottom line is that well-reasoned agency rules have made our air cleaner to breathe, water safer to drink, and our products safer to use. That is a good formula, and we should preserve it.

Mr. CHAFFETZ. Mr. Chairman, I yield myself 1 minute.

It would be inaccurate and inappropriate to suggest that this bill bypasses individuals. To the contrary, the bill says, ''and impacted parties within the private sector.'' The definition of ''private sector'' under UMRA—the term ''private sector'' means ''all persons or entities in the United States, including individuals.''

Any assertion on this floor that this gives unilateral priority to the individual corporations and bypasses the individuals, we are trying to give people who are affected by these rules—we are trying to give them the opportunity to be heard.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Mr. Chairman, I thank the ranking member for allowing me time.

I rise today to strongly oppose H.R. 50. I consider it a misguided bill that will cost American consumers at least $18 million over the next 10 years while making it easier for bad actors in certain industries to continue their abusive practices as they attempt to stonewall appropriate regulation.

□ 1415

Make no mistake. H.R. 50 is a frontal assault on the Nation's health, safety, and environmental protections, and it would erect new barriers to give selected industries a built-in advantage to evade or eliminate vital rules that protect the American people.

For instance, this bill would require agencies to consult with private sector entities ''as early as possible, before the issuance of a notice of proposed rulemaking, continue through the final rule stage, and be integrated explicitly into the rulemaking process.''

Now, I agree that Federal agencies should consult with regulated industries regarding proposed rules, but they should not receive an insider, prewired advantage in the regulating and rulemaking process over other stakeholders.

H.R. 50 would also expand judicial review under UMRA and would allow a court to review the inadequacy or failure of an agency to prepare a written statement under UMRA. UMRA currently prohibits courts from using the law to stay, invalidate, or otherwise affect an agency rule. H.R. 50 would eliminate this prohibition.

I thought the majority strongly opposed judicial activism, but perhaps that only applies to protecting voting rights.

We don't have to choose between protecting the health, welfare, and safety of Americans and promoting economic growth, job creation, and innovation. We can do both. H.R. 50 advances neither of these worthy goals, and that is why I urge my colleagues to reject this deeply flawed act that will stack the deck against the American consumer.

Mr. CHAFFETZ. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. I thank the gentleman for yielding his time.

Mr. Chairman, I rise in strong support of H.R. 50, the Unfunded Mandates Information and Transparency Act.

The alarming growth of our Federal Government in the last several decades has come at an incredible cost. This is largely due to lax reporting requirements, and as a result, the American people have largely been left in the dark as to the true cost of this unprecedented growth. For example, we all know that, often, the Federal Government imposes mandates, be it upon the private sector or local or State governments, and, oftentimes, this is without any clearly disclosed cost or impact of those mandates.

Mr. Chairman, H.R. 50 will make significant strides to address this looming problem by enacting more strict and clearly defined requirements about how and when agencies need to disclose the cost of these Federal mandates. Therefore, Mr. Chairman, I urge my colleagues to support this bill.

Mr. CUMMINGS. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the gentleman from Maryland for yielding and for his leadership on this issue.

Mr. Chairman, I rise in strong opposition to H.R. 50.

With all due respect to my friend from Utah—and I do respect him; I know he didn't write this bill—there is a common practice here in Congress that you name the bill in a way that describes the opposite of what it will actually do. This is supposed to be an accountability bill, but this bill ought to be named the ''Government Gridlock Act'' because that is what it will introduce.

While I certainly respect everyone's opinion and position against Big Government—I certainly understand that. You can be against intrusive government. I understand that. But you can't be against a functioning government, and that is what this bill accomplishes.

This bill, as the gentleman did point out, does allow individual taxpayers to sue. Mrs. Gilhooly and Mr. Gilhooly can sue, but so can Exxon and so can JPMorgan Chase attack regulations under this bill. This bill makes the financial ability to sustain a legal challenge as the litmus test on how much justice you get under this bill.

Even though Congress has the ability to pass laws and to direct regulators to come up with regulations, large, well-financed banks and industries like the oil industry will be able to undo the direction of Congress by proffering legal challenges with enormous resources to stop those laws from coming into effect.

A good example is the financial services industry, where we under Dodd-Frank have directed that there be 300 separate rules developed to deal with the problems created by the crisis in 2008. That crisis cost $20 trillion to the American economy. Yet, under this law, in order to prevent big banks from taking those reckless gambles, we would have to force the regulators to show that the reduction in cost to the American taxpayer justified the regulation against Wall Street.

It misses the point. We are trying to bifurcate the risks created by Wall Street from the taxpayers' requirement to bail them out. This bill ignores that reality. I think we should all oppose it, and I urge my colleagues to vote against this bill.

Mr. CHAFFETZ. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. I thank the chairman for his leadership on this bill and for bringing it through regular order. We continue to hear that around here on this particular bill.

Mr. Chairman, before the gentleman from Massachusetts leaves, I think it is important that we address this. As the gentleman would indicate, he is making this out to be all about big banks, but it is really about the small business folks and, truly, about the municipalities. I want to read a few excerpts from the resolution that comes from his home State—from Massachusetts—because they got together, and they said this is a real problem:

''Whereas, the Federal Government has imposed additional requirements, based on incomplete scientific analysis

and review, on the cities and towns of Massachusetts.'' In this resolution, Mr. Chairman, it talks about going further and that, at a minimum, what we should do is provide a ''fiscal note included as part of any such proposal.''

So it is the towns and the counties across the country and, yes, indeed, from the gentleman—my esteemed friend from Massachusetts—a resolution from his State that talks about the problems that we have with unfunded mandates. Over 850 major pieces of regulation, with impacts of over $100 million a piece, have failed this basic principle and test, and 75 percent of them never get the analysis that we should be doing at the Federal Government.

We have a responsibility to the local towns and governments but also a responsibility, Mr. Chairman, to farmers. I left a hearing today with the EPA and an unfunded mandate. Who are they consulting with? The Department of Agriculture, not with the farmers from across this great country. They are talking to other bureaucrats. It is time that we bring the private sector in, and I think it is time that we stand alongside them.

Mr. CUMMINGS. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Mrs. LAWRENCE), a new member of our committee.

Mrs. LAWRENCE. Mr. Chairman, I rise today in opposition to H.R. 50, the Unfunded Mandates Information and Transparency Act. Although the intent of this legislation is to, no doubt, provide additional safeguards, it does, in fact, add an additional level of bureaucracy.

It appears to be a good bill. As a former mayor, I fought to ensure that my city and other cities were not unduly impacted by unfunded Federal mandates. In Michigan, we worked cooperatively with our Federal counterparts on proposed regulations that would generate obligations on local governments. In fact, as a local government official, I supported the Unfunded Mandate Reform Act, as it was a result of multiple years of effort by our State and local government officials to control the burden of many unfunded Federal mandates.

Along with the consequences I have previously mentioned, this bill will also grant corporations special access to information about a rule and an opportunity to submit feedback to an agency before a rule is even proposed. Additionally, the legislation would shut the American people out of this early review. The bill would also require agencies to perform retrospective analysis at the request of any chairman or ranking minority member of any standing or select committee of the House or the Senate. The bill neither improves nor streamlines the regulatory process. It expands agency roles and interjects politics into the process.

The Office of Management and Budget is responsible for overseeing the implementation of the Unfunded Mandates Information and Transparency Act. This bill also expands OMB's role, and it requires them to guarantee that each agency complies with the act's requirements. Independent regulatory agencies will then have to send their rulemaking analyses to OMB.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. CUMMINGS. I yield the gentlewoman an additional 30 seconds.

Mrs. LAWRENCE. The existing Unfunded Mandates Reform Act expressly prohibits courts from using the law to stay, enjoin, invalidate, or otherwise affect an agency rule. H.R. 50 would fundamentally change the law by eliminating this prohibition, allowing regulated industries to abuse this expanded judicial review and tie up rules in litigation for years.

I urge my colleagues to vote ''no'' on this act, and I request that this body work within the existing safeguards in place.

Mr. CHAFFETZ. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished majority leader.

Mr. MCCARTHY. I thank the gentleman for yielding.

Mr. Chairman, there are many parts of government that like to act in secrecy. In particular, many agencies like to hide the true costs of their regulations from the American people. After all, it is easier to add more pages to the Federal Register if nobody is sure exactly what the pricetag is, but that is not the way our democracy should work. For government to work, it needs to be accountable to the people. To be accountable to the people, government needs to be honest and open with what it is doing.

Washington needs reform, and a good place to start is to make sure that people know the true cost of what Washington is doing—no gimmicks, no hidden fees. That is why I support Representative FOXX's bill, which demands transparency on unfunded mandates.

Mr. Chairman, this bill says a simple thing. It says we trust the people. It says if the bureaucracy is afraid of telling the people how much a regulation costs, then it shouldn't impose the regulation. If bureaucracy isn't following the rules and giving the people the information they need, this bill allows the courts to review the agency—no more hiding. The people have the right to know as much as possible, and Washington has an obligation to tell them.

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

I just want to remind the gentleman before he leaves the Chamber that there is truth here. The truth is that the CBO has already estimated that this bill will cost some $18 million. There is also truth here with regard to what has happened to the Consumer Financial Protection Bureau—the very bureau that this Congress established to protect our consumers on a day-to-day basis—and its losing some $36 million. That is the transparency.

Mr. Chairman, I yield 2 minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

□ 1430

Mrs. WATSON COLEMAN. Mr. Chairman, thank you to the gentleman from Maryland (Mr. CUMMINGS), the ranking member, for this opportunity to speak.

I rise today also in opposition to H.R. 50, the misleadingly named Unfunded Mandates Information and Transparency Act of 2015, which passed out of the Committee on Oversight and Government Reform on a strictly partisan vote.

This bill neither improves nor streamlines the regulatory process. Instead, this ill-conceived bill is an assault on consumer protections, gives private industry an unfair advantage to weigh in on rules, and erects new, unnecessary barriers in the regulatory process.

H.R. 50 would require agencies to provide the private sector with an unfair advantage to influence proposed regulations. The supporters of this bill claim that it creates parity between the private and the public sectors, but that is simply not true. What it really does is provide the private sector with a sneak peek of proposed rules before they are even made public.

This bill propels regulated private sector entities to the front of the line while pushing the consumers these laws are designed to protect to the back of the line. It further gums up the regulatory process by allowing opponents to delay or invalidate rules through litigation.

The existing Unfunded Mandates Reform Act of 1995 prohibits courts from using the law to stay, enjoin, invalidate, or otherwise affect an agency rule. H.R. 50 would fundamentally change that law by eliminating this prohibition, giving regulated industries the ability to abuse this expanded judicial review and tie up rules in courts for years. For example, Wall Street banks could take agencies to court over Dodd-Frank consumer protection rules that have yet to be finalized.

Most Americans, and certainly most of my constituents that I represent, simply do not have the means to hire lawyers to sue Federal agencies if they are dissatisfied with a Federal regulation, but large corporations do. H.R. 50 would give corporations the ability to sue and to stall regulations they view as unfavorable.

By unnecessarily layering an additional, burdensome judicial review and giving private industry an unfair advantage, this bill shows that it is not working for the consumers, but it is only working for the chosen few.

Mr. CHAFFETZ. Mr. Chairman, may I inquire of the time left on both sides?

The Acting CHAIR. The gentleman from Utah has 15½ minutes remaining,

and the gentleman from Maryland has 9½ minutes remaining.

Mr. CHAFFETZ. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from North Carolina (Mr. WALKER).

Mr. WALKER. Mr. Chairman, every day small businesses and local governments are weighed down by Washington's numerous regulations. H.R. 50, the Unfunded Mandates Information and Transparency Act, acts to curb the constant rules and regulations that Washington continues to impose on the American people.

This law builds on and improves the bipartisan legislation, the Unfunded Mandates Reform Act of 1995, which was enacted to promote transparent decisionmaking and curb unfunded Federal mandates. However, due to loopholes and exemptions, UMRA has failed to keep unfunded mandates off the backs of local governments and taxpayers.

I would like to thank Congresswoman FOXX for introducing this bipartisan legislation to close these gaps, hold Washington accountable, and better protect our fellow Americans.

Importantly, this bill will do three things: one, it will close loopholes that allow agencies and independent regulators to forgo UMRA analysis; two, it enables stakeholders to engage Federal agencies before unfunded mandates are implemented; and three, it holds regulators accountable through the courts and congressional oversight.

I am reminded every day that we were elected to bring change to Washington, and this reform is exactly what needs to be sent to the President's desk.

Mr. CUMMINGS. Mr. Chairman, I yield 3 minutes to the gentlelady from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank my good friend from Maryland for yielding me this time.

Mr. Chairman, this bill has a lot of chutzpah even for a probusiness majority. The point of the review and comment regulatory process is to hear from everybody, to pull everybody into the process.

I have experienced how this process worked when I chaired the Equal Employment Opportunity Commission. In order to make sure I heard from everyone, I took a process which issued guidelines, which did not come under the Administrative Procedure Act, and put it under the Administrative Procedure Act to make sure I heard from everyone.

In a real sense, I knew, I thought I knew what the public wanted because I was a civil rights lawyer. I was particularly interested in whether the reforms I was instituting would work in practice. So I was more interested, in a real sense, in what the business community said.

I must tell you, Mr. Chairman, in these processes, the business community, small and large, dwarfs the public in the amount of comment that agencies receive.

This bill breaks a cardinal rule by excluding, of all people, the public, while industry gets an advance look at a bill. Understand, it is the industry that is being regulated, industry that has the high-cost lobbyists, the high-cost lawyers that the public does not have.

So what is the point here, Mr. Chairman? It is clear. The point is to get industry in on writing the bill itself and writing it at that stage before the public even gets to know what the bill is. This is not a tilt in favor of the objects of regulations; it is a slide in their favor.

If the point is the usual bipartisan point, to help small businesses—which, by the way, is already a stakeholder—along with other businesses, why pit small businesses against small children and small mortgage holders and small IT users?

Another extraordinary thing I see in this bill is that the court-hating majority, at least in this bill, falls in love with the judiciary by inviting litigation before the rule is final. The courts will just love that. On top of everything else, this bill adds $18 million over 10 years to agency spending?

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. CUMMINGS. I yield the gentlelady an additional 30 seconds.

Ms. NORTON. $18 million that this majority certainly will not appropriate.

Small business always have been a bipartisan concern. We have many more of them in our districts than we have large businesses. Small businesses are not who will come to ''consult.'' It is the global multinationals who are applauding this bill as we speak.

I thank the gentleman for yielding.

Mr. CHAFFETZ. Mr. Chairman, I would like to point to the bill because it keeps getting repeated on this floor that it doesn't include the public, it doesn't include individuals. That is just not true.

On page 12 of the bill:

> Agencies shall, to the extent practicable, seek out the views of State, local, and tribal governments, and impacted parties within the private sector.

Definition of private sector: the term ''private sector'' means all persons or entities in the United States, including individuals.

It sounds like a good rhetorical point to keep saying: Oh, we are leaving out the little guy; we are leaving out the public. It does include the public; it does include the individuals; and when these unfunded mandates are placed upon them, this bill would make sure that they are at least asked about it. That is what we are seeking.

At this time, I yield 1 minute to the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. Mr. Chairman, the chairman points out very clearly that, indeed, the definition of ''private sector'' includes individuals. I would also like to go further and talk about small businesses.

We are talking about small businesses and how they are not supported in this. It is troubling, because if that were the case, the National Federation of Independent Businesses, who represents thousands and thousands of small businesses, or the Small Business and Entrepreneurship Council, which does the same, would not be endorsing this piece of legislation. So, Mr. Chairman, I want to make sure the record is corrected.

With regards to the $18 million, that was cleared up in Rules yesterday; the committee was made aware of it. And despite the legislation being identical to last Congress' bill, the CBO had scored it as having a direct spending cost, but this was partly because the Consumer Financial Protection Bureau, CFPB, doesn't have the authority to collect the fees. And so we have already addressed that, Mr. Chairman, and I wanted to make sure we cleared up the record.

Mr. CUMMINGS. I yield 2 minutes to the gentlelady from California (Ms. WATERS), the ranking member of the Committee on Financial Services.

Ms. MAXINE WATERS of California. Mr. Chairman, I appreciate the time that has been allotted to me. Thank you very much, Mr. CUMMINGS.

I rise to oppose H.R. 50, an anticonsumer deregulatory bill that would stop rulemaking by our Nation's financial overseers dead in its tracks. In 2008, we witnessed the worst financial crisis since 1929, which halted lending to small businesses, left millions without a home, and pushed countless Americans into personal bankruptcy and ruin, after which my colleagues and I in Congress worked diligently to put in place serious and comprehensive safeguards to prevent another collapse.

Nevertheless, today House Republicans are suffering from selective amnesia when they push this legislation to undo financial reform. Indeed, this bill, H.R. 50, places significant administrative hurdles on our regulators, like the Consumer Financial Protection Bureau and the Securities and Exchange Commission.

Certain provisions require our regulators, who are tasked with protecting consumers and investors, to conduct onerous, industry-friendly, cost-benefit analysis and to submit their rules for review to the Office of Management and Budget. This hurts their ability to act independently and in the best interests of the public.

In addition, this bill would arm special interests with a time-tested weapon to delay and kill reform, the opportunity to challenge our cash-strapped regulators in court on every rule. But this is the ultimate point of the bill: to make regulating everything from securities, fraud, payday loans, credit cards, insider trading, and derivatives that much harder.

Most concerning is that Republicans want to pay for the cost of their new burdens by depriving the one regulator charged with protecting our Nation's

consumers of tens of millions of dollars.

Mr. Chairman, this is just the latest in a never-ending effort to unravel the important protections for consumers and taxpayers this Congress put in place following the worst crisis in a generation.

With our economy still recovering from the $14 trillion financial crisis, with families in my own district and probably yours still struggling with foreclosure and unsure how they will be able to make ends meet in retirement, we simply cannot undermine fundamental reforms or the agencies enforcing them.

Mr. CHAFFETZ. Mr. Chairman, I would like to make Mr. CUMMINGS aware that I have no further speakers, and I am prepared to close, but I will reserve the balance of my time.

Mr. CUMMINGS. I yield 2 minutes to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I thank my friend for yielding.

I want to echo the comments of Ranking Member WATERS. As a member of the Committee on Financial Services, I am particularly concerned with the direction that this bill takes us at a time when, on one hand, many of my colleagues have criticized the agencies charged with implementation of important regulatory reforms, such as Dodd-Frank, charging those agencies with not bringing forth rules in a timely fashion, and then at the same time reducing, through the budget process, the necessary resources to provide those agencies with the tools that they need to move forward on the rulemaking process, and now this, yet another, I think, effort to create another cumbersome step in the process of developing rules intended to implement legislation that was passed here by the United States Congress, law that is on the books.

□ 1445

The rulemaking process already includes a very logical progression of steps which allows for a comprehensive and all-inclusive comment period under the Administrative Procedure Act that allows the kind of substantive input that is specific to the rules being proposed to be provided, to be considered, to modify proposed rules, and then to move forward in an orderly process.

The other concern that I have is that there is language that is troublesome to me in terms of the way cost-benefit analyses would be conducted and considered.

Very often—and there is no better example than in the financial sector—if we limit ourselves to industry-specific costs and benefits, we lose the fact that many of the costs are not borne by those in the industry but those consumers who bear the brunt of their tactics.

Mr. CUMMINGS. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Maryland has 2 minutes remaining.

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

I just want to be clear. Many things concern me about this legislation. We need to be very careful about this.

We have a situation here where this is clearly an effort to give Big Business an advantage. All the speakers on our side have talked to that. We can go around saying we don't need regulations, but regulations are very, very important. This President has done a lot with regard to addressing the issue of regulations.

There is something else that is happening here that really bothers me. There was a tremendous effort by the other side when we were trying to get the consumer financial protection bill passed.

After seeing our constituents abused over and over again, we bring about an agency that would bring them some type of protection, and here, we are taking away money from an agency that already needs money, the very agency that is there to help our constituents. That concerns me.

The other thing that concerns me is that we have an extra layer here. It makes it much more difficult now with regard to rulemaking, and then to have the courts have the ability to delay and basically take away rules is unprecedented. That is something that even Newt Gingrich didn't do.

We need to look at what we are doing and bring a sense of balance, and the other side will say that balance is brought about because private industry is given an opportunity to be involved in the process.

Well, they really do have a tremendous advantage because, as Ms. NORTON said, they are the ones that have the lawyers. They are the ones who have the big money. They are the ones now who will be able to come in before the regulations are even formulated and have their say while the public won't be in that kind of position.

Let's not kid ourselves. We are putting our constituents at a decided disadvantage, no matter how you look at it. This is a triumph for Big Business.

I yield back the balance of my time.

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

The one who is in the power position, the one who has got the resources, the one that has got the attorneys is the government. The government is the one that has got all the cards.

All we are asking for is to allow input from individuals, small businesses, big businesses. If you are going to be affected, isn't it common sense to suggest that maybe they should talk to the people that they are going to put this mandate on? Let's have a discussion, a dialogue, get some input from them?

The name of this bill is very, very accurate, Unfunded Mandates Information and Transparency Act. What are we afraid of, asking them the question: How are you going to be impacted? What is this going to do to the economy?

What I hear from my constituents—and I have heard it from outside of Utah's Third Congressional District—is the Federal Government comes in with its big, heavy hand, and they have no voice, no opportunity. It is just laid upon them.

I appreciate Dr. FOXX and what she is doing. We also hear from State, local, and tribal governments, from small businesses and business organizations that are in support of this bill.

In fiscal year 2014, the administration estimated the annual cost of major regulations was between $57 billion and $84 billion. There is room. There is appropriate use of regulations. To suggest that we are opposed to all regulations is irresponsible.

I think there are good regulations that are in place—they make our country better—but there needs to be a process and a communication and input from individuals that are affected by these regulations.

We have got to understand the costs and how we are passing these unfunded mandates on to State and local governments. This is an important part of the process.

Updating this law, we can ensure all parties, from government entities to small businesses to individuals, understand the true costs of the prospective mandates.

This bill should successfully pass in the House again, and I urge my colleagues to support it. I applaud Dr. FOXX from North Carolina, the prime sponsor of this, for moving this legislation.

I would urge, my colleagues, a ''yea'' vote on H.R. 50, and I yield back the balance of my time.

The Acting CHAIR. All time for debate has expired.

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

An amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–4, modified by the amendment printed in part B of House Report 114–14, is adopted.

The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

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

H.R. 50

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 ''Unfunded Mandates Information and Transparency Act of 2015''.

SEC. 2. PURPOSE.

The purpose of this Act is—

(1) to improve the quality of the deliberations of Congress with respect to proposed Federal mandates by—

(A) providing Congress and the public with more complete information about the effects of such mandates; and

(B) ensuring that Congress acts on such mandates only after focused deliberation on their effects; and

(2) to enhance the ability of Congress and the public to identify Federal mandates that may impose undue harm on consumers, workers, employers, small businesses, and State, local, and tribal governments.

SEC. 3. PROVIDING FOR CONGRESSIONAL BUDGET OFFICE STUDIES ON POLICIES INVOLVING CHANGES IN CONDITIONS OF GRANT AID.

Section 202(g) of the Congressional Budget Act of 1974 (2 U.S.C. 602(g)) is amended by adding at the end the following new paragraph:

''(3) ADDITIONAL STUDIES.—At the request of any Chairman or ranking member of the minority of a Committee of the Senate or the House of Representatives, the Director shall conduct an assessment comparing the authorized level of funding in a bill or resolution to the prospective costs of carrying out any changes to a condition of Federal assistance being imposed on State, local, or tribal governments participating in the Federal assistance program concerned or, in the case of a bill or joint resolution that authorizes such sums as are necessary, an assessment of an estimated level of funding compared to such costs.''.

SEC. 4. CLARIFYING THE DEFINITION OF DIRECT COSTS TO REFLECT CONGRESSIONAL BUDGET OFFICE PRACTICE.

Section 421(3) of the Congressional Budget Act of 1974 (2 U.S.C. 658(3)(A)(i)) is amended—

(1) in subparagraph (A)(i), by inserting ''incur or'' before ''be required''; and

(2) in subparagraph (B), by inserting after ''to spend'' the following: ''or could forgo in profits, including costs passed on to consumers or other entities taking into account, to the extent practicable, behavioral changes,''.

SEC. 5. EXPANDING THE SCOPE OF REPORTING REQUIREMENTS TO INCLUDE REGULATIONS IMPOSED BY INDEPENDENT REGULATORY AGENCIES.

Paragraph (1) of section 421 of the Congressional Budget Act of 1974 (2 U.S.C. 658) is amended by striking '', but does not include independent regulatory agencies'' and inserting '', except it does not include the Board of Governors of the Federal Reserve System or the Federal Open Market Committee''.

SEC. 6. AMENDMENTS TO REPLACE OFFICE OF MANAGEMENT AND BUDGET WITH OFFICE OF INFORMATION AND REGULATORY AFFAIRS.

The Unfunded Mandates Reform Act of 1995 (Public Law 104–4; 2 U.S.C. 1511 et seq.) is amended—

(1) in section 103(c) (2 U.S.C. 1511(c))—

(A) in the subsection heading, by striking ''OFFICE OF MANAGEMENT AND BUDGET'' and inserting ''OFFICE OF INFORMATION AND REGULATORY AFFAIRS''; and

(B) by striking ''Director of the Office of Management and Budget'' and inserting ''Administrator of the Office of Information and Regulatory Affairs'';

(2) in section 205(c) (2 U.S.C. 1535(c))—

(A) in the subsection heading, by striking ''OMB''; and

(B) by striking ''Director of the Office of Management and Budget'' and inserting ''Administrator of the Office of Information and Regulatory Affairs''; and

(3) in section 206 (2 U.S.C. 1536), by striking ''Director of the Office of Management and Budget'' and inserting ''Administrator of the Office of Information and Regulatory Affairs''.

SEC. 7. APPLYING SUBSTANTIVE POINT OF ORDER TO PRIVATE SECTOR MANDATES.

Section 425(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 658d(a)(2)) is amended—

(1) by striking ''Federal intergovernmental mandates'' and inserting ''Federal mandates''; and

(2) by inserting ''or 424(b)(1)'' after ''section 424(a)(1)''.

SEC. 8. REGULATORY PROCESS AND PRINCIPLES.

Section 201 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531) is amended to read as follows:

''SEC. 201. REGULATORY PROCESS AND PRINCIPLES.

''(a) IN GENERAL.—Each agency shall, unless otherwise expressly prohibited by law, assess the effects of Federal regulatory actions on State, local, and tribal governments and the private sector (other than to the extent that such regulatory actions incorporate requirements specifically set forth in law) in accordance with the following principles:

''(1) Each agency shall identify the problem that it intends to address (including, if applicable, the failures of private markets or public institutions that warrant new agency action) as well as assess the significance of that problem.

''(2) Each agency shall examine whether existing regulations (or other law) have created, or contributed to, the problem that a new regulation is intended to correct and whether those regulations (or other law) should be modified to achieve the intended goal of regulation more effectively.

''(3) Each agency shall identify and assess available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior, such as user fees or marketable permits, or providing information upon which choices can be made by the public.

''(4) If an agency determines that a regulation is the best available method of achieving the regulatory objective, it shall design its regulations in the most cost-effective manner to achieve the regulatory objective. In doing so, each agency shall consider incentives for innovation, consistency, predictability, the costs of enforcement and compliance (to the government, regulated entities, and the public), flexibility, distributive impacts, and equity.

''(5) Each agency shall assess both the costs and the benefits of the intended regulation and, recognizing that some costs and benefits are difficult to quantify, propose or adopt a regulation, unless expressly prohibited by law, only upon a reasoned determination that the benefits of the intended regulation justify its costs.

''(6) Each agency shall base its decisions on the best reasonably obtainable scientific, technical, economic, and other information concerning the need for, and consequences of, the intended regulation.

''(7) Each agency shall identify and assess alternative forms of regulation and shall, to the extent feasible, specify performance objectives, rather than specifying the behavior or manner of compliance that regulated entities must adopt.

''(8) Each agency shall avoid regulations that are inconsistent, incompatible, or duplicative with its other regulations or those of other Federal agencies.

''(9) Each agency shall tailor its regulations to minimize the costs of the cumulative impact of regulations.

''(10) Each agency shall draft its regulations to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.

''(b) REGULATORY ACTION DEFINED.—In this section, the term 'regulatory action' means any substantive action by an agency (normally published in the Federal Register) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including advance notices of proposed rulemaking and notices of proposed rulemaking.''.

SEC. 9. EXPANDING THE SCOPE OF STATEMENTS TO ACCOMPANY SIGNIFICANT REGULATORY ACTIONS.

(a) IN GENERAL.—Subsection (a) of section 202 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532) is amended to read as follows:

''(a) IN GENERAL.—Unless otherwise expressly prohibited by law, before promulgating any general notice of proposed rulemaking or any final rule, or within six months after promulgating any final rule that was not preceded by a general notice of proposed rulemaking, if the proposed rulemaking or final rule includes a Federal mandate that may result in an annual effect on State, local, or tribal governments, or to the private sector, in the aggregate of $100,000,000 or more in any 1 year, the agency shall prepare a written statement containing the following:

''(1) The text of the draft proposed rulemaking or final rule, together with a reasonably detailed description of the need for the proposed rulemaking or final rule and an explanation of how the proposed rulemaking or final rule will meet that need.

''(2) An assessment of the potential costs and benefits of the proposed rulemaking or final rule, including an explanation of the manner in which the proposed rulemaking or final rule is consistent with a statutory requirement and avoids undue interference with State, local, and tribal governments in the exercise of their governmental functions.

''(3) A qualitative and quantitative assessment, including the underlying analysis, of benefits anticipated from the proposed rulemaking or final rule (such as the promotion of the efficient functioning of the economy and private markets, the enhancement of health and safety, the protection of the natural environment, and the elimination or reduction of discrimination or bias).

''(4) A qualitative and quantitative assessment, including the underlying analysis, of costs anticipated from the proposed rulemaking or final rule (such as the direct costs both to the Government in administering the final rule and to businesses and others in complying with the final rule, and any adverse effects on the efficient functioning of the economy, private markets (including productivity, employment, and international competitiveness), health, safety, and the natural environment).

''(5) Estimates by the agency, if and to the extent that the agency determines that accurate estimates are reasonably feasible, of—

''(A) the future compliance costs of the Federal mandate; and

''(B) any disproportionate budgetary effects of the Federal mandate upon any particular regions of the Nation or particular State, local, or tribal governments, urban or rural or other types of communities, or particular segments of the private sector.

''(6)(A) A detailed description of the extent of the agency's prior consultation with the private sector and elected representatives (under section 204) of the affected State, local, and tribal governments.

''(B) A detailed summary of the comments and concerns that were presented by the private sector and State, local, or tribal governments either orally or in writing to the agency.

''(C) A detailed summary of the agency's evaluation of those comments and concerns.

''(7) A detailed summary of how the agency complied with each of the regulatory principles described in section 201.''.

(b) REQUIREMENT FOR DETAILED SUMMARY.—Subsection (b) of section 202 of such Act is amended by inserting ''detailed'' before ''summary''.

SEC. 10. ENHANCED STAKEHOLDER CONSULTATION.

Section 204 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1534) is amended—

*(1) in the section heading, by inserting ''**AND PRIVATE SECTOR**'' before ''**INPUT**'';*

(2) in subsection (a)—

(A) by inserting '', and impacted parties within the private sector (including small business),'' after ''on their behalf)''; and

(B) by striking ''Federal intergovernmental mandates'' and inserting ''Federal mandates''; and

(3) by amending subsection (c) to read as follows:

''(c) GUIDELINES.—For appropriate implementation of subsections (a) and (b) consistent with applicable laws and regulations, the following guidelines shall be followed:

''(1) Consultations shall take place as early as possible, before issuance of a notice of proposed rulemaking, continue through the final rule stage, and be integrated explicitly into the rulemaking process.

''(2) Agencies shall consult with a wide variety of State, local, and tribal officials and impacted parties within the private sector (including small businesses). Geographic, political, and other factors that may differentiate varying points of view should be considered.

''(3) Agencies should estimate benefits and costs to assist with these consultations. The scope of the consultation should reflect the cost and significance of the Federal mandate being considered.

''(4) Agencies shall, to the extent practicable—

''(A) seek out the views of State, local, and tribal governments, and impacted parties within the private sector (including small business), on costs, benefits, and risks; and

''(B) solicit ideas about alternative methods of compliance and potential flexibilities, and input on whether the Federal regulation will harmonize with and not duplicate similar laws in other levels of government.

''(5) Consultations shall address the cumulative impact of regulations on the affected entities.

''(6) Agencies may accept electronic submissions of comments by relevant parties but may not use those comments as the sole method of satisfying the guidelines in this subsection.''.

SEC. 11. NEW AUTHORITIES AND RESPONSIBILITIES FOR OFFICE OF INFORMATION AND REGULATORY AFFAIRS.

Section 208 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1538) is amended to read as follows:

''SEC. 208. OFFICE OF INFORMATION AND REGULATORY AFFAIRS RESPONSIBILITIES.

''(a) IN GENERAL.—The Administrator of the Office of Information and Regulatory Affairs shall provide meaningful guidance and oversight so that each agency's regulations for which a written statement is required under section 202 are consistent with the principles and requirements of this title, as well as other applicable laws, and do not conflict with the policies or actions of another agency. If the Administrator determines that an agency's regulations for which a written statement is required under section 202 do not comply with such principles and requirements, are not consistent with other applicable laws, or conflict with the policies or actions of another agency, the Administrator shall identify areas of non-compliance, notify the agency, and request that the agency comply before the agency finalizes the regulation concerned.

''(b) ANNUAL STATEMENTS TO CONGRESS ON AGENCY COMPLIANCE.—The Director of the Office of Information and Regulatory Affairs annually shall submit to Congress, including the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives, a written report detailing compliance by each agency with the requirements of this title that relate to regulations for which a written statement is required by section 202, including activities undertaken at the request of the Director to improve compliance, during the preceding reporting period. The report shall also contain an appendix detailing compliance by each agency with section 204.''.

SEC. 12. RETROSPECTIVE ANALYSIS OF EXISTING FEDERAL REGULATIONS.

The Unfunded Mandates Reform Act of 1995 (Public Law 104–4; 2 U.S.C. 1511 et seq.) is amended—

(1) by redesignating section 209 as section 210; and

(2) by inserting after section 208 the following new section 209:

''SEC. 209. RETROSPECTIVE ANALYSIS OF EXISTING FEDERAL REGULATIONS.

''(a) REQUIREMENT.—At the request of the chairman or ranking minority member of a standing or select committee of the House of Representatives or the Senate, an agency shall conduct a retrospective analysis of an existing Federal regulation promulgated by an agency.

''(b) REPORT.—Each agency conducting a retrospective analysis of existing Federal regulations pursuant to subsection (a) shall submit to the chairman of the relevant committee, Congress, and the Comptroller General a report containing, with respect to each Federal regulation covered by the analysis—

''(1) a copy of the Federal regulation;

''(2) the continued need for the Federal regulation;

''(3) the nature of comments or complaints received concerning the Federal regulation from the public since the Federal regulation was promulgated;

''(4) the extent to which the Federal regulation overlaps, duplicates, or conflicts with other Federal regulations, and, to the extent feasible, with State and local governmental rules;

''(5) the degree to which technology, economic conditions, or other factors have changed in the area affected by the Federal regulation;

''(6) a complete analysis of the retrospective direct costs and benefits of the Federal regulation that considers studies done outside the Federal Government (if any) estimating such costs or benefits; and

''(7) any litigation history challenging the Federal regulation.''.

SEC. 13. EXPANSION OF JUDICIAL REVIEW.

Section 401(a) of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1571(a)) is amended—

(1) in paragraphs (1) and (2)(A)—

(A) by striking ''sections 202 and 203(a)(1) and (2)'' each place it appears and inserting ''sections 201, 202, 203(a)(1) and (2), and 205(a) and (b)''; and

(B) by striking ''only'' each place it appears;

(2) in paragraph (2)(B), by striking ''section 202'' and all that follows through the period at the end and inserting the following: ''section 202, prepare the written plan under section 203(a)(1) and (2), or comply with section 205(a) and (b), a court may compel the agency to prepare such written statement, prepare such written plan, or comply with such section.''; and

(3) in paragraph (3), by striking ''written statement or plan is required'' and all that follows through ''shall not'' and inserting the following: ''written statement under section 202, a written plan under section 203(a)(1) and (2), or compliance with sections 201 and 205(a) and (b) is required, the inadequacy or failure to prepare such statement (including the inadequacy or failure to prepare any estimate, analysis, statement, or description), to prepare such written plan, or to comply with such section may''.

SEC. 14. BUREAU FUNDING AUTHORITY.

The Director of the Bureau of Consumer Financial Protection may not request, under section 1017 of the Consumer Financial Protection Act of 2010, during fiscal year 2016 an amount that would result in the total amount requested by the Director during that fiscal year to exceed $550,000,000.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part C of the report. Each such further 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. REED

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 114–14.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 1, insert ''private property owners,'' after ''small businesses,''.

Page 10, line 24, strike the closing quotation marks and second period.

Page 10, after line 24, add the following:

''(8) An assessment of the effects that the proposed rulemaking or final rule are expected to have on private property owners, including the use and value of affected property.''.

The Acting CHAIR. Pursuant to House Resolution 78, the gentleman from New York (Mr. REED) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, private property rights are fundamental to our liberties and freedom as American citizens. These rights are recognized in the Fifth Amendment to our United States Constitution.

The overreaching actions from government on all levels—in particular here, today, the Federal Government and its agencies—is infringing on these rights by limiting property use and impacting property values. This is not right, and we must address this issue.

My amendment is simple, and it is fair. The amendment will require agencies to assess the impact of their governmental actions on private property, including the use and value of that private property.

Mr. Chairman, this will ensure fairness and transparency. Agencies will have to recognize the effects their government action will have on private property once this amendment is approved.

Mr. Chairman, I have heard from constituents in my district and from across America that this government needs to be held in check and, in particular, when it comes to our fundamental freedoms such as private property rights.

At this point in time, Mr. Chairman, I yield 1 minute to the gentleman from Utah, Chairman CHAFFETZ, chairman of the Oversight and Government Reform Committee.

Mr. CHAFFETZ. Mr. Chairman, I appreciate Congressman REED and what he is trying to do here. I think this makes a lot of sense.

His amendment asks agencies to consider the effects of regulatory action upon private property owners. The amendment furthers the bill's intent to

provide more input from private sector entities and taxpayers affected by these regulations. It thinks of farms and other types of public land issues that we deal with, particularly out West, but across the Nation.

Federal regulators should consider the effects of any regulation on private property owners.

I urge my colleagues to support this amendment.

Mr. CUMMINGS. Mr. Chairman, I claim the time in opposition to the amendment.

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

Mr. CUMMINGS. Mr. Chairman, I am not going to really oppose this amendment. This amendment would add a requirement that agencies evaluate the impacts of a rule on private property owners. I do not object to this requirement in isolation.

The problem is that this amendment adds one more requirement to the layers of red tape this bill already adds to the rulemaking process.

I yield back the balance of my time.

Mr. REED. Mr. Chairman, I thank the ranking member and the chairman for their lack of opposition in support of this amendment.

In closing, Mr. Chairman, I would just say, as we care about American citizens across the country, we must stand with them, and we must support their fundamental freedoms that are represented in our Constitution, and that is what this amendment will do.

It is a simple, concise amendment that will just recognize that the government, once and for all, must recognize that it is impacting private property rights in America with its actions and quantify that impact when it comes to the use and value of their private property.

Mr. Chair, I ask my colleagues to support this amendment and the underlying bill, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. REED).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. CUMMINGS

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 114–14.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 12.

The Acting CHAIR. Pursuant to House Resolution 78, the gentleman from Maryland (Mr. CUMMINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. CUMMINGS. Mr. Chairman, my amendment strikes section 12 of the bill.

Section 12 would require an agency to perform a retrospective analysis of any existing rule any time a committee chairman or ranking member asked for it.

Under this section, any one of nearly 100 Members of Congress could tie an agency up in knots, forcing review after review of any existing rule.

I asked the nonpartisan Congressional Research Service to analyze the constitutionality of this section. CRS provided my staff with a memo that found that section 12 of H.R. 50 raises a serious constitutional question.

CRS evaluated the impact of the Supreme Court's decision in INS v. Chadha. In that case, the Court held that Congress can exercise its legislative authority only through bicameral passage of legislation that is then presented to the President.

CRS evaluated whether giving individual Members of Congress the authority to demand agency action would violate that requirement.

Here is what CRS found: ''It could be argued that imbuing certain Members with the authority to demand that an agency prepare a report under section 12 is an action of sufficient legislative character and effect as to trigger the bicameralism and presentment requirements of article I.''

CRS also found there is a ''tenable argument that the provisions of section 12 raise constitutional concerns of the magnitude addressed in Chadha.''

Congress certainly has a legitimate interest in conducting oversight of agency actions. It is appropriate for House committees to request information about agency rules and how they can be improved, but committees already have the opportunity to conduct that type of oversight.

We don't need to require in legislation that an agency conduct an entirely new cost-benefit analysis for potentially every rule on the books at the whim of individual Members of Congress. CRS notes that Congress could conduct these reviews as part of its oversight prerogative.

CRS goes on to note, however, that if these reviews were considered part of congressional oversight rather than an exercise of legislative authority, they ''would leave open significant and unresolved questions regarding the parameters of congressional oversight authority.'' These questions are significant enough to warrant stripping this section from the bill.

In addition, section 12 would threaten the ability of agencies to carry out their missions. The more time an agency spends responding to demands for rule reviews, the less time it is spending performing the work it is supposed to be doing.

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I urge my colleagues to vote ''yes'' on this amendment, and I reserve the balance of my time.

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

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

Mr. CHAFFETZ. Mr. Chairman, a cost-benefit analysis prior to the implementation of a regulation requires a number of assumptions that make an accurate analysis difficult, if not impossible.

H.R. 50 allows committee chairmen and ranking members to ask for the retrospective reviews of specific regulations.

I think there needs to be a degree of deference and some respect for the idea that it is for committee chairmen and ranking members, both sides of the aisle, not just based on some whim. I think it is offensive to suggest that it be just some whimsical thing.

This allows an important check on any pre-implementation cost-benefit analysis, and these retrospective reviews better clarify the true costs of regulation. Even President Obama supports retrospective reviews and issued an executive order requiring agencies to conduct them.

More importantly, retrospective reviews work. In April of 2014, the GAO issued a report on retrospective reviews at 22 executive agencies. That report found that more than 90 percent of retrospective regulation reviews led the agencies to revise, clarify, or eliminate regulation text—90 percent.

However, the pace of retrospective review is much slower than planned, and the 22 agencies reviewed by the GAO had plans to conduct more than 650 retrospective reviews but had only completed 246 of them as of August of 2013.

As you can see, the agencies are already doing this work. It is good to go back and review. We shouldn't be afraid of that. We should encourage it.

This provision in the bill simply allows Congress to work with agencies to prioritize regulatory areas most important to the American taxpayer. We need to maintain the ability to make such requests, and I urge my colleagues to oppose this amendment.

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

Mr. CUMMINGS. Mr. Chairman, may I inquire as to how much time we have on this side?

The Acting CHAIR. The gentleman from Maryland has 2 minutes remaining.

Mr. CUMMINGS. I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. I thank my friend.

Mr. Chairman, I think we do have something to be concerned about with this provision of the bill, and I rise enthusiastically to support Mr. CUMMINGS' amendment. He has raised serious issues about the constitutional nature of this provision which could take down the whole bill.

I was working in the United States Senate at the time of the Chadha rendering by the Supreme Court, and it is crystal clear. It is crystal clear to me that this retrospective provision, empowering Congress, tantamount to a

legislative veto, though we don't call it that, is an encroachment on executive authority, and will be so found by courts.

Therefore, I think it is prudent for this body to adopt the Cummings amendment and clear that constitutional cloud that hangs over H.R. 50.

Mr. CHAFFETZ. Mr. Chairman, that is some good creative thinking right there. I reserve the balance of my time.

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

One of the things that we have to keep in mind, the President is the President. You are talking about 100 Members of Congress, as opposed to the President. The President has done this, and the chairman admits that they are already behind.

So now what we are going to do is bring in a whole new 100 people, at a whim, to say, We don't like something and let's pull it back.

No. I think we are better than that, and I think it does have constitutional problems. I think enough is being done, and I am glad to hear somebody giving the President some credit for something. The fact is that he has been most aggressive in this area.

I don't think that this provision is needed, and I would urge Members to vote in favor of my amendment.

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

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

I want to highlight, again, that when there was a report done by the GAO, they found that 90 percent of retrospective regulation reviews led agencies to revise, clarify, or eliminate regulatory text.

All this does is ask for a report. It doesn't repeal it. It is not going to slow it down. What it does is ask for a report. That is an important process to go through, and when we have gone through it in the past, 90 percent of the time, according to the GAO, it has led to revisions that are important.

It is very difficult to understand what is going to happen on the front end. All we are asking for in this bill is let's consult with the individuals, the property owners, others who are affected, and then, if we need a report, and we are going to limit that to chairmen and ranking members, that is an appropriate thing to do.

What are we afraid of? We are just trying to get transparency to the issue and be able to highlight this.

I worry, when you talk about the numbers of reviews and how far behind, it just shows the massive numbers of regulations that go through this process. We should be able to review those. There are real Americans that are affected by this every day.

I urge my colleagues to vote ''no'' on this amendment.

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

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

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 114–14.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 14. SUNSET OF UNFUNDED MANDATES REFORM ACT AND CONGRESSIONAL BUDGET ACT AMENDMENTS IF GDP GROWTH FAILS TO INCREASE AT AVERAGE ANNUAL RATE OF 5 PERCENT OR MORE.

(a) SUNSET.—If the real gross domestic product of the United States fails to increase at an average annual rate of 5 percent or more for the first 4 calendar quarters occurring after the date of the enactment of this Act, as determined under subsection (b), then the amendments made by this Act to the Unfunded Mandates Reform Act of 1995 (Public Law 104–4; 2 U.S.C. 1511 et seq.) and the Congressional Budget Act of 1974 (2 U.S.C. 602 et seq.) are repealed.

(b) DETERMINATION OF GROWTH OF GDP.—For purposes of subsection (a), the Director of the Office of Management and Budget shall—

(1) calculate the average annual rate of growth of the real gross domestic product for the first 4 calendar quarters occurring after the date of the enactment of this Act; and

(2) submit to Congress a report containing such calculation and such other information as the Director considers appropriate, not later than 30 days after the end of the 4th calendar quarter occurring after such date of enactment.

The Acting CHAIR. Pursuant to House Resolution 78, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

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

Mr. Chairman, I rise today to urge my colleagues to support this simple, clear amendment to H.R. 50. This amendment seeks to establish a performance-based sunset mechanism stipulating that, in the event that the average annual rate of real GDP growth remains below 5 percent over the first 4 quarters occurring after the date of enactment, then the statutory changes made by H.R. 50 are repealed because the bill will have been proved to have been ineffective.

This amendment sets up a real world measurement and a sunset mechanism that supporters and opponents, it seems to me, can support, since it features the flexibility to ensure an optimal response to whichever prediction of the impact of H.R. 50, positive or negative, takes place over the year following enactment.

If the Unfunded Mandates Act, by lessening the independence of independent regulatory agencies and strengthening the influence of the private sector in the Federal rulemaking process, does, in fact, spur the economic growth we have heard so much about to at least match the average annual real GDP growth rates achieved during two administrations, the Johnson and Kennedy administrations, and in the last 2 quarters of this administration so far, what is the threat?

What are we afraid of?

However, if it fails to spur the promised economic growth to at least achieve an average annual growth rate of 5 percent over the year following the enactment of the law, then the statutory changes made by H.R. 50 will be repealed.

Five percent is reasonable. It is a reasonable target goal when one considers that, according to the Bureau of Economic Analysis, real GDP growth under the Obama economy reached 4.6 percent in the second quarter and 5 percent in the fourth.

Why wouldn't we expect H.R. 50 to be able to sustain that growth rate and, indeed, improve on it in the first full year after enactment?

Finally, I would note that, according to the preliminary estimate of the Congressional Budget Office, this amendment would not increase direct spending or reduce revenues, and I strongly urge all of the Members in the body to adopt this commonsense amendment.

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

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

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

Mr. CHAFFETZ. I thank the gentleman, and I appreciate my colleague from Virginia. I appreciate his tenacity and good work on these issues and on the Committee on Oversight and Government Reform.

But I do have to suggest that if the economy is struggling, Federal regulators should be extra concerned about imposing undue and unnecessary costs on to the American public and the private sector job creators.

H.R. 50 helps ensure that regulations that impose unfunded mandates on State, local, and tribal governments and the private sector are fully analyzed and considered.

Keep in mind, we are focused here on unfunded mandates. This amendment would repeal this helpful legislation if the GDP rate grows at a rate of less than 5 percent. To me, this is counterproductive.

GDP is a deliberately broad measure of economic growth. The GDP does not reflect the impact a regulatory mandate might have on a State or local government or a portion of the private sector, nor does it reflect the impact of regulations as a whole.

Ultimately, GDP growth is not a substitute for a sensible regulatory analysis and process. I would argue that,

regardless of GDP growth or reduction, we need to allow, particularly these local governments, these tribal governments, these private individuals—it is the little guy that has this unfunded mandate thrust upon them that we have to review.

So repealing H.R. 50 if the GDP is failing to grow is contrary to the very purpose of this bill and, therefore, I stand in opposition to the gentleman's amendment.

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

Mr. CONNOLLY. I would inquire of the Chair how much time remains on this side.

The Acting CHAIR. The gentleman from Virginia has 2½ minutes remaining.

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

I just want to say in response to my friend from Utah, also a neat argument. All of a sudden we are now retreating from the economic rationale for moving beyond unfunded mandates, for getting the hobnail-booted government off the necks of business so jobs can grow and the economy can just take off. Now, that is not really the purpose of this. It is transparency and getting unfunded mandates exposed. I think that is a fairly weak argument and justification for a bad bill.

Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. CUMMINGS), the distinguished ranking member.

Mr. CUMMINGS. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this commonsense amendment. The legislation we are considering today has been sold by supporters as a jobs bill. Give me a break.

This amendment simply says that if the economy doesn't improve the way the bill's supporters say it will, then the bill will sunset. It is as simple as that. The amendment would leave the Unfunded Mandates Reform Act untouched. This sunset provision would only impact the changes made by this bill. For those reasons, I strongly support the amendment.

Mr. CHAFFETZ. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CONNOLLY. In summary, Mr. Chairman, I think this is a commonsense amendment. I think it sets a metric that I would hope my friends on the other side of the aisle would actually embrace so that we can see whether a new piece of legislation is, in fact, working. It would allow the bill to go into place for a whole year before that metric kicks in. I think it is a commonsense amendment that actually gives us a chance to see whether the philosophy undergirding this legislation is, indeed, justified.

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

Mr. CHAFFETZ. Mr. Chair, how much time remains?

The Acting CHAIR. The gentleman from Utah has 3½ minutes remaining.

Mr. CHAFFETZ. Mr. Chairman, to take a metric of the gross domestic product, the entire economy, and then have that be the weighted factor by what may happen to a dairy farmer, for instance, who is out there in Utah or Kansas or Colorado is not the way that we should be determining whether or not H.R. 50 is in place.

If the economy is waning, if the economy is decreasing, if our production overall for our Nation is declining, that may be the very key indicator that we have thrust too many unfunded mandates upon the little guy, the dairy farmer, the person who has got a transmission shop. It could be a whole host of things. It may be upon private property owners. It could be—you name it.

Pretty much in this country, there are mandates that are thrust upon people, and they feel like they have no ability, no understanding why this happens. They don't feel like they have a voice in the process.

So I stand in opposition to this amendment. So, to the overall gross economy, to say that we are just going to repeal that, H.R. 50, and get rid of our ability to ask people to consult, ask the government agencies to consult with local governments, to consult with private individuals, to talk to small businesses, we are going to just get rid of that because the economy is waning?

□ 1515

I would argue that part of the reason our economy hasn't taken off is there are too many unfunded mandates. The government imposes these, and they don't have a full understanding of what is causing these people to not hire more people, to invest more capital.

So I stand in opposition to this. I appreciate the gentleman who offered it, but I stand in opposition to this amendment. I would urge my colleagues a ''no'' vote.

I yield back the balance of my time.

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

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

Mr. CONNOLLY. Mr. Chair, 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 Virginia will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part C of House Report 114–14 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. CUMMINGS of Maryland.

Amendment No. 3 by Mr. CONNOLLY of Virginia.

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

AMENDMENT NO. 2 OFFERED BY MR. CUMMINGS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 179, noes 245, not voting 9, as follows:

[Roll No. 61]

AYES—179

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

NOES—245

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat

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

NOT VOTING—9

Chu (CA)
Duckworth
Gutiérrez
Johnson (GA)
Lee
Lofgren
Nunnelee
Roe (TN)
Young (AK)

□ 1543

Messrs. COSTELLO of Pennsylvania, TURNER, HUELSKAMP, Mrs. BLACKBURN, Mrs. BROOKS of Indiana, and Mr. MURPHY of Pennsylvania changed their vote from ''aye'' to ''no.''

Ms. LINDA T. SÁNCHEZ of California and Mr. CLYBURN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. CONNOLLY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 249, not voting 11, as follows:

[Roll No. 62]

AYES—173

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

NOES—249

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

NOT VOTING—11

Babin
Chu (CA)
Diaz-Balart
Duckworth
Gutiérrez
Jackson Lee
Lee
Lofgren
Nunnelee
Roe (TN)
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1548

Mr. BROOKS of Alabama changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BABIN. Mr. Chair, on roll call no. 62, Connolly Amendment, I was unavoidably detained. Had I been present, I would have voted No.

The Acting CHAIR. There being no further amendments, under the rule, the committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WESTMORELAND) having assumed the chair, Mr. POE of Texas, 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. 50) to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes, and, pursuant to House Resolution 78, he reported the bill, as amended by that resolution, back to the House with a further amendment adopted in the Committee of the Whole.

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

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

Mrs. BUSTOS. Mr. Speaker, I have a motion to recommit at the desk.

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

Mrs. BUSTOS. I am opposed in its current form.

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

The Clerk read as follows:

Mrs. Bustos moves to recommit the bill H.R. 50 to the Committee on Oversight and Government Reform, with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following new section:

SEC. 14. STOPPING SEXUAL PREDATORS, DOMESTIC VIOLENCE, AND RAPE.

This Act, and the amendments made by this Act, shall not apply to, limit, or restrict any Federal agency mandate or action the purpose of which is to—

(1) protect students and children from a person who has been convicted in any court of a sex offense against a minor;

(2) prevent domestic violence by stopping persons from harassing, stalking, or threatening a spouse, family member, an intimate partner, or the child of an intimate partner;

(3) prevent rape or sexual assault; or

(4) require criminal background checks for school or other employees through a search of the National Crime Information Center, the FBI's Integrated Automated Fingerprint Identification System, or the National Sex Offender Public Website.

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

Mrs. BUSTOS. Mr. Speaker, this is the final amendment to the bill. It will not delay or kill the bill or send it back to committee. If adopted, the bill will proceed immediately to final passage as amended.

This amendment, Mr. Speaker, preserves critical protections against sexual and domestic violence. We must not be so eager to eliminate regulations that we remove important protections that keep our communities, our children, and our families safe from harm.

The underlying bill would essentially stop or bog down all regulation. My amendment would provide exemptions from the bill so there is no interruption in efforts to prevent sexual and domestic violence.

This includes protecting children from convicted sex offenders and preventing domestic violence, including stalking. It also addresses rape and sexual assault and using Federal resources for background checks for school employees.

On a personal note, before I came to Congress, I worked as an investigative news reporter, and my husband has spent his entire 30-year career in law enforcement and now serves as sheriff of Rock Island County, Illinois. Between the two of us, we have come across far too many disturbing and real-life stories of sexual and domestic violence.

I will always remember a case that I covered involving a little boy named Jerry Nelson. He was a small, defenseless child who was murdered in Henry County, Illinois, which is now in the congressional district that I serve. I am going to repeat that last line because if you didn't hear it, I hope you will take a listen here because this is what we are talking about in this amendment.

When I was a news reporter, a case I remember most involved a 3-year-old child named Jerry Nelson. He was small. He was defenseless. He lived in an area called Henry County, Illinois, which is now the central part of the congressional district I serve.

He was beaten. He was abused. He was terribly battered by his mother's boyfriend, and this happened across the Mississippi River where I live but in the State of Iowa.

When Jerry's family moved across the Mississippi River into the State of Illinois, Iowa did not share its case file—despite having investigated this—with the Illinois authorities, and they were not require to do so.

There was no mechanism in place for sharing the information. Jerry's abuser would eventually sexually molest him and then murder him when he was just 3 years old. At that time, why this was so emotional for me is because he was the exact same age as my youngest child who today is 24 years old.

When doctors examined little Jerry Nelson's body, they found more than 20 bruises, a broken clavicle, and brain injuries consistent with falling from a three-story building onto concrete.

My commonsense amendment that I am telling you about right now would help prevent more children like Jerry from becoming victims of heinous crimes and unimaginable trauma. I urge my colleagues to support this amendment.

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

Mr. CHAFFETZ. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. CHAFFETZ. Mr. Speaker, I want to thank the body, thank the Speaker, and the process by which we did this. This bill came up in regular order in the Committee on Oversight and Government Reform. We had a full and complete markup. That was followed by going to the Rules Committee.

Every single amendment that was offered at the Rules Committee was made in order, two Democrat amendments as well as the Republican amendment. We had good and lively debate about those, and we just voted on those amendments. I appreciate that.

From my heart, I will tell you that I look forward to working with the gentlewoman from Illinois and everybody else in this body to attack and go after—defend the innocent and make sure that we attack domestic violence because it is so prevalent in every aspect of our society, but I would suggest to you that this is the wrong amendment.

What this does, it does not force the Federal Government to actually work with the individuals that are affected. What H.R. 50 does, what this bill does is to make sure that the Federal Government consults with individuals, it consults with small businesses, those that are affected by mandates.

I want the Federal Government—in fact, I would love to codify the idea that the Federal Government in this case and what you offer in the motion shouldn't talk to these people, they should talk to them. We want them to talk to the National Center for Missing and Exploited Children. They should be the first people that they call. If you want to know what is happening in this country, go talk to the individuals who are affected by this.

What this legislation, H.R. 50, does is to make sure that individuals are asked before; it makes sure that nothing is repealed. We don't get to unilaterally repeal things. I heard the word ''repeal.''

No, there are reports that we need to access and look at, and so if we truly want to get after domestic violence and these heinous crimes—these awful, hideous crimes—then you want to vote in favor of H.R. 50 and make sure that the Federal Government does go and consult with the victims of crime.

I oppose this motion to recommit and vote in favor of H.R. 50 by Dr. FOXX.

I yield back the balance of my time.

□ 1600

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

There was no objection.

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

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

RECORDED VOTE

Mrs. BUSTOS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on the passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 239, not voting 10, as follows:

[Roll No. 63]

AYES—184

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

NOES—239

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

NOT VOTING—10

Bass
Chu (CA)
Duckworth
Gutiérrez
Lee
Lofgren
Nunnelee
Roe (TN)
Schock
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1606

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mrs. LOWEY was allowed to speak out of order.)

MOMENT OF SILENCE AND PRAYER FOR THE VALHALLA, NEW YORK, COMMUTER TRAIN ACCIDENT VICTIMS, THEIR FAMILIES, AND THE COMMUNITY

Mrs. LOWEY. Mr. Speaker, yesterday evening, a commuter train struck an automobile at a grade crossing in Valhalla, New York, resulting in the deaths of six people and many others injured.

I stand on the House floor today with my colleagues to call for a moment of silence to honor those who lost their lives in this tragic accident and offer sincere condolences to the families of the victims, pray for the full recovery of those injured, and thank our first responders for quickly arriving at the scene to help others.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

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

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

RECORDED VOTE

Mr. CUMMINGS. 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 250, noes 173, not voting 10, as follows:

[Roll No. 64]

AYES—250

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice (GA)
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce

Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (GA)
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanchez, Loretta
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—173

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

NOT VOTING—10

Chu (CA)
Conyers
Duckworth
Gutiérrez
Lee
Lofgren
Murphy (PA)
Nunnelee
Roe (TN)
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1615

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MURPHY of Pennsylvania. Mr. Speaker, on rollcall No. 64 had I been present, I would have voted aye.

Stated against:

Mr. CONYERS. Mr. Speaker, I inadvertently did not vote during Roll Call #64 on passage of H.R. 50, the Unfunded Mandates Information and Transparency Act of 2015. Had I voted, I would have voted "nay."

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Wednesday, February 4, 2015.

Had I been present, I would have voted "nay" on roll call vote 59, and "nay" on roll call vote 60.

Had I been present, I would have voted "yea" on roll call vote 61, "yea" on roll call vote 62, and "yea" on roll call vote 63.

I would have voted "nay" on roll call vote 64 in strong opposition to H.R. 50, the Unfunded Mandates Information and Transparency Act of 2015.

PERSONAL EXPLANATION

Mr. ROE of Tennessee. Mr. Speaker, I was unable to vote today because of a serious illness in my family. Had I been present, I would have voted:

Rollcall #59—YEA
Rollcall #60—AYE
Rollcall #61—NO
Rollcall #62—NO
Rollcall #63—NO
Rollcall #64—AYE

HOUR OF MEETING ON TOMORROW

Mr. DUFFY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 279

Mr. RANGEL. Mr. Speaker, I ask unanimous consent that my name be removed from H.R. 279, to amend the Communications Act of 1934.

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

There was no objection.

CLAY HUNT SAV ACT WILL SAVE VETERANS' LIVES

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

Mr. PAULSEN. Mr. Speaker, those who sign up to serve and defend our country deserve our respect and support when they return home. Sadly, there is a crisis in our country when it comes to our veterans' health care. With an average of 22 veterans a day taking their own lives, we are failing them.

That is why Congress took action to pass the Clay Hunt Suicide Prevention for American Veterans Act so as to improve mental health care services and suicide prevention programs at the VA and at the Department of Defense. By establishing pilot programs to recruit and keep psychiatrists and to establish support networks for veterans, the Clay Hunt SAV Act will help servicemembers transition to life after the military. The bill is named after Clay Hunt, a brave soldier who served in both Iraq and Afghanistan. Tragically, Clay took his own life when he returned home.

I want to thank my Minnesota colleague, TIM WALZ, for his leadership on this issue, and I encourage the President to quickly sign this legislation into law and get our veterans the support that they deserve.

THE PASSING OF CHARLIE SIFFORD

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

Mr. CLYBURN. Mr. Speaker, I rise today to note the passing of a great American.

Golf pioneer Charlie Sifford died last night at the age of 92. Often called the "Jackie Robinson of golf," Sifford wrote in his autobiography, "Just Let Me Play," about his fateful meeting with the man who broke baseball's color barrier:

"He asked me if I was a quitter," Sifford wrote.

"I told him: 'No.'"

"He said: 'If you're not a quitter, you're probably going to experience some things that will make you want to quit.'"

Sifford experienced unspeakable acts of racial abuse, slurs, and threats as he became the first African American to play the PGA Tour.

Born in Charlotte, North Carolina, in 1922, Sifford worked as a caddie and dominated the all-Black United States Golfers Association, winning five straight national titles. He challenged the PGA's Whites-only rule, and, in 1961, they rescinded it. Sifford won the Greater Hartford Open in 1967 and the Los Angeles Open in 1969. He also won the 1975 Senior PGA Championship. In 2004, he became the first African American inducted into the World Golf Hall of Fame.

Last year, President Barack Obama awarded Sifford the Medal of Freedom, joining Jack Nicklaus and Arnold Palmer as the only golfers to receive our Nation's highest civilian honor.