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No. 61

## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
April 9, 2019.

I hereby appoint the Honorable AL LAWSON, Jr. to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2019, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

### IN RECOGNITION OF DANA STRICKLAND

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Dana Strickland on 25 years with the University of Georgia, College of Pharmacy, and to congratulate him for retiring on March 29.

The College's executive director of external affairs, Mr. Strickland, has been critical to the school's success—which is also my own alma mater—over the past two decades.

Increasing the endowment by a considerable amount, the College was able to build new buildings, support research by the faculty, and provide the best possible education to its students under Mr. Strickland's leadership.

The importance of these improvements cannot be overstated with the changing nature of pharmacists today who are on the front lines of the opioid epidemic and the rising cost of prescription drugs.

Thank you for your dedication to the University of Georgia, the pharmaceutical profession, and congratulations on your well-deserved retirement.

Mr. Strickland truly embodies what it means to be a PharmDawg. Although he will be difficult to replace, I have the utmost confidence in Dr. Michael Bartlett, who will be filling the role in the meantime.

### REMEMBERING THE LIFE OF WILLIAM "RYAN" SAILORS

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember the life of William "Ryan" Sailors, who passed away March 30 at the age of 22.

Throughout his life, Mr. Sailors had a special gift to brighten the days of everyone around him.

When he was younger, doctors thought that his life expectancy would only be to adolescence. Mr. Sailors not only surpassed that milestone, but also made the most of every single day he was on this Earth.

He refused to let his special needs get in his way, being infectiously positive and becoming famous for his trademark "thumbs up" to anyone passing by.

Some of Mr. Sailors' favorite activities included attending church each week at Wesley Monumental, eating snacks on the beach, and supervising vacuuming and cleaning around the house.

His life should be a reminder to all of us that we should try to make this world a happier place each and every day.

Mr. Sailors' family will be in my thoughts and prayers during this difficult time.

### HAPPY BIRTHDAY, CHARLIE WALDROP

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Charlie Waldrop on his 100th birthday, April 27, 2019. Throughout his life, Mr. Waldrop has loved to serve others.

Serving our country during World War II, he fought in both France and Germany, and was discharged on his wife's birthday in 1946.

He served patients in Coastal Georgia for over 40 years, working as a pharmacist, and eventually opening his own pharmacy.

His notoriety and success in the profession enabled him to become the First District President of the Georgia Pharmaceutical Association, but his service doesn't stop there. He also worked as a deacon in his church and leads a Boy Scout troop.

I am proud to call Mr. Waldrop a Savannahian as he has become an icon in our town since he first moved there in 1927.

Mr. Waldrop, happy birthday, and thank you for everything you did to influence my career.

Thank you for your service to our Nation, to our community, and our profession.

### FORT STEWART-HUNTER ARMY AIRFIELD WINS GOLD

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the Fort Stewart-Hunter Army Airfield community for being named the 2019 Army Community of Excellence gold winner this past March.

This year is a record seventh time that these communities in the First Congressional District of Georgia have won the gold award, and last year, they won the bronze.

I want to thank everyone at Fort Stewart-Hunter Army Airfield for their commitment to the readiness of the soldiers, their constant efforts to make

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

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



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improvements, exceptional teamwork, and their partnership with the surrounding civilian community.

I am proud to have these installations in Georgia, and in turn, these installations make me even more proud of our military in the United States.

Thank you for your service. Congratulations on your award.

#### MARYLAND MOURNS THE PASSING OF SPEAKER MICHAEL BUSCH

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

Mr. HOYER. Mr. Speaker, yesterday was the last day of the session of the General Assembly in Maryland.

Sadly, the day before, on Sunday, the longest serving speaker of the house of delegates—as we call our house of representatives—died on Sunday, and I rise to pay tribute to him.

He was a great American, a great public servant, and a very dear friend.

Maryland lost a champion. Michael Busch, Speaker of the Maryland House of Delegates, passed away after a long and distinguished career serving the people of our State.

He was young; he was 72 years of age, and the longest serving speaker, as I said, in the history of the house of delegates.

He had served as speaker of the house since 2003, having first been elected to represent Anne Arundel County in the house of delegates in 1986.

His title was Mr. Speaker; many, however, knew him as “Coach,” a reminder of his days as a teacher and athletics coach at St. Mary’s High School in Annapolis.

It was at St. Mary’s High School that Michael Busch first made a name for himself as a very excellent football player. He later played at Temple University, and for 40 years, he worked with the Anne Arundel County, Department of Parks and Recreation with young people, teaching them, mentoring them, giving them values.

Many who served with him in the legislature called him “Coach,” not just because of his history, but because Speaker Busch was like a coach and a mentor to so many of those who served in the house of delegates.

He was a man of deep intellect, poise, steadiness under pressure, and a wellspring of compassion.

He led efforts to expand access to quality, affordable healthcare for Marylanders. He helped lead efforts to make Maryland one of the first States to adopt marriage equality by legislative action, an action that was later confirmed by the voters of our State.

He led the State in its effort to abolish the death penalty, and he oversaw the enactment of Maryland’s \$15 minimum wage. And he worked hard to ensure a cleaner Chesapeake Bay and its watershed for future generations while increasing investments in renewable energy.

Earlier this week, the General Assembly overrode the Governor’s veto to

enact Speaker Busch’s bill to protect five oyster sanctuaries in the Bay.

Michael Busch’s positive impact on Maryland will be felt for, literally, decades to come.

He was a good and decent person who sought to elevate our politics during an age when too many, unlike him, had brought our politics low.

I hope my colleagues, Mr. Speaker, would join me in expressing our condolences to his wife, Cindy, their daughters, Erin and Megan, and to the entire Busch family and to the people of Maryland he served so faithfully for so many years.

I hope all of us in this House will find inspiration in Speaker Busch’s life and legacy as we strive to do right by those we serve, as he did for so many years, and to do so together in a way that is bipartisan, as was his inclination and performance; and be reflective of the way he lived his life and approached the work of governing.

In an age where, as I said, politics has been brought low by divisiveness, and in some respects, hatefulness and attacks on one another, Michael Busch was somebody who treated others with respect, with consideration, and with fairness.

Michael Busch served Maryland well. He served our people well. He will be missed.

#### IN CELEBRATION OF NATIONAL LIBRARY WEEK

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in celebration of National Library Week, which began on Sunday and runs through Saturday, April 13.

This year’s theme is “Libraries = Strong Communities,” and Melinda Gates is the honorary chair.

In the last 20 years, the Gates Foundation’s Global Libraries initiative has been dedicated to enhancing libraries and empowering local communities.

National Library Week is an annual celebration highlighting the valuable role libraries, librarians, and library workers play in transforming lives and strengthening our communities.

Mr. Speaker, libraries have always been great equalizers in our society. Nearly 1.3 billion people visit public libraries every year, according to the Institute of Museum and Library Services.

They are at the heart of our cities, towns, schools and campuses, providing critical resources, programs, and expertise. Libraries provide a public space where all community members—regardless of age, culture, or income level—can come together to connect and learn.

First sponsored in 1958, National Library Week is an observance sponsored by the American Library Association and libraries across the country each April.

It is a time to celebrate the contributions of our Nation’s libraries and librarians and to promote library use and support. All types of libraries, including schools—public, academic, and special—participate.

There are several celebrations throughout the week, including today, which is National Library Workers Day. It is a time to show appreciation for the staff, administrators, and Friends groups, and recognize the valuable contributions made by all library employees.

Tomorrow is National Bookmobile Day, which is celebrated today to recognize contributions of our Nation’s bookmobiles and dedicated professionals who make outreach possible and books accessible in our rural communities.

Mr. Speaker, from the largest library in the world, the Library of Congress, to the smallest local libraries around, I hope Americans will support their local libraries this week with a visit.

#### A PLEA NOT TO REINSTATE THE FAMILY SEPARATION POLICY

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

Mr. GREEN of Texas. Mr. Speaker, and still I rise. And I rise because I love my country. I rise today on a mission of mercy.

I am on a mission of mercy for people that I will likely never meet and greet. Perhaps by some fortuitous circumstance, I may encounter some of them, but I know not who they are currently in the sense that I know them personally.

I rise on behalf of the many people who are seeking asylum, and I do so, Mr. Speaker, because it has been reported on many news stations—outlets, if you will—that our President intends to reinstate the family separation policy.

I rise on a mission of mercy, and I make an appeal to the most powerful man on the planet Earth. My appeal is that you would not—N-O-T—you would not reinstate this policy.

I beseech you to please, Mr. President, treat these people the way you would want to be treated if you found yourself in similar circumstances. I beg that you would understand that separating babies from mothers is unacceptable by any standard that we know of.

No one supports the notion of taking babies from their mothers, children from their parents.

□ 1015

So I am begging and pleading with the President of the United States of America, the most powerful man on Earth: Please, Mr. President, do not reinstate this policy.

I also appeal to my colleagues on both sides of the aisle to encourage the President to do the right thing, the just thing.

If we are not pleased with the laws in this country, we have a means by which we can address the law. If we believe that something is unacceptable, there is a way for us to address it. The way to address this problem is with immigration reform.

I beg the President and all my colleagues on both sides of the aisle: Please, let's try to resolve this with legislation. Let's not do what we have done and, quite frankly, have not atoned for.

Some of the children are still not back with their parents who were separated previously. This is the United States of America. This is not what we do. We don't take children from their parents and then place them in places where we cannot find them such that we can reunite them.

This is my appeal, Mr. President. I make the appeal because, as a Member of Congress, I believe that at some point we are going to have to account for the actions that we engage in while we are here. I don't want it on my record that while I was in the Congress of the United States of America and I had the opportunity to at least speak to power, to speak truth to power, and make an appeal on behalf of those who are among the least, the last, and the lost—I am making my appeal. I am doing what I can to help those who are fleeing harm's way.

Mr. President, you don't have to do this, and I beg that Members of both parties would please encourage him not to do so.

This is a moment for us to reflect and a moment for us to demonstrate to the world that what we preach, we will practice. We have, for years, encouraged other countries to take in refugees. We have gone so far as to pay countries to take in refugees. We have funded countries to take in refugees. We ought to practice what we preach.

Those who are not qualified should not come, should not be brought into our country. But I would also say this, that we should not say to the world: Go back, refugees, asylum seekers. You are not welcome in the United States of America.

This is not the country that would proclaim such a thing. Our laws we stand on, and I stand on those laws.

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

#### REMEMBERING THE LIFE OF MUCAAD HUSSEIN ABDALLA

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

Mr. EMMER. Mr. Speaker, I rise today to remember the life of Mucaad Hussein Abdalla, known by his friends and family as Sirraaj.

Last month, a tragic incident took the lives of 157 individuals when an airplane crashed in Ethiopia. This unfortunate event took the lives of eight Americans, and one of those individuals was Mucaad Hussein Abdalla.

Mucaad was a member of our community. Growing up in St. Cloud, Minnesota, he graduated from St. Cloud Apollo High School and began a career as a truck driver.

To his friends and family, Mucaad was simply known by his nickname, Sirraaj, meaning a light or a lamp. He brought laughter, joy, and light to those around him.

We extend our most sincere condolences to his family and loved ones for their loss.

#### THANKING KORIANN CARTER AND THE UNITED WAY OF CENTRAL MINNESOTA

Mr. EMMER. Mr. Speaker, I rise today to recognize community resource navigator KoriAnn Carter and the United Way of Central Minnesota for working together on a pilot program to assist students and families at Lincoln Elementary School with food, housing assistance, mentoring, and after-school programs.

In addition, I want to recognize the work KoriAnn does through a program called Girls On Arise To Succeed in partnership with the Roosevelt Boys & Girls Club, McKinley Area Learning Center, and CentraCare Health, which brings young girls together to discuss important life topics and provide guidance.

For young women encountering family issues, experiencing homelessness, or struggling with mental health issues, this group gives them a space to talk to adults who care. Girls between 12 and 18 can participate in one of the girls groups where they learn lessons in healthy habits, the importance of education, how your current actions impact your future choices, leadership skills, goal setting, and gratitude.

These groups have transformed students throughout the St. Cloud area, giving them an avenue to succeed as well as find community and fellowship.

I thank KoriAnn and all the partners who make this possible. Their work to foster the next generation of leaders makes our corner of the world a better place.

#### CONGRATULATING ST. CLOUD VA

Mr. EMMER. Mr. Speaker, I rise today to congratulate the St. Cloud VA for being one of only 18 hospitals nationwide to be selected to participate in the Department of Veterans Affairs' efforts to establish the highest level of care for our military veterans.

Our veterans and our community rely on the St. Cloud VA to provide the highest level of care possible already. So to those of us in the community, it comes as no surprise that our VA will now help lead the Nation and the VA system to help establish these standards.

The selection is a great honor and testament to everyone who makes the St. Cloud VA the success it is today. The opportunity to lead our VA system to the highest standard of care for our Nation's heroes is indeed a high calling.

Congratulations to the St. Cloud VA, and good luck in your mission.

#### RECOGNIZING STEVENS INSTITUTE OF TECHNOLOGY

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

Mr. SIREs. Mr. Speaker, I rise today in recognition of a university in my district that has demonstrated leadership and innovation in STEM education.

Stevens Institute of Technology, located in Hoboken, New Jersey, has been leading the way with a rigorous technical curriculum that attracts the attention of some of the Nation's most sought-after companies and industries.

The university continues to develop new ways in which to augment the success of their students, and I was pleased to hear recently about inventive initiatives that support the success of underserved and underrepresented students.

It is telling that the applications have increased 191 percent, and undergraduate enrollment has seen a 41 percent growth. Moreover, the graduation rate has impressively risen to 87 percent with Pell grant recipients graduating at a rate of 91 percent. This is well above the national averages, which are 59 percent and 51 percent, respectively.

There is a reason. Forbes magazine recently called Stevens "one of the most desirable STEM colleges in the Nation."

Upon graduation, 96 percent of Stevens graduates either get a job in their field, with an average starting salary of over \$70,000, or enter graduate school within 6 months.

Not only is Stevens producing students who are highly skilled and prepared for the professional world, but Stevens is also at the forefront of cutting-edge research in areas of national importance, such as artificial intelligence and quantum computing. In a recent National Science Foundation competition for quantum engineering, Stevens won two out of eight grants awarded.

There are over 40,000 Stevens alumni who are essential to the economic progress of New Jersey and the Nation. I am proud to represent the university that acts as a trailblazer in scientific innovation.

I would like to recognize President Farvardin for his leadership, and I look forward to the continued success of Stevens and its students.

#### HONORING THE LIFE OF GERALD ALEXANDER KNIGHT

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

Mr. NORMAN. Mr. Speaker, I rise today to recognize a great American, Gerald Alexander Knight, who was born on April 11, 1944. He was the middle child of five children born to his parents, Woodrow and Virda Knight.

His family, like most American families, had much to overcome during the ending of World War II and the economic and emotional hardship that ensued during the postwar period.

While the Knight family struggled to make ends meet, the American values of hard work, pride in what you do, and determination were instilled at a very young age. Gerald began working at the early age of 6 when he routinely walked a half mile to gather 3 gallons of water from his grandparents' home.

When he turned 14, he earned his driver's license and began driving a pulpwood truck at 4:30 every morning to earn money for his family. After finishing his early morning drive to the lumberyard, he would attend school and then returned home to gather another load of wood.

Gerald would often say: "I was born into poverty, but I did not choose to stay in poverty."

After graduating from Flat Creek High School in 1962, he joined the Air Force and boarded a bus to San Antonio, Texas, where he entered training to become an air traffic controller. He was one of only three out of 18 to graduate, and he became an air traffic controller as part of the 648th SAGE Squadron serving during the Cuban Missile Crisis, where he monitored air traffic in the Southeastern United States and Puerto Rico to Cuba.

Gerald was soon stationed in Germany. During a visit to his home, he met his future wife, Joyce, on a blind date set up by his brother Charles. After one date, he asked her to marry him. However, being a senior in high school and needing to graduate, Joyce declined but promised to wait for Gerald until his military service was completed.

Gerald spent the next 2.5 years in Birkenfeld, Germany, where he continued to work in air traffic control and warning systems, monitoring the airspace of Europe, including tracking and identifying all aircraft in the airspace.

After completing his service in the Air Force, Gerald hitchhiked home, where the Vietnam war was raging. His younger brother Ronnie had been drafted and sent to serve in Vietnam. Gerald, wanting to be with his brother, offered to reenlist in the Air Force, provided he went to Vietnam. He never served in Vietnam due to a clerical error by the Air Force and was, instead, sent to Maine, where he declined and returned to South Carolina.

He married Joyce on November 6, 1966, and by 1970, they were the proud parents of two small girls, Carrie and Bobbie.

After working in the textile industry for a short time, he was hired by the DuPont company located in Camden, South Carolina, where he initially worked as a spinner operator. The company quickly realized that Gerald had a unique talent for listening and relating to people and moved him into the employee assistance department,

where he was certified and began investigating sexual harassment cases and representing DuPont in Federal court.

He counseled employees and their families dealing with addiction problems, as well as working for the Lancaster Recovery Center, which served the entire community on these issues. Gerald was uniquely qualified to deal with these issues as he had struggled with alcohol abuse in his younger years until surrendering his life to Christ at the age of 38.

Gerald was instrumental in writing new human resources policy for DuPont and was once told: "You are the best outhouse lawyer I have ever seen."

His career at DuPont was stellar, and he was characterized by his peers as being honest, caring, and treating everyone with respect and dignity, regardless of their status in life.

When Gerald was asked what his greatest accomplishment was in life, his response was: "My girls. I look at their lives to measure my success, as they are well-adjusted human beings with their own families serving God."

Gerald Alexander Knight has lived a life with a sense of moral obligation to duty and a personal creed of God, family, and country, in that order.

He is a proud member of the Greatest Generation and will be remembered for his kindness, generosity, and integrity.

God bless you, Gerald Alexander Knight. The world was a better place because you were in it.

□ 1030

RECOGNIZING PETTY OFFICER  
SECOND CLASS MARGARET  
NICOL OF THE U.S. COAST  
GUARD

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Washington (Ms. SCHRIER) for 5 minutes.

Ms. SCHRIER. Mr. Speaker, I would like to take a moment to recognize Petty Officer Second Class Margaret Nicol of the United States Coast Guard.

A fellow resident of Sammamish, Washington, Maggie grew up in a large boating community in Florida. She found out all too well at the early age of 8 that the Coast Guard is an elite group of individuals whom we can always count on when she had to be rescued by them. Driven by a desire to give back, she enlisted in the Coast Guard Reserves during high school.

After attending college, she completed 2 years of Active-Duty service in Iraq, responded to Hurricanes Katrina and Rita, and went on to pursue registered nursing.

After relocating to the Seattle area in 2017, she rapidly qualified well ahead of deadlines to earn her response boat-small coxswain and boarding team member qualifications. To support her colleagues, she amassed over 130 hours helping to train and qualify crew members, significantly increasing Station

Seattle's Reserve mobilization readiness.

But Petty Officer Nicol's commitment to our country does not stop at the armed services. She is a business owner of FLWA Holdings, providing affordable housing for those in need in Washington and Florida. She volunteers at Food Lifeline, serves local schools in the community, and engages with the Diveheart Foundation for disabled children, adults, and veterans.

Among her accolades, Petty Officer Nicol has earned the Global War on Terror Service Medal, the Humanitarian Service Medal, and, most recently, the high honor of being named the 2018 Coast Guard Enlisted Person of the Year. She epitomizes the Coast Guard's core values of honor, respect, and devotion to duty. Most importantly, she leads by example, champions a humanitarian spirit, and has devoted her life to serving others.

Thank you, Maggie. Washington State and the Coast Guard would not be the same without you.

TAHOMA HIGH SCHOOL, STATE CHAMPIONS

Ms. SCHRIER. Mr. Speaker, I rise today to congratulate Tahoma High School, State champions.

Congratulations to the students of Tahoma High School from Washington State's Maple Valley on their 10th consecutive statewide victory and 23rd victory in the last 25 years in the Center for Civic Education's We the People: The Citizen and the Constitution annual tournament.

These smart and ambitious students from the Eighth District will represent Washington State in the 32nd annual We the People finals later this month right here in D.C., where they will demonstrate their knowledge and understanding of the Constitution to distinguished panels of scholars, lawyers, and leaders from across the Nation. They will no doubt uphold the standards of excellence for which Tahoma High School is known and champion the values inscribed in our founding documents.

I would especially like to recognize Gretchen Wulff, Tahoma High School's dedicated teacher and coach for civic education. She has coached the Tahoma High School team for 11 years, was honored as one of Washington's Civic Educators of 2016, and received Washington's Civic Educator of the Year distinction in 2011. We are grateful for her dedication to our schools and to our next generation of leaders.

Congratulations to Gretchen and the hardworking students from Tahoma High School for being true warriors of the Constitution. You are exemplars of young people leading the way in the 21st century. Good luck. Washington could not be more proud of you.

WE ARE A NATION OF IMMIGRANTS

Ms. SCHRIER. Mr. Speaker, I rise today to join my colleague, Mr. GREEN of Texas.

We are a nation of immigrants. It is our responsibility to welcome refugees

and to not close our doors to those seeking asylum. We are a good country at heart. We should not separate children from parents. We are better than that.

CONGRATULATING KAY ARTHUR ON RECEIVING THE LYDIA IMPACT AWARD

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

Mr. FLEISCHMANN. Mr. Speaker, few people have the gift to bring people together, but Kay Arthur is one of these special individuals. Her passion for people and deeply rooted faith is illuminated through her television, radio, and online programs in which she uses God's Word to reach over 75 million households in over 30 countries.

Kay is a four-time ECPA Christian Book Award-winning author and the cofounder of Precept Ministries International, and she will soon be recognized once again as the recipient of the Scenic City Women's Network Lydia Impact Award.

An institution in the Chattanooga community, the vision of the Scenic City Women's Network is to encourage, equip, and energize Christian women. As part of this vision, the Lydia Award is a special honor for a woman who emulates the attributes of Lydia in the Bible: a devout woman, a seeking woman, a hospitable woman, and one who is fervent in spirit and serves the Lord.

Mr. Speaker, that woman is Kay Arthur.

I would like to share a story that illustrates her servant heart:

Being a high-profile Bible teacher and author has never kept Kay from striving to meet the needs of whoever crosses her path. From waiters to cab drivers, Kay Arthur seeks to truly meet people where they are, but never leave them without a pathway to hope.

One chilly afternoon, Kay and her son David were driving back to the office after a lunch appointment. Kay noticed a lady in a wheelchair on the side of the road. David was instructed to promptly pull over. Kay sprang out of the car and approached the woman. After a quick conversation, Kay took off her full-length winter coat, wrapped it around this lady and shared that Jesus loves her, and the coat is a sign of His gracious love to her.

Kay never meets a stranger, no matter if in Chattanooga or a country across the world. She loves people, and she loves her Lord Jesus. She consistently seeks to demonstrate her love with kind words and actions. She truly has the servant heart of our Savior, Jesus Christ.

Mr. Speaker, as you have just heard, Kay, like Lydia, has committed her life to her faith and exemplifies what it is to be a woman of God.

I would like to congratulate Kay Arthur on receiving the prestigious Lydia

Impact Award and thank her for her blessing our Nation with her Christian heart and service.

SOCIALISM

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

Mr. HIMES. Mr. Speaker, I rise this morning to talk about a word that is everywhere, a word that is the response to every idea that we come up with, and that word is "socialism."

It is a scary word. It is a magical word. It is the word that comes up every time Democrats propose a plan to better educate America's children—socialism; to make the elderly more secure in their retirement—socialism; to make healthcare available to people in this country who still can't see a doctor—socialism.

It is a magical word because, if you say "socialism," then it allows you to hide the fact that you actually don't have a counterplan, that when the Democrats say here are a bunch of plans to make healthcare better and you don't have a plan, you just say "socialism," and that could end the conversation.

It is a magical word because it allows you to distract from the fact that, if you actually do the things to better educate America's children or to make America's retirees more secure in their retirement or to make healthcare more available, that costs a little money. The problem with that is that, for my Republican colleagues, that money needs to go into tax cuts for the wealthiest people in this country and for corporations. That is a problem.

By the way, it is not a new thing. This has been going on for 100 years. I have a quote here from President Reagan. He is talking about Medicare here:

And behind it will come other Federal programs that will invade every area of freedom as we know it in this country until, one day, we will awake to find that we have socialism.

Ronald Reagan promised us that Medicare, probably one of the most successful programs this country has ever put forward, would lead to socialism. It goes back before that.

Franklin Delano Roosevelt, who did so much to make for the decency that is endemic in this country after the Depression, the Securities and Exchange Commission so that our capitalist economy would be a fair economy, the progressive income tax so we could actually fund our military and fund education—all socialism. He was a traitor to his class. He was a socialist. This goes way back.

So having quoted Ronald Reagan, let me quote another great leader, Inigo Montoya, in "The Princess Bride." He says: "You keep using that word. I do not think it means what you think it means."

So what does socialism mean? What is socialism?

Here is the dictionary definition. It is a system in which there is no private property or a system in which the government owns the means of production.

What is that? Is Medicare socialist? At Mount Sinai or Sloan Kettering, are those hospitals or doctors working for the government? Of course not.

Was Dodd-Frank socialist? No. Dodd-Frank put in place regulations that have allowed JPMorgan Chase, Citibank, Wells Fargo, and all those banks to be more profitable than ever before. That is not socialism.

What is particularly interesting is socialism is just a lot of government in your economy. I took time to look at States where government is actually a big part of the economy. You can look this up, Mr. Speaker.

There is an article called, "The Top Five Most Socialist States." West Virginia, Alaska, Wyoming, Mississippi, and Arkansas are the five States with the largest percentage of government spending as part of their economy—deep, deep red States. The top five socialist States, Republican.

Now, what about those socialist States that my Republican friends call socialist? Here are a couple of them: California, New York, Massachusetts—that is Taxachusetts.

California: My friend, DEVIN NUNES, the Representative from California, because they are trying to take plastic out of the Pacific Ocean, called California socialist.

These are the economic powerhouses of the Nation. They have GDPs that look like small countries. They have innovators; they start companies. And the reason for that is because innovators and business people want to start businesses in communities where there are good schools, access to healthcare, and people have the wages to actually buy their products.

So, Mr. Speaker, don't be fooled by that magical word, "socialism." Socialism is what is used to address every effort that we make to make for a more fair and just society. That is not socialism.

These things—increased wages, better healthcare, and better access to education—are not socialism. They are in the finest tradition of making sure that opportunity is available to every American and that the American Dream will not die.

CONSTITUTIONAL SIGNIFICANCE

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

Mr. BYRNE. Mr. Speaker, I rise today to raise questions of grave constitutional significance.

Last week, the chairman of the House Ways and Means Committee requested the IRS turn over years' worth of President Trump's personal and business tax returns. These are returns that cover business decisions and dealings long before the President came to office.

Similarly, the chairman of the Committee on Oversight and Reform has indicated that his committee will examine allegations regarding how the President valued real estate, among other business decisions, long before the President was elected. He has also indicated he may call members of the President's family to testify about these and other Trump Organization dealings.

These actions are not only blatantly partisan, but they raise serious constitutional concerns.

Our system is one of limited powers and of checks and balances. The Congress is not a law enforcement agency. It is not a court of law. It is a legislative body.

Beside me are the words of Chief Justice Earl Warren, someone whom I would say most on the other side hold in high esteem:

"There is no general authority to expose the private affairs of individuals without justification in terms of the functions of the Congress. . . . Investigations conducted solely for the personal aggrandizement of the investigators or to 'punish' those investigated are indefensible."

As the Supreme Court has repeatedly affirmed, investigations conducted by this House "must be related to and be in furtherance of a legitimate task of the Congress."

The Court has particularly warned that investigations of the private affairs of individuals are off limits without a clear connection to this body's constitutional functions. Rightly so. We are a nation of laws and of liberty.

The President's political opponents tried and failed to make his tax returns and his business dealings an issue in the 2016 Presidential election. The American people settled that issue at the ballot box.

□ 1045

It is absolutely clear that the majority does not seek the President's tax returns, information about his business, or to haul his family before Congress in an effort to pass new laws or for some other legislative purpose.

These investigations are thinly veiled attempts to use the powers of this Chamber to provide ammunition for the 2020 election.

Mr. Speaker, each of us swears a duty to uphold the Constitution. Each of us has a responsibility to ensure that our actions conform within its boundaries and its principles. I urge the majority to remember that obligation and reconsider this course.

The investigatory power of this institution is absolutely critical to our function as a coequal and independent branch of government.

Excesses by the body led to an intervention by the Supreme Court in an over 40-year period when the right of Congress to compel testimony was called into question.

Again, in the 1950s, the court was forced to intervene to stop the excesses

of the House Un-American Activities Committee.

Let's be clear. These so-called investigations set a dangerous precedent. The majority wants to use Congress to investigate the past personal and business dealings of an elected official and his family. This is yet another attempt to coerce and intimidate people with whom they disagree.

This isn't legitimate. This is a witch hunt, and it threatens to undermine legislative investigations in the future.

So, again, I ask the majority to think very hard about their constitutional obligations and what these partisan attacks against the President will mean for the future of this House. It is your right to oppose the President at the ballot box, not to use the powers of this body to score political points.

There is no legitimate purpose for this Congress to investigate the President or his family before he was elected to office.

#### RECOGNIZING VICTORIA MEJIAS

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

Mr. BACON. Mr. Speaker, I rise today to recognize Victoria Mejias, a leader from my district in Omaha, Nebraska, who has overcome the physical impairments of multiple sclerosis, or MS, to help those in desperate need, those who need to find new homes, new jobs, and new schools in the wake of Hurricanes Maria, Sandy, and Katrina and the tornados that rampaged Pilger, Nebraska, and Joplin, Missouri.

Victoria has been involved in missionary work for many years and has always had an active interest in serving others in need. She found her second calling by assisting disaster relief efforts and facilitating the relocation of those most affected.

In 2017, Victoria found her work hitting closer to home than ever before. Victoria, who is the daughter of a Puerto Rican family, assisted in the relief efforts for Puerto Rico and the U.S. Virgin Islands when they were devastated by the powerful category 4 hurricane which claimed an estimated 3,057 human lives and caused \$91 billion worth of damage.

She worked fervently alongside U.S. veteran Joel Ortiz to initiate a relief project that would help relocate affected families to Omaha and the surrounding areas. With her efforts, displaced families would have a place to call their home away from home.

The result was the birth of an organization which Victoria is proud to call her own, Heartland United for Puerto Rico. This organization has assisted approximately 50 families in relocating to areas throughout Nebraska and Iowa and continues to make influential impacts in the lives of these individuals who lost nearly everything.

Unfortunately, much of Victoria's efforts have been slowed as she continues her fight against the horrible impacts

of MS. MS can be treated through disease-modifying therapies which work to reduce the frequency and severity of relapses, but they do not cure MS. In fact, there is no known cure.

Multiple sclerosis attacks the immune system's healthy cells and affects the ability of the central nervous system to control the activities of the body.

In 2006, Victoria encountered her first difficulty with this disease when she lost her balance and fell to the ground, having no feeling of support from her legs beneath her. She was formally diagnosed with MS in 2016.

The diagnosis, although challenging, gave her a sense of relief, as she finally knew her experience was real and valid.

She continues to suffer from many effects of the disease, such as broken legs and color blindness, and is no longer physically able to have the same influence she once had, but Victoria has the motivation to be a transformative leader within her community and does not let this stop her.

When you meet Victoria, she will tell you that being self-aware of your challenges is a strength, not a weakness.

What Victoria has accomplished in the lives of others is an achievement difficult for many who do not suffer from any physical limitations. Therefore, we should all draw inspiration from her example, her determination, and her achievements, all while struggling with the debilitating effects of MS.

May we all strive to be leaders in our communities, as Victoria has and will continue to be.

Victoria, we salute you and pray for your strength. We pray for your healing from this burdensome disease. Thank you for being such a great example and inspiration to all of us.

#### RECESS

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

Accordingly (at 10 o'clock and 50 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

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

#### PRAYER

Reverend Dr. Darryl D. Roberts, 19th Street Baptist Church, Washington, D.C., offered the following prayer:

O God, our redeemer, we give You the highest praise.

Saturate our hearts in Your love so that our will may be lost in Your perfect plan for creation.

We thank You for the Members of the people's House, who believe, in the

words of Thomas Jefferson, “that every human mind feels pleasure in doing good to another.”

May You endow each elected official and staff with abundant grace, wisdom, and compassion to stand for the public interest over personal interest, people over politics, love over hatred, truth over falsehood, and courage over fear.

May Your spirit breathe on this session, bring synergy in the midst of diversity, and promote unity for the benefit of the common good until we reach that glorious daybreak when justice shall roll down like water and righteousness like an ever-flowing stream.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day’s proceedings and announces to the House her approval thereof.

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

PLEDGE OF ALLEGIANCE

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

Mr. LAMALFA led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

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

HONORING THE NATIONAL ALLIANCE ON MENTAL ILLNESS

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

Mrs. KIRKPATRICK. Madam Speaker, I rise today to honor the National Alliance on Mental Illness and to show support for my community and the millions of Americans living with a mental illness.

This weekend, I marched in the NAMI Walk to help raise awareness. I was inspired to hear the brave stories of so many survivors who have not given up on their mental wellness.

Before the Affordable Care Act was enacted, mental health coverage was lacking or missing altogether from most health plans. Medicaid expansion, a cornerstone of the ACA, has dramatically expanded access to treatment in many States, including Arizona.

But the Trump administration is again trying to eliminate the ACA and remove protections for people with mental illness and preexisting conditions.

Republicans have no health plan other than fighting to take away

America’s healthcare. We must raise our voices and reject this again. We must fight for our healthcare and the coverage that treats our most vulnerable communities.

DON’T LET GOVERNMENT TAKE OVER THE INTERNET

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

Mr. LAMALFA. Mr. Speaker, I rise today to shed some light on the total hypocrisy of the Democrats’ Save the Internet Act under the guise of net neutrality.

This bill is nothing short of a Federal Government takeover of the internet, and the end result would be catastrophic. Democrats want a panel of unelected bureaucrats to have nearly limitless control over the internet, including decisions over content moderation and imposing new taxes and fees for internet services by the FCC.

To be clear, they would like the Federal Government to have nearly unchecked authority to regulate your internet. That should terrify those of you sitting at home.

This goes against everything that made the internet such a transformative engine of the American economy in the first place. In fact, this type of regulatory approach would cripple smaller ISPs that can’t afford the burdensome regulations, especially in rural communities.

I believe in a free and open internet that fosters innovation and takes our economy to new heights, like we have reached already. This legislation will do the opposite of that.

This isn’t “Save the Internet.” We must vote “no” to save the internet process and the freedom to access it from legislation like this.

IMPROVE MENTAL HEALTHCARE FOR ALL AMERICANS

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

Ms. JOHNSON of Texas. Mr. Speaker, my experience as the first registered nurse elected to Congress allows me to examine our Nation’s healthcare priorities with firsthand knowledge.

Currently, our mental health system is failing our communities. Our Federal Government spends billions each year without addressing the underlying causes of mental health illnesses.

Needless to say, reform is necessary. In Congress, we have defended protections for preexisting conditions in the Affordable Care Act, a law that has brought a sense of security for the 11.5 million Texans and 133 million Americans living with preexisting conditions.

As we continue our work, we cannot lose sight of those living with mental health illnesses as preexisting conditions.

There is much to be achieved, and I am eager to continue working for the people to improve mental healthcare for every American.

RELEASING JAMES BAKER’S INTERVIEW TRANSCRIPTS

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

Mr. COLLINS of Georgia. Mr. Speaker, I have released several transcripts of interviews from the Judiciary Committee’s investigation into the apparent wrongdoing at the FBI and the Justice Department. Today, I am releasing another.

The American people deserve transparency. They deserve to know what transpired at the highest levels of the FBI and at the origin of the probe into President Trump’s campaign.

Therefore, Mr. Speaker, I request that the link [www.dougcollins.house.gov/baker](http://www.dougcollins.house.gov/baker) be placed in the RECORD so the American people can review the transcript of one of James Baker’s interviews.

Out of an abundance of caution, this transcript has a limited number of narrowly tailored redactions, relating only to confidential sources and methods, nonpublic information about ongoing investigations, and nonmaterial personal information.

I will continue to work to release as many transcripts as possible, including the entirety of Mr. Baker’s interviews with the Judiciary Committee.

The American people deserve the truth.

SECRET HEALTHCARE PLAN

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

Mr. DEFAZIO. Mr. Speaker, 2 weeks ago, the Trump Justice Department filed in court to say that the entire Affordable Care Act should be voided.

The President said: Don’t worry. We are going to have a great and better plan to replace it.

Then MITCH MCCONNELL said: No, no, we are not doing that.

Then Trump said: Well, we will run on healthcare in 2020 and promise a better plan.

And his consultant said: No, better not do that.

So now he has a secret plan that will be unveiled after the next election to replace the Affordable Care Act. Twenty-one million Americans would lose their insurance if it went away tomorrow.

We had another guy running for President back in 1968, Richard Milhous Nixon. He had a secret plan to end the Vietnam war. Actually, he didn’t have a plan to end the war, but it helped him win the Presidency.

Shame on us if a fake promise to have a better healthcare plan undisclosed will come out after the election.



133 million Americans have pre-existing conditions. They would lose their healthcare at the discretion of the health insurance industry, 312,000 in my district alone.

Twelve million Americans would lose their expanded Medicaid, 350,000 in my district.

Medicare would go broke 4 years earlier if President Trump prevails in repealing the Affordable Care Act in its totality.

#### RECOGNIZING ARISTON CAFE

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise to recognize one of the most well-known landmarks along Route 66 in Illinois, the Ariston Cafe, on its 95th year of operation.

After opening in 1924 along Route 4 in Carlinville, the Ariston actually predates Route 66. In 1935, it moved to its current location along the Mother Road in Litchfield, Illinois.

The Ariston Cafe is a member of the Route 66 Association Hall of Fame and Museum and is in the National Register of Historic Places in Illinois and the National Park Service.

The Ariston is one of the oldest restaurants along Route 66 and is the fifth-longest running restaurant in the entire State of Illinois.

Later this spring, the Ariston will be holding a relighting ceremony to celebrate the replacement of its classic neon sign, thanks to a grant from the National Park Service.

The Ariston Cafe is a treasure within central Illinois and along Route 66, and I look forward to many more years of success for this great restaurant.

#### BE ON THE RIGHT SIDE OF HISTORY

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

Ms. PLASKETT. Mr. Speaker, basic healthcare coverage for 23 million everyday Americans and thousands of people in my district of the Virgin Islands is at risk of being undermined because our friends across the aisle fail to have the same urgency about these impending calamities.

Virgin Islanders are at a critical junction. We face a daunting and devastating Medicaid cliff on September 30, 2019, an absolute collapse in Medicaid.

Our Republican colleagues continue the work to dismantle healthcare for millions of Americans right now. They voted to eliminate protection for pre-existing conditions and to strip their healthcare coverage.

Last weekend, the Trump administration escalated its attack on Americans' healthcare by supporting a Federal judge's ruling that the entire Affordable Care Act should be thrown out.

Today, I ask my Republican colleagues: What side will history find you on, protecting American families or the need to protect partisan interests?

A demonstration of this was the Republican-controlled Senate's failure last week to advance a disaster aid package that includes billions for American families still recovering from 2017 natural disasters.

Be on the right side of history.

#### FIX OUR HEALTHCARE SYSTEM

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

Mr. GOTTHEIMER. Mr. Speaker, I rise today because there is a lot we need to do to fix healthcare here in the United States.

I will work with anyone, regardless of political party, who has ideas to improve healthcare and get costs down, but I find it unacceptable that the Department of Justice wants to gut the Affordable Care Act with no plan.

We need to stabilize the volatile healthcare marketplace, increase competition so that affordable prescription drugs are within reach for everyone, cover preexisting conditions, and make sure that we always protect the Social Security and Medicare that our seniors rely on.

Last Congress, the bipartisan Problem Solvers Caucus introduced such a proposal, and we need to get it done now.

In New Jersey, we are very lucky to have some of the best healthcare providers, innovators, and hospitals in the world. We are America's medicine cabinet.

Our people deserve a bipartisan approach to fix our healthcare system so that we can look out for everyone in New Jersey and everyone across the country.

#### WORK TOGETHER TO IMPROVE OUR HEALTHCARE SYSTEM

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

Mr. PAPPAS. Mr. Speaker, when we took our oath in January, no issue before us was more critical than healthcare.

Over the past 100 days, we have fought the administration's efforts to gut the Affordable Care Act at every turn. We must keep at it because the ACA has allowed 53,000 New Hampshire residents to enroll in Medicaid expansion. The coverage for substance use disorder makes it the best tool we have to fight the opioid crisis.

We also voted to empower House counsel to defend coverage for those with preexisting conditions. Half the adult population in my State of New Hampshire has a preexisting condition. We can't go back to the days when insurance companies could discriminate against them.

We have also introduced legislation that will lower premiums, strengthen patient protections, and crack down on junk plans that could send New Hampshire families right into bankruptcy.

Lowering costs and expanding access to care must continue to be at the top of our priority list. Nothing is more important to the health of our districts and the well-being of this Nation.

Let's work together to improve our healthcare system, not play politics with it.

□ 1215

#### HEALTHCARE AND THE BUDGET

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

Mr. WOODALL. Mr. Speaker, you have heard in the last round of 60-second comments a sense of urgency around healthcare. I share that sense of urgency, as I know everybody on my side of the aisle does.

But for the next 1 hour, Mr. Speaker, we are going to be talking about what purports to be the House budget, the budget that would tell us what our Medicaid priorities are, the budget that would tell us how we are going to save Medicare, the budget that would tell us how we are going to protect Social Security, and the budget that would tell us what our values are as a nation. That is what the law requires: that we bring such a document to the floor and that we do it by April 15.

But for the next hour, Mr. Speaker, what you are going to hear is that the House is producing no such budget, that the House is silent on protecting Medicaid, silent on protecting Medicare, and silent on protecting Social Security.

We can do better, as my colleagues have challenged us to do. It is going to take a partnership, though, not empty accusations.

#### CLIMATE CHANGE

(Ms. KUSTER of New Hampshire asked and was given permission to address the House for 1 minute.)

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to call for urgent action to reduce carbon pollution and save our planet.

We know climate change poses serious environmental and economic threats to communities across New Hampshire and throughout the United States. Let me give you one unusual example:

In New Hampshire and Maine, researchers have found a 70 percent mortality rate among young moose calves between 2014 and 2016. That is up from 15 percent just two decades ago. These deaths are caused by the prevalence of winter ticks that are thriving with warmer winters.

Another recent study found that warming rivers could have an impact on the health of brook trout.



The loss of wildlife diversity wouldn't just be a tragedy for our environment in New Hampshire, but also for our economy that relies on tourism. That is why I am committed to addressing climate change.

House Democrats recently introduced the Climate Action Now Act, which would require the Trump administration to remain in the Paris climate accord and to establish a plan on how we will meet our commitments to reduce carbon pollution.

**PROVIDING FOR CONSIDERATION OF H.R. 1644, SAVE THE INTERNET ACT OF 2019; PROVIDING FOR CONSIDERATION OF H.R. 2021, INVESTING FOR THE PEOPLE ACT OF 2019; AND FOR OTHER PURPOSES**

Mr. MORELLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 294 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

**H. RES. 294**

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1644) to restore the open internet order of the Federal Communications Commission. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-10. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on

the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2021) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 and to establish a congressional budget for fiscal year 2020. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Budget. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-11. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. House Resolution 293 is hereby adopted.

SEC. 4. On any legislative day during the period from April 11, 2019, through April 26, 2019—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

SEC. 6. Each day during the period addressed by section 4 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 7. Each day during the period addressed by section 4 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

The SPEAKER pro tempore (Mr. BLUMENAUER). The gentleman from New York is recognized for 1 hour.

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

**GENERAL LEAVE**

Mr. MORELLE. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. MORELLE. Mr. Speaker, on Monday, the Rules Committee met and reported a rule, House Resolution 294, providing for consideration of H.R. 2021, the Investing for the People Act, under a structured rule. The rule provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on the Budget. The rule makes in order three amendments, each debatable for 10 minutes.

The rule also provides for consideration of H.R. 1644, the Save the Internet Act. The rule provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on Energy and Commerce. The rule makes in order 12 amendments, each debatable for 10 minutes.

Additionally, the rule deems as passed House Resolution 293, which will immediately put in place an enforceable top-line discretionary spending level so that the Appropriations Committee can begin its work.

Finally, the rule provides standard recess instructions through April 26.

Mr. Speaker, the Investing for the People Act is a 2-year budget bill that will raise the defense sequestration caps for defense and nondefense discretionary spending for fiscal year 2020 and 2021.

I believe my colleagues from both sides of the aisle fully understand the devastating effects of sequestration. Across-the-board, mandatory cuts to every Federal program are not a successful path to fiscal responsibility.

Without taking action to lift the caps established by the Budget Control Act, nondefense discretionary funding will be cut by \$54 billion. Such drastic cuts threaten public health, the environment, access to education, job training, and lifesaving social services like food and housing assistance.

Cuts to nondefense discretionary funding would also impact our national security. Nearly one-third of investments in this area fund veterans' programs, homeland security initiatives, diplomatic operations, foreign aid, and Justice Department activities.

If an agreement on lifting the cap is not reached, defense programs also stand to lose \$71 billion. In a dangerous world, those cuts would be, in my view, harmful to national and global security.

Only a few months ago, the American people felt the harsh effects of a government shutdown. It is time to come together to take decisive action to avoid another blow to essential Federal programs that help hardworking Americans in every State. This legislation ensures working families will be able to rely on continued Federal funding for the programs that keep them safe, support their jobs, and invest in their children.

In fiscal year 2020, defense spending would be capped at \$664 billion, with nondefense discretionary spending capped at \$631 billion.

The Investing for the People Act would also provide up to \$8 billion, annually, for nondefense overseas contingency operations, OCO, activities that do not count against the spending caps, while limiting OCO designation of defense spending in 2020 and 2021 to no more than the fiscal year 2019 level of \$69 billion dollars.

In his budget, President Trump proposed continued spending on defense measures but massive cuts to domestic programs like public health research, infrastructure investment, and support for low-income families.

Even as our Nation draws down from our overseas war operations, domestic spending remains at a historic low as a percentage of our economy. H.R. 2021 provides a pathway for improving the lives of Americans in every community and renews our commitment to spending to meet the needs of our communities and invest in our economy.

In addition to protecting Americans from spending cuts, the House will be considering protections for a product all of us here today rely upon to do our jobs and live our lives, just like millions of Americans: the internet. This rule also provides for consideration of essential protections for American consumers who use the internet.

The Save the Internet Act would reinstate the Open Internet Order of 2015 that classifies broadband internet services as common carriers that are prohibited from preferentially treating or discriminating against groups of persons.

An overwhelming 86 percent of Americans opposed the FCC's rollback of net neutrality protections. All this legislation does, Mr. Speaker, is restore those protections.

Fair and reliable internet access is absolutely essential to millions of working families and small business owners. Practices like blocking, throttling, and paid prioritization harm the ability of every American to experience the internet in the same way, regardless of provider or how much money you pay.

The Save the Internet Act includes enhanced transparency protections and enacts specific rules against throttling, blocking, and other violations of net neutrality. The FCC would be empowered to investigate consumer and business complaints and impose necessary fines against internet service providers

for violations of the Communications Act.

The bill also provides pathways to internet access for every American, especially those in rural communities who are being left behind by modern, high-speed internet infrastructure.

The Save the Internet Act would once again allow the FCC to fund rural broadband through the Connect America Fund.

Additionally, this legislation revives the Lifeline program, created under the Reagan administration to subsidize phone service for low-income families. Under this legislation, the FCC would again have authorization to use the Lifeline program to expand access to broadband for low-income Americans, especially seniors, students, veterans, and disabled Americans.

In response to concerns raised by our Republican colleagues, the Save the Internet Act also ensures that the FCC has the power to protect access to the internet but does not have authority to make decisions over internet content or the power to impose taxes and fees for internet access.

This legislation forbears the FCC from applying more than 700 regulations under the Communications Act that are unnecessary to protecting an open internet, such as rate setting.

□ 1230

Internet service providers have long claimed that they were hamstrung by net neutrality protections and that strong consumer protections were preventing them from investing in higher speeds and advanced broadband infrastructure.

In reality, ISPs actually increased speeds and invested huge amounts in improving their broadband during the time when net neutrality protections were enforced by the FCC. Moreover, many of the largest providers have failed to keep their promise of increased investing after the Trump FCC repealed those protections, with investments actually shrinking in recent years.

Mr. Speaker, I urge my colleagues to vote for this rule and for both pieces of legislation underlying it, and I reserve the balance of my time.

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

I thank my friend from New York for yielding me the customary 30 minutes. And, at the risk of opening this debate like I opened so many others in 2019: Mr. Speaker, we have taken an opportunity to do something very productive and very bipartisan and we have turned it into something that is going to be very partisan and wholly unproductive.

Neither of the bills we are considering in this rule today are going to be moving through the Senate. Neither of the bills we are considering today are going to be signed by the President. But the good foundation in both of those bills could have been, and we have missed yet another opportunity.

Let me start with H.R. 1644, Mr. Speaker, the so-called Save the Inter-

net Act. I can't speak for everyone else's internet, but my internet is still thriving. I haven't seen any nefarious internet shortages or blockages in recent days.

For the millions and millions of Americans trying to livestream C-SPAN right now, they are having no problems whatsoever. It is going right through the pipes the way it always has, Mr. Speaker. And, if it is in need of saving, it is certainly not in need of saving from this institution.

I understand, Mr. Speaker, that my friends on the other side of the aisle are upset with the Trump administration's FCC.

You will recall that the Obama administration and its FCC took the regulations that had governed the internet from its inception through its explosion of productivity and innovation, all the way through 2015, and threw all those rules out entirely, replacing it with a command-and-control government structure.

In its wisdom and with my great support, the Trump administration and the FCC threw those new rules out, taking us back to those rules that provided the foundation for the internet and all of the productivity that it has provided.

It is unfortunate, Mr. Speaker, that so many folks are afraid of internet freedom that we need to try to find a way to clamp down on internet freedom and bend the internet to the will of the government.

I would argue that the Wild West innovation style that has driven the internet and tech companies from day one shouldn't be boxed in by the government and certainly shouldn't be replaced with a 1930s-era, Ma Bell telephone regulatory scheme.

That is what we are talking about here today with this bill, Mr. Speaker, is turning over regulation of the internet to title II of the Communications Act.

If you have not looked at title II recently, Mr. Speaker, it is almost 100 years old. It was created to govern that wonderful emerging technology called the landline telephone and the monopolistic telephone companies that existed at that time.

I don't know how many of your staffers still have landline telephones, Mr. Speaker. I know your grandchildren probably don't even know how to operate one these days.

We certainly should not be relying on those regulations to bring us forward with innovation. The heavy hand of government regulation always takes us backwards.

The good news, Mr. Speaker, is that, if you see legitimate challenges out there, we do have some bipartisan solutions to help address those: Former Chairman WALDEN's H.R. 1101, one such bill that could have been on the floor today; Mr. LATTA's H.R. 1006, another bill that could have been on the floor today; Mrs. MCMORRIS RODGERS' H.R. 1096 could have been on the floor today, just to name a few.

But none of those bipartisan options were seriously considered. Instead, we are left with a single option, in true government, monopolistic fashion, and that option is to support the Obama administration's failed government takeover of the internet.

Mr. Speaker, I oppose that. I oppose the legislation. I hope my other colleagues will as well.

It did not have to be this way. This could have been a productive partnership discussion about how to take what is obviously a productive and innovative tool fueling, not just urban America, not just suburban America, but rural America, and we could have talked about how to grow it together. But we chose a different path, digging partisan ditches even deeper early in 2019.

If that is not disappointing enough, Mr. Speaker, there is a second bill that this rule makes in order. That is H.R. 2021. That bill comes out of another committee that Mr. MORELLE and I serve on, the House Budget Committee.

I love serving on the House Budget Committee, I have to tell you, Mr. Speaker. It is a wonderful committee on which to serve. Mr. MORELLE and I are both lucky to be on it, and we have two fabulous leaders on that committee: Mr. YARMUTH of Kentucky leading the Democratic side of the aisle and Mr. WOMACK of Arkansas leading the Republican side of the aisle.

If you were going to task two leaders in this institution with crafting the kind of budget that I talked about from the well earlier, Mr. Speaker, a budget that would protect Social Security, protect Medicare, protect Medicaid, a budget that would lay out priorities for America, talk about where it is that we want to see our children and our grandchildren go in the 21st century, those are the two leaders who could have brought us together for the first time in a long time around a unified vision.

But, instead, the order came down from on high, Mr. Speaker. There was to be no budget. I assume that is true. We have considered absolutely no budget in the so-called Budget Committee. We have had no budget markup in the Budget Committee. We have had no discussions of budget in the Budget Committee.

Instead, what we have before us today is a bill that is sometimes referred to as a caps deal. You have heard "caps deal" before, Mr. Speaker.

It is those times in years past where we have taken what are those discretionary caps, those limits on how much Federal money we can spend, and we have adjusted those so that we can invest in some shared priorities on the one hand while reducing spending in some other, lower priority places.

We have done that in a bipartisan way not once, not twice, but three times. We could have been here today, Mr. Speaker, for a fourth time.

If we are not going to actually do a budget, we still could have been here

on a caps deal. But this is not a caps deal. This is not a caps bill that had input from Republicans in the House. This is not a caps deal that had consultation with the Senate. This is not a caps deal that has been done in bipartisanship with the White House.

This is a caps deal that is just a deal among warring factions of a divided Democratic Caucus, and that bill has come to the floor today—again, a bill that will not be considered in the Senate and a bill that will not be signed by the President.

We can normalize partisan failure in this institution, Mr. Speaker. We can. We can also normalize bipartisan cooperation.

I don't fault the other side for the struggles that are, inevitably, going to happen when a new majority takes over in the U.S. House of Representatives. Leading is a very difficult, difficult thing to do.

But, at the end of the day, the majority is tasked with doing exactly that—leading. The Budget Committee should produce a budget. The United States of America should have a budget.

It is not easy to do. It is not easy to pass this House floor. It is not easy to pass through a committee. But it is what the law requires us to do; it is what we have the right leaders on the Budget Committee to do; and it is what every single Member in this institution knows in their heart that we should do.

Mr. Speaker, I urge defeat of this rule, and I reserve the balance of my time.

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

Mr. Speaker, let me just make a few brief comments, and I always appreciate the passion that Mr. WOODALL, my distinguished friend and colleague, brings to this discussion.

I do want to say what this is. First of all, the rule before the House has both a resolution, which I talked about, which is really the safety net, it establishes the \$1.295 trillion for discretionary spending and, in addition, allows us to do IRS enforcement—\$400 million is in the resolution—and the census 2020, which is upcoming and which will take thousands and thousands of people to conduct the census in the way that the Framers identified it to be.

It also has a budget bill. And I do want to just mention just a few points that relate to what Mr. WOODALL said.

The major components of the budget are in the budget bill. It provides a top line for discretionary spending, provides allocations to the authorizing committees, provides a revenue floor, enforces all these 302 allocations, and sets new caps for discretionary spending, gives allocations to authorizing committees, all of these things which will match the CBO's baseline, I might add, and enforcement through regular Budget Act points of order.

So this does have a budget bill. What we do with the resolution, however, is critically important because it makes sure that we begin this process.

I think the thing that we all want to avoid in the greatest possible way is a shutdown. We saw that happen, and 2018 made history.

Although the House, the Senate, and the White House were all controlled by the same party, we ended Congress for the first time in U.S. history in a government shutdown, an inglorious end to the 115th Congress.

We need to do anything we can. This starts that process, creates a safety net, and jump-starts the budget process. So this is a completely appropriate and, in my view, mandatory way to start this process. And I will perhaps, if I get a moment or two, talk about the budget that the President submitted to us.

I also want to just mention for a moment, if I can, the comments raised by my colleague relative to the net neutrality bill. This, under the current rule, has enormous exposure to consumers and businesses. It does not impede innovation, what we are attempting to do. In fact, in my view, it will spur innovation, and it provides predictably for all users, consumers and businesses alike.

I do note that the rule that we reported out last night ensures that we do everything we can to reaffirm that commitment to fair access.

The rule made in order 12 amendments, both from Democrats and Republicans. It is a structured rule. Some of those amendments I agree with, some of those I disagree with, but every single one is worthy of debate on the floor. I am very proud, and I want to also congratulate the chair of our committee, Mr. MCGOVERN, for making sure that we have amendments from both sides to discuss on this floor.

I do want to just mention a couple of them. Several amendments aim to strengthen access to broadband internet in rural and underserved communities. Mr. BRINDISI, for instance, has an amendment which we will take up which requires the GAO to produce a report about the ways the U.S. government can promote the deployment of broadband to rural communities.

Representative WEXTON has an amendment requiring the FCC to submit to Congress a plan on how the Commission would address problems in collecting data on deployment of broadband. By fixing these problems, we can have a better understanding of those communities that are served by broadband and ensure every community has access.

We have an amendment by Representative WATERS asking the Comptroller General to submit a report on how net neutrality helps ethnic and racial minorities and how those rules will help disadvantaged groups, rural populations, individuals with disabilities, and the elderly. Without that full information, we cannot ensure that everyone is receiving the same treatment.

We have an amendment from Representative DAVIDS directing GAO to

submit a report examining the FCC's efforts to assess competition. Colleagues are worried about how net neutrality rules will impact competition, but they have no data to back up their claims, so let's collect the data we need. Good policy is always backed by good evidence.

We also made in order an amendment by Representative MCADAMS which would affirm that ISPs can still block unlawful content, such as child pornography. Some content has no place on the internet, nor anywhere in our homes, and we want to make sure that ISPs block this, as they should, and that nothing in the bill will prevent them from doing so.

There are several other amendments made by Democrats that will be on the floor. I won't go into them any further. But I do want to acknowledge, also, that we have amendments in order submitted by Republican colleagues as well.

Mr. LATTA submitted an amendment requiring the FCC to share the list of 700 rules that will be permanently forborne once this bill becomes law, which makes sense to me. We had this conversation in rules yesterday, to ask the question what those 700 rules are. The FCC has determined them to be unnecessary and burdensome.

Let's look at them and see what they are. Let's see the list. Let's show the American people that the government was not regulating for the sake of regulating and that, when those regulations are no longer appropriate, we will remove them.

Finally, my colleagues on the Rules Committee made Representative BURGESS' amendment in order. It directs the GAO to initiate a study to examine the virtuous cycle of the internet ecosystem and the effect of net neutrality on that ecosystem—again, an amendment which was made in order to make sure that we have bipartisan discussion here on the floor.

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

Mr. WOODALL. Mr. Speaker, I would like to respond to my friend from New York, but I just have too many speakers who have come down to the House floor today to speak about this.

Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE), a member of the Rules Committee, our ranking member on the Rules Committee, a member of the Appropriations Committee, and one of the most thoughtful Members of the Republican Conference.

□ 1245

Mr. COLE. Mr. Speaker, I want to thank my good friend, a member of the Budget Committee, for yielding, and my colleague on the Rules Committee.

I rise to oppose the rule and oppose the underlying legislation. Now, I oppose the rule because it is not really a rule at all. It is really legislation masking as a rule.

Buried in this rule is a measure that will, what we call self-execute, but

deem what the budget is going to be. In other words, our friends are telling us: We may not have the votes, even though we have a substantial majority, to pass our own caps bill. But just in case, the rule vote, which is a partisan vote, we are going to put it in here.

Now, that doesn't speak to a high degree of confidence that my friends will have the votes, which they should have, on their caps deal. I would argue it is technically legal, but it is not a very seemly practice to actually express your distrust of your own majority that directly.

Second, let's talk a little bit about the underlying legislation. There is a lot here I don't agree with, but I want to focus on one thing in particular, Mr. Speaker, and that is the "budget" itself, because it is not a budget. It is a caps bill.

It is not even a caps deal. It hasn't been negotiated with the Senate. It hasn't been negotiated with the administration. It is an arbitrary number. It has no chance of becoming law. There is no way a Republican Senate will have double the amount of increase for domestic programs as it has for defense. It is just not going to happen.

So, now, the Appropriations Committee—and I am always happy to have numbers as an appropriator—will now move on down with a set of numbers that we know will not survive negotiations with the Senate or with the President. So we are going to mark up a lot of bills, but they are going to be the numbers that are a fantasy.

Finally, in this caps deal, we ought to point out, our own rules require the majority to present a budget. We couldn't even get a budget out of the Democratic Budget Committee. Now, that is a failure to govern.

The Speaker, herself, said on one occasion: Show me your budget, and I will show you your values.

It suggests that you don't want to show the American people your values, because you certainly aren't showing us a budget in this legislation.

So the rule, frankly, is a backdoor way to enact some sort of caps legislation, caps legislation that will not be accepted by the Senate, that will not be accepted by the President of the United States.

The underlying legislation doesn't have a budget, which our own rules require that it have. It has a mere statement of spending levels that, again, are not going to be accepted by the other Chamber or by the President of the United States.

And, finally, our friends have abdicated their most important responsibility, which is showing the American people their view and their vision of what the budget ought to shape.

The rule ought to be rejected; the underlying legislation ought to be rejected; and our friends ought to challenge themselves to bring us a budget that they can support, that they can put in front of the American people.

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

I appreciate my good friend, the gentleman from Oklahoma's comments.

Those on the other side may say this is messy, but do you know what is messier? Another government shutdown.

We just endured, earlier this year, a 35-day government shutdown, the longest shutdown in our history. In this committee, we are committed to doing everything in our power to prevent that from happening again.

We want to make sure we can move forward with appropriations legislation, and this provision is a safety net to assure that process can begin. Whenever a budget bill comes up, whenever we begin that appropriations process, we will have a path forward.

My good friend raised the question of the President. I have to admit I am new here, haven't been here very long. I have been involved in the budget process in the State of New York for many years.

Frankly, watching the budget and looking at the budget submitted by the President, I would be embarrassed. I think it is no wonder that my friends on the other side of the aisle didn't submit, as an amendment, the President's budget.

The President's budget is devastating. I look to how it would devastate the people in my home State of New York: repeals the Affordable Care Act, eliminates health insurance for 2.2 million New Yorkers, abolishes protections for people with preexisting conditions, substantially increases premiums for older Americans.

If the budget that Donald Trump submitted became law, a 60-year-old living in New York making \$25,000 a year could see their healthcare premiums increase by up to \$5,000 annually, from \$1,600 to \$6,300 in 2020, a quarter of their income.

It cuts funding for New York's Medicaid program by \$159 billion over the next 10 years. Nationally, the Trump budget proposes to cut Medicaid by \$1.5 trillion over the next 10 years, 36 percent in 2029 alone.

College would be more expensive for 179,000 New Yorkers by completely eliminating the Direct Subsidized Loan Program and taking away grants for 108,000 students by abolishing the Supplemental Education Opportunity Grant program. At a time when people need to have knowledge more than at any other time in human history to safeguard their economic future and those of their families, to cut college programs is reprehensible.

But I don't care just about New Yorkers, Mr. Speaker. My friend from Georgia, I have a brother who lives in Georgia. His children live in Georgia. I care a great deal about the people in Georgia as well.

The Trump budget: Eliminates after-school programs for 41,000 Georgia students by zeroing out the 21st Century Community Learning Centers program;

Takes away high-quality childcare and early education for 4,200 low-income Georgia children by cutting Head

Start by 17 percent in the final year of this budget;

Eliminates nutrition assistance for up to 395,000 Georgians, 90 percent of whom live in households with at least one child, elderly person, or a person with a disability, by cutting the Supplemental Nutrition Assistance Program by \$220 billion, nationally, over 10 years;

Takes the food out of the mouths of 4,000 pregnant women, new moms, babies, and toddlers in Georgia by cutting the Women, Infants and Children program by 13 percent in the final year of this budget.

I could go on and on, Mr. Speaker, but I will spare my colleagues a long dissertation on the Trump budget, other than recognize that this House is moving forward. We are beginning this process. We have established a safety net.

This is what Americans want. They don't want another shutdown. And we are going to do everything in our power—together, I hope, in a bipartisan way—to make sure that we continue to move forward in the years to come.

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

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds just to say that my friend's criticisms of the Trump budget are perfectly legitimate. What he failed to mention, though, is the reason he can make those criticisms is because the law required the administration to offer a budget, and it did. The law also requires this House to offer a budget, and we have not.

We are better than that. This is not an Article II responsibility. This is an Article I responsibility, and we will rue the day that we decided that we would rather talk about what Article II was doing instead of doing the work ourselves here at Article I.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. MEUSER), a new Member of this institution and a member of the Budget Committee.

Mr. MEUSER. Mr. Speaker, I rise today in opposition to this rule and to H.R. 1644, also known as the government-controlled internet act.

Once again, House Democrats are putting Federal Government control over freedom and bringing to the floor yet another partisan, central command government bill.

H.R. 1644, or the government-controlled internet act, which, fortunately, has no chance of being signed into law, goes against everything that made the internet what it is today.

There is a reason the United States is home to the top internet companies in the world. This doesn't happen by accident. It is because of the *laissez faire* approach that allows for an environment of economic growth, competition, and innovation.

Instead of building on the pro-innovation approach that has revolutionized how we communicate, work, and stay connected, this legislation would

impose heavy-handed, top-down regulations that would box the internet into outdated rules written in the 1930s.

Why is the Democratic majority supporting a bill that will take the internet backwards?

This bill is the quintessential solution in search of a problem. If we want to protect constituents, promote investment, and encourage innovation, H.R. 1644 is not the solution.

If my colleagues across the aisle are serious about protecting consumers and ensuring access to a free and open internet, then we need to find bipartisan consensus on net neutrality principles that address blocking, throttling, and paid prioritization. We need a modern framework that allows for continued American innovation and investment, not another Federal Government regulatory takeover.

H.R. 1644 is not a serious solution to protecting our constituents and advancing American ingenuity. I urge my colleagues to oppose this effort and send a clear message that we need to move the internet forward, not backward. I hope they will oppose this rule and the underlying legislation.

Mr. MORELLE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BURGESS), a member of the Energy and Commerce Committee and the Rules Committee.

Mr. BURGESS. Mr. Speaker, I thank the gentleman for yielding.

As you know, the difficulty is, when we take away the managing of a business operation from that underlying business, the incentive to innovate and to serve consumers is likely to dissipate.

The internet, for decades, has thrived because it was not under the heavy hand of government. Because of this freedom, we are now on the brink of accessing the fifth generation of broadband technology that, when fully implemented, will eliminate the need for net neutrality regulations because latency for all content will be almost zero.

I don't think you find any disagreement that blocking, throttling, and paid prioritization are not practices that anyone wants as a part of the open internet. But classifying broadband internet as a telecommunications service under title II of the Telecommunications Act of 1934 will limit the ability of service providers to respond to consumer demands and potentially result in disruptions due to content neutrality requirements.

Republicans have introduced three proposals to preserve a free and open internet. I hope we can work together, going forward, to achieve that laudable goal.

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

I do note for my friend, Mr. BURGESS, whom I serve on the Rules Committee with, that we, in an effort to enhance

bipartisanship, made his amendment in order. I believe it is the first amendment in order, and I certainly expect that it will get broad consideration on both sides of the aisle.

Mr. Speaker, I include in the RECORD a letter from over 120 businesses and startups urging Congress to support net neutrality. This letter says: "Passing H.R. 1644 will provide certainty for businesses and startups and would ensure critical consumer protections for all internet users."

Hon. NANCY PELOSI,  
*Speaker, House of Representatives,*  
*Washington, DC.*

Hon. KEVIN MCCARTHY,  
*Republican Leader, House of Representatives,*  
*Washington, DC.*

DEAR SPEAKER PELOSI AND LEADER MCCARTHY: We are writing in support of H.R. 1644, the Save the Internet Act, to fully restore the strong net neutrality protections for Internet users that were adopted through the FCC's 2015 Open Internet Order but later repealed.

Net neutrality is fundamental to guaranteeing that every American has unencumbered access to the Internet. This access is also essential to a competitive, free market for the technology economy to thrive as well as entrepreneurship in this country. The benefits of these protections are not confined to technology companies and startups. Main Street businesses across numerous sectors increasingly rely on unfettered Internet access to run their operations and to reach customers.

Net neutrality has been critical to the Internet's explosive growth, creating an open platform on which companies large and small can grow. We urge members of Congress to stand on the side of consumers and Internet users to quickly pass a clean, unamended version of H.R. 1644. This bill would restore strong rules prohibiting blocking, throttling, and paid-prioritization while reinstating ex-ante enforcement and oversight by the FCC to prevent net neutrality-related harms from happening in the first place.

Passing H.R. 1644 will provide certainty for businesses and startups and would ensure critical consumer protections for all Internet users.

Sincerely,  
IHuddle, Ad Hoc Labs (dba Burner), Adaptive Energy, AlleyWatch, Applemon, Attentive, Inc, BetaDefense, Binary Formations, LLC, Bitly, Bloomers Island, Blue Ocean Technology, Bluebell Advisors, Inc/Gilbane Advisor, BusBot Incorporated, CapSen Robotics, Chartbeat, CitiQuants Corporation, Cogent Communications, Cole House LLC, Concourse Markets, Contextly.

Creative Action Network (CAN), CredSimple, D3FY.COM, Darling, Inc., DART Technologies, Digital4Startups Inc., DLT Education, EarnedCard, Educreations, Elucid, Etsy, Inc, Expa, Fan Guru, Filament, FinToolbox (Screener.co), FluentStream, Founder Academy, Foursquare, Friends, G. A. Hensley Company Inc.

General Assembly Space, Inc., GitHub, Inc., Globig Inc., goTenna, Grey Horse Communications, Gust, Gusto, Haute Huab, High Fidelity hobbyDB, HOGARU, Hoola Hoop LLC, InnovateEDU, Inwage LLC, JOOR, JustFix.nyc, Karavan App, Karma+, Laconia Capital Group, Launch Pad.

Loxo, LR, Makeo Company LLC, Mapbox, Market Mic LLC, Martech, Mavatar Technology Inc., Medium, Meta, LLC, MetaProp.vc, Minibar Delivery, Mozilla Corporation, Music to, Neighborland, Neta Collab, Netsyms Technologies, Onfido, Onfleet, Inc., Outdoor Project, Patreon, Inc.

Postmates, Promogogo, Rainmakers, Reddit, Inc., Rentify, Rex Ag Labs, Routific, Sandwich.Net, LLC, Shotwell Labs, Inc., Shutterstock, Inc., Simply Made Apps, SlidesUp, Snaps Media Inc., Spoonful, SpotHero, Starsky Robotics, Stealth Communications, Stripe, Stylaquin, Svaha LLC, Tampa Bay Wave.

Tenpin, textile.io, Tinybeans USA Ltd, Tostie Productions, LLC, Troops.ai, TrueAbility, Tunesync, Twitter, Uncork Capital, Venrock, Via, Vimeo, Inc., WayUp, Wellthy, White Lioness Coaching®, Women 2.0, WorkHound, Yapp, You Got Listings, Inc, Zyper.

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

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

My friend from New York is right: They did make a number of amendments in order, but not enough amendments to solve some underlying problems.

One amendment they didn't make in order was an amendment to provide disaster funding to so many of our communities that have been waiting on disaster funding—not for a day, not for a week, not for a month, but, now, into the new year.

If we defeat the previous question today, we can correct that injustice, and I will bring up an amendment to the rule to make this disaster funding possible. It is critically important.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT) to talk about that, one of the greatest advocates for that language here in the House.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today to urge my colleagues to defeat the previous question so the House can immediately bring up meaningful disaster relief.

I want to thank my friends and colleagues from across the aisle, Representative WOODALL, obviously, Chairman McGOVERN, Ranking Member COLE, and others on the Rules Committee, for allowing me to speak last night on behalf of the amendment. I also want to thank them for their help in previously passing very similar legislation.

My amendment is quite simple. The text contained the same dollar-for-dollar amounts from H.R. 268, the House-passed disaster assistance bill.

This bill was a work of compromise and work that many of us representing districts that have been hit by disasters in 2018 worked on. It includes a bipartisan amendment that I and many others sponsored, which raised the crop and livestock loss assistance to \$3 billion, from approximately \$1 billion. That is included in the final text.

Unfortunately, my amendment was not made in order; but, if we defeat the previous question, it will be included in an amendment, along with other important provisions, to help those affected by the natural disasters of 2018.

Disaster relief has never been a partisan issue in the United States of America, and it should not be a partisan issue today. I urge my colleagues

and I ask every Member in this body to defeat the previous question so that we can immediately bring up legislation to deliver on our promise of passing disaster assistance prior to leaving for the Easter break.

□ 1300

Mr. MORELLE. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I appreciate the sentiments of the gentleman. We certainly agree.

The House has passed disaster relief. We await Senate conferees, so we can move that process forward. But what strikes me is how troubling it is to have this conversation.

The reality is that the President of the United States has chosen which Americans to provide aid to. The island of Puerto Rico, American citizens, has suffered disasters, calamities, as a result of Hurricane Maria, yet the President shows no indication that he understands the plight of the people on Puerto Rico. That is why it is necessary for the House and Senate to come together to provide relief, because the President, frankly, has chosen not to do it.

We welcome the comments by the gentleman. We look forward to the Senate establishing members of a conference committee, so we can work out differences that we may have and move this forward. We continue to hope for that day and hope that the President will gain some enlightenment about how we help and protect all American citizens.

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

Mr. WOODALL. Mr. Speaker, as we have heard so often on the House floor, hopeful wishes are not enough for our constituents. We need to deliver results.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DUNN), who has been working hard in that direction.

Mr. DUNN. Mr. Speaker, I rise today to demand that critical natural disaster relief be voted upon.

Tomorrow will be the 6-month anniversary of Hurricane Michael, 6 months with absolutely no disaster supplemental funding, no serious action on the part of Congress except the political farce in the House and two failed cloture votes in the Senate.

Both Chambers have refused to extend even routine tax relief to ensure that people have access to their money when they need it most. With tax day just around the corner, this is unacceptable.

Floridians are tough, but they need help and deserve help.

Six months ago, Hurricane Michael devastated the South, damaging more than 90 percent of the structures on Tyndall Air Force Base, decimating our agricultural industry, and destroying entire communities. Yet, here we are with only 1 day left in the legislative calendar before Easter and no tax relief in sight.

If the previous question is defeated, it will be a first step in making some meaningful progress for victims of all the 2018 disasters. It will bring the Disaster Tax Relief Act of 2019 to the floor. I am a proud cosponsor of that bill with TOM RICE and AUSTIN SCOTT.

This bill includes a set of common, routine tax breaks victims of virtually every disaster over the last decade have been entitled to, things like access to retirement savings without penalty, a tax credit for employers who continue to pay employees while shut down, suspending tax limitations on charitable contributions for relief efforts, and allowing hardworking families to use earned income from the previous year to calculate their earned income tax credits and child tax credits.

It is a shame that we have to resort to a procedural trick to ask for a vote on this very bipartisan, commonsense legislation that we have passed many times before.

Mr. Speaker, it is time we take action to help those suffering from the 2018 disasters. For this reason, I urge a “no” vote on the previous question.

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

Mr. Speaker, I would just reiterate what I said earlier, which is that all Americans need help in times of disaster.

Despite the fact that some would try to ignore the fact that climate change exists and has created natural disasters that we could not have predicted years ago, the fact is that those disasters continue to happen.

All Americans—I don't care whether you live in New York or Alabama, Florida, Puerto Rico, the U.S. Virgin Islands—all Americans need help.

One of the first bills we passed under a structured rule in this Congress was to provide that relief, yet it sits in the Senate because they seek to choose which Americans get benefited by the Federal Government's relief efforts and which do not.

We are going to stand firmly in the corner of all Americans getting the support from the Federal Government that they deserve. We are not going to pick and choose.

Mr. Speaker, I certainly hope that my colleagues here across the aisle are going to march across to the other Chamber and insist to the United States Senate that it takes up that bill, that we establish a conference committee, and that we send this to the White House.

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

Mr. WOODALL. Mr. Speaker, I yield myself the balance of my time, and I would say to my friend from New York, we do not have any further speakers remaining, so if he would like to get this show on the road, I am prepared to close if he is.

Mr. Speaker, I have great respect for my friend from New York on the Rules Committee, and I really do enjoy serving with him on the Budget Committee.



It is neat to be on the Budget Committee as a freshman because you are working with the biggest issues that we have in this country. We all care about healthcare and how it gets implemented, but we can't implement it if we can't pay for it, so the Budget Committee grapples with those issues.

We all want our seniors to be protected. They have been paying into Medicare and Social Security their entire lives, but we know those programs are headed toward bankruptcy. We can't solve those problems except in the overarching look of a Federal budget process. It is what the law requires.

We get to talk about those big ideas. We get to think those big thoughts. We get to come together to make big and, yes, Mr. Speaker, difficult decisions.

President Trump, in his budget, made difficult decisions. I dare say I could go Member to Member in this Chamber and find 435 people out of 435 who would find at least one flaw in the President's budget. I bet I could.

It is hard to write a budget for the United States of America, but the law requires that we do it. More importantly, even if the law didn't require that we do it, Mr. Speaker, we know that we should. We know the Constitution lays out that responsibility, the power of the purse, for the House. We have constituted an entire committee called the Budget Committee.

I don't want to wow you, Mr. Speaker, with my eloquence, but do you know what the responsibility of the Budget Committee is? It only has one: write the budget.

For years, there was a time when the Senate was not taking up budgets in its Budget Committee. I wondered why they didn't disband the Budget Committee because the only job the Budget Committee has is to write the budget.

We know we need to do that together. We know we do, but we are not.

The second bill this rule makes in order is the government takeover of the internet bill. Again, if you think the internet is broken and the benevolent hand of government can fix it, this is the bill for you. If you think the internet is not broken and perhaps government ought to stay where government is, and the freedom of the internet should continue, this is not the bill for you.

We need to defeat both of these bills, and we need to defeat the rule.

I do want to point out, for the Rules Committee, we were working just beyond those doors last night, Mr. Speaker, and I think the Rules Committee did the best it could with the material that it had to work with. I see the staff director of the Rules Committee sitting over there. He has a tough job.

I think the chairman did the best he could. You cannot solve the problem of a flawed, partisan committee process with the inclusion of amendments in the Rules Committee. You just can't do it. But they tried as hard as they possibly could, making in order as many amendments as they could to try to satisfy as many concerns as they could.

The problem is not the Rules Committee, Mr. Speaker. That is not why we need to defeat the rules today. The problem is the leadership decision that has been made to bring up these two flawed products that were created in a partisan way when we could have brought to the floor two positive products created in a collaborative way.

We have to make a decision in this Chamber. Either we are in the business of making a point or we are in the business of making a difference. So far, the first 4 months of this year, we have been great at making a point, but we have been struggling to make a difference.

Like it or not, we have a Senate that has to pass this legislation and a President who has to sign it if we are to make it the law of the land. The two products today fail that test.

Let's not waste another moment on them, Mr. Speaker, not another moment. Let's reject this rule. Let's not bring these two pieces of legislation to the floor. Let's go back to the drawing board collaboratively, as we know we can. Lock any bipartisan group of Members into a room together, Mr. Speaker, and they will craft a better solution. We have the right leaders in this Chamber for this time. We just need to free them up to lead.

Defeat this rule. Defeat the previous question.

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

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

There was no objection.

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

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

Mr. Speaker, I always appreciate the passion that Mr. WOODALL brings to conversations, both here on the floor as well as in the two committees on which we are privileged to serve. I thank him for that and thank him for his concerns about how we move forward.

I believe this is moving forward. Today, we are moving forward. We set the tone of how we move forward. We establish our discretionary amount. We end the sequestration caps. We begin to move forward, and I think that is what we want to do.

It is fascinating. I note that Mr. WOODALL, in his comments, mentioned you can't get all 435 Members to agree. I certainly understand that, and I appreciate it. We couldn't get one Member to offer the President's budget as an amendment.

The truth is that there is a failure of leadership here. This is a process that is new to me, but I certainly expected that the President would provide greater leadership on how to move forward. We have seen none from the White House, which I find troubling and I find puts us at a considerable disadvantage.

We need to move forward, nonetheless, Mr. Speaker, and that is what we are doing today.

I do know that, for me, the amount of discretionary investments we make will say a great deal about where we are going as a country and what our priorities are.

I think we need to make greater investments in education and in public health, highways and transit, veterans healthcare, agricultural research, workplace safety, K-12 education support, national parks, housing assistance and mortgage insurance, small business assistance, Head Start, food safety, scientific research and space exploration—God knows, as a percentage of GDP, we need to continue to invest dramatically in those—embassy security, Pell grants for higher education students, hazardous waste cleanup, waterway maintenance for commerce and recreation, weather forecasting, hurricane-proofing communities, forest and wildlife habitat management, conservation resources, patents and trademarks, consumer protections, and aviation safety.

The list goes on and on for the kind of investments we need to make to continue to make sure that America leads in the 21st century. That is what this does today. That is what this rule will do. That is what the resolution budget process starts today.

Mr. Speaker, I thank all my colleagues for their words of support for H.R. 2021, the Investing for the People Act. I especially thank Chairman YARMUTH and Ranking Member WOMACK for their work on our Nation's budget.

I also thank Chairman PALLONE and Ranking Member WALDEN and all those who have worked on H.R. 1644, the Save the Internet Act.

Mr. Speaker, I urge a "yes" vote on the rule, and I urge a "yes" vote on the previous question.

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

At the end of the resolution, add the following:

SEC. 8. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2145) to provide disaster relief. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. No amendment shall be in order except the amendments specified in section 9 of this resolution. Each such amendment may be offered only in the order specified, may be offered only by the Member designated, shall be considered as read, and shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent. All points of order against such amendments are waived. After the conclusion of consideration of the bill for amendment, the Committee shall rise and



report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 9. The amendments referred to in section 8 of this resolution are as follows:

(1) A proper amendment, if offered by the chair of the Committee on Ways and Means or his designee; and

(2) A proper amendment, if offered by the ranking minority member of the Committee on Ways and Means or his designee.

SEC. 10. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2145.

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

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

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

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

The yeas and nays were ordered.

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

□ 1315

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

The House will resume proceedings on postponed questions at a later time.

#### BUILDING ON REEMPLOYMENT IMPROVEMENTS TO DELIVER GOOD EMPLOYMENT FOR WORKERS ACT

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1759) to amend title III of the Social Security Act to extend reemployment services and eligibility assessments to all claimants for unemployment compensation, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1759

*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 “Building on Reemployment Improvements to Deliver Good Employment for Workers Act” or the “BRIDGE for Workers Act”.

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) The Bipartisan Budget Act of 2018 (Public Law 115–123) improved program accountability for effectively serving unemployed workers and made a significant new investment in reemployment services.

(2) Research shows the longer workers are out of work, the harder it can be to maintain their skills, professional network, and stable home life.

(3) Reemployment services give workers who might otherwise struggle to find new jobs the tools that they need to get back to work—such as individualized career counseling and job search help as well as local labor market information—and they can serve as an entry point to the workforce development system.

(4) Reemployment services have been demonstrated to reduce the number of weeks that program participants receive unemployment benefits by improving their employment outcomes, including earnings.

(5) Unemployment benefits replace less than half of working income, on average, so workers who find new jobs quickly suffer less financial hardship.

(6) Combining targeted reemployment services with unemployment benefits helps keep people attached to the labor force who might otherwise become discouraged and drop out.

(7) The Congressional Budget Office estimates that, over time, investments in reemployment services create savings for taxpayers and unemployment trust funds by reducing spending on unemployment benefits.

(8) Many different types of workers can benefit from reemployment services. Reemployment services should be used to shorten the duration of unemployment for workers even if they are not projected to fully exhaust their unemployment benefits.

#### SEC. 3. ELIGIBILITY FOR REEMPLOYMENT SERVICES.

Section 306(a) of the Social Security Act (42 U.S.C. 506(a)) is amended—

(1) by striking “individuals referred to reemployment services as described in section 303(j)” and inserting “claimants for unemployment compensation, including claimants referred to reemployment services as described in section 303(j).”; and

(2) by striking “such individuals” and inserting “such claimants”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DANNY K. DAVIS) and the gentlewoman from Indiana (Mrs. WALORSKI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

#### GENERAL LEAVE

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1759, the BRIDGE for Workers Act, continues our committee's bipartisan work to help Americans who are receiving earned unemployment insurance benefits to get back to work faster.

Unemployment benefits are a vital lifeline for Americans who have lost their jobs, helping them keep the lights on and pay the rent while they search for work. But unemployment benefits replace less than half of a worker's paycheck, on average. Especially for lower paid workers, who may not have any savings to fall back on, the best outcome is to find a new job as quickly as possible.

When you lose your job, it can be difficult to find a new one, especially if you are older, haven't looked for a job in a long time, or have made mistakes in the past. Reemployment services give people looking for help the personal help they need to overcome those barriers.

For instance, States might provide assistance targeted to a claimant's needs, things like customized career and labor market information, help with application materials, or allowing them to practice for tough job interviews.

Last year, we passed important legislation to improve reemployment services and eligibility assessment grants, or RESEAs. Our legislation added important worker protections, gave States incentives to improve the quality of the services being provided for workers, and ensured that sufficient funding is available in every State and territory.

When I asked how RESEA grants were being used in my home State of Illinois, they told me about Tara, who struggled to find a new job after she was laid off, both because her skills weren't up to date for the current labor market and because she had a criminal record. The Illinois RESEA helped her upgrade her job skills and find a job with an employer willing to take a chance, a chance on someone who had made mistakes. She is now working and going to school to get an associate's degree in welding, so she will have better pay and benefits in the future.

The BRIDGE for Workers Act would add important and needed flexibility to allow States to serve all workers who could benefit from reemployment services, not just those who are expected to run out of benefits before finding work.

Mr. Speaker, I include in the RECORD a letter from the National Association of State Workforce Agencies endorsing the BRIDGE for Workers Act.

NATIONAL ASSOCIATION OF STATE

WORKFORCE AGENCIES,

Washington, DC, March 13, 2019.

Hon. STEPHANIE MURPHY,

House of Representatives,

Washington, DC.

Hon. JACKIE WALORSKI,

House of Representatives,

Washington, DC.

Hon. XOCHITL TORRES SMALL,

House of Representatives,

Washington, DC.

Hon. DARIN LAHOOD,

House of Representatives,

Washington, DC.

DEAR REPRESENTATIVES MURPHY, WALORSKI, TORRES SMALL AND LAHOOD: We are writing on behalf of the National Association of State Workforce Agencies

(NASWA) to endorse the BRIDGE for Workers Act and express our appreciation of your bipartisan effort to authorize the Reemployment Services and Eligibility Assessments (RESEA) program as part of the Bipartisan Budget Act of 2018 (P.L. 115-245).

Until the passage of the Act, RESEA had been limited to a widely-successful pilot grant program. Today, States around the nation now have the ability to accelerate unemployment insurance (UI) claimants' transition back to employment faster than non-participants, which is particularly important in an economy desperately in need of skilled workers.

To enhance these efforts, we are pleased to see the proposed minor statutory fix proposed in the BRIDGE for Workers Act that reflects your intent to ensure any UI claimant, not just those most likely to exhaust their benefits, are eligible for RESEA services and assessments. The current language in Section 306 of Act needs to be modified to ensure this intent is actualized and while the Appropriations Committee made such a modification in their FY 19 Labor-HHS Appropriations bill, a permanent fix would provide clarity and stability for states actively focused on helping claimants return to work expeditiously.

NASWA is the national organization representing all 50 state workforce agencies, D.C. and U.S. territories. These agencies deliver training, employment, career, and business services, in addition to administering the unemployment insurance, veteran reemployment, and labor market information programs. NASWA provides policy expertise, shares promising state practices, and promotes state innovation and leadership in workforce development.

Thank you for your consideration of this request.

Sincerely,

JON PIERPONT,  
*NASWA Board President,  
 Executive Director,  
 Utah Department of Workforce  
 Services.*

SCOTT B. SANDERS,  
*NASWA Executive Director.*

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, the BRIDGE for Workers Act will ensure that more workers who need reemployment services get them. Those individuals and workers, like Tara, will get back to work faster, in better jobs, and on a path to a better future.

Mr. Speaker, I urge my colleagues to support the BRIDGE for Workers Act, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 1759, the Building on Reemployment Improvements to Deliver Good Employment for Workers Act, also known as the BRIDGE for Workers Act, which I have worked on with my colleagues, Representative MURPHY and Representative LAHOOD.

This legislation builds upon the Bipartisan Budget Act of 2018, where we made a significant step forward in helping those unemployed, through no fault of their own, by pairing unemployment benefits with services.

Over the last few decades, there has been a focus on automation that has removed all human interaction from

the benefit claims process. Beneficiaries have become nothing more than a number entered into a spreadsheet or into a computer database.

During the last recession, we saw that merely providing 99 weeks of unemployment benefits was not enough to help individuals return to the workforce. That is why, in 2012, we offered reemployment services and eligibility assessments, known as RESEAs, to the long-term unemployed based on successful State efforts to engage UI beneficiaries.

Since the recession, many States have rebranded unemployment to reemployment, and focused on efforts to promote rapid reemployment, because it is better for workers, their families, and an economy where we have 1 million more job openings than we have employed.

The Bipartisan Budget Act of 2018 provides States with funding certainty, so they can invest in these services and serve greater numbers of workers. That is why H.R. 1759 is so important. It makes permanent a technical correction first made in FY 2019 appropriations.

This bill clarifies that reemployment services and eligibility assessments shall promote quicker reemployment to shorten benefit durations for all unemployment insurance claimants, not just those likely to exhaust unemployment benefits.

In my home State of Indiana, RESEA was redesigned in 2016 to assist UI claimants through early intervention to aid in a quicker return to meaningful employment and eliminate UI fraud.

Indiana's RESEA program is twofold. The initial RESEA expects beneficiaries to make an in-person visit to a WorkOne Center on approximately the sixth week of benefits. During that visit, they attend an orientation to learn more about these services, and then meet with a RESEA counselor for a one-on-one assessment interview to develop an individual reemployment plan. That plan may include workshops to improve job search or interviewing skills, or referrals to other supports or services beyond the UI agency.

Any of the RESEA initial participants who are still collecting at the 15th week of their UI claim are contacted for reengagement as part of the subsequent RESEA program. These long-term claimants are brought in for a one-on-one reassessment interview to determine if additional barriers to reemployment are present. At any point in the process where it becomes apparent that additional, more intensive services are needed, the customer then moves into the workforce system to gain more skills.

RESEAs are a valuable reemployment tool for those who have lost their job, through no fault of their own.

Again, I urge support of H.R. 1759, and I reserve the balance of my time.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 4

minutes to the gentlewoman from Florida (Mrs. MURPHY), the sponsor of the bill.

Mrs. MURPHY. Mr. Speaker, I rise today as the proud sponsor of this bill, the BRIDGE for Workers Act. I want to express my gratitude to the three original cosponsors of this bipartisan legislation: Congresswoman WALORSKI, Congresswoman TORRES SMALL, and Congressman LAHOOD. I also thank Chairman NEAL and Ranking Member BRADY for their leadership on the committee, and Chairman DANNY DAVIS and his staff for all the work they have done on this bill to prepare it for floor consideration.

Mr. Speaker, no American worker wants to be unemployed, and it is vital for our government to provide cost-effective support during that challenging and stressful time. Our focus should be on giving unemployed workers the skills and resources required to return to the workforce as quickly as possible. We want everyone to feel the sense of dignity that comes with earning a paycheck, providing for their family, and contributing to our economy.

One way we support unemployed workers is through the Reemployment Services and Eligibility Assessment program. This program, administered by the Department of Labor, makes annual grants to States and territories to provide a range of services to recipients of unemployment benefits. Services include individual career counseling, assistance with job searches, and information on the local job market.

Under current law, States can only use these grants to assist workers who are expected to exhaust their unemployment benefits without having found a job. That is an unnecessary restriction that prevents many unemployed workers from getting valuable assistance.

Our bill would remove this restriction and allow States to use their grants to provide support to any individual receiving unemployment benefits, as long as the State believes these services would help the individual return to work more quickly. We provided a 1-year patch in the 2019 appropriations bill to make this change temporarily, but this bill would make it permanent.

This is a critical step because research shows the longer workers are out of work, the harder it can be to maintain their skills, their professional networks, and a stable home life. By combining targeted reemployment services with unemployment insurance benefits, we will help keep people attached to the labor force who might otherwise become discouraged and give up looking for a job.

In my home State of Florida, it is estimated this bill could provide up to 25,000 additional individuals claiming unemployment benefits each week with access to reemployment services.

Mr. Speaker, I respectfully ask my colleagues to support the bipartisan BRIDGE for Workers Act.

Mrs. WALORSKI. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Mr. Speaker, I thank Mrs. WALORSKI for her hard work on this particular piece of legislation.

Mr. Speaker, I rise today in strong support of H.R. 1759, the BRIDGE for Workers Act, also known as the Building on Reemployment Improvements to Deliver Good Employment for Workers Act. I am also proud to join Congresswoman MURPHY, Congresswoman TORRES SMALL, and Congressman DAVIS, my colleague from Illinois, in being part of this bipartisan legislation.

Since becoming a member of the Ways and Means Committee, I have been focused on closing the JOBS Act, improving workforce development, and removing barriers to employment.

It is incumbent upon our Federal Government, in coordination with States and local governments, to ensure that those looking for a job have the necessary tools and skills they need to get back into the workforce.

Last Congress, we worked in a bipartisan fashion to codify into law the Reemployment Services and Eligibility Assessments program, bolstering its funding and improving the effectiveness. These reemployment services include career counseling, resume support, individualized reemployment plans, and access to trainings for those receiving unemployment insurance.

The goal of this program is to promote rapid reemployment and, ultimately, shorten benefit durations for all unemployment insurance claimants, not just those most likely to exhaust all benefits.

This bill makes a technical correction to ensure that States have the flexibility to provide reemployment services to all insurance claimants from a variety of backgrounds and help them return to work more quickly. This legislation builds on the recent law that improved the reemployment service program and will ensure that those in need of these services will be able to access them.

With over 7 million unfilled jobs in this country, it is crucial we work with our States, including my home State of Illinois, to provide the necessary resources to fill these jobs. Finding skilled workers is one of the number one issues in my district and many districts across the country: finding enough relief welders, truck drivers, construction workers, machinists, nurses, technicians, just to name a few.

Empowering individuals to get off the sideline and back into the workforce is something this body should always strive to achieve. Every week that a person is out of work, through no fault of their own, is a week too long. This bipartisan fix to reemployment will help these individuals get back to receiving what they want most: a job and a paycheck.

Mr. Speaker, I thank my colleagues on the Ways and Means Committee for

their support on this legislation, and I urge its passage in the House.

□ 1330

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Speaker, I rise to support the BRIDGE Act, which would ensure that all unemployment insurance beneficiaries could use reemployment service grants to get back to work sooner. Currently, only unemployed individuals who are likely to exhaust their unemployment benefits have access to these grants.

I know this change will make an impact in my district. In Pasadena, California, the Employment Development Department administers this program, which offers an orientation to dislocated workers. At the orientations, these clients are given a tour of all the services available, including partner services under the Workforce Innovation and Opportunity Act, and they are then able to pick out a service that best fits their needs.

But this change would allow all individuals to have access to this program and will help coordinate services better so that staff can help these individuals so that they don't have to figure it out on their own, and then more dislocated workers in my community could find work more quickly.

It would help people like Hector. Just last week, I met with the Los Angeles Workforce Development Board and they told me his story.

Hector lost his job as an account manager, where he was making \$44.71 per hour. This forced him to seek public assistance to make ends meet for himself and his family.

Through the help of the staff at the East Los Angeles/West San Gabriel Valley America's Job Center of California, Hector was able to receive a referral for an interview with the Maintco Corporation and was provided a bus pass that enabled him to get to the interview. He was able to quickly secure employment as a finance controller and is now making \$55 an hour, which is \$11 more than when he lost his job.

We must pass this bill to make sure that individuals who lose their jobs are not out of the workforce for too long. I applaud my colleague, STEPHANIE MURPHY, for introducing this bill, and I urge my colleagues to vote for it.

Mrs. WALORSKI. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. ESTES).

Mr. ESTES. Mr. Speaker, I thank the gentlewoman from Indiana (Mrs. WALORSKI) for yielding.

Mr. Speaker, I want to mention that I, too, rise today in support of H.R. 1759, the BRIDGE for Workers Act. This technical correction bill builds on the progress we made in last year's budget act to provide reemployment services to help get more people back to work faster and easier.

While the intent of last year's law was to allow job counselors to consult with unemployed individuals as soon as possible, oftentimes implementation of the law led to this happening only in cases where unemployment benefits were set to expire.

Today's bill realigns reemployment services and eligibility assessment with the original intent of their mission to assist unemployed individuals as soon as possible to get people back to work.

I know, in my district, case managers at the Workforce Centers of South Central Kansas provide a critical service connecting people with jobs or skills training to further their careers.

At a time when our economy is growing at historic rates and we have more job openings than ever before, the work these centers provide is extremely important to help make sure all Americans can participate in this economic revival.

I want to thank my fellow Ways and Means Committee members for working to bring this bill to the floor, and I urge my colleagues to support it.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield 3 minutes to the gentlewoman from Wisconsin (Ms. MOORE), a member of our subcommittee.

Ms. MOORE. Mr. Speaker, I want to thank the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. Speaker, I am absolutely delighted to rise in support of H.R. 1759, the Building on Reemployment Improvements to Deliver Good Employment for Workers Act, also known as the BRIDGE for Workers Act.

I do want to congratulate the authors of this bill, Mrs. WALORSKI and my colleague Mrs. MURPHY, for their effort in putting this forward.

This bill aims to provide workers receiving unemployment benefits the support they need to not only get back into the workforce as soon as possible, but to prevent them from being unemployed in the first place.

This legislation is so important because it would extend reemployment services and eligibility assessments to all claimants of unemployment benefits, rather than limiting these benefits to only those who are expected to run out of benefits. Helping all unemployment insurance claimants reenter the workforce is vital for a robust economy that will only thrive with a skilled workforce.

Mr. Speaker, research shows that the longer workers are out of work, the harder it can be to maintain their skills. Reemployment services equip workers with important tools, such as individualized career counseling and job search assistance, to find a job well matched to their skills and experience more quickly. This helps to stabilize families' income.

These are the kinds of services that we need to invest in as a nation, especially since we know that not all boats are rising in this economy.

In my own State of Wisconsin, funding to the Department of Workforce

Development's Reemployment Services Program was bolstered for fiscal year 2019, with an increase of nearly \$722,000. Already, we have seen improvements in the program's effectiveness for Wisconsin in need of just a little bit of extra assistance with finding suitable employment.

Mr. Speaker, I would also note that the BRIDGE for Workers Act was a bipartisan effort, so important for getting things done. We are pleased with the overwhelming cooperation on both sides of the aisle, and I urge my colleagues to support its passage.

Mrs. WALORSKI. Mr. Speaker, having no other speakers, I reserve the balance of my time.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, may I inquire as to how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Illinois has 9 minutes remaining.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield 4 minutes to the gentlewoman from New Mexico (Ms. TORRES SMALL), a cosponsor of this bill.

Ms. TORRES SMALL of New Mexico. Mr. Speaker, I rise today to express my full support for H.R. 1759, the BRIDGE for Workers Act, led by Representatives Murphy, Walorski, LaHood, and myself.

Mr. Speaker, my State of New Mexico continues to suffer from one of the highest unemployment rates in the country. In one county in my district, the unemployment rate is 17 percent.

As lawmakers, we must prioritize policies that will help counties across the Nation like Luna County combat systemic problems that are preventing a swift return to the workforce.

Research shows that the longer workers are out of work, the harder it can be to maintain their skills and the more likely workers will fall out of the labor force entirely.

When I was in college, my dad lost his job to funding cuts. My parents and I had just taken out loans so that I could go to college. I remember sitting in class, worried. I was homesick, and I felt powerless to do anything to help my family through that difficult time.

My dad is one of the hardest working people I know. On his own, he got the training he needed to find a job in our hometown, but it took years. We all made sacrifices in the meantime.

I worked multiple jobs, and I graduated in 3 years to help limit that debt, and I took on my parents' loan payments to help out.

Now my dad is a schoolbus driver, and the kids he drives to school, the colleagues he serves as a union president, and our community are all better because of the work that he does. I just wish he had found his second calling earlier.

This bill will help. The earlier we retrain people, the earlier they find new careers. This helps people in their most vulnerable moments. It supports families, and it builds stronger communities.

That is why I am proud to help lead the BRIDGE for Workers Act, which will help unemployed individuals find a job faster so that they can provide for their families and get back on their feet as soon as possible.

This would fix a flaw in the current law that limits reemployment services to only those expected to remain unemployed after their benefits run out.

Reemployment services are essential, as they give people without a job the tools they need to get back to work through programs offering targeted job search assistance, career counseling, and interview and resume workshops. With greater access to these services, unemployed individuals will be more likely to find a job faster and rejoin the workforce.

This bill is also cost effective. Since it allows States to use their reemployment services grants more effectively, individuals will return to work quicker, which will generate more savings for our government.

When Americans who want to work hard get the support they need to do just that, we all succeed. I encourage my colleagues on both sides of the aisle to support this legislation and help unemployed Americans across our Nation get back on their feet.

Mrs. WALORSKI. Mr. Speaker, having no other speakers, I reserve the balance of my time.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield 1 minute to the gentlewoman from Alabama (Ms. SEWELL).

Ms. SEWELL of Alabama. Mr. Speaker, I am proud to stand as a member of this subcommittee to support the BRIDGE for Workers Act.

Mr. Speaker, no person wants to be without a job. I think that the hardest and most important thing that we as Members of Congress can do is to support the American worker to not only stay employed and find jobs, but, when they have to lose their job, that they are helped to be retrained—and that is exactly what this bill will do.

This bill will provide better reemployment services. Right now, they are limited. By expanding it, we will help American workers who are unemployed get back to work quicker and faster.

I want to acknowledge that this is a bipartisan bill. It is exactly what the American people need to see us do, which is to help workers maintain their dignity by not only staying employed but, when they lose their job, getting reemployed.

Mr. Speaker, I urge my colleagues to support this bipartisan piece of legislation and want to thank the chairman of our subcommittee and the ranking member of our subcommittee for bringing this bipartisan bill to the floor.

Mrs. WALORSKI. Mr. Speaker, I have no other speakers. I am prepared to close, and I yield myself the balance of my time.

Mr. Speaker, as you have heard today, the ability to pair benefits with services can have a profound effect on the lives of workers and their families.

At a time with more than a million more jobs than we actually have unemployed, this effort is especially critical. This bill gives States the flexibility they need to make reemployment services a great success.

Again, I urge support of H.R. 1759, and I yield back the balance of my time.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I came to this session with the simple notion of coming to do a job and to go to my work. Listening to my colleagues' representations and their articulation of experiences and what this bill really means, I am renewed, and I am delighted because it is an important bill, seriously important.

Yes, in many places the economy is good; people are able to work. But bridges connect and transport, and this bridge connects people to the opportunity to get a job, to go back to work, to be able to take care of their families, to have money so that their children can go to college or they can sustain themselves while their daughter is completing her education.

□ 1345

Mr. Speaker, I commend my colleagues, Mrs. MURPHY and Ms. TORRES SMALL; the ranking member of the subcommittee, Mrs. WALORSKI; and Mr. LAHOOD, my colleague from Illinois, for their ingenuity, creativity, and for the introduction of this tremendous piece of legislation.

Mr. Speaker, I urge all of my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DANNY K. DAVIS) that the House suspend the rules and pass the bill, H.R. 1759, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### TAXPAYER FIRST ACT OF 2019

Mr. LEWIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1957) to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1957

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

#### SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the "Taxpayer First Act of 2019".

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

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

Sec. 1. Short title; etc.

**TITLE I—PUTTING TAXPAYERS FIRST**

**Subtitle A—Independent Appeals Process**

Sec. 1001. Establishment of Internal Revenue Service Independent Office of Appeals.

**Subtitle B—Improved Service**

Sec. 1101. Comprehensive customer service strategy.

Sec. 1102. IRS Free File Program.

Sec. 1103. Low-income exception for payments otherwise required in connection with a submission of an offer-in-compromise.

**Subtitle C—Sensible Enforcement**

Sec. 1201. Internal Revenue Service seizure requirements with respect to structuring transactions.

Sec. 1202. Exclusion of interest received in action to recover property seized by the Internal Revenue Service based on structuring transaction.

Sec. 1203. Clarification of equitable relief from joint liability.

Sec. 1204. Modification of procedures for issuance of third-party summons.

Sec. 1205. Private debt collection and special compliance personnel program.

Sec. 1206. Reform of notice of contact of third parties.

Sec. 1207. Modification of authority to issue designated summons.

Sec. 1208. Limitation on access of non-Internal Revenue Service employees to returns and return information.

**Subtitle D—Organizational Modernization**

Sec. 1301. Office of the National Taxpayer Advocate.

Sec. 1302. Modernization of Internal Revenue Service organizational structure.

**Subtitle E—Other Provisions**

Sec. 1401. Return preparation programs for applicable taxpayers.

Sec. 1402. Provision of information regarding low-income taxpayer clinics.

Sec. 1403. Notice from IRS regarding closure of taxpayer assistance centers.

Sec. 1404. Rules for seizure and sale of perishable goods restricted to only perishable goods.

Sec. 1405. Whistleblower reforms.

Sec. 1406. Customer service information.

Sec. 1407. Misdirected tax refund deposits.

**TITLE II—21ST CENTURY IRS**

**Subtitle A—Cybersecurity and Identity Protection**

Sec. 2001. Public-private partnership to address identity theft refund fraud.

Sec. 2002. Recommendations of Electronic Tax Administration Advisory Committee regarding identity theft refund fraud.

Sec. 2003. Information sharing and analysis center.

Sec. 2004. Compliance by contractors with confidentiality safeguards.

Sec. 2005. Identity protection personal identification numbers.

Sec. 2006. Single point of contact for tax-related identity theft victims.

Sec. 2007. Notification of suspected identity theft.

Sec. 2008. Guidelines for stolen identity refund fraud cases.

Sec. 2009. Increased penalty for improper disclosure or use of information by preparers of returns.

**Subtitle B—Development of Information Technology**

Sec. 2101. Management of Internal Revenue Service information technology.

Sec. 2102. Internet platform for Form 1099 filings.

Sec. 2103. Streamlined critical pay authority for information technology positions.

**Subtitle C—Modernization of Consent-Based Income Verification System**

Sec. 2201. Disclosure of taxpayer information for third-party income verification.

Sec. 2202. Limit redisclosures and uses of consent-based disclosures of tax return information.

**Subtitle D—Expanded Use of Electronic Systems**

Sec. 2301. Electronic filing of returns.

Sec. 2302. Uniform standards for the use of electronic signatures for disclosure authorizations to, and other authorizations of, practitioners.

Sec. 2303. Payment of taxes by debit and credit cards.

Sec. 2304. Authentication of users of electronic services accounts.

**Subtitle E—Other Provisions**

Sec. 2401. Repeal of provision regarding certain tax compliance procedures and reports.

Sec. 2402. Comprehensive training strategy.

**TITLE III—MISCELLANEOUS PROVISIONS**

**Subtitle A—Reform of Laws Governing Internal Revenue Service Employees**

Sec. 3001. Prohibition on rehiring any employee of the Internal Revenue Service who was involuntarily separated from service for misconduct.

Sec. 3002. Notification of unauthorized inspection or disclosure of returns and return information.

**Subtitle B—Provisions Relating to Exempt Organizations**

Sec. 3101. Mandatory e-filing by exempt organizations.

Sec. 3102. Notice required before revocation of tax-exempt status for failure to file return.

**Subtitle C—Revenue Provision**

Sec. 3201. Increase in penalty for failure to file.

**TITLE IV—BUDGETARY EFFECTS**

Sec. 4001. Determination of budgetary effects.

**TITLE I—PUTTING TAXPAYERS FIRST**

**Subtitle A—Independent Appeals Process**

**SEC. 1001. ESTABLISHMENT OF INTERNAL REVENUE SERVICE INDEPENDENT OFFICE OF APPEALS.**

(a) IN GENERAL.—Section 7803 is amended by adding at the end the following new subsection:

“(e) INDEPENDENT OFFICE OF APPEALS.—

“(1) ESTABLISHMENT.—There is established in the Internal Revenue Service an office to be known as the ‘Internal Revenue Service Independent Office of Appeals’.

“(2) CHIEF OF APPEALS.—

“(A) IN GENERAL.—The Internal Revenue Service Independent Office of Appeals shall

be under the supervision and direction of an official to be known as the ‘Chief of Appeals’. The Chief of Appeals shall report directly to the Commissioner of Internal Revenue and shall be entitled to compensation at the same rate as the highest rate of basic pay established for the Senior Executive Service under section 5382 of title 5, United States Code.

“(B) APPOINTMENT.—The Chief of Appeals shall be appointed by the Commissioner of Internal Revenue without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service or the Senior Executive Service.

“(C) QUALIFICATIONS.—An individual appointed under subparagraph (B) shall have experience and expertise in—

“(i) administration of, and compliance with, Federal tax laws,

“(ii) a broad range of compliance cases, and

“(iii) management of large service organizations.

“(3) PURPOSES AND DUTIES OF OFFICE.—It shall be the function of the Internal Revenue Service Independent Office of Appeals to resolve Federal tax controversies without litigation on a basis which—

“(A) is fair and impartial to both the Government and the taxpayer,

“(B) promotes a consistent application and interpretation of, and voluntary compliance with, the Federal tax laws, and

“(C) enhances public confidence in the integrity and efficiency of the Internal Revenue Service.

“(4) RIGHT OF APPEAL.—The resolution process described in paragraph (3) shall be generally available to all taxpayers.

“(5) LIMITATION ON DESIGNATION OF CASES AS NOT ELIGIBLE FOR REFERRAL TO INDEPENDENT OFFICE OF APPEALS.—

“(A) IN GENERAL.—If any taxpayer which is in receipt of a notice of deficiency authorized under section 6212 requests referral to the Internal Revenue Service Independent Office of Appeals and such request is denied, the Commissioner of Internal Revenue shall provide such taxpayer a written notice which—

“(i) provides a detailed description of the facts involved, the basis for the decision to deny the request, and a detailed explanation of how the basis of such decision applies to such facts, and

“(ii) describes the procedures prescribed under subparagraph (C) for protesting the decision to deny the request.

“(B) REPORT TO CONGRESS.—The Commissioner of Internal Revenue shall submit a written report to Congress on an annual basis which includes the number of requests described in subparagraph (A) which were denied and the reasons (described by category) that such requests were denied.

“(C) PROCEDURES FOR PROTESTING DENIAL OF REQUEST.—The Commissioner of Internal Revenue shall prescribe procedures for protesting to the Commissioner of Internal Revenue a denial of a request described in subparagraph (A).

“(D) NOT APPLICABLE TO FRIVOLOUS POSITIONS.—This paragraph shall not apply to a request for referral to the Internal Revenue Service Independent Office of Appeals which is denied on the basis that the issue involved is a frivolous position (within the meaning of section 6702(c)).

“(6) STAFF.—

“(A) IN GENERAL.—All personnel in the Internal Revenue Service Independent Office of Appeals shall report to the Chief of Appeals.

“(B) ACCESS TO STAFF OF OFFICE OF THE CHIEF COUNSEL.—The Chief of Appeals shall have authority to obtain legal assistance and advice from the staff of the Office of the

Chief Counsel. The Chief Counsel shall ensure, to the extent practicable, that such assistance and advice is provided by staff of the Office of the Chief Counsel who were not involved in the case with respect to which such assistance and advice is sought and who are not involved in preparing such case for litigation.

“(7) ACCESS TO CASE FILES.—

“(A) IN GENERAL.—In any case in which a conference with the Internal Revenue Service Independent Office of Appeals has been scheduled upon request of a specified taxpayer, the Chief of Appeals shall ensure that such taxpayer is provided access to the non-privileged portions of the case file on record regarding the disputed issues (other than documents provided by the taxpayer to the Internal Revenue Service) not later than 10 days before the date of such conference.

“(B) TAXPAYER ELECTION TO EXPEDITE CONFERENCE.—If the taxpayer so elects, subparagraph (A) shall be applied by substituting ‘the date of such conference’ for ‘10 days before the date of such conference’.

“(C) SPECIFIED TAXPAYER.—For purposes of this paragraph—

“(i) IN GENERAL.—The term ‘specified taxpayer’ means—

“(I) in the case of any taxpayer who is a natural person, a taxpayer whose adjusted gross income does not exceed \$400,000 for the taxable year to which the dispute relates, and

“(II) in the case of any other taxpayer, a taxpayer whose gross receipts do not exceed \$5,000,000 for the taxable year to which the dispute relates.

“(ii) AGGREGATION RULE.—Rules similar to purposes of section 448(c)(2) shall apply for purposes of clause (i)(II).”

(b) CONFORMING AMENDMENTS.—

(1) The following provisions are each amended by striking “Internal Revenue Service Office of Appeals” and inserting “Internal Revenue Service Independent Office of Appeals”:

(A) Section 6015(c)(4)(B)(ii)(I).

(B) Section 6320(b)(1).

(C) Subsections (b)(1) and (d)(3) of section 6330.

(D) Section 6603(d)(3)(B).

(E) Section 6621(c)(2)(A)(i).

(F) Section 7122(e)(2).

(G) Subsections (a), (b)(1), (b)(2), and (c)(1) of section 7123.

(H) Subsections (c)(7)(B)(i) and (g)(2)(A) of section 7430.

(I) Section 7522(b)(3).

(J) Section 7612(c)(2)(A).

(2) Section 7430(c)(2) is amended by striking “Internal Revenue Service Office of Appeals” each place it appears and inserting “Internal Revenue Service Independent Office of Appeals”.

(3) The heading of section 6330(d)(3) is amended by inserting “INDEPENDENT” after “IRS”.

(c) OTHER REFERENCES.—Any reference in any provision of law, or regulation or other guidance, to the Internal Revenue Service Office of Appeals shall be treated as a reference to the Internal Revenue Service Independent Office of Appeals.

(d) SAVINGS PROVISIONS.—Rules similar to the rules of paragraphs (2) through (6) of section 1001(b) of the Internal Revenue Service Restructuring and Reform Act of 1998 shall apply for purposes of this section (and the amendments made by this section).

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) ACCESS TO CASE FILES.—Section 7803(e)(7) of the Internal Revenue Code of 1986, as added by subsection (a), shall apply

to conferences occurring after the date which is 1 year after the date of the enactment of this Act.

#### Subtitle B—Improved Service

##### SEC. 1101. COMPREHENSIVE CUSTOMER SERVICE STRATEGY.

(a) IN GENERAL.—Not later than the date which is 1 year after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary’s delegate) shall submit to Congress a written comprehensive customer service strategy for the Internal Revenue Service. Such strategy shall include—

(1) a plan to provide assistance to taxpayers that is secure, designed to meet reasonable taxpayer expectations, and adopts appropriate best practices of customer service provided in the private sector, including online services, telephone call back services, and training of employees providing customer services;

(2) a thorough assessment of the services that the Internal Revenue Service can co-locate with other Federal services or offer as self-service options;

(3) proposals to improve Internal Revenue Service customer service in the short term (the current and following fiscal year), medium term (approximately 3 to 5 fiscal years), and long term (approximately 10 fiscal years);

(4) a plan to update guidance and training materials for customer service employees of the Internal Revenue Service, including the Internal Revenue Manual, to reflect such strategy; and

(5) identified metrics and benchmarks for quantitatively measuring the progress of the Internal Revenue Service in implementing such strategy.

(b) UPDATED GUIDANCE AND TRAINING MATERIALS.—Not later than 2 years after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary’s delegate) shall make available the updated guidance and training materials described in subsection (a)(4) (including the Internal Revenue Manual). Such updated guidance and training materials (including the Internal Revenue Manual) shall be written in a manner so as to be easily understood by customer service employees of the Internal Revenue Service and shall provide clear instructions.

##### SEC. 1102. IRS FREE FILE PROGRAM.

(a) IN GENERAL.—

(1) The Secretary of the Treasury, or the Secretary’s delegate, shall continue to operate the IRS Free File Program as established by the Internal Revenue Service and published in the Federal Register on November 4, 2002 (67 Fed. Reg. 67247), including any subsequent agreements and governing rules established pursuant thereto.

(2) The IRS Free File Program shall continue to provide free commercial-type online individual income tax preparation and electronic filing services to the lowest 70 percent of taxpayers by adjusted gross income. The number of taxpayers eligible to receive such services each year shall be calculated by the Internal Revenue Service annually based on prior year aggregate taxpayer adjusted gross income data.

(3) In addition to the services described in paragraph (2), and in the same manner, the IRS Free File Program shall continue to make available to all taxpayers (without regard to income) a basic, online electronic fillable forms utility.

(4) The IRS Free File Program shall continue to work cooperatively with the private sector to provide the free individual income tax preparation and the electronic filing services described in paragraphs (2) and (3).

(5) The IRS Free File Program shall work cooperatively with State government agen-

cies to enhance and expand the use of the program to provide needed benefits to the taxpayer while reducing the cost of processing returns.

(b) INNOVATIONS.—The Secretary of the Treasury, or the Secretary’s delegate, shall work with the private sector through the IRS Free File Program to identify and implement, consistent with applicable law, innovative new program features to improve and simplify the taxpayer’s experience with completing and filing individual income tax returns through voluntary compliance.

##### SEC. 1103. LOW-INCOME EXCEPTION FOR PAYMENTS OTHERWISE REQUIRED IN CONNECTION WITH A SUBMISSION OF AN OFFER-IN-COMPROMISE.

(a) IN GENERAL.—Section 7122(c) is amended by adding at the end the following new paragraph:

“(3) EXCEPTION FOR LOW-INCOME TAXPAYERS.—Paragraph (1), and any user fee otherwise required in connection with the submission of an offer-in-compromise, shall not apply to any offer-in-compromise with respect to a taxpayer who is an individual with adjusted gross income, as determined for the most recent taxable year for which such information is available, which does not exceed 250 percent of the applicable poverty level (as determined by the Secretary).”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to offers-in-compromise submitted after the date of the enactment of this Act.

#### Subtitle C—Sensible Enforcement

##### SEC. 1201. INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.

Section 5317(c)(2) of title 31, United States Code, is amended—

(1) by striking “Any property” and inserting the following:

“(A) IN GENERAL.—Any property”; and

(2) by adding at the end the following:

“(B) INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.—

“(i) PROPERTY DERIVED FROM AN ILLEGAL SOURCE.—Property may only be seized by the Internal Revenue Service pursuant to subparagraph (A) by reason of a claimed violation of section 5324 if the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324.

“(ii) NOTICE.—Not later than 30 days after property is seized by the Internal Revenue Service pursuant to subparagraph (A), the Internal Revenue Service shall—

“(I) make a good faith effort to find all persons with an ownership interest in such property; and

“(II) provide each such person so found with a notice of the seizure and of the person’s rights under clause (iv).

“(iii) EXTENSION OF NOTICE UNDER CERTAIN CIRCUMSTANCES.—The Internal Revenue Service may apply to a court of competent jurisdiction for one 30-day extension of the notice requirement under clause (ii) if the Internal Revenue Service can establish probable cause of an imminent threat to national security or personal safety necessitating such extension.

“(iv) POST-SEIZURE HEARING.—If a person with an ownership interest in property seized pursuant to subparagraph (A) by the Internal Revenue Service requests a hearing by a court of competent jurisdiction within 30 days after the date on which notice is provided under subclause (ii), such property shall be returned unless the court holds an adversarial hearing and finds within 30 days of such request (or such longer period as the court may provide, but only on request of an



interested party) that there is probable cause to believe that there is a violation of section 5324 involving such property and probable cause to believe that the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324.”.

**SEC. 1202. EXCLUSION OF INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.**

(a) IN GENERAL.—Part III of subchapter B of chapter 1 is amended by inserting before section 140 the following new section:

**“SEC. 139H. INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.**

“Gross income shall not include any interest received from the Federal Government in connection with an action to recover property seized by the Internal Revenue Service pursuant to section 5317(c)(2) of title 31, United States Code, by reason of a claimed violation of section 5324 of such title.”.

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 is amended by inserting before the item relating to section 140 the following new item:

“Sec. 139H. Interest received in action to recover property seized by the Internal Revenue Service based on structuring transaction.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest received on or after the date of the enactment of this Act.

**SEC. 1203. CLARIFICATION OF EQUITABLE RELIEF FROM JOINT LIABILITY.**

(a) IN GENERAL.—Section 6015 is amended—  
(1) in subsection (e), by adding at the end the following new paragraph:

“(7) STANDARD AND SCOPE OF REVIEW.—Any review of a determination made under this section shall be reviewed de novo by the Tax Court and shall be based upon—

“(A) the administrative record established at the time of the determination, and

“(B) any additional newly discovered or previously unavailable evidence.”; and

(2) by amending subsection (f) to read as follows:

“(f) EQUITABLE RELIEF.—  
(1) IN GENERAL.—Under procedures prescribed by the Secretary, if—

“(A) taking into account all the facts and circumstances, it is inequitable to hold the individual liable for any unpaid tax or any deficiency (or any portion of either), and

“(B) relief is not available to such individual under subsection (b) or (c),

the Secretary may relieve such individual of such liability.

“(2) LIMITATION.—A request for equitable relief under this subsection may be made with respect to any portion of any liability that—

“(A) has not been paid, provided that such request is made before the expiration of the applicable period of limitation under section 6502, or

“(B) has been paid, provided that such request is made during the period in which the individual could submit a timely claim for refund or credit of such payment.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to petitions or requests filed or pending on or after the date of the enactment of this Act.

**SEC. 1204. MODIFICATION OF PROCEDURES FOR ISSUANCE OF THIRD-PARTY SUMMONS.**

(a) IN GENERAL.—Section 7609(f) is amended by adding at the end the following flush sentence:

“The Secretary shall not issue any summons described in the preceding sentence unless the information sought to be obtained is narrowly tailored to information that pertains to the failure (or potential failure) of the person or group or class of persons referred to in paragraph (2) to comply with one or more provisions of the internal revenue law which have been identified for purposes of such paragraph.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to summonses served after the date that is 45 days after the date of the enactment of this Act.

**SEC. 1205. PRIVATE DEBT COLLECTION AND SPECIAL COMPLIANCE PERSONNEL PROGRAM.**

(a) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER TAX COLLECTION CONTRACTS.—Section 6306(d)(3) is amended by striking “or” at the end of subparagraph (C) and by inserting after subparagraph (D) the following new subparagraphs:

“(E) a taxpayer substantially all of whose income consists of disability insurance benefits under section 223 of the Social Security Act or supplemental security income benefits under title XVI of the Social Security Act (including supplemental security income benefits of the type described in section 1616 of such Act or section 212 of Public Law 93–66), or

“(F) a taxpayer who is an individual with adjusted gross income, as determined for the most recent taxable year for which such information is available, which does not exceed 200 percent of the applicable poverty level (as determined by the Secretary).”.

(b) DETERMINATION OF INACTIVE TAX RECEIVABLES ELIGIBLE FOR COLLECTION UNDER TAX COLLECTION CONTRACTS.—Section 6306(c)(2)(A)(ii) is amended by striking “more than 1/3 of the period of the applicable statute of limitation has lapsed” and inserting “more than 2 years has passed since assessment”.

(c) MAXIMUM LENGTH OF INSTALLMENT AGREEMENTS OFFERED UNDER TAX COLLECTION CONTRACTS.—Section 6306(b)(1)(B) is amended by striking “5 years” and inserting “7 years”.

(d) CLARIFICATION THAT SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT MAY BE USED FOR PROGRAM COSTS.—

(1) IN GENERAL.—Section 6307(b) is amended—

(A) in paragraph (2), by striking all that follows “under such program” and inserting a period, and

(B) in paragraph (3), by striking all that follows “out of such account” and inserting “for other than program costs.”.

(2) COMMUNICATIONS, SOFTWARE, AND TECHNOLOGY COSTS TREATED AS PROGRAM COSTS.—Section 6307(d)(2)(B) is amended by striking “telecommunications” and inserting “communications, software, technology”.

(3) CONFORMING AMENDMENT.—Section 6307(d)(2) is amended by striking “and” at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting “, and”, and by inserting after subparagraph (B) the following new subparagraph:

“(C) reimbursement of the Internal Revenue Service or other government agencies for the cost of administering the qualified tax collection program under section 6306.”.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to tax re-

ceivables identified by the Secretary (or the Secretary’s delegate) after December 31, 2020.

(2) MAXIMUM LENGTH OF INSTALLMENT AGREEMENTS.—The amendment made by subsection (c) shall apply to contracts entered into after the date of the enactment of this Act.

(3) USE OF SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—The amendment made by subsection (d) shall apply to amounts expended from the special compliance personnel program account after the date of the enactment of this Act.

**SEC. 1206. REFORM OF NOTICE OF CONTACT OF THIRD PARTIES.**

(a) IN GENERAL.—Section 7602(c)(1) is amended to read as follows:

“(1) GENERAL NOTICE.—An officer or employee of the Internal Revenue Service may not contact any person other than the taxpayer with respect to the determination or collection of the tax liability of such taxpayer unless such contact occurs during a period (not greater than 1 year) which is specified in a notice which—

“(A) informs the taxpayer that contacts with persons other than the taxpayer are intended to be made during such period, and

“(B) except as otherwise provided by the Secretary, is provided to the taxpayer not later than 45 days before the beginning of such period.

Nothing in the preceding sentence shall prevent the issuance of notices to the same taxpayer with respect to the same tax liability with periods specified therein that, in the aggregate, exceed 1 year. A notice shall not be issued under this paragraph unless there is an intent at the time such notice is issued to contact persons other than the taxpayer during the period specified in such notice. The preceding sentence shall not prevent the issuance of a notice if the requirement of such sentence is met on the basis of the assumption that the information sought to be obtained by such contact will not be obtained by other means before such contact.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to notices provided, and contacts of persons made, after the date which is 45 days after the date of the enactment of this Act.

**SEC. 1207. MODIFICATION OF AUTHORITY TO ISSUE DESIGNATED SUMMONS.**

(a) IN GENERAL.—Paragraph (1) of section 6503(j) is amended by striking “coordinated examination program” and inserting “coordinated industry case program”.

(b) REQUIREMENTS FOR SUMMONS.—Clause (i) of section 6503(j)(2)(A) is amended to read as follows:

“(i) the issuance of such summons is preceded by a review and written approval of such issuance by the Commissioner of the relevant operating division of the Internal Revenue Service and the Chief Counsel which—

“(I) states facts clearly establishing that the Secretary has made reasonable requests for the information that is the subject of the summons, and

“(II) is attached to such summons.”.

(c) ESTABLISHMENT THAT REASONABLE REQUESTS FOR INFORMATION WERE MADE.—Subsection (j) of section 6503 is amended by adding at the end the following new paragraph:

“(4) ESTABLISHMENT THAT REASONABLE REQUESTS FOR INFORMATION WERE MADE.—In any court proceeding described in paragraph (3), the Secretary shall establish that reasonable requests were made for the information that is the subject of the summons.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to summonses issued after the date which is 45 days after the date of the enactment of this Act.



**SEC. 1208. LIMITATION ON ACCESS OF NON-INTERNAL REVENUE SERVICE EMPLOYEES TO RETURNS AND RETURN INFORMATION.**

(a) IN GENERAL.—Section 7602 is amended by adding at the end the following new subsection:

“(f) LIMITATION ON ACCESS OF PERSONS OTHER THAN INTERNAL REVENUE SERVICE OFFICERS AND EMPLOYEES.—The Secretary shall not, under the authority of section 6103(n), provide any books, papers, records, or other data obtained pursuant to this section to any person authorized under section 6103(n), except when such person requires such information for the sole purpose of providing expert evaluation and assistance to the Internal Revenue Service. No person other than an officer or employee of the Internal Revenue Service or the Office of Chief Counsel may, on behalf of the Secretary, question a witness under oath whose testimony was obtained pursuant to this section.”

(b) EFFECTIVE DATE.—The amendment made by this section—

(1) shall take effect on the date of the enactment of this Act; and

(2) shall not fail to apply to a contract in effect under section 6103(n) of the Internal Revenue Code of 1986 merely because such contract was in effect before the date of the enactment of this Act.

**Subtitle D—Organizational Modernization**  
**SEC. 1301. OFFICE OF THE NATIONAL TAXPAYER ADVOCATE.**

(a) TAXPAYER ADVOCATE DIRECTIVES.—  
(1) IN GENERAL.—Section 7803(c) is amended by adding at the end the following new paragraph:

“(5) TAXPAYER ADVOCATE DIRECTIVES.—In the case of any Taxpayer Advocate Directive issued by the National Taxpayer Advocate pursuant to a delegation of authority from the Commissioner of Internal Revenue—

“(A) the Commissioner or a Deputy Commissioner shall modify, rescind, or ensure compliance with such directive not later than 90 days after the issuance of such directive, and

“(B) in the case of any directive which is modified or rescinded by a Deputy Commissioner, the National Taxpayer Advocate may (not later than 90 days after such modification or rescission) appeal to the Commissioner, and the Commissioner shall (not later than 90 days after such appeal is made) ensure compliance with such directive as issued by the National Taxpayer Advocate or provide the National Taxpayer Advocate with the reasons for any modification or rescission made or upheld by the Commissioner pursuant to such appeal.”

(2) REPORT TO CERTAIN COMMITTEES OF CONGRESS REGARDING DIRECTIVES.—Section 7803(c)(2)(B)(ii) is amended by redesignating subclauses (VIII) through (XI) as subclauses (IX) through (XII), respectively, and by inserting after subclause (VII) the following new subclause:

“(VIII) identify any Taxpayer Advocate Directive which was not honored by the Internal Revenue Service in a timely manner, as specified under paragraph (5);”

(b) NATIONAL TAXPAYER ADVOCATE ANNUAL REPORTS TO CONGRESS.—

(1) INCLUSION OF MOST SERIOUS TAXPAYER PROBLEMS.—Section 7803(c)(2)(B)(ii)(III) is amended by striking “at least 20 of the” and inserting “the 10”.

(2) COORDINATION WITH TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Section 7803(c)(2) is amended by adding at the end the following new subparagraph:

“(E) COORDINATION WITH TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Before beginning any research or study, the National Taxpayer Advocate shall coordinate with the Treasury Inspector General for Tax

Administration to ensure that the National Taxpayer Advocate does not duplicate any action that the Treasury Inspector General for Tax Administration has already undertaken or has a plan to undertake.”

(3) STATISTICAL SUPPORT.—  
(A) IN GENERAL.—Section 6108 is amended by adding at the end the following new subsection:

“(d) STATISTICAL SUPPORT FOR NATIONAL TAXPAYER ADVOCATE.—Upon request of the National Taxpayer Advocate, the Secretary shall, to the extent practicable, provide the National Taxpayer Advocate with statistical support in connection with the preparation by the National Taxpayer Advocate of the annual report described in section 7803(c)(2)(B)(ii). Such statistical support shall include statistical studies, compilations, and the review of information provided by the National Taxpayer Advocate for statistical validity and sound statistical methodology.”

(B) DISCLOSURE OF REVIEW.—Section 7803(c)(2)(B)(ii), as amended by subsection (a), is amended by striking “and” at the end of subclause (XI), by redesignating subclause (XII) as subclause (XIII), and by inserting after subclause (XI) the following new subclause:

“(XII) with respect to any statistical information included in such report, include a statement of whether such statistical information was reviewed or provided by the Secretary under section 6108(d) and, if so, whether the Secretary determined such information to be statistically valid and based on sound statistical methodology; and”

(C) CONFORMING AMENDMENT.—Section 7803(c)(2)(B)(iii) is amended by adding at the end the following: “The preceding sentence shall not apply with respect to statistical information provided to the Secretary for review, or received from the Secretary, under section 6108(d).”

(c) SALARY OF NATIONAL TAXPAYER ADVOCATE.—Section 7803(c)(1)(B)(i) is amended by striking “, or, if the Secretary of the Treasury so determines, at a rate fixed under section 9503 of such title”.

(d) EFFECTIVE DATE.—  
(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) SALARY OF NATIONAL TAXPAYER ADVOCATE.—The amendment made by subsection (c) shall apply to compensation paid to individuals appointed as the National Taxpayer Advocate after March 31, 2019.

**SEC. 1302. MODERNIZATION OF INTERNAL REVENUE SERVICE ORGANIZATIONAL STRUCTURE.**

(a) IN GENERAL.—Not later than September 30, 2020, the Secretary of the Treasury (or the Secretary’s delegate) shall submit to Congress a comprehensive written plan to redesign the organization of the Internal Revenue Service. Such plan shall—

(1) ensure the successful implementation of the priorities specified by Congress in this Act;

(2) prioritize taxpayer services to ensure that all taxpayers easily and readily receive the assistance that they need;

(3) streamline the structure of the agency including minimizing the duplication of services and responsibilities within the agency;

(4) best position the Internal Revenue Service to combat cybersecurity and other threats to the Internal Revenue Service; and

(5) address whether the Criminal Investigation Division of the Internal Revenue Service should report directly to the Commissioner of Internal Revenue.

(b) REPEAL OF RESTRICTION ON ORGANIZATIONAL STRUCTURE OF INTERNAL REVENUE

SERVICE.—Paragraph (3) of section 1001(a) of the Internal Revenue Service Restructuring and Reform Act of 1998 shall cease to apply beginning 1 year after the date on which the plan described in subsection (a) is submitted to Congress.

**Subtitle E—Other Provisions**

**SEC. 1401. RETURN PREPARATION PROGRAMS FOR APPLICABLE TAXPAYERS.**

(a) IN GENERAL.—Chapter 77 is amended by inserting after section 7526 the following new section:

**“SEC. 7526A. RETURN PREPARATION PROGRAMS FOR APPLICABLE TAXPAYERS.**

“(a) ESTABLISHMENT OF VOLUNTEER INCOME TAX ASSISTANCE MATCHING GRANT PROGRAM.—The Secretary shall establish a Community Volunteer Income Tax Assistance Matching Grant Program under which the Secretary may, subject to the availability of appropriated funds, make grants to provide matching funds for the development, expansion, or continuation of qualified return preparation programs assisting applicable taxpayers and members of underserved populations.

(b) USE OF FUNDS.—  
(1) IN GENERAL.—Qualified return preparation programs may use grants received under this section for—

“(A) ordinary and necessary costs associated with program operation in accordance with cost principles under the applicable Office of Management and Budget circular, including—

“(i) wages or salaries of persons coordinating the activities of the program,

“(ii) developing training materials, conducting training, and performing quality reviews of the returns prepared under the program,

“(iii) equipment purchases, and

“(iv) vehicle-related expenses associated with remote or rural tax preparation services,

“(B) outreach and educational activities described in subsection (c)(2)(B), and

“(C) services related to financial education and capability, asset development, and the establishment of savings accounts in connection with tax return preparation.

(2) REQUIREMENT OF MATCHING FUNDS.—A qualified return preparation program must provide matching funds on a dollar-for-dollar basis for all grants provided under this section. Matching funds may include—

“(A) the salary (including fringe benefits) of individuals performing services for the program,

“(B) the cost of equipment used in the program, and

“(C) other ordinary and necessary costs associated with the program.

Indirect expenses, including general overhead of any entity administering the program, shall not be counted as matching funds.

(c) APPLICATION.—

(1) IN GENERAL.—Each applicant for a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications which demonstrate—

“(A) assistance to applicable taxpayers, with emphasis on outreach to, and services for, such taxpayers,

“(B) taxpayer outreach and educational activities relating to eligibility and availability of income supports available through this title, including the earned income tax credit, and

“(C) specific outreach and focus on one or more underserved populations.

“(3) AMOUNTS TAKEN INTO ACCOUNT.—In determining matching grants under this section, the Secretary shall only take into account amounts provided by the qualified return preparation program for expenses described in subsection (b).

“(d) PROGRAM ADHERENCE.—

“(1) IN GENERAL.—The Secretary shall establish procedures for, and shall conduct not less frequently than once every 5 calendar years during which a qualified return preparation program is operating under a grant under this section, periodic site visits—

“(A) to ensure the program is carrying out the purposes of this section, and

“(B) to determine whether the program meets such program adherence standards as the Secretary shall by regulation or other guidance prescribe.

“(2) ADDITIONAL REQUIREMENTS FOR GRANT RECIPIENTS NOT MEETING PROGRAM ADHERENCE STANDARDS.—In the case of any qualified return preparation program which—

“(A) is awarded a grant under this section, and

“(B) is subsequently determined—

“(i) not to meet the program adherence standards described in paragraph (1)(B), or

“(ii) not to be otherwise carrying out the purposes of this section,

such program shall not be eligible for any additional grants under this section unless such program provides sufficient documentation of corrective measures established to address any such deficiencies determined.

“(e) DEFINITIONS.—For purposes of this section—

“(1) QUALIFIED RETURN PREPARATION PROGRAM.—The term ‘qualified return preparation program’ means any program—

“(A) which provides assistance to individuals, not less than 90 percent of whom are applicable taxpayers, in preparing and filing Federal income tax returns,

“(B) which is administered by a qualified entity,

“(C) in which all volunteers who assist in the preparation of Federal income tax returns meet the training requirements prescribed by the Secretary, and

“(D) which uses a quality review process which reviews 100 percent of all returns.

“(2) QUALIFIED ENTITY.—

“(A) IN GENERAL.—The term ‘qualified entity’ means any entity which—

“(i) is an eligible organization,

“(ii) is in compliance with Federal tax filing and payment requirements,

“(iii) is not debarred or suspended from Federal contracts, grants, or cooperative agreements, and

“(iv) agrees to provide documentation to substantiate any matching funds provided pursuant to the grant program under this section.

“(B) ELIGIBLE ORGANIZATION.—The term ‘eligible organization’ means—

“(i) an institution of higher education which is described in section 102 (other than subsection (a)(1)(C) thereof) of the Higher Education Act of 1965 (20 U.S.C. 1002), as in effect on the date of the enactment of this section, and which has not been disqualified from participating in a program under title IV of such Act,

“(ii) an organization described in section 501(c) and exempt from tax under section 501(a),

“(iii) a local government agency, including—

“(I) a county or municipal government agency, and

“(II) an Indian tribe, as defined in section 4(13) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(13)), including any tribally designated housing entity (as defined in section

4(22) of such Act (25 U.S.C. 4103(22))), tribal subsidiary, subdivision, or other wholly owned tribal entity,

“(iv) a local, State, regional, or national coalition (with one lead organization which meets the eligibility requirements of clause (i), (ii), or (iii) acting as the applicant organization), or

“(v) in the case of applicable taxpayers and members of underserved populations with respect to which no organizations described in the preceding clauses are available—

“(I) a State government agency, or

“(II) an office providing Cooperative Extension services (as established at the land-grant colleges and universities under the Smith-Lever Act of May 8, 1914).

“(3) APPLICABLE TAXPAYERS.—The term ‘applicable taxpayer’ means a taxpayer whose income for the taxable year does not exceed an amount equal to the completed phaseout amount under section 32(b) for a married couple filing a joint return with three or more qualifying children, as determined in a revenue procedure or other published guidance.

“(4) UNDERSERVED POPULATION.—The term ‘underserved population’ includes populations of persons with disabilities, persons with limited English proficiency, Native Americans, individuals living in rural areas, members of the Armed Forces and their spouses, and the elderly.

“(f) SPECIAL RULES AND LIMITATIONS.—

“(1) DURATION OF GRANTS.—Upon application of a qualified return preparation program, the Secretary is authorized to award a multi-year grant not to exceed 3 years.

“(2) AGGREGATE LIMITATION.—Unless otherwise provided by specific appropriation, the Secretary shall not allocate more than \$30,000,000 per fiscal year (exclusive of costs of administering the program) to grants under this section.

“(g) PROMOTION OF PROGRAMS.—

“(1) IN GENERAL.—The Secretary shall promote tax preparation through qualified return preparation programs through the use of mass communications and other means.

“(2) PROVISION OF INFORMATION REGARDING QUALIFIED RETURN PREPARATION PROGRAMS.—The Secretary may provide taxpayers information regarding qualified return preparation programs receiving grants under this section.

“(3) REFERRALS TO LOW-INCOME TAXPAYER CLINICS.—Qualified return preparation programs receiving a grant under this section are encouraged, in appropriate cases, to—

“(A) advise taxpayers of the availability of, and eligibility requirements for receiving, advice and assistance from qualified low-income taxpayer clinics receiving funding under section 7526, and

“(B) provide information regarding the location of, and contact information for, such clinics.”

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by inserting after the item relating to section 7526 the following new item:

“Sec. 7526A. Return preparation programs for applicable taxpayers.”

**SEC. 1402. PROVISION OF INFORMATION REGARDING LOW-INCOME TAXPAYER CLINICS.**

(a) IN GENERAL.—Section 7526(c) is amended by adding at the end the following new paragraph:

“(6) PROVISION OF INFORMATION REGARDING QUALIFIED LOW-INCOME TAXPAYER CLINICS.—Notwithstanding any other provision of law, officers and employees of the Department of the Treasury may—

“(A) advise taxpayers of the availability of, and eligibility requirements for receiving, advice and assistance from one or more spe-

cific qualified low-income taxpayer clinics receiving funding under this section, and

“(B) provide information regarding the location of, and contact information for, such clinics.”

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

**SEC. 1403. NOTICE FROM IRS REGARDING CLOSURE OF TAXPAYER ASSISTANCE CENTERS.**

Not later than 90 days before the date that a proposed closure of a Taxpayer Assistance Center would take effect, the Secretary of the Treasury (or the Secretary’s delegate) shall—

(1) make publicly available (including by non-electronic means) a notice which—

(A) identifies the Taxpayer Assistance Center proposed for closure and the date of such proposed closure; and

(B) identifies the relevant alternative sources of taxpayer assistance which may be utilized by taxpayers affected by such proposed closure; and

(2) submit to Congress a written report that includes—

(A) the information included in the notice described in paragraph (1);

(B) the reasons for such proposed closure; and

(C) such other information as the Secretary may determine appropriate.

**SEC. 1404. RULES FOR SEIZURE AND SALE OF PERISHABLE GOODS RESTRICTED TO ONLY PERISHABLE GOODS.**

(a) IN GENERAL.—Section 6336 is amended by striking “or become greatly reduced in price or value by keeping, or that such property cannot be kept without great expense”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property seized after the date of the enactment of this Act.

**SEC. 1405. WHISTLEBLOWER REFORMS.**

(a) MODIFICATIONS TO DISCLOSURE RULES FOR WHISTLEBLOWERS.—

(1) IN GENERAL.—Section 6103(k) is amended by adding at the end the following new paragraph:

“(13) DISCLOSURE TO WHISTLEBLOWERS.—

“(A) IN GENERAL.—The Secretary may disclose, to any individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a), return information related to the investigation of any taxpayer with respect to whom the individual has provided such information, but only to the extent that such disclosure is necessary in obtaining information, which is not otherwise reasonably available, with respect to the correct determination of tax liability for tax, or the amount to be collected with respect to the enforcement of any other provision of this title.

“(B) UPDATES ON WHISTLEBLOWER INVESTIGATIONS.—The Secretary shall disclose to an individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a) the following:

“(i) Not later than 60 days after a case for which the individual has provided information has been referred for an audit or examination, a notice with respect to such referral.

“(ii) Not later than 60 days after a taxpayer with respect to whom the individual has provided information has made a payment of tax with respect to tax liability to which such information relates, a notice with respect to such payment.

“(iii) Subject to such requirements and conditions as are prescribed by the Secretary, upon a written request by such individual—

“(I) information on the status and stage of any investigation or action related to such information, and

“(II) in the case of a determination of the amount of any award under section 7623(b), the reasons for such determination.

Clause (iii) shall not apply to any information if the Secretary determines that disclosure of such information would seriously impair Federal tax administration. Information described in clauses (i), (ii), and (iii) may be disclosed to a designee of the individual providing such information in accordance with guidance provided by the Secretary.”.

(2) CONFORMING AMENDMENTS.—

(A) CONFIDENTIALITY OF INFORMATION.—Section 6103(a)(3) is amended by striking “subsection (k)(10)” and inserting “paragraph (10) or (13) of subsection (k)”.

(B) PENALTY FOR UNAUTHORIZED DISCLOSURE.—Section 7213(a)(2) is amended by striking “(k)(10)” and inserting “(k)(10) or (13)”.

(C) COORDINATION WITH AUTHORITY TO DISCLOSE FOR INVESTIGATIVE PURPOSES.—Section 6103(k)(6) is amended by adding at the end the following new sentence: “This paragraph shall not apply to any disclosure to an individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a) which is made under paragraph (13)(A).”.

(b) PROTECTION AGAINST RETALIATION.—Section 7623 is amended by adding at the end the following new subsection:

“(d) CIVIL ACTION TO PROTECT AGAINST RETALIATION CASES.—

“(1) ANTI-RETALIATION WHISTLEBLOWER PROTECTION FOR EMPLOYEES.—No employer, or any officer, employee, contractor, subcontractor, or agent of such employer, may discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment (including through an act in the ordinary course of such employee’s duties) in reprisal for any lawful act done by the employee—

“(A) to provide information, cause information to be provided, or otherwise assist in an investigation regarding underpayment of tax or any conduct which the employee reasonably believes constitutes a violation of the internal revenue laws or any provision of Federal law relating to tax fraud, when the information or assistance is provided to the Internal Revenue Service, the Secretary of the Treasury, the Treasury Inspector General for Tax Administration, the Comptroller General of the United States, the Department of Justice, the United States Congress, a person with supervisory authority over the employee, or any other person working for the employer who has the authority to investigate, discover, or terminate misconduct, or

“(B) to testify, participate in, or otherwise assist in any administrative or judicial action taken by the Internal Revenue Service relating to an alleged underpayment of tax or any violation of the internal revenue laws or any provision of Federal law relating to tax fraud.

“(2) ENFORCEMENT ACTION.—

“(A) IN GENERAL.—A person who alleges discharge or other reprisal by any person in violation of paragraph (1) may seek relief under paragraph (3) by—

“(i) filing a complaint with the Secretary of Labor, or

“(ii) if the Secretary of Labor has not issued a final decision within 180 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

“(B) PROCEDURE.—

“(i) IN GENERAL.—An action under subparagraph (A)(i) shall be governed under the rules and procedures set forth in section 42121(b) of title 49, United States Code.

“(ii) EXCEPTION.—Notification made under section 42121(b)(1) of title 49, United States Code, shall be made to the person named in the complaint and to the employer.

“(iii) BURDENS OF PROOF.—An action brought under subparagraph (A)(ii) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49, United States Code, except that in applying such section—

“(I) ‘behavior described in paragraph (1)’ shall be substituted for ‘behavior described in paragraphs (1) through (4) of subsection (a)’ each place it appears in paragraph (2)(B) thereof, and

“(II) ‘a violation of paragraph (1)’ shall be substituted for ‘a violation of subsection (a)’ each place it appears.

“(iv) STATUTE OF LIMITATIONS.—A complaint under subparagraph (A)(i) shall be filed not later than 180 days after the date on which the violation occurs.

“(v) JURY TRIAL.—A party to an action brought under subparagraph (A)(ii) shall be entitled to trial by jury.

“(3) REMEDIES.—

“(A) IN GENERAL.—An employee prevailing in any action under paragraph (2)(A) shall be entitled to all relief necessary to make the employee whole.

“(B) COMPENSATORY DAMAGES.—Relief for any action under subparagraph (A) shall include—

“(i) reinstatement with the same seniority status that the employee would have had, but for the reprisal,

“(ii) the sum of 200 percent of the amount of back pay and 100 percent of all lost benefits, with interest, and

“(iii) compensation for any special damages sustained as a result of the reprisal, including litigation costs, expert witness fees, and reasonable attorney fees.

“(4) RIGHTS RETAINED BY EMPLOYEE.—Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any Federal or State law, or under any collective bargaining agreement.

“(5) NONENFORCEABILITY OF CERTAIN PROVISIONS WAIVING RIGHTS AND REMEDIES OR REQUIRING ARBITRATION OF DISPUTES.—

“(A) WAIVER OF RIGHTS AND REMEDIES.—The rights and remedies provided for in this subsection may not be waived by any agreement, policy form, or condition of employment, including by a predispute arbitration agreement.

“(B) PREDISPUTE ARBITRATION AGREEMENTS.—No predispute arbitration agreement shall be valid or enforceable, if the agreement requires arbitration of a dispute arising under this subsection.”.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall apply to disclosures made after the date of the enactment of this Act.

(2) CIVIL PROTECTION.—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act.

SEC. 1406. CUSTOMER SERVICE INFORMATION.

The Secretary of the Treasury (or the Secretary’s delegate) shall provide helpful information to taxpayers placed on hold during a telephone call to any Internal Revenue Service help line, including the following:

(1) Information about common tax scams.

(2) Information on where and how to report tax scams.

(3) Additional advice on how taxpayers can protect themselves from identity theft and tax scams.

SEC. 1407. MISDIRECTED TAX REFUND DEPOSITS.

Section 6402 is amended by adding at the end the following new subsection:

“(n) MISDIRECTED DIRECT DEPOSIT REFUND.—Not later than the date which is 6 months after the date of the enactment of the Taxpayer First Act of 2019, the Secretary shall prescribe regulations to establish procedures to allow for—

“(1) taxpayers to report instances in which a refund made by the Secretary by electronic funds transfer was not transferred to the account of the taxpayer;

“(2) coordination with financial institutions for the purpose of—

“(A) identifying the accounts to which transfers described in paragraph (1) were made; and

“(B) recovery of the amounts so transferred; and

“(3) the refund to be delivered to the correct account of the taxpayer.”.

TITLE II—21ST CENTURY IRS

Subtitle A—Cybersecurity and Identity Protection

SEC. 2001. PUBLIC-PRIVATE PARTNERSHIP TO ADDRESS IDENTITY THEFT REFUND FRAUD.

The Secretary of the Treasury (or the Secretary’s delegate) shall work collaboratively with the public and private sectors to protect taxpayers from identity theft refund fraud.

SEC. 2002. RECOMMENDATIONS OF ELECTRONIC TAX ADMINISTRATION ADVISORY COMMITTEE REGARDING IDENTITY THEFT REFUND FRAUD.

The Secretary of the Treasury shall ensure that the advisory group convened by the Secretary pursuant to section 2001(b)(2) of the Internal Revenue Service Restructuring and Reform Act of 1998 (commonly known as the Electronic Tax Administration Advisory Committee) studies (including by providing organized public forums) and makes recommendations to the Secretary regarding methods to prevent identity theft and refund fraud.

SEC. 2003. INFORMATION SHARING AND ANALYSIS CENTER.

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary’s delegate) may participate in an information sharing and analysis center to centralize, standardize, and enhance data compilation and analysis to facilitate sharing actionable data and information with respect to identity theft tax refund fraud.

(b) DEVELOPMENT OF PERFORMANCE METRICS.—The Secretary of the Treasury (or the Secretary’s delegate) shall develop metrics for measuring the success of such center in detecting and preventing identity theft tax refund fraud.

(c) DISCLOSURE.—

(1) IN GENERAL.—Section 6103(k), as amended by this Act, is amended by adding at the end the following new paragraph:

“(14) DISCLOSURE OF RETURN INFORMATION FOR PURPOSES OF CYBERSECURITY AND THE PREVENTION OF IDENTITY THEFT TAX REFUND FRAUD.—

“(A) IN GENERAL.—Under such procedures and subject to such conditions as the Secretary may prescribe, the Secretary may disclose specified return information to specified ISAC participants to the extent that the Secretary determines such disclosure is in furtherance of effective Federal tax administration relating to the detection or prevention of identity theft tax refund fraud, validation of taxpayer identity, authentication of taxpayer returns, or detection or prevention of cybersecurity threats.

“(B) SPECIFIED ISAC PARTICIPANTS.—For purposes of this paragraph—

“(i) IN GENERAL.—The term ‘specified ISAC participant’ means—

“(I) any person designated by the Secretary as having primary responsibility for a function performed with respect to the information sharing and analysis center described in section 2003(a) of the Taxpayer First Act of 2019, and

“(II) any person subject to the requirements of section 7216 and which is a participant in such information sharing and analysis center.

“(ii) INFORMATION SHARING AGREEMENT.—Such term shall not include any person unless such person has entered into a written agreement with the Secretary setting forth the terms and conditions for the disclosure of information to such person under this paragraph, including requirements regarding the protection and safeguarding of such information by such person.

“(C) SPECIFIED RETURN INFORMATION.—For purposes of this paragraph, the term ‘specified return information’ means—

“(i) in the case of a return which is in connection with a case of potential identity theft refund fraud—

“(I) in the case of such return filed electronically, the internet protocol address, device identification, email domain name, speed of completion, method of authentication, refund method, and such other return information related to the electronic filing characteristics of such return as the Secretary may identify for purposes of this subclause, and

“(II) in the case of such return prepared by a tax return preparer, identifying information with respect to such tax return preparer, including the preparer taxpayer identification number and electronic filer identification number of such preparer,

“(ii) in the case of a return which is in connection with a case of a identity theft refund fraud which has been confirmed by the Secretary (pursuant to such procedures as the Secretary may provide), the information referred to in subclauses (I) and (II) of clause (i), the name and taxpayer identification number of the taxpayer as it appears on the return, and any bank account and routing information provided for making a refund in connection with such return, and

“(iii) in the case of any cybersecurity threat to the Internal Revenue Service, information similar to the information described in subclauses (I) and (II) of clause (i) with respect to such threat.

“(D) RESTRICTION ON USE OF DISCLOSED INFORMATION.—

“(i) DESIGNATED THIRD PARTIES.—Any return information received by a person described in subparagraph (B)(i)(I) shall be used only for the purposes of and to the extent necessary in—

“(I) performing the function such person is designated to perform under such subparagraph,

“(II) facilitating disclosures authorized under subparagraph (A) to persons described in subparagraph (B)(i)(II), and

“(III) facilitating disclosures authorized under subsection (d) to participants in such information sharing and analysis center.

“(ii) RETURN PREPARERS.—Any return information received by a person described in subparagraph (B)(i)(II) shall be treated for purposes of section 7216 as information furnished to such person for, or in connection with, the preparation of a return of the tax imposed under chapter 1.

“(E) DATA PROTECTION AND SAFEGUARDS.—Return information disclosed under this paragraph shall be subject to such protections and safeguards as the Secretary may require in regulations or other guidance or in the written agreement referred to in subparagraph (B)(ii). Such written agreement shall include a requirement that any unauthorized access to information disclosed

under this paragraph, and any breach of any system in which such information is held, be reported to the Treasury Inspector General for Tax Administration.”.

(2) APPLICATION OF CIVIL AND CRIMINAL PENALTIES.—

(A) Section 6103(a)(3), as amended by this Act, is amended by striking “or (13)” and inserting “, (13), or (14)”.

(B) Section 7213(a)(2), as amended by this Act, is amended by striking “or (13)” and inserting “, (13), or (14)”.

**SEC. 2004. COMPLIANCE BY CONTRACTORS WITH CONFIDENTIALITY SAFEGUARDS.**

(a) IN GENERAL.—Section 6103(p) is amended by adding at the end the following new paragraph:

“(9) DISCLOSURE TO CONTRACTORS AND OTHER AGENTS.—Notwithstanding any other provision of this section, no return or return information shall be disclosed to any contractor or other agent of a Federal, State, or local agency unless such agency, to the satisfaction of the Secretary—

“(A) has requirements in effect which require each such contractor or other agent which would have access to returns or return information to provide safeguards (within the meaning of paragraph (4)) to protect the confidentiality of such returns or return information,

“(B) agrees to conduct an on-site review every 3 years (or a mid-point review in the case of contracts or agreements of less than 3 years in duration) of each contractor or other agent to determine compliance with such requirements,

“(C) submits the findings of the most recent review conducted under subparagraph (B) to the Secretary as part of the report required by paragraph (4)(E), and

“(D) certifies to the Secretary for the most recent annual period that such contractor or other agent is in compliance with all such requirements.

The certification required by subparagraph (D) shall include the name and address of each contractor or other agent, a description of the contract or agreement with such contractor or other agent, and the duration of such contract or agreement. The requirements of this paragraph shall not apply to disclosures pursuant to subsection (n) for purposes of Federal tax administration.”.

(b) CONFORMING AMENDMENT.—Section 6103(p)(8)(B) is amended by inserting “or paragraph (9)” after “subparagraph (A)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures made after December 31, 2022.

**SEC. 2005. IDENTITY PROTECTION PERSONAL IDENTIFICATION NUMBERS.**

(a) IN GENERAL.—Subject to subsection (b), the Secretary of the Treasury or the Secretary’s delegate (hereafter referred to in this section as the “Secretary”) shall establish a program to issue, upon the request of any individual, a number which may be used in connection with such individual’s social security number (or other identifying information with respect to such individual as determined by the Secretary) to assist the Secretary in verifying such individual’s identity.

(b) REQUIREMENTS.—

(1) ANNUAL EXPANSION.—For each calendar year beginning after the date of the enactment of this Act, the Secretary shall provide numbers through the program described in subsection (a) to individuals residing in such States as the Secretary deems appropriate, provided that the total number of States served by such program during such year is greater than the total number of States served by such program during the preceding year.

(2) NATIONWIDE AVAILABILITY.—Not later than 5 years after the date of the enactment

of this Act, the Secretary shall ensure that the program described in subsection (a) is made available to any individual residing in the United States.

**SEC. 2006. SINGLE POINT OF CONTACT FOR TAX-RELATED IDENTITY THEFT VICTIMS.**

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary’s delegate) shall establish and implement procedures to ensure that any taxpayer whose return has been delayed or otherwise adversely affected due to tax-related identity theft has a single point of contact at the Internal Revenue Service throughout the processing of the taxpayer’s case. The single point of contact shall track the taxpayer’s case to completion and coordinate with other Internal Revenue Service employees to resolve case issues as quickly as possible.

(b) SINGLE POINT OF CONTACT.—

(1) IN GENERAL.—For purposes of subsection (a), the single point of contact shall consist of a team or subset of specially trained employees who—

(A) have the ability to work across functions to resolve the issues involved in the taxpayer’s case; and

(B) shall be accountable for handling the case until its resolution.

(2) TEAM OR SUBSET.—The employees included within the team or subset described in paragraph (1) may change as required to meet the needs of the Internal Revenue Service, provided that procedures have been established to—

(A) ensure continuity of records and case history; and

(B) notify the taxpayer when appropriate.

**SEC. 2007. NOTIFICATION OF SUSPECTED IDENTITY THEFT.**

(a) IN GENERAL.—Chapter 77 is amended by adding at the end the following new section: “**SEC. 7529. NOTIFICATION OF SUSPECTED IDENTITY THEFT.**

“(a) IN GENERAL.—If the Secretary determines that there has been or may have been an unauthorized use of the identity of any individual, the Secretary shall, without jeopardizing an investigation relating to tax administration—

“(1) as soon as practicable—

“(A) notify the individual of such determination,

“(B) provide instructions on how to file a report with law enforcement regarding the unauthorized use,

“(C) identify any steps to be taken by the individual to permit law enforcement to access personal information of the individual during the investigation,

“(D) provide information regarding actions the individual may take in order to protect the individual from harm relating to the unauthorized use, and

“(E) offer identity protection measures to the individual, such as the use of an identity protection personal identification number, and

“(2) at the time the information described in paragraph (1) is provided (or, if not available at such time, as soon as practicable thereafter), issue additional notifications to such individual (or such individual’s designee) regarding—

“(A) whether an investigation has been initiated in regards to such unauthorized use,

“(B) whether the investigation substantiated an unauthorized use of the identity of the individual, and

“(C) whether—

“(i) any action has been taken against a person relating to such unauthorized use, or

“(ii) any referral has been made for criminal prosecution of such person and, to the extent such information is available, whether such person has been criminally charged by indictment or information.

“(b) EMPLOYMENT-RELATED IDENTITY THEFT.—

“(1) IN GENERAL.—For purposes of this section, the unauthorized use of the identity of an individual includes the unauthorized use of the identity of the individual to obtain employment.

“(2) DETERMINATION OF EMPLOYMENT-RELATED IDENTITY THEFT.—For purposes of this section, in making a determination as to whether there has been or may have been an unauthorized use of the identity of an individual to obtain employment, the Secretary shall review any information—

“(A) obtained from a statement described in section 6051 or an information return relating to compensation for services rendered other than as an employee, or

“(B) provided to the Internal Revenue Service by the Social Security Administration regarding any statement described in section 6051,

which indicates that the social security account number provided on such statement or information return does not correspond with the name provided on such statement or information return or the name on the tax return reporting the income which is included on such statement or information return.”.

(b) ADDITIONAL MEASURES.—

(1) EXAMINATION OF BOTH PAPER AND ELECTRONIC STATEMENTS AND RETURNS.—The Secretary of the Treasury (or the Secretary's delegate) shall examine the statements, information returns, and tax returns described in section 7529(b)(2) of the Internal Revenue Code of 1986 (as added by subsection (a)) for any evidence of employment-related identity theft, regardless of whether such statements or returns are submitted electronically or on paper.

(2) IMPROVEMENT OF EFFECTIVE RETURN PROCESSING PROGRAM WITH SOCIAL SECURITY ADMINISTRATION.—Section 232 of the Social Security Act (42 U.S.C. 432) is amended by inserting after the third sentence the following: “For purposes of carrying out the return processing program described in the preceding sentence, the Commissioner of Social Security shall request, not less than annually, such information described in section 7529(b)(2) of the Internal Revenue Code of 1986 as may be necessary to ensure the accuracy of the records maintained by the Commissioner of Social Security related to the amounts of wages paid to, and the amounts of self-employment income derived by, individuals.”.

(3) UNDERREPORTING OF INCOME.—The Secretary of the Treasury (or the Secretary's delegate) shall establish procedures to ensure that income reported in connection with the unauthorized use of a taxpayer's identity is not taken into account in determining any penalty for underreporting of income by the victim of identity theft.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

“Sec. 7529. Notification of suspected identity theft.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to determinations made after the date that is 6 months after the date of the enactment of this Act.

**SEC. 2008. GUIDELINES FOR STOLEN IDENTITY REFUND FRAUD CASES.**

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate), in consultation with the National Taxpayer Advocate, shall develop and implement publicly available guidelines for management of cases involving stolen identity refund fraud in a manner that reduces the administrative burden on taxpayers who are victims of such fraud.

(b) STANDARDS AND PROCEDURES TO BE CONSIDERED.—The guidelines described in subsection (a) may include—

(1) standards for—

(A) the average length of time in which a case involving stolen identity refund fraud should be resolved;

(B) the maximum length of time, on average, a taxpayer who is a victim of stolen identity refund fraud and is entitled to a tax refund which has been stolen should have to wait to receive such refund; and

(C) the maximum number of offices and employees within the Internal Revenue Service with whom a taxpayer who is a victim of stolen identity refund fraud should be required to interact in order to resolve a case;

(2) standards for opening, assigning, reassigning, or closing a case involving stolen identity refund fraud; and

(3) procedures for implementing and accomplishing the standards described in paragraphs (1) and (2), and measures for evaluating such procedures and determining whether such standards have been successfully implemented.

**SEC. 2009. INCREASED PENALTY FOR IMPROPER DISCLOSURE OR USE OF INFORMATION BY PREPARERS OF RETURNS.**

(a) IN GENERAL.—Section 6713 is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection:

“(b) ENHANCED PENALTY FOR IMPROPER USE OR DISCLOSURE RELATING TO IDENTITY THEFT.—

“(1) IN GENERAL.—In the case of a disclosure or use described in subsection (a) that is made in connection with a crime relating to the misappropriation of another person's taxpayer identity (as defined in section 6103(b)(6)), whether or not such crime involves any tax filing, subsection (a) shall be applied—

“(A) by substituting ‘\$1,000’ for ‘\$250’; and

“(B) by substituting ‘\$50,000’ for ‘\$10,000’.

“(2) SEPARATE APPLICATION OF TOTAL PENALTY LIMITATION.—The limitation on the total amount of the penalty under subsection (a) shall be applied separately with respect to disclosures or uses to which this subsection applies and to which it does not apply.”.

(b) CRIMINAL PENALTY.—Section 7216(a) is amended by striking “\$1,000” and inserting “\$1,000 (\$100,000 in the case of a disclosure or use to which section 6713(b) applies)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures or uses on or after the date of the enactment of this Act.

**Subtitle B—Development of Information Technology**

**SEC. 2101. MANAGEMENT OF INTERNAL REVENUE SERVICE INFORMATION TECHNOLOGY.**

(a) DUTIES AND RESPONSIBILITIES OF INTERNAL REVENUE SERVICE CHIEF INFORMATION OFFICER.—Section 7803, as amended by section 1001, is amended by adding at the end the following new subsection:

“(f) INTERNAL REVENUE SERVICE CHIEF INFORMATION OFFICER.—

“(1) IN GENERAL.—There shall be in the Internal Revenue Service an Internal Revenue Service Chief Information Officer (hereafter referred to in this subsection as the ‘IRS CIO’) who shall be appointed by the Commissioner of Internal Revenue.

“(2) CENTRALIZED RESPONSIBILITY FOR INTERNAL REVENUE SERVICE INFORMATION TECHNOLOGY.—The Commissioner of Internal Revenue (and the Secretary) shall act through the IRS CIO with respect to all development, implementation, and maintenance of information technology for the Internal Revenue

Service. Any reference in this subsection to the IRS CIO which directs the IRS CIO to take any action, or to assume any responsibility, shall be treated as a reference to the Commissioner of Internal Revenue acting through the IRS CIO.

“(3) GENERAL DUTIES AND RESPONSIBILITIES.—The IRS CIO shall—

“(A) be responsible for the development, implementation, and maintenance of information technology for the Internal Revenue Service,

“(B) ensure that the information technology of the Internal Revenue Service is secure and integrated,

“(C) maintain operational control of all information technology for the Internal Revenue Service,

“(D) be the principal advocate for the information technology needs of the Internal Revenue Service, and

“(E) consult with the Chief Procurement Officer of the Internal Revenue Service to ensure that the information technology acquired for the Internal Revenue Service is consistent with—

“(i) the goals and requirements specified in subparagraphs (A) through (D), and

“(ii) the strategic plan developed under paragraph (4).

“(4) STRATEGIC PLAN.—

“(A) IN GENERAL.—The IRS CIO shall develop and implement a multiyear strategic plan for the information technology needs of the Internal Revenue Service. Such plan shall—

“(i) include performance measurements of such technology and of the implementation of such plan,

“(ii) include a plan for an integrated enterprise architecture of the information technology of the Internal Revenue Service,

“(iii) include and take into account the resources needed to accomplish such plan,

“(iv) take into account planned major acquisitions of information technology by the Internal Revenue Service, and

“(v) align with the needs and strategic plan of the Internal Revenue Service.

“(B) PLAN UPDATES.—The IRS CIO shall, not less frequently than annually, review and update the strategic plan under subparagraph (A) (including the plan for an integrated enterprise architecture described in subparagraph (A)(ii)) to take into account the development of new information technology and the needs of the Internal Revenue Service.

“(5) SCOPE OF AUTHORITY.—

“(A) INFORMATION TECHNOLOGY.—For purposes of this subsection, the term ‘information technology’ has the meaning given such term by section 11101 of title 40, United States Code.

“(B) INTERNAL REVENUE SERVICE.—Any reference in this subsection to the Internal Revenue Service includes a reference to all components of the Internal Revenue Service, including—

“(i) the Office of the Taxpayer Advocate,

“(ii) the Criminal Investigation Division of the Internal Revenue Service, and

“(iii) except as otherwise provided by the Secretary with respect to information technology related to matters described in subsection (b)(3)(B), the Office of the Chief Counsel.”.

(b) INDEPENDENT VERIFICATION AND VALIDATION OF THE CUSTOMER ACCOUNT DATA ENGINE 2 AND ENTERPRISE CASE MANAGEMENT SYSTEM.—

(1) IN GENERAL.—The Commissioner of Internal Revenue shall enter into a contract with an independent reviewer to verify and validate the implementation plans (including the performance milestones and cost estimates included in such plans) developed for

the Customer Account Data Engine 2 and the Enterprise Case Management System.

(2) **DEADLINE FOR COMPLETION.**—Such contract shall require that such verification and validation be completed not later than the date which is 1 year after the date of the enactment of this Act.

(3) **APPLICATION TO PHASES OF CADE 2.**—

(A) **IN GENERAL.**—Paragraphs (1) and (2) shall not apply to phase 1 of the Customer Account Data Engine 2 and shall apply separately to each other phase.

(B) **DEADLINE FOR COMPLETING PLANS.**—Not later than 1 year after the date of the enactment of this Act, the Commissioner of Internal Revenue shall complete the development of plans for all phases of the Customer Account Data Engine 2.

(C) **DEADLINE FOR COMPLETION OF VERIFICATION AND VALIDATION OF PLANS.**—In the case of any phase after phase 2 of the Customer Account Data Engine 2, paragraph (2) shall be applied by substituting “the date on which the plan for such phase was completed” for “the date of the enactment of this Act”.

(c) **COORDINATION OF IRS CIO AND CHIEF PROCUREMENT OFFICER OF THE INTERNAL REVENUE SERVICE.**—

(1) **IN GENERAL.**—The Chief Procurement Officer of the Internal Revenue Service shall—

(A) identify all significant IRS information technology acquisitions and provide written notification to the Internal Revenue Service Chief Information Officer (hereafter referred to in this subsection as the “IRS CIO”) of each such acquisition in advance of such acquisition, and

(B) regularly consult with the IRS CIO regarding acquisitions of information technology for the Internal Revenue Service, including meeting with the IRS CIO regarding such acquisitions upon request.

(2) **SIGNIFICANT IRS INFORMATION TECHNOLOGY ACQUISITIONS.**—For purposes of this subsection, the term “significant IRS information technology acquisitions” means—

(A) any acquisition of information technology for the Internal Revenue Service in excess of \$1,000,000; and

(B) such other acquisitions of information technology for the Internal Revenue Service (or categories of such acquisitions) as the IRS CIO, in consultation with the Chief Procurement Officer of the Internal Revenue Service, may identify.

(3) **SCOPE.**—Terms used in this subsection which are also used in section 7803(f) of the Internal Revenue Code of 1986 (as added by subsection (a)) shall have the same meaning as when used in such section.

**SEC. 2102. INTERNET PLATFORM FOR FORM 1099 FILINGS.**

(a) **IN GENERAL.**—Not later than January 1, 2023, the Secretary of the Treasury or the Secretary’s delegate (hereafter referred to in this section as the “Secretary”) shall make available an Internet website or other electronic media, with a user interface and functionality similar to the Business Services Online Suite of Services provided by the Social Security Administration, that provides access to resources and guidance provided by the Internal Revenue Service and allows persons to—

(1) prepare and file Forms 1099;

(2) prepare Forms 1099 for distribution to recipients other than the Internal Revenue Service; and

(3) maintain a record of completed, filed, and distributed Forms 1099.

(b) **ELECTRONIC SERVICES TREATED AS SUPPLEMENTAL; APPLICATION OF SECURITY STANDARDS.**—The Secretary shall ensure that the services described in subsection (a)—

(1) are a supplement to, and not a replacement for, other services provided by the Internal Revenue Service to taxpayers; and

(2) comply with applicable security standards and guidelines.

**SEC. 2103. STREAMLINED CRITICAL PAY AUTHORITY FOR INFORMATION TECHNOLOGY POSITIONS.**

(a) **IN GENERAL.**—Subchapter A of chapter 80 is amended by adding at the end the following new section:

**“SEC. 7812. STREAMLINED CRITICAL PAY AUTHORITY FOR INFORMATION TECHNOLOGY POSITIONS.**

“In the case of any position which is critical to the functionality of the information technology operations of the Internal Revenue Service—

“(1) section 9503 of title 5, United States Code, shall be applied—

“(A) by substituting ‘during the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2025’ for ‘Before September 30, 2013 in subsection (a)’,

“(B) without regard to subparagraph (B) of subsection (a)(1), and

“(C) by substituting ‘the date of the enactment of the Taxpayer First Act of 2019’ for ‘June 1, 1998’ in subsection (a)(6),

“(2) section 9504 of such title 5 shall be applied by substituting ‘During the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2025’ for ‘Before September 30, 2013’ each place it appears in subsections (a) and (b), and

“(3) section 9505 of such title shall be applied—

“(A) by substituting ‘During the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2025’ for ‘Before September 30, 2013’ in subsection (a), and

“(B) by substituting ‘the information technology operations’ for ‘significant functions’ in subsection (a).”

(b) **CLERICAL AMENDMENT.**—The table of sections for subchapter A of chapter 80 is amended by adding at the end the following new item:

“Sec. 7812. Streamlined critical pay authority for information technology positions.”

**Subtitle C—Modernization of Consent-Based Income Verification System**

**SEC. 2201. DISCLOSURE OF TAXPAYER INFORMATION FOR THIRD-PARTY INCOME VERIFICATION.**

(a) **IN GENERAL.**—Not later than 1 year after the close of the 2-year period described in subsection (d)(1), the Secretary of the Treasury or the Secretary’s delegate (hereafter referred to in this section as the “Secretary”) shall implement a program to ensure that any qualified disclosure—

(1) is fully automated and accomplished through the Internet; and

(2) is accomplished in as close to real-time as is practicable.

(b) **QUALIFIED DISCLOSURE.**—For purposes of this section, the term “qualified disclosure” means a disclosure under section 6103(c) of the Internal Revenue Code of 1986 of returns or return information by the Secretary to a person seeking to verify the income or creditworthiness of a taxpayer who is a borrower in the process of a loan application.

(c) **APPLICATION OF SECURITY STANDARDS.**—The Secretary shall ensure that the program described in subsection (a) complies with applicable security standards and guidelines.

(d) **USER FEE.**—

(1) **IN GENERAL.**—During the 2-year period beginning on the first day of the 6th calendar

month beginning after the date of the enactment of this Act, the Secretary shall assess and collect a fee for qualified disclosures (in addition to any other fee assessed and collected for such disclosures) at such rates as the Secretary determines are sufficient to cover the costs related to implementing the program described in subsection (a), including the costs of any necessary infrastructure or technology.

(2) **DEPOSIT OF COLLECTIONS.**—Amounts received from fees assessed and collected under paragraph (1) shall be deposited in, and credited to, an account solely for the purpose of carrying out the activities described in subsection (a). Such amounts shall be available to carry out such activities without need of further appropriation and without fiscal year limitation.

**SEC. 2202. LIMIT REDISCLOSURES AND USES OF CONSENT-BASED DISCLOSURES OF TAX RETURN INFORMATION.**

(a) **IN GENERAL.**—Section 6103(c) is amended by adding at the end the following: “Persons designated by the taxpayer under this subsection to receive return information shall not use the information for any purpose other than the express purpose for which consent was granted and shall not disclose return information to any other person without the express permission of, or request by, the taxpayer.”

(b) **APPLICATION OF PENALTIES.**—Section 6103(a)(3) is amended by inserting “subsection (c),” after “return information under”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to disclosures made after the date which is 180 days after the date of the enactment of this Act.

**Subtitle D—Expanded Use of Electronic Systems**

**SEC. 2301. ELECTRONIC FILING OF RETURNS.**

(a) **IN GENERAL.**—Section 6011(e)(2)(A) is amended by striking “250” and inserting “the applicable number of”.

(b) **APPLICABLE NUMBER.**—Section 6011(e) is amended by striking paragraph (5) and inserting the following new paragraphs:

“(5) **APPLICABLE NUMBER.**—

“(A) **IN GENERAL.**—For purposes of paragraph (2)(A), the applicable number shall be—

“(i) except as provided in subparagraph (B), in the case of calendar years before 2021, 250,

“(ii) in the case of calendar year 2021, 100, and

“(iii) in the case of calendar years after 2021, 10.

“(B) **SPECIAL RULE FOR PARTNERSHIPS FOR 2018, 2019, 2020, AND 2021.**—In the case of a partnership, for any calendar year before 2022, the applicable number shall be—

“(i) in the case of calendar year 2018, 200,

“(ii) in the case of calendar year 2019, 150,

“(iii) in the case of calendar year 2020, 100, and

“(iv) in the case of calendar year 2021, 50.

“(6) **PARTNERSHIPS REQUIRED TO FILE ON MAGNETIC MEDIA.**—Notwithstanding paragraph (2)(A), the Secretary shall require partnerships having more than 100 partners to file returns on magnetic media.”

(c) **RETURNS FILED BY A TAX RETURN PREPARER.**—Section 6011(e)(3) is amended by adding at the end the following new subparagraph:

“(D) **EXCEPTION FOR CERTAIN PREPARERS LOCATED IN AREAS WITHOUT INTERNET ACCESS.**—The Secretary may waive the requirement of subparagraph (A) if the Secretary determines, on the basis of an application by the tax return preparer, that the preparer cannot meet such requirement by reason of being located in a geographic area which does not have access to internet service (other than dial-up or satellite service).”



(d) CONFORMING AMENDMENT.—Section 6724(c) is amended by striking “250 information returns (more than 100 information returns in the case of a partnership having more than 100 partners)” and inserting “the applicable number (determined under section 6011(e)(5) with respect to the calendar year to which such returns relate) of information returns”.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

**SEC. 2302. UNIFORM STANDARDS FOR THE USE OF ELECTRONIC SIGNATURES FOR DISCLOSURE AUTHORIZATIONS TO, AND OTHER AUTHORIZATIONS OF, PRACTITIONERS.**

Section 6061(b)(3) is amended to read as follows:

“(3) PUBLISHED GUIDANCE.—

“(A) IN GENERAL.—The Secretary shall publish guidance as appropriate to define and implement any waiver of the signature requirements or any method adopted under paragraph (1).

“(B) ELECTRONIC SIGNATURES FOR DISCLOSURE AUTHORIZATIONS TO, AND OTHER AUTHORIZATIONS OF, PRACTITIONERS.—Not later than 6 months after the date of the enactment of this subparagraph, the Secretary shall publish guidance to establish uniform standards and procedures for the acceptance of taxpayers’ signatures appearing in electronic form with respect to any request for disclosure of a taxpayer’s return or return information under section 6103(c) to a practitioner or any power of attorney granted by a taxpayer to a practitioner.

“(C) PRACTITIONER.—For purposes of subparagraph (B), the term ‘practitioner’ means any individual in good standing who is regulated under section 330 of title 31, United States Code.”.

**SEC. 2303. PAYMENT OF TAXES BY DEBIT AND CREDIT CARDS.**

Section 6311(d)(2) is amended by adding at the end the following: “The preceding sentence shall not apply to the extent that the Secretary ensures that any such fee or other consideration is fully recouped by the Secretary in the form of fees paid to the Secretary by persons paying taxes imposed under subtitle A with credit, debit, or charge cards pursuant to such contract. Notwithstanding the preceding sentence, the Secretary shall seek to minimize the amount of any fee or other consideration that the Secretary pays under any such contract.”.

**SEC. 2304. AUTHENTICATION OF USERS OF ELECTRONIC SERVICES ACCOUNTS.**

Beginning 180 days after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary’s delegate) shall verify the identity of any individual opening an e-Services account with the Internal Revenue Service before such individual is able to use the e-Services tools.

**Subtitle E—Other Provisions**

**SEC. 2401. REPEAL OF PROVISION REGARDING CERTAIN TAX COMPLIANCE PROCEDURES AND REPORTS.**

Section 2004 of the Internal Revenue Service Restructuring and Reform Act of 1998 (26 U.S.C. 6012 note) is repealed.

**SEC. 2402. COMPREHENSIVE TRAINING STRATEGY.**

Not later than 1 year after the date of the enactment of this Act, the Commissioner of Internal Revenue shall submit to Congress a written report providing a comprehensive training strategy for employees of the Internal Revenue Service, including—

- (1) a plan to streamline current training processes, including an assessment of the utility of further consolidating internal training programs, technology, and funding;
- (2) a plan to develop annual training regarding taxpayer rights, including the role of

the Office of the Taxpayer Advocate, for employees that interface with taxpayers and the direct managers of such employees;

(3) a plan to improve technology-based training;

(4) proposals to—

(A) focus employee training on early, fair, and efficient resolution of taxpayer disputes for employees that interface with taxpayers and the direct managers of such employees; and

(B) ensure consistency of skill development and employee evaluation throughout the Internal Revenue Service; and

(5) a thorough assessment of the funding necessary to implement such strategy.

**TITLE III—MISCELLANEOUS PROVISIONS**

**Subtitle A—Reform of Laws Governing Internal Revenue Service Employees**

**SEC. 3001. PROHIBITION ON REHIRING ANY EMPLOYEE OF THE INTERNAL REVENUE SERVICE WHO WAS INVOLUNTARILY SEPARATED FROM SERVICE FOR MISCONDUCT.**

(a) IN GENERAL.—Section 7804 is amended by adding at the end the following new subsection:

“(d) PROHIBITION ON REHIRING EMPLOYEES INVOLUNTARILY SEPARATED.—The Commissioner may not hire any individual previously employed by the Commissioner who was removed for misconduct under this subchapter or chapter 43 or chapter 75 of title 5, United States Code, or whose employment was terminated under section 1203 of the Internal Revenue Service Restructuring and Reform Act of 1998 (26 U.S.C. 7804 note).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the hiring of employees after the date of the enactment of this Act.

**SEC. 3002. NOTIFICATION OF UNAUTHORIZED INSPECTION OR DISCLOSURE OF RETURNS AND RETURN INFORMATION.**

(a) IN GENERAL.—Subsection (e) of section 7431 is amended by adding at the end the following new sentences: “The Secretary shall also notify such taxpayer if the Internal Revenue Service or a Federal or State agency (upon notice to the Secretary by such Federal or State agency) proposes an administrative determination as to disciplinary or adverse action against an employee arising from the employee’s unauthorized inspection or disclosure of the taxpayer’s return or return information. The notice described in this subsection shall include the date of the unauthorized inspection or disclosure and the rights of the taxpayer under such administrative determination.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to determinations proposed after the date which is 180 days after the date of the enactment of this Act.

**Subtitle B—Provisions Relating to Exempt Organizations**

**SEC. 3101. MANDATORY E-FILE BY EXEMPT ORGANIZATIONS.**

(a) IN GENERAL.—Section 6033 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

“(n) MANDATORY ELECTRONIC FILING.—Any organization required to file a return under this section shall file such return in electronic form.”.

(b) CONFORMING AMENDMENT.—Paragraph (7) of section 527(j) is amended by striking “if the organization has” and all that follows through “such calendar year”.

(c) INSPECTION OF ELECTRONICALLY FILED ANNUAL RETURNS.—Subsection (b) of section 6104 is amended by adding at the end the following: “Any annual return required to be filed electronically under section 6033(n) shall be made available by the Secretary to

the public as soon as practicable in a machine readable format.”.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

(2) TRANSITIONAL RELIEF.—

(A) SMALL ORGANIZATIONS.—

(i) IN GENERAL.—In the case of any small organizations, or any other organizations for which the Secretary of the Treasury or the Secretary’s delegate (hereafter referred to in this paragraph as the “Secretary”) determines the application of the amendments made by this section would cause undue burden without a delay, the Secretary may delay the application of such amendments, but such delay shall not apply to any taxable year beginning on or after the date 2 years after of the enactment of this Act.

(ii) SMALL ORGANIZATION.—For purposes of clause (i), the term “small organization” means any organization—

(I) the gross receipts of which for the taxable year are less than \$200,000; and

(II) the aggregate gross assets of which at the end of the taxable year are less than \$500,000.

(B) ORGANIZATIONS FILING FORM 990-T.—In the case of any organization described in section 511(a)(2) of the Internal Revenue Code of 1986 which is subject to the tax imposed by section 511(a)(1) of such Code on its unrelated business taxable income, or any organization required to file a return under section 6033 of such Code and include information under subsection (e) thereof, the Secretary may delay the application of the amendments made by this section, but such delay shall not apply to any taxable year beginning on or after the date 2 years after of the enactment of this Act.

**SEC. 3102. NOTICE REQUIRED BEFORE REVOCATION OF TAX-EXEMPT STATUS FOR FAILURE TO FILE RETURN.**

(a) IN GENERAL.—Section 6033(j)(1) is amended by striking “If an organization” and inserting the following:

“(A) NOTICE.—If an organization described in subsection (a)(1) or (i) fails to file the annual return or notice required under either subsection for 2 consecutive years, the Secretary shall notify the organization—

“(i) that the Internal Revenue Service has no record of such a return or notice from such organization for 2 consecutive years, and

“(ii) about the revocation that will occur under subparagraph (B) if the organization fails to file such a return or notice by the due date for the next such return or notice required to be filed.

The notification under the preceding sentence shall include information about how to comply with the filing requirements under subsections (a)(1) and (i).

“(B) REVOCATION.—If an organization”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to failures to file returns or notices for 2 consecutive years if the return or notice for the second year is required to be filed after December 31, 2019.

**Subtitle C—Revenue Provision**

**SEC. 3201. INCREASE IN PENALTY FOR FAILURE TO FILE.**

(a) IN GENERAL.—The second sentence of subsection (a) of section 6651 is amended by striking “\$205” and inserting “\$330”.

(b) INFLATION ADJUSTMENT.—Section 6651(j)(1) is amended—

- (1) by striking “2014” and inserting “2020”,
- (2) by striking “\$205” and inserting “\$330”, and
- (3) by striking “2013” and inserting “2019”.



(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed after December 31, 2019.

#### TITLE IV—BUDGETARY EFFECTS

##### SEC. 4001. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. LEWIS) and the gentleman from Pennsylvania (Mr. KELLY) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

#### GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 1957, as amended, the Taxpayer First Act of 2019.

I would like to begin by thanking my good friend, the gentlewoman from New York (Mrs. LOWEY), who is the chair of the Appropriations Committee for her support and helping move this important bill.

Mr. Speaker, this is not a Republican or a Democratic bill. It is an American one. I am proud of the process and the product. I also want to thank Chairman NEAL and Ranking Member BRADY; the Oversight Subcommittee Ranking Member KELLY, my good friend; and all members of the Subcommittee on Oversight for joining me on this bill.

I also would like to thank our former subcommittee chairs, the gentleman from Florida (Mr. BUCHANAN) and our former colleague from Kansas, Ms. Jenkins, for their great work.

In addition, I am pleased that Chairman GRASSLEY, and Ranking Member WYDEN introduced a companion bill in the Senate.

Mr. Speaker, I would also like to congratulate all of the House Members and Senators who have bills and ideas that are included in this bill.

Mr. Speaker, as you well know, and as I know, and as other members of the committee know, this is a good bill. It is a necessary bill to do what is right and what is fair.

In particular, I would like to thank our staff, Karen, Rachel, Susan, Isabella, Zach, Lindsay, Jason, Lori, Michael, and Jamila. They worked so hard on this important bill, and I have faith that this time we will cross the

finish line. We have been trying for years. Three times this bill passed the House. These individuals worked so hard on this important bill, and I have faith that this time we will do more than just cross the finish line.

For many years, the Oversight Subcommittee worked in a bipartisan manner to improve the IRS. This bill is the result of many hearings, thoughtful oversight, and help from stakeholders. Mr. Speaker, we took our time and we did it right.

We asked Democrat and Republican Members to provide feedback. We reached out to taxpayers and advocates. We asked questions and listened to the response. We listened to the answers. We learned that we all share the common goal of finding ways to help American taxpayers, and there is no time like the present.

Mr. Speaker, this is the season when millions of Americans are working around the clock to file their taxes by April 15. I am proud that this Congress will respond to their concerns with this bill to improve taxpayer services, protect taxpayers during enforcement, and strengthen the appeals process.

Mr. Speaker, the Taxpayer First Act contains many commonsense policies to achieve these goals. For example, the bill provides for matching grants for the Volunteer Income Tax Assistance program which help low-income and moderate-income taxpayers complete and file their taxes.

This bill also protects low-income taxpayers and people who receive Social Security disability insurance, benefits from the private debt collection program.

Above all, the Taxpayer First Act serves as an example of the good and thoughtful policy that Congress can produce when both the process and the product are bipartisan.

Mr. Speaker, with this bill, we show taxpayers and IRS public servants that their frustration does not fall on deaf ears, blind eyes, and hard hearts.

With this bill, Congress heard their concerns and responded to their calls, to their cries for action, and we did act.

Mr. Speaker, this bill should be an inspiration to us all. I urge all of my colleagues to support this bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FINANCIAL SERVICES,  
Washington, DC, April 8, 2019.

Hon. RICHARD E. NEAL,  
Chairman, Committee on Ways and Means,  
Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 1957, the “Taxpayers First Act of 2019.” Because you have been working with the Committee on Financial Services concerning provisions in the bill that fall within our Rule X jurisdiction, I agree to forgo formal consideration of the bill so that it may proceed expeditiously to the House Floor. I do so based on my understanding that the Committee on Ways and Means will work to ensure that the text of H.R. 1957 that will be considered by House of Representatives will include changes that have been discussed between the two Committees.

The Committee on Financial Services takes this action to forego formal consideration of H.R. 1957 with our mutual understanding that, by foregoing formal consideration of H.R. 1957 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 or similar legislation moves forward. 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 request your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding, and I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 1957.

Sincerely,

MAXINE WATERS,  
Chairwoman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,  
Washington, DC, April 8, 2019.

Hon. MAXINE WATERS,  
Chairwoman, Committee on Financial Services,  
Washington, DC.

DEAR CHAIRWOMAN WATERS: Thank you for your letter regarding H.R. 1957, the Taxpayer First Act of 2019. As you know, the bill was referred primarily to the Committee on Ways and Means, with an additional referral to the Committee on Financial Services.

I thank you for agreeing to waive consideration of provisions that fall within your Committee’s Rule X jurisdiction. The Committee on Ways and Means confirms our mutual understanding that your Committee does not waive any jurisdiction over the subject matter contained in this or similar legislation, and your Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues within your Committee’s jurisdiction.

I will ensure that this exchange of letters is included in the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

RICHARD E. NEAL,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON APPROPRIATIONS,  
Washington, DC, April 8, 2019.

Hon. RICHARD NEAL,  
Chairman, Committee on Ways and Means,  
House of Representatives, Washington, DC.

DEAR CHAIRMAN NEAL: I am writing with respect to H.R. 1957, the “Taxpayer First Act of 2019.” As a result of your having consulted with us on provisions on which the Committee on Appropriations has a jurisdictional interest, I will not request a sequential referral on this measure, an opportunity to raise a point of order under clause 4 of rule XXI of the Rules of the House, or further amendment to the bill when it is considered on the House floor.

The Committee on Appropriations takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, we do not agree to future suspension or waivers of the House rule restricting the carrying of appropriations in measures and amendments thereto, and the Committee will be appropriately consulted and involved as the bill or other legislation carrying appropriations moves forward so that

we may address any issues within our jurisdiction and provisions giving rise to a point of order—regardless of whether a measure is similar to legislation passed by the House in a previous Congress, or represents the product of negotiation between parties or chambers.

The 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 request your support for such a request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 1957.

Sincerely,

NITA M. LOWEY,  
*Chairwoman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,  
Washington, DC, April 8, 2019.

Hon. NITA M. LOWEY,  
*Chairwoman, Committee on Appropriations,*  
*Washington, DC.*

DEAR CHAIRWOMAN LOWEY: Thank you for consulting with the Committee on Ways and Means on provisions of H.R. 1957, the Taxpayer First Act of 2019, for which the Committee on Appropriations has a jurisdictional interest. I appreciate your agreement to not pursue a sequential referral or assert any point of order so that the legislation may proceed expeditiously to the House floor.

The Committee on Ways and Means confirms our mutual understanding that your Committee does not waive any jurisdiction over the subject matter contained in this or similar legislation, and your Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues within your Committee's jurisdiction.

I will ensure that this exchange of letters is included in the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you on this measure and future legislation.

Sincerely,

RICHARD E. NEAL,  
*Chairman.*

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

Mr. Speaker, today exemplifies what this body is supposed to be about, the people's House acting in the best interest of the people. Republicans and Democrats have come together to pass the Taxpayer First Act, landmark legislation to reform the IRS so it better works for every single American.

I am honored to have coauthored this bill with my good friend, the gentleman from Georgia (Mr. LEWIS). I thank the gentleman for his commitment to the taxpayers and for working with me on a great achievement for the American people.

We all work for the American people, whether you are sitting in this House, or whether you are a member of some agency. And we look at the 80,000 employees at the IRS, and we know that they work with an \$11 billion budget which is supplied by hardworking American taxpayers. It should work in their best interest.

Over the last 2 years, the Ways and Means Committee and various subcommittees held hearings and other events to discover what is working, and what isn't. As we looked at redesigning the IRS, we focused on improving the relationship between our taxpayers and our government.

Both sides agree that the IRS should prioritize taxpayers' rights and that it should be a resource and not an adversary to the American people.

This bill will achieve those goals. Americans will interact with an IRS that carries out customer service like we do in the private sector; improved support with services online, in person and on the phone will finally become a reality.

Gone are those days when you would walk into a business and there would be a complaint department. Instead, it has been replaced by customer service. The IRS is going to be a customer service agency. Let's look at what this legislation will do.

First, to achieve the mission outlined above, the agency's quality service motto will no longer just be a motto that rings hollow. The bill requires the IRS to adopt commonsense, private-sector-like customer service standards; things as simple as a callback option so Americans aren't stuck on hold for hours on end.

Secondly, we are overhauling the IRS' enforcement tools so families and small businesses don't have property unfairly seized. The Constitution guarantees all Americans the right to due process and protection from unreasonable searches and seizures. Our legislation prevents outrageous enforcement abuses to protect taxpayers from unfair seizures.

Third, the Taxpayer First Act recasts the IRS as our tax administrator rather than simply an enforcement agency. It is more than a semantic difference. It would change the culture at the agency for the better.

Another way it will protect taxpayers is by creating an independent appeals office. This will give taxpayers a fair and impartial review of disputes they may have with the IRS.

We also took note of the fact that it shouldn't take a Freedom of Information Act request to see what evidence the IRS is using against taxpayers in those disputes. This legislation will make sure you can see your individual case file when resolving a dispute with the agency.

Lastly, we are revamping the IRS' outdated and ancient technology which will better position the agency to proactively combat cyber threats. IRS employees are forced to use technology that is outrageously outdated; some of it dates back to the 1960s.

This bill provides accountability to the IRS for the billions in funding it is given for IT each year. That accountability extends to protections against cyber threats. We must ensure that taxpayer information is safe and that refunds are not at risk to thieves. This

legislation strengthens the IRS' partnership with States and the private sector to combat those threats.

Taken together, these reforms will greatly benefit Americans each year during tax season and end disputes with the IRS.

Mr. Speaker, I support H.R. 1957, and I reserve the balance of my time.

Mr. LEWIS. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I want to commend Chairman LEWIS and Ranking Member KELLY for their tremendous work on this bill.

I feel like today might be one of my best days in Congress, because I had the opportunity a moment ago to talk about helping individuals who are unemployed.

Now, we are talking about helping individuals with their income tax preparation, individuals who might be low income; individuals who have difficulty reading and writing and understanding; individuals who are disabled; individuals who are poverty stricken, people who make less than 250 percent of what is known as the poverty level in this country.

□ 1400

I feel good because I have spent much of the day talking about helping those individuals in our country and in our society who need help the most. It is a great bill, and I am proud to support it.

I thank all of those operations in Chicago, the Center for Economic Progress, the City-Wide Tax Assistance Program via Ladder Up, the United Way, and all the rest of those agencies in the city of Chicago that are helping low-income people with their income tax.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. RICE).

Mr. RICE of South Carolina. Mr. Speaker, as a former tax lawyer and CPA, I have seen too often the detrimental effect of substandard technology at the IRS and substandard customer service.

I stand in support today of the Taxpayer First Act. Since the Tax Cuts and Jobs Act became the law of the land, our economic potential has been unleashed, and America is, once again, the land of opportunity. When we passed the tax reform package, our message was clear: We won't wait another 30 years to take up tax legislation. We will consistently work to improve the system for American taxpayers.

In order for any company to be successful, it needs modern technology that supports its customer service mission. The IRS, whose customers are 140 million Americans, should be no exception.

Filing taxes should be straightforward and simple, and taxpayers should be treated fairly and with respect by the IRS. However, that is not how the majority of Americans describe their experience with the agency. This legislation will require the

IRS to modernize their ancient technology and will address many of the issues American taxpayers face when dealing with our Nation's tax collector.

Included in this package is my bill, the Electronic Signature Standards Act, which requires the IRS to implement uniform standards to accept electronic signatures. This is a simple, free way for small businesses and individual taxpayers to comply with system requirements. Providing uniform guidance for e-signatures will simplify the filing process for taxpayers who depend on this commonly used technology and enable the IRS to move forward with a secure filing option they already support.

In conjunction with other legislation in this reform package, the Electronic Signature Standards Act will bring the IRS into the 21st century so that it can serve hardworking American taxpayers better.

Mr. Speaker, I urge all my colleagues to support this legislation and take this opportunity to return the IRS to its taxpayer first mission.

Mr. LEWIS. Mr. Speaker, I yield 3 minutes to the gentlewoman from the great State of Alabama (Ms. SEWELL).

Ms. SEWELL of Alabama. Mr. Speaker, as we approach tax day, I am proud to support the passage of the Taxpayer First Act, a commonsense, bipartisan piece of legislation to improve the relationship between taxpayers and the IRS.

Tax season is often confusing and overly burdensome for millions of families and small business owners across this country as people spend countless hours struggling to correctly file their taxes. Outdated IRS systems and practices contribute to this confusion and jeopardize the security of taxpayers' personal information. Additionally, too many taxpayers don't have reliable access to customer service supports and timely dispute resolution.

The Taxpayer First Act includes a number of important provisions to address these challenges, expanding taxpayer assistance services and improving data security. Families in my Alabama district and across this country will benefit from this bill codifying the Free File program, shielding certain low-income households from private debt collectors, and making more resources available online.

I am proud that the Taxpayer First Act also includes a provision that I had in my bill that I introduced with a Republican colleague, JASON SMITH, the Preserving Taxpayers' Rights Act. This provision establishes an independent office of appeals within the IRS and gives taxpayers a legal right to impartial, timely, and efficient dispute resolution. It also helps protect taxpayers by clarifying the limited scope of cases that can be litigated and prevents the IRS from outsourcing audits of private taxpayers to outside law firms.

Mr. Speaker, I thank Congressman LEWIS and Congressman KELLY for their continued support and leadership

on this legislation. I know this legislation has been introduced and passed the House three times, but I know that Congressman LEWIS knows that when you are right, and you are fighting on behalf of the American people for what is right, you must persist and keep fighting to get to the finish line. It is called good trouble, according to Congressman LEWIS, and we are getting into good trouble today by helping to make the tax filing process more efficient, fair, and secure for the American people.

Mr. Speaker, I urge my colleagues to support this commonsense, bipartisan legislation.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Mr. Speaker, I rise today in strong support of H.R. 1957, the Taxpayer First Act. I thank Chairman LEWIS and Ranking Member KELLY for their hard work on the Ways and Means Subcommittee on Oversight and for introducing this important piece of legislation to modernize and improve the Internal Revenue Service.

Since last Congress, our committee has focused on finding legislative solutions to make needed changes at the IRS. Dealing with the IRS can be frustrating, and ensuring an efficient and transparent IRS is key to restoring the relationship between taxpayers and the agency, as well as effective implementation of our Tax Code.

I am pleased that a bill I introduced with a Democratic colleague, Congressman TOM SUOZZI, H.R. 1825, the Improving Assistance for Taxpayers Act, is included in this bill. Currently, the Office of the Taxpayer Advocate located within the IRS represents taxpayer interests and helps address both individual and systemic issues at the agency. When it comes to addressing systemic issues, the taxpayer advocate can issue what is called a taxpayer advocate directive. Unfortunately, these orders are not always responded to in a detailed or timely manner.

Our bill aims to improve the process. Specifically, the IRS would be required to respond to taxpayer advocate directives within 90 days. We also establish an appeals process, when the advocate deems necessary. If detailed and timely responses are not provided, then the taxpayer advocate must report such instances to Congress.

This bill empowers taxpayers across the country by improving transparency and ensuring substantive and timely answers for taxpayers dealing with an issue at the IRS while improving congressional oversight.

Our constituents sent us to Washington to make government more effective, efficient, and accountable. These reforms included in my bill and the Taxpayer First Act will do exactly that. This package passed the House last Congress, and I hope to receive the same support from my colleagues today.

Mr. LEWIS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Speaker, I rise in strong support of the Taxpayer First Act, the first package of IRS reforms that Congress has considered since 1998.

This bipartisan bill takes broad steps to improve the taxpayer experience by making the filing process easier and more efficient. It also strengthens the IRS' ability to combat identity theft and refund fraud. These are issues that create worry and stress for our constituents, and I am proud that we are acting swiftly to bring relief.

This bill also tamps down on the program that allows the IRS to outsource debt collection to private contractors. These contractors often use many aggressive tactics to pressure the poorest and most vulnerable among us, forcing them to make payments even if they can't afford it. This creates economic hardship for families who would otherwise qualify for alternative payment plans by the IRS. What is worse, it costs the U.S. Treasury more than the money it brings in. I believe it should be abolished for good, but this bill reaches a strong compromise to ensure the poorest are no longer targeted.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Mr. Speaker, I thank the Subcommittee on Oversight chairman, Mr. LEWIS, and the ranking member, Mr. KELLY, for getting this bill to the floor today. This legislation is the product of years of work, and I am glad to see these commonsense provisions get one step closer to the finish line.

Congress hasn't tackled real IRS reform in decades. With a bipartisan, bicameral effort, our goal is to modernize the IRS and improve the taxpayer experience. With sensible reforms, the Taxpayer First Act redesigns the IRS with that mission at the forefront—putting the taxpayer first.

I would also like to highlight that this bill includes a provision to codify the Volunteer Income Tax Assistance, or VITA, matching grant program and make it permanent. My colleague, Dr. Davis from Illinois, and I have introduced legislation to make VITA permanent, and I am pleased to see the provisions included in the bill before us today.

VITA centers provide free tax help by many volunteers to low-income individuals, persons with disabilities, and limited English-speaking taxpayers who need assistance with their taxes. These centers, and the many volunteers who operate them, assist thousands of our constituents every year. By making this program permanent, we will provide VITA organizations, volunteers, and the taxpayers they serve with certainty.

Mr. Speaker, I am glad to see this provision included and this bill on the

floor today, and I urge its swift passage.

Mr. LEWIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Speaker, I am such a proud cosponsor of the Taxpayer First Act, and I stand with my colleagues as we vote on this bipartisan, bicameral bill.

I am going to quickly address two key provisions of this bill.

First, this bill is an important step that Congress is taking toward reforming the IRS for the first time in 20 years to better serve taxpayers and to strengthen taxpayer protections that have been long overdue. This whole-scale modernization is an important step toward restoring confidence and trust in this crucial Federal agency.

Secondly, with the aim of encouraging sensible enforcement, this act modifies the IRS private debt collection program to stop the targeting of lower income Americans by creating two additional categories of cases not eligible for referral to private collection agencies: taxpayers whose income is substantially derived from Supplemental Security Income benefits or disability insurance benefits payments, or taxpayers with an adjusted gross income of 200 percent of the poverty level and below.

For years, experts have told Congress that private debt collection has hurt the most vulnerable among us. Today, we are providing safeguards to protect against businesses profiting by collecting from financially vulnerable taxpayers.

Mr. Speaker, I urge immediate passage of this important legislation, and I urge all Members to support it.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. ESTES).

Mr. ESTES. Mr. Speaker, I thank my friend, Representative KELLY, for bringing this to the floor.

Mr. Speaker, I rise today in support of H.R. 1957, the Taxpayer First Act. This bipartisan bill redesigns and modernizes the IRS for the first time in 21 years and focuses on improving the agency's service to taxpayers.

As the only former State treasurer in the House, I understand the need for the country's tax administration agency to adopt a mission of customer service and to help taxpayers retrieve information, resolve issues, and make payments.

This bill accomplishes these goals in several ways. First, it establishes an independent appeals process so that taxpayers are treated fairly. It provides for easier electronic submission of tax return forms, and it strengthens the IRS ability to combat identity theft. It also requires the agency to submit to Congress plans to further improve efficiency and customer service.

Altogether, the Taxpayer First Act provides needed, commonsense, and overdue reforms to the IRS.

I thank my fellow Ways and Means Committee members for working to bring this bill to the floor.

Today's vote is a culmination of several years of work and numerous hearings and discussions, including passing this bill in the House during last Congress.

Mr. Speaker, I encourage my colleagues to support the bill.

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Mr. LEWIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. HILL).

Ms. HILL of California. Mr. Speaker, I rise in support of H.R. 1957, the Taxpayer First Act, which I wasn't expecting to rise in support of; but this act improves taxpayer service, modernizes IRS infrastructure, helps low- and middle-income taxpayers, and really creates critical reforms that my colleagues like the Honorable JOHN LEWIS have been fighting to pass for years. They have finally gotten Senate Republicans to work with them and, for the first time, could enact critical provisions that will help consumers and become law, despite a divided government.

But that means that Senate Republicans fit in some bitter pills and some problematic provisions. One of these is a piece that came to my attention today—which the corporate tax lobby has spent years and millions of dollars to get—which would bar the IRS from creating a simple, free filing system that would compete with their own.

Analysis shows that, through these corporate programs, U.S. taxpayers eligible for free filing pay about \$1 billion a year in unnecessary fees.

In this freshman class, I and many of my colleagues were sent to reject corporate influence and stand up for people. This puts us in a difficult spot.

But the rest of this bill is too important. Champions for low-income, working people say that this is an opportunity that will not come again and will help 150 million taxpayers. Therefore, I support it, and, separately, I will introduce legislation with some of my colleagues to address the problems that have been inserted by special interests.

We have to continue the fight to get big money out of politics, and this is the beginning of the fight, not the end.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, I rise today in support of H.R. 1957, the Taxpayer First Act. The Taxpayer First Act modernizes the IRS and ensures that the IRS cannot abuse its enforcement powers.

To that end, in 2013, a fellow northeast Georgian, Andrew Clyde, experienced IRS abuse in the form of civil asset forfeiture firsthand. Andrew is a Navy veteran who has served multiple tours of duty, and he owns Clyde Armory in Athens, Georgia. The IRS seized \$950,000 from his bank accounts despite no evidence of criminal activity. The IRS seized his accounts under what is called structuring laws.

Under structuring laws, the IRS may seize money if an individual made regular deposits or withdrawals of less than \$10,000. The law was originally intended to catch those trying to conceal a crime, but, too often, it has been used to target innocent individuals and small business owners.

Andrew Clyde went to court to challenge the IRS abuse and was eventually forced to forfeit \$50,000 to the IRS and spend over \$100,000 in legal fees.

Andrew Clyde's story is, sadly, a common one, with the IRS seizing more than \$242 million in structuring cases from 2005 to 2012. That is why I introduced the RESPECT Act, to stop this practice and to protect hard-working Americans like Andrew Clyde from IRS overreach.

I am glad to see that the RESPECT Act was introduced and has been included in the Taxpayer First Act. This legislation will rein in IRS overreach by requiring prosecutors to demonstrate probable cause that seized funds were illegally earned or structured to conceal illegal activity. It also enables property owners to challenge a seizure at a postseizure hearing rather than wait months or years to have their case heard.

I would like to thank my friends and my dear friend from Georgia, Congressman LEWIS, and also MIKE KELLY for their work on this legislation and for supporting the modernization of the IRS and protecting innocent Americans from IRS abuse.

Mr. LEWIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. OCASIO-CORTEZ).

Ms. OCASIO-CORTEZ. Mr. Speaker, I rise to speak on this bill.

First, I would like us to clarify exactly some of the things that we are able to deliver in this bill:

One is low-income taxpayer exception to the Private Debt Collection program.

The second is that it codifies the Volunteer Income Tax Assistance program that helps low-income taxpayers prepare their tax returns.

The third is that the bill allows the IRS to refer taxpayers needing assistance to low-income taxpayer clinics.

The bill also creates a single point of contact within the IRS to identify identity theft victims.

And, lastly, the bill allows all taxpayers, over the next 5 years, to request an identity protection personal identification number to use to prevent identity theft.

So, I would like to commend all of those positive concessions delivered to the American people in this bill. However, I would also like to lodge some of my concerns perhaps for us to address in the future.

Dylan Matthews at Vox recently published an article that said: "It is a huge scandal that Congress has not yet instructed the IRS to automatically prepare taxes for the vast majority of Americans. The IRS has all the information required to do that for all but

a few taxpayers," and the main reason it doesn't may have to do with the role of money in politics.

So, with this bill, I would like to again commend the advancements that we have made for working-class people, but, long term, we should be looking at a solution where everyday people do not necessarily have to spend hours every year preparing tax returns when the majority of Americans have relatively simple and straightforward returns. I would like to just rise and commend those positive contributions and also point the way forward in the future.

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

I thank Mr. LEWIS so much. I can't tell the gentleman what an honor it is to be on the floor with him today in the people's House, working on legislation that benefits every single American, something he has done all his life. To be here with Mr. LEWIS today and to get this done is incredible.

It has often been said that, if you do the right thing for the right reasons, good things happen. Wouldn't it be great today if all of our colleagues come together to do the right thing for the right reason, for the right people: our hardworking American taxpayers.

This is an incredible day for America to look at the people's House and say this was a day when both Democrats and Republicans came together to do the right thing at the right time, for the right people.

It has been an incredible honor, and I want to thank the staff. As we know, it is the staff that does so much work and puts in hour after hour after hour to make this a success. I can't thank them all enough for what they have all done. It has been incredible work. It was done not just in the best interest of the Congressperson for whom they work because, more importantly, they work for the American people.

It is always great being with Mr. LEWIS, especially on a day like this. It has been an incredible day for the American people, to prove to them that, in Washington, D.C., the people's House is doing that, working together for them, bringing us together as a body, a legislative body, something that they have been looking for and looking to and saying: Why can't you all just get together and do the right thing? Today is the day that that is going to happen.

I thank Mr. LEWIS so much for working with us and getting this done, and, Mr. Speaker, I yield back the balance of my time.

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

I want to thank Mr. KELLY—my friend, my brother—for all of his help, all of his support. Working together, Democrats and Republicans, we can get some things done. It has been a pleasure to work with the gentleman on this bill.

Mr. Speaker, the Taxpayer First Act is a bipartisan bill in both the House

and the Senate. The bill will improve the Internal Revenue Service and help our taxpayers.

Again, I want to thank my friend, the gentleman from Pennsylvania, for working with me on this bill. And he is a good friend. We have traveled together from Washington, D.C., to the heart of the Deep South with his grandson and several Members of Congress. Again, I want to thank him and ask him to tell his grandson I said hi.

Mr. Speaker, this bill is a product of more than 14 hearings and a number of roundtables over the past 3 years in the Subcommittee on Oversight. It is a good and thoughtful policy. I urge all of my colleagues on both sides of the aisle to support the Taxpayer First Act.

I want to thank all of the staff, each and every one of them, on both sides of the aisle, for helping us. Without their help and without their support, we would not be here. Again, I say thank you.

Mr. Speaker, again, I say thank you to my friend and my brother, Mr. KELLY, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CARSON of Indiana). The question is on the motion offered by the gentleman from Georgia (Mr. LEWIS) that the House suspend the rules and pass the bill, H.R. 1957, as amended.

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

A motion to reconsider was laid on the table.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, April 9, 2019.

Hon. NANCY PELOSI,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 9, 2019, at 11:50 a.m.:

That the Senate passed S. 1057.

With best wishes, I am,

Sincerely,

CHERYL L. JOHNSON.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 294;

Adoption of House Resolution 294, if ordered; and

The motion to suspend the rules and pass H.R. 1759.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

#### PROVIDING FOR CONSIDERATION OF H.R. 1644, SAVE THE INTERNET ACT OF 2019; PROVIDING FOR CONSIDERATION OF H.R. 2021, INVESTING FOR THE PEOPLE ACT OF 2019; AND FOR OTHER PURPOSES

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on ordering the previous question on the resolution (H. Res. 294) providing for consideration of the bill (H.R. 1644) to restore the open internet order of the Federal Communications Commission; providing for consideration of the bill (H.R. 2021) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 and to establish a congressional budget for fiscal year 2020; and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 225, nays 192, not voting 14, as follows:

[Roll No. 160]

YEAS—225

Adams	Cuellar	Himes
Aguilar	Cummings	Horn, Kendra S.
Allred	Cunningham	Horsford
Axne	Davids (KS)	Houlihan
Barragán	Davis (CA)	Hoyer
Bass	Davis, Danny K.	Huffman
Beatty	Dean	Jackson Lee
Bera	DeFazio	Jayapal
Beyer	DeGette	Johnson (GA)
Bishop (GA)	DeLauro	Johnson (TX)
Blumenauer	DeBene	Kaptur
Blunt Rochester	Delgado	Keating
Bonamici	Demings	Kelly (IL)
Boyle, Brendan	DeSaulnier	Kennedy
F.	Deutch	Khanna
Brindisi	Dingell	Kildee
Brown (MD)	Doggett	Kilmer
Brownley (CA)	Doyle, Michael	Kim
Bustos	F.	Kind
Butterfield	Engel	Kirkpatrick
Carbajal	Escobar	Krishnamoorthi
Cárdenas	Eshoo	Kuster (NH)
Carson (IN)	Español	Lamb
Cartwright	Evans	Langevin
Case	Finkenauer	Larsen (WA)
Casten (IL)	Fletcher	Larson (CT)
Castor (FL)	Foster	Lawrence
Castro (TX)	Frankel	Lawson (FL)
Chu, Judy	Fudge	Lee (CA)
Cicilline	Gallego	Lee (NV)
Cisneros	Garamendi	Levin (CA)
Clark (MA)	Garcia (IL)	Levin (MI)
Clarke (NY)	Garcia (TX)	Lewis
Clay	Golden	Lieu, Ted
Cleaver	Gomez	Lipinski
Clyburn	Gonzalez (TX)	Loeb sack
Cohen	Gottheimer	Loftgren
Connolly	Green (TX)	Lowenthal
Cooper	Grijalva	Lowe y
Correa	Haaland	Lujan
Costa	Harder (CA)	Luria
Courtney	Hastings	Lynch
Cox (CA)	Hayes	Malinowski
Craig	Heck	Maloney,
Crist	Higgins (NY)	Carolyn B.
Crow	Hill (CA)	Maloney, Sean

Matsui Pocan  
 McAdams Porter  
 McBath Pressley  
 McCollum Price (NC)  
 McGovern Quigley  
 McNerney Raskin  
 Meeks Richmond  
 Meng Rose (NY)  
 Moore Rouda  
 Morelle Roybal-Allard  
 Moulton Ruiz  
 Mucarsel-Powell Ruppertsberger  
 Murphy Rush  
 Nadler Sarbanes  
 Napolitano Scanlon  
 Neal Schakowsky  
 Neguse Schiff  
 Norcross Schneider  
 O'Halleran Schrader  
 Ocasio-Cortez Schriener  
 Omar Scott (VA)  
 Pallone Scott, David  
 Panetta Serrano  
 Pappas Sewell (AL)  
 Pascrell Shalala  
 Payne Sherman  
 Perlmutter Sherrill  
 Peters Sires  
 Peterson Slotkin  
 Phillips Smith (WA)  
 Pingree Soto

NAYS—192

Aderholt Gosar  
 Allen Granger  
 Amash Graves (GA)  
 Armstrong Graves (LA)  
 Arrington Graves (MO)  
 Babin Green (TN)  
 Bacon Griffith  
 Baird Grothman  
 Balderson Guest  
 Banks Guthrie  
 Barr Hagedorn  
 Bergman Harris  
 Biggs Hartzler  
 Bilirakis Hern, Kevin  
 Bost Herrera Beutler  
 Brady Hice (GA)  
 Brooks (AL) Hill (AR)  
 Brooks (IN) Holding  
 Buchanan Hollingsworth  
 Buck Hudson  
 Bucshon Huizenga  
 Budd Hunter  
 Burchett Hurd (TX)  
 Burgess Johnson (LA)  
 Byrne Johnson (OH)  
 Calvert Johnson (SD)  
 Carter (GA) Jordan  
 Carter (TX) Joyce (OH)  
 Chabot Joyce (PA)  
 Cheney Katko  
 Cline Kelly (MS)  
 Cloud Kelly (PA)  
 Cole King (IA)  
 Collins (GA) King (NY)  
 Collins (NY) Kinzinger  
 Comer Kustoff (TN)  
 Conaway LaHood  
 Cook LaMalfa  
 Crawford Lamborn  
 Crenshaw Latta  
 Curtis Lesko  
 Davidson (OH) Long  
 Davis, Rodney Loudermilk  
 DesJarlais Lucas  
 Diaz-Balart Luetkemeyer  
 Duffy Marchant  
 Duncan Marshall  
 Dunn Massie  
 Emmer Mast  
 Estes McCarthy  
 Ferguson McCaul  
 Fitzpatrick McClintock  
 Fleischmann McHenry  
 Flores McKinley  
 Fortenberry Meadows  
 Foxx (NC) Meuser  
 Fulcher Miller  
 Gaetz Mitchell  
 Gallagher Moolenaar  
 Gianforte Mooney (WV)  
 Gibbs Mullin  
 Gohmert Newhouse  
 Gonzalez (OH) Norman  
 Gooden Nunes

Spanberger  
 Speier  
 Stanton  
 Stevens  
 Suozzi  
 Takano  
 Thompson (CA)  
 Thompson (MS)  
 Titus  
 Tlaib  
 Tonko  
 Torres (CA)  
 Torres Small  
 (NM)  
 Trahan  
 Trone  
 Underwood  
 Van Drew  
 Vargas  
 Veasey  
 Vela  
 Velázquez  
 Visclosky  
 Wasserman  
 Schultz  
 Waters  
 Watson Coleman  
 Wexton  
 Wild  
 Yarmuth

Olson  
 Palazzo  
 Palmer  
 Pence  
 Perry  
 Posey  
 Ratcliffe  
 Reed  
 Reschenthaler  
 Rice (SC)  
 Riggleman  
 Roby  
 Rodgers (WA)  
 Roe, David P.  
 Rogers (AL)  
 Rogers (KY)  
 Rose, John W.  
 Rouzer  
 Roy  
 Rutherford  
 Scalise  
 Schweikert  
 Scott, Austin  
 Sensenbrenner  
 Shimkus  
 Simpson  
 Smith (MO)  
 Smith (NE)  
 Smith (NJ)  
 Smucker  
 Spano  
 Stauber  
 Stefanik  
 Steil  
 Steube  
 Stewart  
 Stivers  
 Clark (MA)  
 Taylor  
 Thompson (PA)  
 Thornberry  
 Timmons  
 Tipton  
 Turner  
 Upton  
 Wagner  
 Walberg  
 Walden  
 Walker  
 Walorski  
 Waltz  
 Watkins  
 Weber (TX)  
 Webster (FL)  
 Wenstrup  
 Westerman  
 Williams  
 Wilson (SC)  
 Wittman  
 Woodall  
 Wright  
 Yoho  
 Young  
 Zeldin

NOT VOTING—14  
 Abraham Jeffries  
 Amodei McEachin  
 Bishop (UT) Rice (NY)  
 Gabbard Rooney (FL)  
 Higgins (LA) Ryan

□ 1452  
 Messrs. ARRINGTON and GROTHMAN changed their vote from “yea” to “nay.”

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

Stated against:  
 Mr. HIGGINS of Louisiana. Mr. Speaker, had I been present, I would have voted “nay” on rollcall No. 160.

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

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

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

The yeas and nays were ordered. The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 219, nays 201, not voting 11, as follows:

[Roll No. 161]  
 YEAS—219

Adams DeSaunier  
 Aguilar Lawrence  
 Allred Dingell  
 Axne Doggett  
 Barragán Doyle, Michael  
 Bass F.  
 Beatty Engel  
 Bera Escobar  
 Beyer Eshoo  
 Bishop (GA) Espailat  
 Blumenauer Evans  
 Blunt Rochester Finkenauer  
 Bonamici Fletcher  
 Boyle, Brendan Foster  
 F. Frankel  
 Brown (MD) Fudge  
 Brownley (CA) Gallego  
 Bustos Garamendi  
 Butterfield Garcia (IL)  
 Carballo Garcia (TX)  
 Cárdenas Golden  
 Carson (IN) Gomez  
 Cartwright Gonzalez (TX)  
 Case Gottheimer  
 Casten (IL) Green (TX)  
 Castor (FL) Grijalva  
 Castro (TX) Haaland  
 Chu, Judy Harder (CA)  
 Cicilline Hastings  
 Cisneros Hayes  
 Clark (MA) Heck  
 Clarke (NY) Higgins (NY)  
 Clay Hill (CA)  
 Cleaver Himes  
 Clyburn Horsford  
 Cohen Houlihan  
 Connolly Hoyer  
 Cooper Huffman  
 Correa Jackson Lee  
 Costa Jayapal  
 Courtney Johnson (GA)  
 Cox (CA) Johnson (TX)  
 Craig Kaptur  
 Crist Keating  
 Crow Kelly (IL)  
 Cuellar Kennedy  
 Cummings Khanna  
 Davids (KS) Kildee  
 Davis (CA) Kilmer  
 Davis, Danny K. Kim  
 Dean Kind  
 DeFazio Kirkpatrick  
 DeGette Krishnamoorthi  
 DeLauro Kuster (NH)  
 DelBene Lamb  
 Delgado Langevin  
 Demings Larsen (WA)

Rose (NY)  
 Rouda  
 Roybal-Allard  
 Ruiz  
 Ruppertsberger  
 Rush  
 Sarbanes  
 Scanlon  
 Schakowsky  
 Schiff  
 Schneider  
 Schrader  
 Schriener  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sewell (AL)  
 Shalala  
 Sherman  
 Sherrill  
 Sires  
 Slotkin  
 Smith (WA)  
 Soto  
 Speier  
 Stanton  
 Stevens  
 Suozzi  
 Takano  
 Thompson (CA)  
 Thompson (MS)  
 Titus  
 Tlaib  
 Tonko  
 Torres (CA)  
 Trahan

NAYS—201

Aderholt  
 Allen  
 Amash  
 Armstrong  
 Arrington  
 Babin  
 Bacon  
 Baird  
 Balderson  
 Banks  
 Barr  
 Bergman  
 Biggs  
 Bilirakis  
 Bishop (UT)  
 Bost  
 Brady  
 Brindisi  
 Brooks (AL)  
 Brooks (IN)  
 Buchanan  
 Buck  
 Bucshon  
 Budd  
 Burchett  
 Burgess  
 Byrne  
 Calvert  
 Carter (GA)  
 Carter (TX)  
 Chabot  
 Cheney  
 Cline  
 Cloud  
 Cole  
 Collins (GA)  
 Collins (NY)  
 Comer  
 Conaway  
 Cook  
 Crawford  
 Crenshaw  
 Cunningham  
 Curtis  
 Davidson (OH)  
 Davis, Rodney  
 DesJarlais  
 Diaz-Balart  
 Duffy  
 Duncan  
 Dunn  
 Emmer  
 Estes  
 Ferguson  
 Fitzpatrick  
 Fleischmann  
 Flores  
 Fortenberry  
 Foxx (NC)  
 Fulcher  
 Gaetz  
 Gallagher  
 Gianforte  
 Gibbs  
 Gohmert  
 Gonzalez (OH)  
 Gooden  
 Gosar  
 Granger  
 Graves (GA)  
 Graves (LA)  
 Graves (MO)  
 Green (TN)  
 Griffith  
 Grothman  
 Guest  
 Guthrie  
 Hagedorn  
 Harris  
 Hartzler  
 Hern, Kevin  
 Herrera Beutler  
 Hice (GA)  
 Higgins (LA)  
 Hill (AR)  
 Holding  
 Hollingsworth  
 Horn, Kendra S.  
 Hudson  
 Huizenga  
 Hunter  
 Hurd (TX)  
 Johnson (LA)  
 Johnson (OH)  
 Johnson (SD)  
 Jordan  
 Joyce (OH)  
 Joyce (PA)  
 Katko  
 Kelly (MS)  
 Kelly (PA)  
 King (IA)  
 King (NY)  
 Kinzinger  
 Kustoff (TN)  
 LaHood  
 LaMalfa  
 Lamborn  
 Latta  
 Lesko  
 Long  
 Loudermilk  
 Lucas  
 Luetkemeyer  
 Marchant  
 Marshall  
 Massie  
 Mast  
 McAdams  
 McCarthy  
 McCaul  
 McClintock  
 McHenry  
 McKinley  
 Meadows  
 Meuser  
 Miller  
 Mitchell  
 Moolenaar  
 Mooney (WV)  
 Mullin  
 Newhouse  
 Norman  
 Nunes  
 Palazzo  
 Palmer  
 Pence  
 Perry  
 Phillips  
 Posey  
 Ratcliffe  
 Reed  
 Reschenthaler  
 Rice (SC)  
 Riggleman  
 Roby  
 Rodgers (WA)  
 Roe, David P.  
 Rogers (AL)  
 Rogers (KY)  
 Rose, John W.  
 Rouzer  
 Roy  
 Rutherford  
 Scalise  
 Schweikert  
 Scott, Austin  
 Sensenbrenner  
 Shimkus  
 Simpson  
 Smith (MO)  
 Smith (NE)  
 Smith (NJ)  
 Smucker  
 Spanberger  
 Spano  
 Stauber  
 Stefanik  
 Steil  
 Steube  
 Stewart  
 Stivers  
 Taylor  
 Thompson (PA)  
 Thornberry  
 Timmons  
 Tipton  
 Turner  
 Upton  
 Wagner  
 Walberg  
 Walden  
 Walker  
 Walorski  
 Waltz  
 Watkins  
 Weber (TX)  
 Webster (FL)  
 Wenstrup  
 Westerman  
 Williams  
 Wilson (SC)  
 Wittman  
 Woodall  
 Wright  
 Yoho  
 Young  
 Zeldin

NOT VOTING—11

Abraham  
 Amodei  
 Gabbard  
 Jeffries  
 McEachin  
 Rice (NY)  
 Rooney (FL)  
 Ryan  
 Sánchez  
 Swalwell (CA)  
 Welch

□ 1501

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.

PERSONAL EXPLANATION

Mr. JEFFRIES. Mr. Speaker, had I been present, I would have voted “yea” on rollcall No. 160 and “yea” on rollcall No. 161.

**BUILDING ON REEMPLOYMENT IMPROVEMENTS TO DELIVER GOOD EMPLOYMENT FOR WORKERS ACT**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1759) to amend title III of the Social Security Act to extend reemployment services and eligibility assessments to all claimants for unemployment compensation, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (DANNY K. DAVIS) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 393, nays 24, not voting 14, as follows:

[Roll No. 162]

YEAS—393

Adams Castro (TX) Doyle, Michael  
 Aderholt Chabot F.  
 Aguilar Cheney Duffy  
 Allen Chu, Judy Dunn  
 Allred Cicilline Emmer  
 Armstrong Cisneros Engel  
 Arrington Clark (MA) Escobar  
 Axne Clarke (NY) Eshoo  
 Bacon Clay Espaillat  
 Baird Cleaver Estes  
 Balderson Cloud Evans  
 Banks Clyburn Ferguson  
 Barr Cohen Finkenauer  
 Barragán Cole Fitzpatrick  
 Bass Collins (GA) Fleischmann  
 Beatty Collins (NY) Fletcher  
 Bera Conaway Flores  
 Bergman Connolly Fortenberry  
 Beyer Cook Foster  
 Bilirakis Cooper Foxx (NC)  
 Bishop (GA) Correa Frankel  
 Bishop (UT) Costa Fudge  
 Blumenauer Courtney Fulcher  
 Blunt Rochester Cox (CA) Gaetz  
 Bonamici Craig Gallagher  
 Bost Crawford Gallego  
 Boyle, Brendan Crist Garamendi  
 F. Crow Garcia (IL)  
 Brady Cuellar Garcia (TX)  
 Brindisi Cummings Gianforte  
 Brooks (IN) Cunningham Gibbs  
 Brown (MD) Curtis Gohmert  
 Brownley (CA) Davids (KS) Golden  
 Buchanan Davidson (OH) Gomez  
 Bucshon Davis (CA) Gonzalez (OH)  
 Budd Davis, Danny K. Gonzalez (TX)  
 Burgess Davis, Rodney Gooden  
 Bustos Dean Gottheimer  
 Butterfield DeFazio Granger  
 Byrne DeGette Graves (GA)  
 Calvert DeLauro Graves (LA)  
 Carbajal DelBene Graves (MO)  
 Cárdenas Delgado Green (TX)  
 Carson (IN) Demings Griffith  
 Carter (GA) DeSaulnier Grijalva  
 Carter (TX) DesJarlais Grothman  
 Cartwright Deutch Guest  
 Case Diaz-Balart Guthrie  
 Casten (IL) Dingell Haaland  
 Castor (FL) Doggett Hagedorn

Harder (CA) Marchant  
 Harris Marshall  
 Hartzler Mast  
 Hastings Matsui  
 Hayes McAdams  
 Heck McBath  
 Herrera Beutler McCarthy  
 Higgins (LA) McCaul  
 Higgins (NY) McCollum  
 Hill (AR) McGovern  
 Hill (CA) McHenry  
 Himes McKinley  
 Holding McNeerney  
 Hollingsworth Meeks  
 Horn, Kendra S. Meng  
 Horsford Miller  
 Houlihan Mitchell  
 Hoyer Moolenaar  
 Hudson Mooney (WV)  
 Huffman Moore  
 Huizenga Morelle  
 Hunter Moulton  
 Hurd (TX) Mucarsel-Powell  
 Jackson Lee Murphy  
 Jayapal Nadler  
 Johnson (GA) Napolitano  
 Johnson (OH) Neal  
 Johnson (SD) Neguse  
 Johnson (TX) Newhouse  
 Joyce (OH) Norcross  
 Joyce (PA) Nunes  
 Kaptur O’Halleran  
 Katko Ocasio-Cortez  
 Keating Omar  
 Kelly (IL) Palazzo  
 Kelly (MS) Pallone  
 Kelly (PA) Palmer  
 Kennedy Panetta  
 Khanna Pappas  
 Kildee Pascrell  
 Kilmer Payne  
 Kim Pence  
 Kind Perlmutter  
 King (IA) Perry  
 King (NY) Peters  
 Kinzinger Peterson  
 Kirkpatrick Phillips  
 Krishnamoorthi Pingree  
 Kuster (NH) Pocan  
 Kustoff (TN) Porter  
 LaHood Posey  
 LaMalfa Pressley  
 Lamb Price (NC)  
 Lamborn Quigley  
 Langevin Raskin  
 Larsen (WA) Ratcliffe  
 Larson (CT) Reed  
 Latta Reschenthaler  
 Lawrence Rice (SC)  
 Lawson (FL) Richmond  
 Lee (CA) Riggleman  
 Lee (NV) Roby  
 Lesko Rodgers (WA)  
 Levin (CA) Roe, David P.  
 Levin (MI) Rogers (AL)  
 Lewis Rogers (KY)  
 Lieu, Ted Rose (NY)  
 Lipinski Rose, John W.  
 Loeb sack Rouda  
 Lofgren Rouzer  
 Long Roybal-Allard  
 Loudermilk Ruiz  
 Lowenthal Ruppertsberger  
 Lowey Rush  
 Lucas Rutherford  
 Luetkemeyer Sarbanes  
 Luján Scalise  
 Luria Scanlon  
 Lynch Schakowsky  
 Malinowski Schiff  
 Maloney, Carolyn B. Schneider  
 Maloney, Sean Schrader  
 Schrier

NAYS—24

Amash Duncan  
 Babin Gosar  
 Biggs Green (TN)  
 Brooks (AL) Hern, Kevin  
 Buck Hice (GA)  
 Burchett Johnson (LA)  
 Cline Jordan  
 Comer Massie

NOT VOTING—14

Abraham Gabbard  
 Amodei Jeffries  
 Crenshaw McEachin

Rice (NY) Ryan  
 Rooney (FL) Sánchez  
 Swalwell (CA)  
 Welch

□ 1510

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: “A bill to amend title III of the Social Security Act to extend reemployment services and eligibility assessments to all claimants for unemployment benefits, and for other purposes.”

A motion to reconsider was laid on the table.

**HOUR OF MEETING ON TOMORROW**

Ms. LOFGREN. 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 California?

There was no objection.

**AUTHORIZING THE USE OF EMANCIPATION HALL FOR A CEREMONY AS PART OF THE COMMEMORATION OF THE DAYS OF REMEMBRANCE OF VICTIMS OF THE HOLOCAUST**

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of H. Con. Res. 31, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 31

*Resolved by the House of Representatives (the Senate concurring),*

**SECTION 1. USE OF EMANCIPATION HALL FOR HOLOCAUST DAYS OF REMEMBRANCE CEREMONY.**

Emancipation Hall in the Capitol Visitor Center is authorized to be used on April 29, 2019, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

**AUTHORIZING THE PRINTING OF THE 26TH EDITION OF THE POCKET VERSION OF THE CONSTITUTION OF THE UNITED STATES**

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of



S. Con. Res. 7, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 7

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. POCKET VERSION OF THE CONSTITUTION OF THE UNITED STATES.**

(a) IN GENERAL.—The 26th edition of the pocket version of the Constitution of the United States shall be printed as a Senate document under the direction of the Joint Committee on Printing.

(b) ADDITIONAL COPIES.—In addition to the usual number, there shall be printed the lesser of—

(1) 480,500 copies of the document, of which 255,500 copies shall be for the use of the House of Representatives, 200,000 copies shall be for the use of the Senate, and 25,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of \$226,250, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

(c) DISTRIBUTION.—The copies of the document printed for the use of the House of Representatives and the Senate under subsection (a) shall be distributed in accordance with—

(1) a distribution plan approved by the chair and ranking minority member of the Committee on House Administration of the House of Representatives, in the case of the copies printed for the use of the House of Representatives; and

(2) a distribution plan approved by the chair and ranking minority member of the Committee on Rules and Administration of the Senate, in the case of the copies printed for the use of the Senate.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

□ 1515

**ELECTING MEMBERS TO THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY AND THE JOINT COMMITTEE ON PRINTING**

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of H. Res. 226, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 226

*Resolved,*

**SECTION 1. ELECTION OF MEMBERS TO JOINT COMMITTEE OF CONGRESS ON THE LIBRARY AND JOINT COMMITTEE ON PRINTING.**

(a) JOINT COMMITTEE OF CONGRESS ON THE LIBRARY.—The following Members are here-

by elected to the Joint Committee of Congress on the Library, to serve with the chair of the Committee on House Administration and the chair of the Subcommittee on the Legislative Branch of the Committee on Appropriations:

- (1) Mr. Butterfield.
- (2) Mr. Rodney Davis of Illinois.
- (3) Mr. Loudermilk.

(b) JOINT COMMITTEE ON PRINTING.—The following Members are hereby elected to the Joint Committee on Printing, to serve with the chair of the Committee on House Administration:

- (1) Mr. Raskin.
- (2) Mrs. Davis of California.
- (3) Mr. Rodney Davis of Illinois.
- (4) Mr. Loudermilk.

The resolution was agreed to.

A motion to reconsider was laid on the table.

**REQUEST TO CONSIDER H.R. 962, BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT**

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 962, the Born-Alive Survivors Protection Act, legislation which protects the sanctity of life for the unborn by ensuring that infants who are born alive receive proper medical care, and ask for its immediate consideration in the House.

The SPEAKER pro tempore. Under guidelines consistently issued by successive Speakers, as recorded in section 956 of the House Rules and Manual, the Chair is constrained not to entertain the request unless it has been cleared by the bipartisan floor and committee leaderships.

PARLIAMENTARY INQUIRY

Mr. CHABOT. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. CHABOT. Mr. Speaker, if this unanimous consent request cannot be entertained, I urge the Speaker and the majority leader to immediately schedule consideration of the Born-Alive bill so we can stand up and protect the sanctity of human life, and I would ask all of my colleagues in this body to join in my request.

The SPEAKER pro tempore. The gentleman has not stated a proper parliamentary inquiry.

**SAVE THE INTERNET ACT OF 2019**

GENERAL LEAVE

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore (Ms. KAPTUR). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 294 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. 1644.

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

□ 1517

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. 1644) to restore the open internet order of the Federal Communications Commission, with Mr. CARSON of Indiana in the chair.

The Clerk read the title of the bill.

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

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member on the Committee on Energy and Commerce.

The gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE), my good friend from the East Coast, and the gentleman from Oregon (Mr. WALDEN), my other good friend, each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chair, I yield myself 3 minutes.

Mr. Chair, I rise today in support of H.R. 1644, the Save the Internet Act.

This bill comes to the floor after more than 18 hours of consideration by the Energy and Commerce Committee over the course of hearings and mark-ups since the start of this Congress.

During that time, we have heard from consumer advocates, minority and underrepresented communities, rural broadband providers, small businesses, innovators, entrepreneurs, and millions of constituents, all calling for the restoration of net neutrality rules.

In addition, polls show that more than 86 percent of all Americans, whether they be Republicans, Independents, or Democrats, opposed the Trump FCC's repeal of the protections that this bill reinstates.

People around the country care deeply about a free and open internet because it is critical for so many communities and sectors of our economy.

This legislation will do three things:

First, it restores bipartisan, commonsense net neutrality protections and puts a cop back on the beat to protect consumers, small businesses, and competitors from unjust, unreasonable, and discriminatory practices by internet service providers.

Second, this bill gives the FCC the authority to protect consumers, now and in the future, through forward-looking regulatory authority.

Third, the bill restores the FCC's legal authority to support broadband access and deployment programs through the Universal Service Fund.

These programs pay for the deployment of broadband in rural communities through the Connect America Fund and support access for low-income families, seniors, and veterans through the Lifeline program.

The Save the Internet Act codifies the FCC's 2015 Open Internet Order and permanently prohibits the FCC from applying provisions on rate setting, unbundling of ISP networks, or levying additional taxes or fees on broadband access.

This legislation that we are considering here today charts a new course for net neutrality and would put in place 21st century rules for a 21st century internet.

I look forward to advancing this legislation out of the House and, ultimately, through the Congress so that we can restore these essential protections for all Americans.

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

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

Mr. Chair, Republicans and Democrats can agree more than they disagree on the issue of net neutrality parameters to protect a free and open internet for consumers.

The net neutrality bright line rules Republicans support are simple, and they are actually pretty easy to understand, Mr. Chairman: no blocking, no throttling, no paid prioritization—period. And no government takeover of the internet by Washington bureaucrats.

Unfortunately, for the last few years, Democrats have caved in to the idea that only putting unelected bureaucrats in charge of every facet of the internet is the answer. And they know what all Americans know: The bill before us today is opposed by the President, and the leader of the Senate says it is dead on arrival there, so it will not become law. This is the end of its journey.

They also know the internet grew up under very light-touch regulation, which Republicans favor and which even President Clinton favored. That is what allowed the bright innovators in our Nation's Silicon Valley and across the world to experiment and to invent the great services we all enjoy today. You see, they did not have to come to Washington, D.C., to some agency and get a permit or permission first. They didn't have to get second-guessed later, either.

Unfortunately, the regime that my friends across the aisle seek to saddle the internet with was only in place for less than 2 years. Less than 2 years, that is it.

Some argue that during that period, investment broadband build-out actually declined. We had testimony at the Energy and Commerce Committee from an internet service provider in rural Oregon who spoke to that very fact.

This bill, called Save the Internet Act, is another plank in their socialist agenda that would regulate the inter-

net as if it were a monopoly utility under the title II section of the Communications Act of 1934. That is the law originally used to govern monopoly telephone companies in the 1930s.

This legislation imposes that heavy hand of Washington's regulatory bureaucracy over the single most vibrant and important driver of the economic growth in America and the world: job creation, better quality of life, information sharing. We call that the open internet that we enjoy today.

I would admit, no one fully understands the implications of this legislation, the scope of what it entails, and the impact it could have on consumers. There is much debate on this point in the committee.

Does this bill empower the FCC to dictate where and when new broadband networks can or must be deployed? We think it could.

Will this bill provide the authority for a government takeover and management of private networks? We think it could.

Would this bill allow government taxation of the internet? It could.

Could it lead to government regulation of speech on the internet? Yep.

And will this legislation limit the full potential of 5G and impede the development of the next wave of innovation in internet services? Most outside experts think it could.

So Republicans attempted to get to the bottom of these questions through our hearings and our markups. The answer to all of these questions was, regrettably, yes.

Now, we offered amendments, Mr. Chairman, at the full committee to close the doors to these and other powers that are granted to the Federal Communications Commission under this bill, powers that are completely unrelated to net neutrality. Every one of those amendments was rejected.

Supporters claim the bill locks into law more than 700 instances where the Federal Communications Commission forbore from taking action under title II, but supporters cannot provide Members of Congress with a list of those 700 forbearances—nope. We have asked; no list. The Democrats won't or can't even tell us precisely what they are putting into law if we can't see that list.

But we even offered an amendment to truly lock in this forbearance and prevent the FCC from imposing similar regulations in the future or through other provisions in statute, and that, too, was rejected.

We offered an amendment protecting the next generation of wireless networks, 5G, from the incompatible regulatory regime. That, too, was rejected on party-line votes.

So, disappointingly, the Democrats went back on an agreement I helped negotiate in each of the last two Congresses to relieve some of our rural internet providers from some of the most burdensome reporting requirements of the FCC's 2015 order.

Twice we passed that relief, and we did so unanimously in this House, and

it was bipartisan, obviously. They more than cut the relief in half, putting costly bureaucratic reporting requirements ahead of small internet service providers investing in connecting Americans to high-speed internet services.

It doesn't have to be this way. It should not be this way. Republicans have put forth serious proposals. We put forth a menu of options as a starting point for true bipartisan net neutrality legislation.

I have introduced a bill that codifies the FCC's bright-line rules prohibiting blocking and throttling and paid prioritization for internet traffic, and that would require that ISPs, internet service providers, be transparent in their network management practices and prices.

Two of my Republican colleagues on the House Energy and Commerce Committee have introduced legislation that should also gain Democratic support.

Representative BOB LATTI, who is our top Republican on the subcommittee, has legislation drawn from a proposal introduced in 2010 by the previous Democratic chairman of the full Energy and Commerce Committee, Henry Waxman of California.

If Democrats don't believe Mr. Waxman's plan is a good starting point, then Representative CATHY MCMORRIS RODGERS has introduced legislation that is drawn directly from a bill that passed in Washington State's Democratic-controlled legislature and was signed into law in 2018 by a Democratic Governor.

So what do all three of these proposals have in common? They are rooted in the shared principles of net neutrality that will protect consumers, but without putting unelected bureaucrats in control of the internet.

So I remain committed to a bipartisan solution, to preserving a free and open internet. I actually believe it is achievable, and I want to express to my friends on the other side of the aisle—and they are my friends—that our work and our efforts together are genuine and have been made in good faith.

The fact is we can permanently address blocking, throttling, and paid prioritization. We could do so in a bipartisan way, and we all believe in open and free internet. We believe in net neutrality.

But net neutrality is not title II, near limitless government management of the internet. Net neutrality does not need the harmful, heavy-handed approach of title II. Net neutrality does not require a government takeover of the internet.

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chair, what my friend refers to as a takeover of the internet we call protecting consumers, and that is what we are asking the FCC to do.

I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE), chairman of the full Energy and Commerce Committee.

□ 1530

Mr. PALLONE. Mr. Chairman, I thank the chairman of our Subcommittee on Communications and Technology for all the work that he has done on this net neutrality legislation.

We are here today to debate and vote on a bill that will keep the internet free and open. That sounds like a big deal, and it is a big deal.

The Save the Internet Act ensures that consumers, rather than internet service providers, have control over their internet experience. This is just common sense. Each of us should be able to decide what videos we watch, which sites we read, and which services we use. Nobody should be able to influence that choice—not the government and not the large companies that run the networks.

This legislation not only protects consumers from large corporations, but it also strengthens our economy by promoting innovation and small businesses. Net neutrality ensures that any business, no matter how small, gets the same internet at the same speeds as giant corporate interests. That is only fair. There should not be favorites.

H.R. 1644 will return strong net neutrality protections to the internet. For over a decade, both Republican and Democratic FCCs restricted ISPs' ability to control consumer access to the internet and undermine small businesses' ability to compete. The Trump FCC affirmatively gave up that authority in 2017, choosing the big companies over the people.

The bill before us would return the FCC to its traditional role of overseeing the Nation's channels of communications. This is a carefully crafted bill that balances the need to put a cap on the beat without weighing down the industry. We are preventing blocking, throttling, and paid prioritization, and we are giving the FCC the authority to stop harmful practices in the future that are unjust or unreasonable.

The American people, Mr. Chairman, both Democrats and Republicans, overwhelmingly support restoring net neutrality. That makes sense. We all want to control our own internet experience.

Again, I thank Chairman DOYLE for his leadership. Let me also take a moment to recognize the hard work of the committee staff, Alex Hoehn-Saric, Jerry Leverich, Jennifer Epperson, AJ Brown, Dan Miller, and Phil Murphy.

I strongly urge all my colleagues to vote "yes" on the Save the Internet Act.

Mr. WALDEN. Mr. Chairman, it is my honor to yield 5 minutes to the gentleman from Louisiana (Mr. SCALISE), the Republican whip of the House and a terrific member of our Energy and Commerce Committee.

Mr. SCALISE. Mr. Chairman, I thank the gentleman from Oregon for yielding.

Mr. Chairman, I rise in opposition to this bill that would create a government takeover of the internet.

If you look at the bill, first of all, it is always interesting to pay attention to the titles of bills—the Save the Internet Act. Whom do you want to save the internet from? Many would say they want to save it from the heavy hand of government.

I have asked my friends on the other side of the aisle to please show me what is so broken about the internet that the Federal Government needs to come in to save it.

First of all, if you look at the growth of this great industry, this is one of America's greatest exports. It is one of America's greatest economic drivers. Some of the best jobs in America are created from the technology industry that has boomed and thrived because of the growth of the internet.

How has this internet grown? It has grown because there is no heavy hand of the Federal Government slowing it down. If you go back to look, as the internet continued to grow, as applications continued to get developed on all kinds of devices, small handheld devices, the things that people are able to do, the improvements in their daily lives, because of the growth of the internet, the private money that has come in, billions of dollars of private money has come in to help develop this great superhighway. It has come in, in large part, because the Federal Government hasn't figured out how to regulate and slow it down.

Then along comes this bill. Let's be keenly aware of what this bill is trying to do. The bill actually imposes what is called title II regulations of the internet. What are title II regulations? These are laws that were created in the 1930s when there was a monopoly telephone company.

You would have to google it these days because most people might not remember, but they used to have these little plugs that they would push in and pull out. You would literally pick up a telephone that was plugged into a wall back then—it wasn't a remote device—and you would call an operator and the operator would patch you through.

That was the series of laws that they are now trying to apply to the internet. Can you imagine these archaic 1930s laws being forced upon the internet that is growing so robustly that we are the envy of the world? Our technology, American technology, is dominant in this industry because the government doesn't have these heavy-handed regulations.

Then along comes this bill, the Save the Internet Act, to save us from this growth, to save us from this job creation. I think people can clearly see what is going on here. This is a battle we are having on a lot of fronts. It is a battle of individual freedom versus government control.

Should you have the choice to decide which provider you want to get your internet service from? The great thing about the internet today is there are so many different people competing for

your business, and they are spending billions of dollars to do it.

Take a look at 5G. Maybe you are on a 3G network or a 4G network, and now all of these private companies are spending their own money, billions of dollars, to build out a 5G network.

Mr. Chairman, what we would like to see is more of this competition. Yet if you go back to look when the Federal Government did try this—because this isn't some newly created idea. Back in 2015, when there was a different administration in the White House, a different FCC, the FCC started to impose these kinds of regulations and limit the growth of the internet. What happened during that period in 2015? You saw a dramatic drop. Over \$3 billion of investment went away. Private money that used to come in to grow and expand these networks, 3G, 4G, hopefully 5G, when the government started to impose these kinds of regulations, people stopped investing because they said the Federal Government telling them how to spend their private money so that we can have a better, faster internet, they weren't going to do it.

If you look at what this bill doesn't do, that is the really interesting part. When they talk about the people who are limiting content and closing off lanes to the superhighway, it is not those service providers. It is the edge providers.

These big companies that are the application developers that actually do control your data, they are not part of this bill. They were exempt from this bill.

So the thing that we want to do and see is a freer, more open internet, which we have already. The government is not regulating the internet today, and it is growing and expanding to the point where we are the envy of the world. We have some of the best job creation in this industry. We don't need the Federal Government to come in and save us from this great growth and expansion.

Let's let the internet stay free and open like it is today without the heavy hand of the Federal Government.

I urge my colleagues to vote "no."

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

I find this pretty humorous that the Republicans want to talk about government takeover of the internet. The only person I know who has proposed publicly to take over the internet is the President of the United States when he said he wants to nationalize 5G.

Maybe you guys need to take a little trip over to the White House and prevent that little government takeover of the internet.

Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. ESHOO), a valuable member of this committee.

Ms. ESHOO. Mr. Chairman, I thank the distinguished chairman of the subcommittee for yielding.

First, I include in the RECORD a letter from the County of Santa Clara, California, relative to the issue of net neutrality and the underlying legislation.

COUNTY OF SANTA CLARA,  
OFFICE OF THE COUNTY EXECUTIVE,  
*San Jose, CA, April 4, 2019.*

Hon. ANNA ESHOO,  
*House of Representatives,*  
*Washington, DC.*

DEAR REPRESENTATIVE ESHOO: The County of Santa Clara strongly supports H.R. 1644, the “Save the Internet Act of 2019.” This measure would re-establish federal rules and policies protecting net neutrality as articulated by the Federal Communications Commission (FCC) in its 2015 Report and Order, In the Matter of Protecting and Promoting the Open Internet (FCC 15-24) (the Order).

Like local governments across the country, the County of Santa Clara provides public safety, welfare, and governance services that depend on an open internet. For example, County public health alert systems and the County’s virtual emergency operations center could both be hobbled by broadband internet access service (BIAS) provider practices subject to regulation under the Order. The County is deeply concerned that there currently is no “cop on the beat” ensuring the protection of such systems, and thus strongly supports H.R. 1644, which would re-establish oversight of BIAS provider practices that threaten public safety.

The County’s concerns are particularly acute in light of its past experience with BIAS provider practices. The County’s experience has demonstrated that BIAS providers will act in their own economic interests, even when doing so threatens public safety. For example, shortly after the FCC revoked net neutrality protections, Verizon throttled Santa Clara County firefighters in the midst of their efforts to fight the then-largest fire in California history—despite repeated requests to remove the throttling and allow the firefighters to perform their duties. These events are outlined in the attached Declaration, submitted to the U.S. Court of Appeals for the D.C. Circuit.

Net neutrality is also vital to the continued economic success of our region. Santa Clara County is a world-leading hub of high-technology innovation and development and is home to almost 2 million residents. Net neutrality is necessary for the prosperity of the county’s economy, as it encourages competition among businesses, fosters innovation, creates jobs, and promotes economic vitality both within the county and across the nation.

Preserving net neutrality for County of Santa Clara residents has long been an action point for the County. In 2017, the County’s Board of Supervisors unanimously adopted resolution number BOS-2017-105, Resolution of the Board of Supervisors of the County of Santa Clara Supporting the Preservation of Federal Rules and Policies Protecting Net Neutrality, to publicly confirm its support of an open internet. In addition, the County of Santa Clara and the Santa Clara County Central Fire Protection District, along with the City and County of San Francisco, California Public Utilities Commission, 22 states (including California), the District of Columbia, and several private and nonprofit entities filed a lawsuit (Docket 181051, D.C. Cir.) challenging the FCC’s December 2017 decision to repeal net neutrality policies with its Report and Order, In the Matter of Restoring Internet Freedom (FCC 17-166).

By restoring the FCC’s 2015 order In the Matter of Restoring Internet Freedom (FCC 15-24), H.R. 1644 would ensure net

neutrality. In addition, the bill would nullify the FCC’s 2017 order In the Matter of Restoring Internet Freedom and would prohibit the enactment of any other rule substantially the same as this order, unless the new rule is specifically authorized by a law enacted after the date of the enactment of H.R. 1644. It is for these reasons we support H.R. 1644.

On behalf of the County and its residents, thank you for your co-sponsorship of this important measure that will protect net neutrality rules and policies now and in future.

Sincerely,

JEFFREY V. SMITH, M.D., J.D.,  
*County Executive.*

Enclosure: Declaration of Fire Chief Anthony Bowden (Docket 18-1051, D.C. Cir.)

IN THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

CASE NO. 18-1051 (LEAD); CONSOLIDATED WITH NOS. 10-1052, 18-1053, 18-1054, 18-1055, 18-1056, 18-1061, 18-1062, 18-1064, 18-1065, 18-1066, 18-1067, 18-1068, 18-1088, 18-1089, 18-1105

MOZILLA CORPORATION, et al., Petitioners, v. FEDERAL COMMUNICATIONS COMMISSION and UNITED STATES OF AMERICA,—Respondents.

DECLARATION OF FIRE CHIEF ANTHONY BOWDEN

I, Anthony Bowden, declare:

1. I make this declaration in support of the Brief of the County of Santa Clara (“County”) in the matter referenced above. I know the facts herein of my own personal knowledge and if called upon to do so, I could competently testify to them under oath.

2. I was recently appointed the Fire Chief for the Santa Clara County Central Fire Protection District (“County Fire”). As Fire Chief, I also serve as Fire Marshal for Santa Clara County and as the California Office of Emergency Services (OES) Operational Area Fire and Rescue Coordinator. In these roles, I am responsible for the coordination of mutual aid resources in Santa Clara County. This includes the coordination of all fire resources to significant events, such as wildfires, throughout the State, when those resources are requested from Santa Clara County’s operational area. I have worked in fire protection for more than two decades, and in that time, I have held every rank at County Fire.

3. Established in 1947, County Fire provides fire services for Santa Clara County and the County’s communities of Campbell, Cupertino, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, and Saratoga. The department also provides protection for the unincorporated areas adjacent to those cities. Wrapping in an approximately 20-mile arc around the southern end of Silicon Valley, County Fire has grown to include 15 fire stations, an administrative headquarters, a maintenance facility, and several other support facilities, and covers 128.3 square miles. The department employs almost three hundred fire prevention, suppression, investigation, administration, and maintenance personnel; daily emergency response consists of more than sixty employees. County Fire also contributes resources to all-hazard response outside Santa Clara County and around the state. For example, County Fire has deployed equipment and personnel in response to the ongoing Mendocino Complex Fire, the largest fire in California’s history.

4. County Fire relies upon Internet-based systems to provide crucial and time-sensitive public safety services. The Internet has become an essential tool in providing fire and emergency response, particularly for events like large fires which require the rapid deployment and organization of thousands of personnel and hundreds of fire engines, aircraft, and bulldozers. During these

events, resources are marshaled from across the state and country—in some cases, even from other countries. In these situations, a key responsibility of emergency responders, and of County Fire in particular, is tracking those resources and ensuring they get to the right place as quickly and safely as possible. County Fire, like virtually all other emergency responders, relies heavily on the Internet to do both of these things.

5. As I explain below, County Fire has experienced throttling by its ISP, Verizon. This throttling has had a significant impact on our ability to provide emergency services. Verizon imposed these limitations despite being informed that throttling was actively impeding County Fire’s ability to provide crisis-response and essential emergency services.

6. Only a few weeks ago, County Fire deployed OES Incident Support Unit 5262 (“OES 5262”), to the Mendocino Complex Fire, now the largest fire in state history. OES 5262 is deployed to large incidents as a command and control resource. Its primary function is to track, organize, and prioritize routing of resources from around the state and country to the sites where they are most needed. OES 5262 relies heavily on the use of specialized software and Google Sheets to do near-real-time resource tracking through the use of cloud computing over the Internet.

7. Resources tracked across such a large event include personnel and equipment supplied from local governments across California; the State of California; federal agencies including the Department of Defense, the Bureau of Land Management, the U.S. Forest Service; and other countries. As of Monday, August 13, 2018, the response effort for the wildfires burning across California included 13,000 firefighters, multiple aircraft, dozens or hundreds of bulldozers, and hundreds of fire engines. The wildfires have resulted in over 726,000 acres burned and roughly 2,000 structures destroyed. With several months left in what is a “normal” fire season, we fully expect these numbers to rise.

8. OES 5262 also coordinates all local government resources deployed to the Mendocino Complex Fire. That is, the unit facilitates resource check-in and routing for local government resources. In doing so, the unit typically exchanges 5-10 gigabytes of data per day via the Internet using a mobile router and wireless connection. Near-real-time information exchange is vital to proper function. In large and complex fires, resource allocation requires immediate information. Dated or stale information regarding the availability or need for resources can slow response times and render them far less effective. Resources could be deployed to the wrong fire, the wrong part of a fire, or fail to be deployed at all. Even small delays in response translate into devastating effects, including loss of property, and, in some cases, loss of life.

9. In the midst of our response to the Mendocino Complex Fire, County Fire discovered the data connection for OES 5262 was being throttled by Verizon, and data rates had been reduced to 1/200, or less, than the previous speeds. These reduced speeds severely interfered with the OES 5262’s ability to function effectively. My Information Technology staff communicated directly with Verizon via email about the throttling, requesting it be immediately lifted for public safety purposes. That email exchange is attached here as Exhibit A. We explained the importance of OES 5262 and its role in providing for public and first-responder safety and requested immediate removal of the throttling. Verizon representatives confirmed the throttling, but, rather than restoring us to an essential data transfer speed, they indicated that County Fire would

have to switch to a new data plan at more than twice the cost, and they would only remove throttling after we contacted the Department that handles billing and switched to the new data plan.

10. In the interim, County Fire personnel were forced to use other agencies' Internet Service Providers and their own personal devices to provide the necessary connectivity and data transfer capability required by OES 5262. While Verizon ultimately did lift the throttling, it was only after County Fire subscribed to a new, more expensive plan.

11. In light of our experience, County Fire believes it is likely that Verizon will continue to use the exigent nature of public safety emergencies and catastrophic events to coerce public agencies into higher cost plans ultimately paying significantly more for mission critical service—even if that means risking harm to public safety during negotiations.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August at San José, California.

Anthony Bowden.

Ms. ESHOO. Mr. Chair, I rise in support of this bill. To those who may be viewing and listening in, it sounds as if, from my Republican friends, that the sky is actually coming down around our ears. I have good news for you. It isn't.

The ranking member of the full committee said that the Republicans simply are opposed to paid prioritization, throttling, and blocking. But there is something else that the American people need to know. What they are against here is what they call the heavy hand of government. We say it is the Federal Communications Commission that should be able to enforce the law against throttling, blocking, and paid prioritization.

It is as simple as that. They don't want a cop on the beat.

This is a very simple, three-page bill, but it is powerful because it puts in place the protections that the FCC came up with in 2015. Notably, the courts upheld that decision.

There is much talk on the other side of the aisle about Silicon Valley. You are not from Silicon Valley; I represent it. There are companies there that had filed suit against the ISPs because of what they have done.

If you don't think that the ISPs haven't misbehaved, talk to the firefighters of Santa Clara County. Talk to them. They were fighting the worst fire in California's history when they were being throttled. They called Verizon, and Verizon tried to sell them an upgraded plan as they were trying to save lives.

Across America, 86 percent of the American people—Democrats, Republicans, and Independents—support what we are doing. We want this for our constituents. We want the protection of consumers. We don't want any mitts on the internet. It is as simple as that. Groups from A to Z, from the United States Conference of Catholic Bishops to the American Library Association, support this.

I am proud to be a net neutrality warrior, and I ask everyone in the

House to become one, too, by voting for H.R. 1644. It is a simple, three-page, powerful bill that will serve the people of our country well.

Mr. WALDEN. Mr. Chairman, I am now privileged to yield 5 minutes to the gentleman from Ohio (Mr. LATTA), the ranking Republican on the Communications and Technology Subcommittee.

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

Mr. Chair, I rise today in opposition to H.R. 1644, the government takeover of the internet act.

This is not about net neutrality. If this was about net neutrality, we would be operating under the long-standing bipartisan premise that net neutrality would be achieved without title II.

Like many of my colleagues on both sides of the aisle, I agree that Congress needed to codify basic internet protection principles, such as no blocking, no throttling, and no paid prioritization. The net neutrality bill I introduced is based directly upon the proposal from former Energy and Commerce Chairman Henry Waxman, which would prevent internet service providers from engaging in much of the discriminatory behavior the majority is concerned about. It would do so under title I.

Both former Republican and Democratic Federal Communications Commission Chairmen have also recognized that net neutrality can be resolved without vastly expanding the FCC's power under title II.

It is important to recognize the difference between title I and title II. The internet is currently regulated under title I, which means it is considered an information service. Besides the 2 years the FCC's 2015 order was in effect, the internet has always operated under title I, since its infancy.

Chairman Wheeler put the internet under title II rules that classify broadband as a telecommunication service. These rules were created in the 1930s for the monopoly telephone systems and, obviously, do not fit on an innovative engine that has thrived on minimal government involvement.

Although the exact framework of net neutrality has been a bipartisan issue these past 10 years, we are at a point where Republicans and Democrats are aligned on bright-line principles to preserve a free and open internet. Rather than push through purely partisan legislation drafted by a group of unelected bureaucrats, I encourage my colleagues to vote "no" on H.R. 1644, so we can engage in a truly bipartisan process on net neutrality and resolve this issue once and for all.

There is a menu of legislative options on the table. Each of these net neutrality bills would ensure that the FCC is a cop on the beat to keep the internet free and open from discriminatory conduct by ISPs.

As acknowledged by H.R. 1644's sponsor, the gentleman from Pennsylvania,

the bill does not preserve all aspects of a free and open internet because it does not address blocking and prioritization done by edge providers.

It also isn't clear if the bill addresses ambiguous definitions from the 2015 order for specialized services or recognizes the unintended consequences in innovations like advanced network slicing capabilities in 5G.

The bill also does not protect small businesses. With over 3,000 ISPs in our country, most of which are small or very small, we should make it a priority to shield these businesses from onerous regulations.

I offered an amendment at the Rules Committee that would do just that. It would have allowed small ISPs to focus better on expanding their networks and serving their customers. This amendment was based on a bipartisan compromise made in the 114th Congress and the 115th Congress that unanimously passed the House and afforded small and often rural ISPs predictability.

My Democratic colleagues supported the 5-year exemption and 250,000-subscriber limit last Congress but seem to have forgotten their statements about the need to allow small ISPs to provide broadband access rather than being bogged down with these regulations.

□ 1545

We have seen broadband investment and innovation decline during the time the internet was regulated under the framework that H.R. 1644 would establish. This has been verified through studies, but also in a recent Energy and Commerce Committee hearing when a witness who owns a small ISP in Oregon testified on the hampering effects the 2015 order had on his own business. While we can't quantify lost investment, we do not know the advancements in technology we have missed out on due to limited resources directed toward innovation.

On the point of not knowing, we still do not know the 700-plus regulations that H.R. 1644 would permanently forbear from either. Before we permanently lock in anything, I believe Congress should know exactly what we are locking in. We have pressed the majority for the list multiple times and have not received it. That is why I filed an amendment that would have required the Federal Communications Commission to produce this list if the bill does become law.

I support net neutrality, but I cannot and do not support H.R. 1644. We should be providing the American people with a real net neutrality solution rather than pushing forward an agenda that does not have the capability to become law and won't protect the internet.

I thank the gentleman for yielding, Mr. Chairman.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chairman, my friends keep talking about the government takeover of the internet. I am glad to see that they are finally taking a stand against

the foolish 5G nationalization proposal that the Trump administration can't seem to stop talking about.

Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Mr. Chairman, I thank Chairman DOYLE for yielding time this afternoon.

Mr. Chairman, I rise today in support of H.R. 1644. Phone calls and letters from my constituents make it abundantly clear that they want to see broadband internet expanded in their communities, they want greater consumer protections, and they want it now. The digital divide is holding them down.

Until someone has lived in a community, Mr. Chairman, that does not have reliable access to high-speed internet, one cannot comprehend its importance. Internet connectivity enables students regardless of their financial circumstances the opportunity to access world-class educational resources. It spurs economic growth by giving businesses an opportunity to connect with customers throughout the world. It can help bring access to quality healthcare for families in rural communities.

I say to my friends on the other side, this legislation is not a socialist initiative. It is America, my friends, in the 21st century.

This bill provides permanent net neutrality protections and secures a free and neutral internet for constituents. This legislation will ensure that all Americans—Democrat, Republican, Libertarian, Independent, and Green Party—will have their voices heard, their stories told, and equal access to the information that is important to them.

The Save the Internet Act addresses the way in which internet traffic is handled before it reaches the consumer—an important step toward closing the digital divide and making the digital economy more inclusive. The internet was developed to enable user choice about what content to access. That is why we need to pass this legislation, and we need to pass it now.

I appreciate the work of Chairman DOYLE and the Democratic Caucus for understanding the urgency of passing this legislation.

Mr. Chairman, I urge my colleagues to vote "yes" on this legislation. Let's send it to the Senate. Let's try to reason with our friends in the Senate, and let's get it passed and protect the internet.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chairman, I reserve the balance of my time.

Mr. WALDEN. Mr. Chairman, I would just like to say, when it comes to 5G, Republicans had an amendment to keep 5G from being regulated by 1930s law called title II.

My friends on the other side of the aisle do not want to get into a big discussion about the huge regulatory door they are opening in section 201 and section 202 that allows the FCC to basi-

cally run amok with rules. They will claim that they are locking down what the FCC did in 2015 but, in fact, while they may close one door—although we don't even know all those 700 rules they are forbearing against that are going to go into statute, they can't even provide that list and this bill isn't going anywhere—they are opening this other authority—unlimited authority, frankly—to the FCC to regulate all these forms of technology.

Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Chairman, I rise today to join my colleagues in opposition to the so-called Save the Internet Act. I say "so-called" because it really should be called another Big Government attempt to grab the internet act.

I am disappointed in my colleagues across the aisle who chose to place partisan politics above the interests of the American people and refused to work across party lines to codify actual workable solutions that prevent anti-competitive conduct rather than continuing the political game of information technology regulatory ping-pong under the guise of net neutrality.

Let me be clear, I support an open and free internet. However, this legislation doesn't do that.

What it would do is impose heavy-handed title II regulations on the internet, which is not only unnecessary, but would actually stall broadband deployment.

From 1996 to 2015, the internet was thriving. It grew at a rapid, unprecedented pace and enabled countless innovative technologies that Americans have come to rely on: connectivity for businesses, students to do their schoolwork, families and friends staying connected, telemedicine, and many other everyday conveniences.

However, it was under the Big Government grab of then-FCC Chairman Wheeler and the classification of broadband as a utility-style telecommunications service under title II that we saw a decline in broadband deployment and online innovation and investment.

This is a serious issue, particularly for geographically challenging, rural areas such as eastern and southeastern Ohio that already struggle with broadband deployment. The digital divide is very real, and we have a responsibility to provide solutions, not create additional barriers to employment, growth, and innovation.

Rural communities don't need or want higher costs and fewer options than they already have, and that is why I am opposed to this legislation. As I have stated before, the only saving the internet needs is from heavy-handed Washington regulations.

Mr. Chairman, I urge my colleagues to oppose this disingenuous legislation.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chairman, I would submit that we are listening to the public and

our constituents. Eighty-six percent of all Americans—Republicans, Democrats, and Independents—support what we are doing here today. It is the Republicans who are standing up for a very small number of ISPs in this country.

It gives me great pleasure to yield 1 minute to the distinguished gentleman from California (Ms. PELOSI), who is the Speaker of the House.

Ms. PELOSI. I thank the gentleman for yielding, Mr. Chairman, and I commend him for his extraordinary leadership on this very important subject. To young people in our country and to every person in our country from sea to shining sea and to the future of our country, I join my colleagues in defense of the free and open internet which is a pillar of our democracy. I am pleased to follow Mr. DOYLE and his leadership; Mr. PALLONE, the chairman of the committee; Ms. ESHOO, a godmother of net neutrality in an earlier time; Mr. BUTTERFIELD, for his wonderful statement; and I know we will be hearing from Congresswoman MATSUI and other Members, and I am honored to join all of them.

Again, I salute Chairman MIKE DOYLE for his leadership of the Save the Internet Act and for his persistent, dissatisfied leadership to protect net neutrality. I also commend our former colleague in the House, Senator MARKEY, for his leadership now in the Senate.

Let us salute the millions of Americans who have marched, mobilized, and made their voices heard in this fight, the 4 million Americans who wrote to the FCC—that would be the Federal Communications Commission—to support the 215 Obama-era net neutrality protections; the 10 million Americans who weighed in again this time to oppose the 2017 Trump decision to destroy those protections; the 600,000 Americans who tuned in to watch a livestream of the full committee markup on this legislation, and, Mr. Chairman, it is now 4.8 million and a growing number who have watched the committee proceedings on the House floor today.

That is so much enthusiasm in our country, that is the growing extent of the interest. That is unheard of for the work that we do here.

Net neutrality is a bipartisan priority for the American people. As Chairman DOYLE said, a full 86 percent of Americans oppose the Trump assault on net neutrality, including 82 percent of Republicans outside.

Young people, in particular, get it. This is about their jobs and their futures. With the Save the Internet Act, Democrats are honoring the will of the American people. We are restoring protections so that we can stop unjust discriminatory practices by ISPs—that would be internet service providers—that try to throttle consumers' browsing speed, block their internet access, and increase their costs—throttle their speed, block their access, and increase their cost.



It would give entrepreneurs and small businesses a level playing field on which to compete and ensure American innovation can continue to be the envy of the world.

This legislation also brings the power of the internet to every corner of the country from rural America to cities, as Mr. BUTTERFIELD pointed out, because it provides the legal basis for the Connect America Fund.

We must close the urban-rural digital divide, although we have challenges in urban areas as well as in rural areas, but in rural areas this is a must do. It will make all the difference in the world guaranteeing better and cheaper internet for everyone, so we can create jobs and unlock the economic potential of every person in every community.

This debate is not just about legislation. It is about the quality of people's lives. More than 30,000 San Franciscans in my own district have written my own office about the impact of net neutrality in their lives.

They know that American businesses are at risk.

One writes:

As a small business owner, I depend on free and unfettered communication with my customers and vendors. My business and personal lifestyle are in jeopardy.

They know that America's innovation is at risk.

As a young student writes:

Without net neutrality, we lose our last medium of allowing small and upcoming companies to thrive.

They know that our spirit of entrepreneurialism is at risk. As another constituent writes:

The internet is a place where anyone, rich or poor, can make a living, become successful, and make themselves known.

They know that our very democracy is at risk because as one constituent writes:

A world without net neutrality undermines a central priority for a democratic society—the necessity of all citizens to inform themselves and each other.

Those are some of the communications from my constituents.

I will just tell you about a family discussion I had. I was visiting my brother in Baltimore, Maryland, Thomas D'Alesandro, and we were sitting around the table with his children and grandchildren. We were talking about one thing and another that was going on in the country.

I said to his grandson: What do you think about all of this?

We were talking about national security, et cetera.

He said: My friends and I care about one thing, net neutrality.

That was so exciting to hear, and here we are delivering for young people.

Supporting this bill means supporting our democracy and showing that our voices—the voices of the public—are heard, that their will is respected, and that the internet remains free and open to all. We call on our Republican colleagues to join us to sup-

port our democracy by restoring net neutrality.

I hope we have a good, strong bipartisan vote as a tribute to Chairman DOYLE.

Mr. Chairman, I urge an "aye" vote.

Mr. WALDEN. Mr. Chairman, again, I would say Republicans are for stopping any kind of action that throttles or blocks even paid prioritization on the internet. We share that common view of net neutrality.

But I would remind my colleagues that the legislation before us does not in any way provide any regulatory oversight over where you go when you get off the ISPs, get off that freeway, if you will, into places like Google, Facebook, and Amazon. They are great American companies. But what I hear from my constituents is they are concerned about pay prioritization, the security, the trust, the data, and all of that that the edge providers are a huge part of this ecosystem.

Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. WALBERG).

□ 1600

Mr. WALBERG. Mr. Chair, I rise today in opposition to H.R. 1644. I believe, if we use words appropriately, that should be named the "Regain Big Government Control of the Internet Act."

Thankfully, after 2015, we only had a short time of what was so-called net neutrality, which are words that sound good but aren't true. It was Big Government takeover of net neutrality, and this bill opens the door to disastrous effects like that on getting broadband into rural America, where I live.

I still don't have broadband. In 2015, under the so-called net neutrality, we saw that broadband build-out stop. I am still looking forward to it someday. So this bill would take us backwards, not forwards.

It is clear that the bill also could have several unintended consequences which are completely at odds with the authors' intended outcomes.

Instead of doubling down on the light-touch framework which has resulted in the widespread success of the internet, Mr. Chair, my colleagues seem more interested in imposing more and bigger government regulation.

The bill only forbears from what the FCC claims it forbore from, not what it can forbear from through the backdoor of sections 201 and 202.

Instead of letting the markets work under a framework which still robustly protects consumers, this bill would inject even more uncertainty into the market. It seems that, instead of locking in protections for consumers, the only thing it is really locking in is more partisanship.

I urge my colleagues to work with Republicans on bipartisan legislation that protects consumers and promotes broadband deployment in rural America, the place I live and the place I lack

broadband now and, with the continued effort to have Big Government control, I probably will still lack.

It is time to change that, and I encourage my colleagues to oppose H.R. 1644, the "Regain Big Government Control of the Internet Act."

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chair, we keep hearing over and over again that same mantra, "government takeover of the internet."

What the Republicans call the heavy hand of government is what is actually protecting consumers. If they want to stop a government takeover of the internet, then they had better talk to the White House: "Trump apparently wants to control 5G in a 'state-run' socialist twist to American capitalism." That is where you need to take those concerns about the government takeover to.

Madam Chair, I yield 2 minutes to the gentlewoman from California (Ms. MATSUI), vice chair of the Subcommittee on Communications and Technology.

Ms. MATSUI. Madam Chair, I am pleased to join my colleagues in co-sponsoring this legislation.

Our internet economy has been the envy of the world, with good reason. The first site to ever go live on the world wide web did so in August 1991, less than 28 years ago.

Since then, a balance of innovation and investment has transformed the internet into a driving force of the American economy, and that balance of innovation and investment also requires that the internet remain open.

Innovators, entrepreneurs, businesses, and consumers rely on the internet as an open platform for online commerce, to freely exchange ideas, and to make internet access more accessible to more Americans.

To that end, addressing and preventing paid prioritization arrangements that result in consumer harm has been a priority of mine for years; and, as I have said through this debate, the fundamental issue surrounding net neutrality is ensuring consumers don't have to pay more for the same products and services online.

I am mindful of the potential use cases that next-generation networks can facilitate, and I previously introduced legislation to ensure that all consumers are able to access online content equally as we balance the service requirements and consumer benefits of our open internet policies.

I also want to be clear that I don't support taxing the internet, but, going forward, I welcome a serious conversation with all my colleagues on universal service contribution reform in order to protect the long-term sustainability of rural broadband support.

Net neutrality protections must ensure the internet remains an open marketplace, ensure that the internet is free of content-based discrimination, and ensure broadband access is affordably and reliably deployed across the country.

Passage of this legislation is an important step toward these goals, and I am proud to support it.

Mr. LATTI. Madam Chair, may I inquire as to how much time I have remaining.

The Acting CHAIR (Ms. KAPTUR). The gentleman from Ohio has 7½ minutes remaining.

Mr. LATTI. Madam Chair, I yield 2 minutes to the gentleman from Washington State (Mrs. RODGERS).

Mrs. RODGERS of Washington. Madam Chair, I appreciate the gentleman yielding.

Madam Chair, I join my colleagues in rising in opposition to H.R. 1644. What is most disappointing to me is that it seems like this is another example of the Democratic majority, during this Congress, being more interested in scoring political points than actually solving a problem.

In order for this legislation to become law, it is going to require bipartisan support, yet the Democrats have chosen today to move forward in a partisan way.

The rhetoric around net neutrality has been driven to a fever pitch. Dire predictions on the end of the internet led to death threats against the chairman of the FCC and his family, as well as against some of our own colleagues.

Democrats say they want to save the internet; however, in the time since the title II regulations were repealed under the Trump administration, network speeds are up drastically. Investment and coverage in rural areas has increased.

This debate isn't about the merits of an open internet. I support an open, free internet, and I always have. This is truly about how we shape the future of our economy:

Do we want to regulate the internet as a 1930s-style utility where regulations stifle innovation and leave behind rural and poor Americans?

Do we want an internet economy that lifts people out of poverty and provides them with more economic opportunities?

As we work to close the digital divide, we need to decrease the barriers to deployment, not increase them. Imposing unnecessary regulations on small companies providing rural broadband will only further this divide. We must protect people in a way that does not leave underserved areas of our country behind.

Republicans, for years, have offered to work across the aisle. I have introduced legislation modeled after a bill that passed in Washington State, enjoying bipartisan support overwhelmingly. In fact, it was lauded by Senator CANTWELL.

She said: "In our State, Republicans and Democrats came together. . . . Why can't we see this same bipartisanship in the U.S. House?"

I ask my Democratic colleagues today that same question.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I would say to the

gentlewoman that we know that net neutrality rules don't affect internet speed or internet investment.

And who says that? The CEOs of all the internet companies when they are talking to their Wall Street investors.

Madam Chair, I yield 2 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Madam Chair, I rise today in support of H.R. 1644.

One of the greatest aspects of the internet is its potential to be an equalizer for small businesses that might not otherwise have resources to set up a brick-and-mortar shop. The internet provides them with the means to reach customers around the world. For students who want to learn how to code but whose schools can't afford such classes, the internet opens the door for them. And for veterans who would otherwise have to drive hours to receive healthcare services, the internet gives them the ability to consult with their doctors wherever they are.

All of this is only possible if internet access is unfiltered, and that is not the case today. Today, we don't even have a free and open internet because Trump's FCC has repealed net neutrality protections and set our country on a path backwards.

More than 8,000 of my constituents have written to me and called to express their opposition to elimination of these protections.

I also held a net neutrality townhall, where people came from all over my district. They were of different ages, occupations, and backgrounds, but they all had something in common: They overwhelmingly wanted strong net neutrality protections.

I have listened to my constituents, and that is why I am fighting hard to restore these crucial protections, and that is why I became an original cosponsor of the Save the Internet Act.

We have an opportunity today to pass legislation that would offer real protections for constituents. This legislation is simple. It takes an approach that accounts for the internet of today and tomorrow, and it provides certainty for Americans across the country.

This act will curb monopolistic behavior that would gradually strangle the internet. I am afraid of corporate takeover of the internet.

My friend, the minority whip, spoke about how the Telecom Act of 1934 was passed to curb the monopolies of the large telephone corporations. Today, the situation is similar. The ISPs are large, and they are consolidating with content providers, a ripe situation for monopoly.

Americans hate monopolies.

Madam Chair, I urge my colleagues to vote "yes" on H.R. 1644.

Mr. LATTI. Madam Chair, I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Madam Chair, I rise today in opposition to H.R. 1644, the so-called Save the Internet Act.

This legislation seeks to restore the FCC's heavy-handed, stifling title II regulations of 2015 to govern the internet, the same antiquated regulations originally enacted to regulate wired phone companies of the 1930s.

The internet, which is the single most important invention in modern human history, has thrived precisely due to light-touch regulations. Reinstating heavy-handed, stifling title II regulations on the internet is just plain bad policy.

My colleagues on the other side of the aisle have supported these stifling title II regulations to ensure what they call net neutrality and prevent unreasonable discrimination practices of blocking, throttling, and paid prioritization.

While I agree with my colleagues that no business should engage in these types of unreasonable business practices, this bill is hardly neutral. It blatantly ignores "edge providers," such as Facebook and Google. Just read the headlines about their great behavior. They have made headlines for things like blocking, throttling, and requiring paid prioritization of consumer internet services.

Additionally, in the 2 years following the FCC's 2015 order to regulate the internet under the stifling title II, internet investments regulations, those investments have actually declined for the first time and only time in U.S. history outside of a recession.

As a Representative of some of the most unserved rural populations of Virginia, I have heard from providers, both large and small, that these stifling title II regulations have hindered their ability to expand service to rural populations. This is particularly concerning, as unserved areas already face extreme challenges to gaining access to broadband. Reinstating these stifling title II regulations would only further increase the digital divide between urban and rural America.

I am a cosponsor of three bills offered by Ranking Members WALDEN, LATTI, and RODGERS, all based on bipartisan approaches, which prohibit the practices of blocking, throttling, and paid prioritization. I believe all three of these bills provide a bipartisan, permanent solution to opening the internet.

I urge my Democratic colleagues to work with Republicans to solve this issue.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, may I inquire how much time I have remaining.

The Acting CHAIR. The gentleman from Pennsylvania has 14½ minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I yield myself such time as I may consume.

This debate can be broken down very simply. There is agreement on the three bright lines. So Democrats and Republicans agree: no blocking, no throttling, no paid prioritization. But that is where my friends on the Republican side stop.

Democrats understand that, already, we see behavior by ISPs that isn't covered by those three bright lines, in the areas of zero rating and interconnection. There has to be a cop on the beat to protect consumers.

This bill is very basic. It says we are going to outlaw the three bright lines. We all agree with that.

The only things we do in addition to this are two other things:

Number one, we restore the legal underpinnings for the Connect America program, which helps rural broadband, and the Lifeline program, which helps our seniors, veterans, and low-income families in the country. We make it easier for pole attachments to make rural deployment of broadband easier to do, to facilitate that. So we take care of rural America in the bill.

Then we also say there has to be someone to look out for consumers if, somewhere down the road, an ISP finds a new way to have some unjust or unreasonable or discriminatory behavior. Someone has to have the ability to say: You can't do that, and, if you continue to do that, we are going to levy a fine or we are going to take action against you.

□ 1615

That is called consumer protection. What my friends over here want to do is simply take the three bright lines and say, okay, we will enforce that because they have been caught red-handed doing that. Everybody knows they have pled guilty to the blocking, the throttling, and the paid prioritization. We will outlaw that. But if they find some new, novel way to game the system and disadvantage consumers, we don't want anyone to be able to stop that kind of behavior.

Madam Chair, it is sort of like locking your front door and leaving the back door wide open. That is what the Republicans would have us do, if we would agree to their so-called compromise that they are putting forward.

Let me tell you something. I didn't come to Congress to work for internet service providers. I came to Congress to protect consumers.

And you are not fooling Americans. Eighty-six percent of Americans, be they Democrats, Republicans, or Independents, did not want to see the Pai FCC, the Trump FCC, repeal these net neutrality rules. There was overwhelming testimony during the rule-making from more than 20 million people asking the FCC not to take this action. This is an issue not only amongst millennials but all throughout our population.

You have been hearing it on your telephones, too. That is why you all want to say you are for something. You stand there and say we are for a free and open internet, but what you are for is allowing these ISPs to figure out new ways to game the system and making sure there is no cop on the beat, the FCC, to be able to regulate that. That is why we are never going to

agree until we sit down and protect consumers in this kind of bill.

Madam Chair, I reserve the balance of my time.

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

Mr. LATTA. Madam Chair, I am prepared to close if the gentleman is. I have no more speakers.

Madam Chair, how much time do I have?

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

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

In this debate today, we have heard both sides, but I really believe that, on our side, the American people don't want to have a takeover of the internet. As we have spoken on our side, we all believe in the same things. We don't want throttling; we don't blocking; and we don't want paid prioritization out there.

As has been stated already earlier today, we have had three bills that were introduced, one being my piece of legislation that had been introduced by the former chairman of the Energy and Commerce Committee that set forth those policies and also stating that it should not have title II in it because, again, you do not want to have the heavy hand of government coming in on this.

We had the Republican leader of the full committee with his legislation, taking what the FCC has done and putting in legislation to make sure, again, we don't have the blocking and the throttling.

The gentlewoman from Washington State, when you look at her legislation, again, it came from a Democratic legislature, signed by a Democratic Governor, which stated the same things: You don't want to have the throttling, blocking, or paid prioritization.

The American people want to make sure that the internet is out there, that it is working, and that you don't have that heavy hand.

I think it is also important, as has been noted during the debate—what are we looking at here? We have had past FCC Chairmen all saying the same thing, except for Chairman Wheeler when he changed and went with the 2015 order. But Republicans and Democrats have all said the same thing, that this is an information service, not a telecommunications service that would be coming under the draconian laws of the 1930s that were really to take care of the Ma Bells out there.

We also have seen that this bill does not cover the edge providers, and a lot of people would be surprised about that. The question is raised: Why aren't they included in this piece of legislation? Because if you want to make sure that everyone is included, you should have been looking at it in this piece of legislation, because when you are looking at the Facebook and the Twitters out there, what is happening with them?

I also want to point out that I know there is some concern when this was going on back in 2015 and what happened when the current FCC rescinded the order. You know, the internet did not end. I did not get calls the next day saying I was not able to go online. I wasn't unable to do our work or do anything like that. I never received a call. So I think it is important we note that.

At the same time, what we have also discussed here today, and also in committee, is that we would like to see the 700 rules and the regs out there that the FCC forbore on. We still don't have those. I have asked, through my amendment, that we get those because I think it is important we know what that is, because how do you know what they are doing if you don't see it?

I think that it is very important that these facts are considered. I think it is important that we have had this debate today. But I think it is also important that we don't want to have a takeover by the government of the internet because we want to make sure that it does what it has always done. It is something that was formed out there that had what they called a light touch to let it go forward, so I think it is important that we do that.

For those reasons, Madam Chair, I would recommend a "no" vote on H.R. 1644, and I yield back the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, how much time do I have left?

The Acting CHAIR. The gentleman has 10 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I yield myself the balance of my time.

I appreciate this debate. A couple of points I would like to make as we close. I think people need to understand that, 2 years ago, when the Trump FCC decided to repeal the net neutrality rules that were in place, what did they replace them with? How did they protect consumers when they decided to repeal the net neutrality rules put in place by Chairman Wheeler during the Obama administration? I will tell you what they did. They did nothing—nothing, no protections, the Wild, Wild West. The only thing a consumer could look forward to was, if one of these ISPs violated their terms and conditions, they might be able to go over to the FTC and ask for relief.

Ask the California firefighters how that worked for them when they were in the middle of trying to put out these devastating fires in California and came up on their data cap and had no recourse. Ask them if they think that was unjust or unreasonable behavior.

For Republicans to stand here and say that they care about net neutrality rules when they had 2 years when they controlled the House and the Senate and the White House to put one of these three bills they like to talk about on the floor—because they controlled the floor to pass the bills, to

pass it in their Republican-controlled Senate and give it to their Republican President to implement net neutrality rules to protect consumers. What did they do? They did nothing—nothing, crickets, silence.

Now Democrats control the House of Representatives. We said that it is important to all Americans, and all Americans regardless—Democrats, Republicans, and Independents—wanted to see those net neutrality rules that were repealed restored. So what we have done is we have taken that 2015 open internet order and we said let's put this into law. Let's put this into statute so that no future FCC Commissioner can come there and change this.

We have forborne on 700 regulations that were in title II. You keep hearing this: We are putting the heavy hand of title II, Ma Bell, 1934 rules on the internet. That is not true. All of those provisions of title II were forborne. They are not part of this bill.

What did we keep in title II? We kept the consumer protections in sections 201 and 202. We saved the legal underpinnings that make it possible to do the Connect America Fund and the Lifeline Program. We put a cop on the beat so that, for future bad behavior on the part of the ISPs, there is someone there to say you can't do that, and if you try to do that, we can take action against you.

Now, I ask you, what do the ISPs have to fear from that? If they are not acting in an unjust or an unreasonable or a discriminatory fashion, they have nothing to worry about.

I would ask my friends, what unjust and unreasonable and discriminatory behavior do you think they should be allowed to engage in?

Well, I have news for you. Just the three bright lines, that doesn't cut it anymore. We have already seen behavior that is discriminatory that isn't covered by those three bright lines. If there is no cop on the beat to enforce that on behalf of consumers, then it is the consumers who are the losers.

We are not going to let that happen. The American people don't want that to happen. People of all stripes have said, loud and clear, that they want to see commonsense, bipartisan net neutrality rules put into place.

When I say bipartisan, the only place it isn't bipartisan is here in the House of Representatives, not out in the country. The Senate passed a similar bill last year in their CRA with 52 Members. It was bipartisan.

We tried to put that CRA on the floor last year, and the Republican majority wouldn't put the bill on the floor so that we could have a vote on it. We tried a discharge petition to see if we could get the bill on the floor, and not a single Republican helped us pass the discharge petition so that we could have a vote on net neutrality.

Let's not kid ourselves here. Any chance that Republicans had to have no regulation on the internet, that is what they have been about when they have been in power in this body.

Madam Chair, it is a new day, and it is a new House of Representatives, one that listens to the will of the people, the citizens of America who have said loud and clear that they want to see these rules put back in place.

To all my colleagues on both sides of the aisle, this is your chance to be on the right side of history. This is your chance to be on the side of the angels. I ask all my colleagues to vote for this bill, vote "yes" on H.R. 1644 and restore net neutrality rules for all Americans.

I yield back the balance of my time.  
Ms. JACKSON LEE. Madam Chair, as a senior member of the Judiciary Committee and an original co-sponsor, I rise in strong support of H.R. 1644, the "Save the Internet Act of 2019."

The Save the Internet Act puts a cop on the beat to protect consumers, small businesses, and competition from abusive practices of internet service providers and codifies popular, bipartisan, and targeted net neutrality protections.

An overwhelming 86 percent of Americans opposed the FCC's roll back of the same protections that would be enacted by the Save the Internet Act, including 82 percent of Republicans.

The Save the Internet Act mirrors the similar bipartisan Congressional Review Act legislation that passed the Senate last Congress and had 182 bipartisan signers in the House.

The Save the Internet Act restores necessary, common-sense provisions for defending the internet put in place by the FCC during the Obama Administration and stops the current Trump-dominated FCC from applying more than 700 regulations under the Communications Act that are unnecessary to protecting an open internet such as rate setting.

The Save the Internet Act represents true net neutrality protections that are designed for today and tomorrow without loopholes.

The Save the Internet Act includes enhanced transparency protections, and enacts specific rules against blocking, throttling, and paid prioritization.

The legislation empowers the FCC to investigate consumer and business complaints, and, when necessary, fine internet service providers for violations of the Communications Act.

Additionally, the Save the Internet Act empowers the FCC to stop internet service providers from undermining net neutrality principles through new and harmful mechanisms.

Because of the Save the Internet Act, no longer will internet service providers be able to exploit choke points online, such as interconnection points, which creates bottlenecks and stifle internet connectivity.

Another reason why all Members should support the Save the Internet Act is because it provides important new authorities that can be used to support broadband access and adoption for rural communities and struggling Americans.

The Save the Internet Act also restores authorities the FCC used starting in 2016 to fund broadband for low-income Americans, including veterans, seniors, students, and disabled Americans, under the Lifeline program that has subsidized phone service since the Reagan Administration, but only began fully supporting internet access recently.

Madam Chair, nothing in the Save the Internet Act would diminish internet service providers' investments in broadband.

It should be noted that internet service providers did not cut back on investing, deploying and increasing speeds in 2015 and 2016, when the kind of protections the bill restores were put in place by the FCC.

In fact, after the Trump FCC repealed those protections, investments by many of the largest providers went down despite their claims that just opposite would happen.

Finally, Madam Chair, it should be noted the legislation before us affirms several important principles and values, including the following:

1. A free and open internet is the single greatest technology of our time, and control should not be at the mercy of corporations.

2. A free and open internet stimulates internet service provider competition.

3. A free and open internet helps prevent unfair pricing practices.

4. A free and open internet promotes innovation.

5. A free and open internet promotes the spread of ideas.

6. A free and open internet drives entrepreneurship.

In short, Madam Chair, a free, open, and vibrant internet protects and strengthens our democracy.

I urge all Members to join me in voting to save the internet for all of our people by voting to pass H.R. 1644, the "Save the Internet Act of 2019."

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

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-10. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 1644

*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 "Save the Internet Act of 2019".

**SEC. 2. RESTORATION OF OPEN INTERNET ORDER.**

(a) REPEAL OF RULE.—

(1) IN GENERAL.—The Declaratory Ruling, Report and Order, and Order in the matter of restoring internet freedom that was adopted by the Commission on December 14, 2017 (FCC 17-166), shall have no force or effect.

(2) PROHIBITION ON REISSUED RULE OR NEW RULE.—The Declaratory Ruling, Report and Order, and Order described in paragraph (1) may not be reissued in substantially the same form, and a new rule that is substantially the same as such Declaratory Ruling, Report and Order, and Order may not be issued, unless the reissued or new rule is specifically authorized by a law enacted after the date of the enactment of this Act.

(b) RESTORATION OF REPEALED AND AMENDED RULES.—The following are restored as in effect on January 19, 2017:

(1) The Report and Order on Remand, Declaratory Ruling, and Order in the matter of protecting and promoting the open internet

that was adopted by the Commission on February 26, 2015 (FCC 15-24).

(2) Part 8 of title 47, Code of Federal Regulations.

(3) Any other rule of the Commission that was amended or repealed by the Declaratory Ruling, Report and Order, and Order described in subsection (a)(1).

(c) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(2) RESTORED AS IN EFFECT ON JANUARY 19, 2017.—The term “restored as in effect on January 19, 2017” means, with respect to the Declaratory Ruling and Order described in subsection (b)(1), to permanently reinstate the rules and legal interpretations set forth in such Declaratory Ruling and Order (as in effect on January 19, 2017), including any decision (as in effect on such date) to apply or forbear from applying a provision of the Communications Act of 1934 (47 U.S.C. 151 et seq.) or a regulation of the Commission.

(3) RULE.—The term “rule” has the meaning given such term in section 804 of title 5, United States Code.

**SEC. 3. EXCEPTION TO ENHANCEMENT TO TRANSPARENCY REQUIREMENTS RELATING TO PERFORMANCE CHARACTERISTICS AND NETWORK PRACTICES FOR SMALL BUSINESSES.**

(a) IN GENERAL.—The enhancements to the transparency rule relating to performance characteristics and network practices of the Commission under section 8.3 of title 47, Code of Federal Regulations, as described in paragraphs 165 through 184 of the Report and Order on Remand, Declaratory Ruling, and Order in the matter of protecting and promoting the open internet that was adopted by the Commission February 26, 2015 (FCC 15-24), shall not apply to any small business.

(b) SUNSET.—Subsection (a) shall not have any force or effect after the date that is 1 year after the date of the enactment of this Act.

(c) REPORT BY FCC.—Not later than 180 days after the date of the enactment of this Act, the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that contains the recommendations of the Commission (and data supporting such recommendations) regarding—

(1) whether the exception provided by subsection (a) should be made permanent; and

(2) whether the definition of the term “small business” for purposes of such exception should be modified from the definition in subsection (d)(3).

(d) DEFINITIONS.—In this section:

(1) BROADBAND INTERNET ACCESS SERVICE.—The term “broadband Internet access service” has the meaning given such term in section 8.2 of title 47, Code of Federal Regulations.

(2) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(3) SMALL BUSINESS.—The term “small business” means any provider of broadband Internet access service that has not more than 100,000 subscribers aggregated over all the provider’s affiliates.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute is in order except those printed in part A of House Report 116-37. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and con-

trolled 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. BURGESS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 116-37.

Mr. BURGESS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

**SEC. 4. GAO REPORT ON INTERNET ECOSYSTEM.**

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report examining the effect of the rules described in section 2(b) on the virtuous cycle of the internet ecosystem and whether such rules protect the access of consumers to a free and open internet.

The Acting CHAIR. Pursuant to House Resolution 294, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Madam Chair, I yield myself 2 minutes.

This amendment directs the Comptroller General of the United States to submit to Congress a report examining the influence of all entities on the virtuous cycle of the internet ecosystem and whether such rules protect the access of consumers to a free and open internet.

A portion of a consumer’s online experience is through social media platforms and through other edge providers. Examples of this would include Facebook, Google, Twitter, and YouTube, among others.

□ 1630

Nothing in the Save the Internet Act reviews all parts of the internet ecosystem. Yet, so-called edge providers are the services exercising the most discretion over content delivery.

As we saw last year with testimony in the Energy and Commerce Committee from Facebook and Twitter, the algorithms written by these companies are proprietary, and those proprietary algorithms may manipulate consumer access. We understand the role of these service providers and how each is weighted against the others. We have transparency rules for broadband providers, but not for edge providers.

The bill targets broadband service providers by reclassifying them as utilities under title II of the Communications Act, but we cannot achieve effective net neutrality principles without including the influence of edge providers on the internet ecosystem. For this reason, the amendment simply directs the Government Accountability Office to study the full internet ecosystem so that we can better understand the influence of all online entities in order to protect access to a free and open internet for every consumer.

Madam Chair, I reserve the balance of my time.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Ms. BASS) assumed the chair.

**MESSAGE FROM THE SENATE**

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2030. An act to direct the Secretary of the Interior to execute and carry out agreements concerning Colorado River Drought Contingency Management and Operations, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

**SAVE THE INTERNET ACT OF 2019**

The Committee resumed its sitting.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR (Ms. KAPTUR). Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I yield myself as much time as I may consume.

The Save the Internet Act is narrowly focused on ISPs as the gatekeepers to the internet. They control the networks, so they have the ability to shape and control traffic as it moves over their network.

Edge providers play a different role in the internet ecosystem and are not in the same class as internet service providers.

There are numerous cases of documented abuses by ISPs going back several years. I am sure that is a big part of why net neutrality has such overwhelming bipartisan support. Even 82 percent of Republicans oppose the FCC’s 2017 rollback of the rules.

Now, that is not to say that there are not problems on the edge—there are—but that is not what this bill is about.

So in the spirit of bipartisanship, we are going to accept this amendment. We hear the concerns of Mr. BURGESS and our friends on the other side of the aisle, and we want to work together with them to address this.

We appreciate Mr. BURGESS’ willingness to work with us to find a compromise on this issue.

Madam Chair, I reserve the balance of my time.

Mr. BURGESS. Madam Chair, I yield 2 minutes to the gentleman from Oregon (Mr. WALDEN), the valuable ranking member of the full committee.

Mr. WALDEN. Madam Chair, I want to thank the gentleman from Texas (Mr. BURGESS) for his work on this amendment, and the Democrats for accepting this very thoughtful approach.

Americans are more and more concerned about the role that tech companies play in this Information Age. You

read about how content gets blocked, gets prioritized, or in some cases allegedly shadow banned.

We increasingly see these tech giants' inability to curb harmful and illicit behavior online while they monetize our personal information.

Now, these are incredibly important platforms as well, they are great American companies, but in most cases, they come about as close to a monopoly as I have ever seen.

Meanwhile, these edge providers get special protection under section 230 of the 1996 Telecommunications Act and they are not covered by the net neutrality rules that we are discussing today. They are not covered at all.

This bill does nothing to protect consumers from online abuses.

When Republicans were in the majority, I personally presided over hearings with the heads of some of the most important tech companies in America. Mark Zuckerberg of Facebook and Jack Dorsey of Twitter came before our committee, sat inside the Rayburn hearing room, and talked to us for hours.

Our majority enacted landmark protections against online human sex trafficking that received the support of both sides of the aisle. We moved forward with that legislation. It is now law.

Just as the internet has not stopped working from rescinding the 2015 order, the internet has not stopped working because we enacted protections like FOSTA and SESTA. The internet still works.

But more improvements can be made in how we bring responsibility to this sector of the internet. We should review all participants in the virtuous cycle of the internet ecosystem, and that is the aim of this amendment.

The amendment calls on the Government Accountability Office to recommend solutions in dealing with edge providers, so they do not abuse their special privileges that the 1996 act gave them.

This is our third revision of the amendment to make it acceptable to move forward with the majority. I certainly had hoped we wouldn't outsource this responsibility to the GAO over the FCC, not to mention the Energy and Commerce Committee and Congress, but I certainly believe we must make progress on this issue for the benefit of all American consumers and for the health of the overall internet ecosystem.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, we know the FCC does not have the authority to regulate the edge providers, and we know currently, since there are no net neutrality rules, the only recourse people have is to the FTC. Chairman Pai assured people that the FTC can fully police net neutrality.

Well, here is a nice article: "FTC gives ISPs green light to block applications as long as they disclose it."

So, there it is, ladies and gentlemen, these protections which you want to

send over to the FTC, they have just now told the world that as long as they put it in their terms and conditions, they can block applications if they choose to do so.

The gentleman from Texas and the gentleman from Oregon, both friends, bring up valid concerns about edge providers, but this isn't the bill where it belongs. But we do want to work with them, and I look forward to engaging both of them and my good friend, the ranking member of the Communication and Technology Subcommittee, as we go forward to look into that part of the ecosystem.

Madam Chair, I yield back the balance of my time.

Mr. BURGESS. Madam Chair, again, this bill targets broadband service providers by reclassifying them as utilities under title II of the Communications Act, but we cannot achieve net neutrality principles without including the influence of edge providers on the internet ecosystem.

For this reason, the amendment simply directs the GAO to study the full ecosystem so that we can understand the influence of all online entities and, again, provide a free and open internet for every consumer.

Madam Chair, I certainly want to thank the chairman of the subcommittee and thank the ranking member of the full committee for participating in this amendment discussion.

Madam Chair, I urge an "aye" vote, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. LATTA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 116-37.

Mr. LATTA. Madam Chair, I have an amendment at the desk, No. 2.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

**SEC. 4. REPORT.**

Not later than 3 days after the date of the enactment of this Act, the Federal Communications Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that lists the 27 provisions of title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.) and the over 700 rules and regulations referred to in paragraphs 5 and 37 of the Report and Order on Remand, Declaratory Ruling, and Order described in section 2(b)(1).

The Acting CHAIR. Pursuant to House Resolution 294, the gentleman from Ohio (Mr. LATTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. LATTA. Madam Chair, I rise in support of my amendment that would require the Federal Communications

Commission to provide a list of the 700 rules and regulations it claims it forbore from in the 2015 Open Internet Order.

This list will be provided to the Energy and Commerce Committee and the Senate Commerce Committee within 3 days of enactment of H.R. 1644.

The need for this amendment arises out of the majority's claim that H.R. 1644 would lock in all provisions of law and regulations that the FCC forbore from applying to internet service providers in 2015.

At that time, the FCC claimed it forbore from applying over 700 regulations, but never made clear what 700 rules it was exempting ISPs from under title II.

For broadband providers to know what regulations actually apply to them, they need to know what provisions of law the FCC forbore from.

For the FCC to arrive at the number of over 700, it seems they must have analyzed the Code of Federal Regulations to determine which rules were applicable to broadband and which were not, but the FCC never made that list public.

We have asked the majority on multiple occasions for help tracking down that list. Instead of helping locate it, the majority has doubled down on the public statements made by the Obama FCC quantifying that number.

Now that H.R. 1644 might be passed by the House of Representatives, it is time to make it clear which rules of the road will not apply to broadband providers.

H.R. 1644 already imposes enough uncertainty on broadband providers, because it would give the FCC broad authority under title II to regulate the internet beyond even the bright-line rules.

If we cannot clear up that uncertainty before this bill gets passed, we should do all we can to let the public know what the bill does after it would become law.

Unless we require the FCC to produce that list, we will never know what is in the bill.

We must do better for the American public and provide more transparency to support broadband employment, investment, and growth.

Madam Chair, I reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, the overwhelmingly popular Save the Internet Act would restore the commonsense and much loved net neutrality protections adopted by the FCC's 2015 net neutrality order.

These protections were comprehensive in addressing bad behavior, but



targeted so as not to be overly burdensome. The agency made sure that dated and unnecessary provisions of the Communications Act and certain implementing regulations did not apply to broadband internet service. In fact, the 2015 order says that more than 700 regulations would not apply to broadband.

While the industry apparently didn't need the FCC to tell them what wasn't in the order, our Republican colleagues have raised a concern that more clarity is needed.

Madam Chair, I don't remember the last time, however, that legislation was brought to the floor and concerns were raised about what the legislation didn't do and where we asked for an enumerated list of provisions the legislation didn't apply to.

That being said, I support greater clarity. The gentleman's amendment would require the FCC to publish a list of all the provisions and regulations that were forborne by the 2015 order.

Importantly, this wasn't an issue at all when these net neutrality protections were in place for nearly 3 years, but our Republican colleagues have raised a concern, and in the spirit of bipartisanship, we will support this amendment.

Given that we are taking affirmative steps to address the concerns, we hope they will be persuaded to join us in supporting this immensely popular commonsense legislation.

Madam Chair, I reserve the balance of my time.

Mr. LATTI. Madam Chair, I yield as much time as he may consume to the gentleman from Oregon (Mr. WALDEN), the Republican leader of the Energy and Commerce Committee.

Mr. WALDEN. Madam Chair, I want to thank Mr. LATTI for bringing this very thoughtful amendment to the House floor, and I want to thank my colleagues on the other side of the aisle who, I believe, agreed to accept it, if I heard that correctly.

The bill would codify the forbearance of 700 regulations into law, as you probably heard, Madam Chair. However, we just don't know what those 700 provisions that are being forborne upon are.

We have repeatedly asked for that information in the subcommittee, in the full committee, and every step of the way.

□ 1645

In fact, I don't think the authors of this legislation could tell us today what those 700 provisions are, although they get referenced from time to time. We are told that is really the underpinning and crux of this legislation, that, in all these areas of law, the FCC said, "We are not going to, basically, regulate in this area," and they said there are about 700 of these.

So I think it does matter, if you are in business or just whatever you do in your life, to not know what the government—a pretty big, powerful government here in Washington—is going to

enforce or not enforce or regulate or not regulate, and we don't know. But we are being asked today, in this bill, to enshrine in Federal law the whole 700 of these that the FCC—not this one, not a future one, we are told—would ever regulate in.

So we want the list. That is what this amendment asks for.

But wouldn't it be better when we legislate to actually know what we are legislating on before we vote? That is a pretty simple concept in good legislating, I think, and that is why we repeatedly asked for it; and, obviously, we have not been able to get it, so it is a bit of an irony.

Now, at the same time, they say don't worry because the FCC—you can trust us. The FCC is never going to regulate in this area. And, in fact, we are going to take these forbearances and lock them into statute and they can never come back and everything is locked down solid, boom. But that is like locking the front door of your house while you open the backdoor.

And the backdoor is another part under title II. This is the argument on the floor today. It is not about blocking, throttling, or paid prioritization. You have heard us go back and forth, and we both agree. We can stop those bad behaviors, and we should, and that could become law. This bill will not become law.

But they open the backdoor and say to the FCC: You have got the right, under sections 201 and 202, to basically do anything you want through a rule-making. So all the agency has to do is do a rulemaking, and basically they can do everything they have done before and more.

It is that uncertainty of regulation on the internet that we have referred to as the heavy-handed government. And this could be about taxing the internet, fees on the internet, et cetera, et cetera.

So I am glad we are doing this amendment, and I am glad the majority is going to accept it. I only wish it were a list before us in the RECORD today, Madam Chair.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 3 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I am thrilled to get the gentleman this information. I know the FCC has it and will be happy to share it with him.

It is kind of amusing that he wants to know what regulations we aren't putting on business. I thought they were the guys who didn't like any regulations on business. Now they are dying to know where are these 700 regulations that aren't going to be put in the bill.

What is important about the bill is not what is not in the bill, but what is in the bill. That is what they need to focus on. This is kind of like Geraldo

Rivera trying to open Al Capone's safe. They are just dying to know what those 700 regulations are.

And guess what. We are going to pass this bill and vote with them on this, so that desire to know what isn't in the bill will finally be satisfied. I am sure that their Chairman, Chairman Pai, the current Chairman of the FCC, will be more than happy to hand them that list once we pass this bill. I will be happy to do that for our friends.

We on the Democratic side support the amendment and intend to vote "yes" on the amendment.

Mr. WALDEN. Will the gentleman yield?

Mr. MICHAEL F. DOYLE of Pennsylvania. I yield to the gentleman from Oregon.

Mr. WALDEN. Madam Chair, I appreciate that from my good friend.

If it were that easy to get that list, why didn't they get it for us from the Chairman of the FCC before we went through this whole process? We shouldn't have to vote on the bill to find out what is in it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, reclaiming my time, I was just amazed that he didn't have the list already. That is his good friend over there, and I am sure a quick phone call on his point would have satisfied this curiosity he has.

Madam Chair, I am happy to entertain this. I intend to vote "yes" on this, and I yield back the balance of my time.

Mr. LATTI. Madam Chair, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. WATERS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 116-37.

Ms. WATERS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

**SEC. 4. GAO REPORT ON IMPORTANCE OF OPEN INTERNET RULES TO VULNERABLE COMMUNITIES.**

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report examining the importance of the open internet rules to vulnerable communities.

(b) DEFINITIONS.—In this section:

(1) OPEN INTERNET RULES.—The term "open internet rules" means the rules described in section 2(b).

(2) VULNERABLE COMMUNITIES.—The term "vulnerable communities" means—

- (A) ethnic and racial minorities;
- (B) socioeconomically disadvantaged groups;
- (C) rural populations;
- (D) individuals with disabilities; and
- (E) the elderly.

The Acting CHAIR. Pursuant to House Resolution 294, the gentlewoman from California (Ms. WATERS) and a

Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise in strong support of H.R. 1644, the Save the Internet Act. The Save the Internet Act is a simple and transparent piece of legislation that will restore the widely supported 2015 Open Internet Order rules and reinstate the consumer protections previously applied to industry by the Federal Communications Commission. I am proud to support the Save the Internet Act and thrilled to see Congress doing its job and protecting consumers once again.

Across the United States, more than 129 million people are limited to a single provider for broadband internet access. Of those 129 million Americans, about 52 million must obtain internet access from a company that has violated network neutrality protections in the past and continues to undermine the policy today. This leaves over 177 million Americans, in primarily underserved communities, left without any market protection following the repeal of the 2015 Open Internet Order.

The FCC's repeal of the 2015 Open Internet Order harmed all internet users, but it disproportionately hurt people of color in underserved communities. This is unacceptable, and Congress must fulfill its duty to represent and protect Americans' interests.

My amendment would call on the Comptroller General and the Government Accountability Office to conduct a study on the importance of net neutrality and what access to the internet means to those in vulnerable communities. Specifically, it will examine the importance of net neutrality on the socioeconomically disadvantaged, individuals with disabilities, the elderly, racial and ethnic minorities, and individuals from rural communities.

By mandating that the study be conducted by the GAO, we can ensure that the data collected is transparent and free of political motivation. With this report, Congress will be able to decide for itself what the best course for it will be for the vulnerable consumer.

Over 80 percent of Americans support net neutrality and agree that an open internet uplifts the voices of people of color, rural communities, socioeconomically disadvantaged, the elderly, and disabled. It is no coincidence that all these constituencies have joined together, alongside millions of individual internet users. An open internet levels the playing field and gives all Americans a better shot at prosperity and a better opportunity to achieve the American Dream.

Madam Chair, I urge all my colleagues to support gathering critical information to help us improve connectivity for our most vulnerable Americans and to vote in the affirmative for my amendment.

Madam Chair, I reserve the balance of my time.

Mr. LATTI. Madam Chair, I rise in opposition to the amendment.

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

Mr. LATTI. Madam Chair, I appreciate my colleague, the gentlewoman's concern for disadvantaged and vulnerable groups and the possible impact of the 2015 Open Internet Order on their ability to get connected online and have access to all the economic and social opportunities the internet has made possible. These are all very important questions to consider, and so I will not oppose this amendment.

However, I hope my colleagues will consider just as much the possibility that throwing the internet into title II and all of the heavy-handed government regulation that it represents may not be the best way to address the concerns of these populations.

We completely agree with the transformative impact of the internet on minorities, rural populations, individuals with disabilities, the elderly, and the socioeconomically disadvantaged. In many ways, the internet is even more important to these populations than to anyone else.

So what would really help to bridge the digital divide and get more of these folks connected? I would argue what is most critical in this problem we are all trying to solve is, number one, to encourage investment.

But you have heard me say it before, and I will say it again: Title II is a devastating investment killer. We saw those numbers take a dip after the FCC diverged from the longstanding bipartisan path of light-touch regulation into the 1930s era monopoly regulation of title II.

So what impact would the title II reclassification have on the disadvantaged and vulnerable populations we are talking about with this amendment? How will it impact future deployment that could connect them? Maybe we should also have the GAO looking into that.

Madam Chair, I reserve the balance of my time.

Ms. WATERS. Madam Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE).

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I thank my friend for yielding.

Madam Chair, during our committee's hearing on net neutrality in the Save the Internet Act, we heard testimony about the importance of a free and open internet to vulnerable populations and groups underrepresented in the traditional media. The message was clear:

Net neutrality protections are critical to vulnerable populations.

Net neutrality is critical for minority communities to have their stories told. It is a lifeline to connecting with job training, employment searches, and family connections.

Net neutrality is important for ensuring that small businesses or aspiring writers can use the internet to find

customers and fan bases across the country or across the globe.

Madam Chair, this is an important issue, and I fully support the gentlewoman's amendment.

Ms. WATERS. Madam Chair, I yield back the balance of my time.

Mr. LATTI. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. DELGADO

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 116-37.

Mr. DELGADO. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill insert the following:

**SEC. 4. GAO REPORT ON BENEFITS OF STAND-ALONE BROADBAND.**

(a) REPORT.—Not later than 1 year after the date of enactment of this Act the Comptroller General of the United States shall transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that assesses the benefits to consumers of broadband internet access service being offered on a standalone basis (and not as part of a bundle with other services) by providers of broadband internet access. Such report shall include recommendations for legislation to increase the availability of standalone broadband internet access service to consumers, particularly those living in rural areas.

(b) DEFINITION.—As used in subsection (a), the term "provider of broadband internet access" means a provider of broadband internet access, as such term is defined in section 8.2 of title 47, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 294, the gentleman from New York (Mr. DELGADO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

Madam Chair, I want to first thank my colleague, Chairman DOYLE, for his leadership on this bill.

The Save the Internet Act restores critical net neutrality protections that the FCC repealed last year. This legislation is necessary to hold on firm legal ground the net neutrality principles we should all support: no blocking, no throttling, and no paid prioritization.

While ensuring a free and open internet is of the utmost importance, so, too, is ensuring broadband internet access for all. In fact, according to the FCC's 2018 Communications Marketplace Report, nearly one in four Americans lack access to broadband internet service at home.

As a proud Representative of one of the most rural congressional districts in the country, I cannot overstate what

a huge problem this is. Individuals and small businesses in my district still lack access to stand-alone broadband internet because of high service costs, a lack of broadband infrastructure, and outdated and unreasonable bundling practices that require consumers to purchase a home telephone service or a cable package as a condition for purchasing broadband internet service.

□ 1700

In today's global economy, broadband shouldn't come with any strings attached. That is why my amendment would give GAO 1 year to report to Congress on the benefits to consumers of making broadband internet service available to everyone on a standalone basis.

Additionally, it would include recommendations to Congress on ways to increase the availability of stand-alone broadband internet service to consumers, particularly those living in rural areas.

Consumers increasingly don't want to buy big cable bundles. They just want access to the internet. That is why I urge support for this amendment and for the underlying bill.

Madam Chair, I reserve the balance of my time.

Mr. LATTA. Madam Chair, I rise in opposition to the amendment.

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

Mr. LATTA. Madam Chair, I appreciate my colleague's interest, the gentleman's interest in stand-alone broadband. As he knows, this is a really important issue, especially in rural America, and one that the FCC has spent considerable time on, in fact, one that I have spent considerable time on as one of the co-chairs of the Rural Broadband Caucus.

So I do not oppose this amendment, but I want to observe here that this amendment will not do anything to relieve the smallest ISPs found in the most rural areas from some of the worst excesses of this bill.

So I must say, I am disappointed that our friends in the majority refuse to give us a vote on my amendment, which would have included the language on small businesses that was passed unanimously by the House in the last two Congresses.

This amendment was exactly the same as the one that the Democrats have agreed—twice—to tie to the original 2015 order. It would have extended the exemption for small ISPs from the Obama FCC's enhanced transparency rule for 5 years and expanded the exemption to include businesses with 250,000 subscribers or fewer.

I am supportive of protecting the consumers of small ISPs, but these enhanced disclosures placed an unnecessary regulatory burden on small businesses and distracted them from working to bring broadband internet access to customers across the country, especially those in rural America.

My colleagues in the majority seem supportive of the plight of the small,

rural ISPs but could not support this amendment at subcommittee—even though they had voted to support it twice before. Instead, they asked us to find yet another bipartisan agreement on an issue that we have already spent hours negotiating and have already found common ground.

We held up our end of the bargain, even as we walked away from the deal that they agreed to twice before and proceeded to dig in on terms of the FCC's 2015 order instead.

Although time has passed since the Small Business Broadband Deployment Act, H.R. 4596, passed the House unanimously in the 114th Congress with a vote of 411-0 and was reintroduced in the 115th Congress and passed on voice vote as H.R. 288, the need still exists to promote the continued deployment of broadband and prevent small ISPs from becoming burdened with additional requirements that make it more difficult to do what they are in business to do. In fact, based on our hearings in the past Congress and some of the statements on the floor today, I think it is safe to say there is bipartisan consensus on the need to support rural broadband for consumers.

As a reminder, my amendment would not have let small ISPs skirt transparency. Instead, they would follow the less onerous transparency rules adopted by the FCC in 2010. So consumers would still have access to the information needed to make informed decisions about their internet service, and ISPs could focus on providing service rather than cumbersome regulatory requirements.

I believe my friends across the aisle when they say they care about expanding broadband in rural America and closing the digital divide. Although, if they truly cared as much as they claim to, I would have expected my amendment to be made in order and to be adopted unanimously as it has been by the House in the past.

Madam Chair, I reserve the balance of my time.

Mr. DELGADO. Madam Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE), chairman of the Subcommittee on Communications and Technology.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I thank the gentleman from New York (Mr. DELGADO), my friend.

You know, the FCC does need to do more to support the funding of stand-alone broadband, particularly for rural areas, and this amendment will help push them to do that.

The Save the Internet Act would restore many of the key authorities the FCC can use to fund rural broadband deployment in the future. It is really hard to understate how important that is for rural America, and this amendment would help us do even more.

This amendment would simply require the GAO to study the benefits of stand-alone broadband plans and how we in Congress can increase the avail-

ability of these stand-alone plans in rural areas of the country where broadband is so hard to come by.

I support this amendment. It is a wonderful addition to a bill that would restore net neutrality to everyone across this country and help support rural broadband build-out as well.

Madam Chair, I look forward to working with the gentleman from New York.

Mr. LATTA. Madam Chair, we do not oppose the amendment, and I yield back the balance of my time.

Mr. DELGADO. Madam Chair, I yield myself the balance of my time.

Once again, I would like to thank Chairman DOYLE for introducing this critical legislation and urge Members on both sides of the aisle to support this amendment.

Madam Chair, 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. DELGADO).

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam 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 New York will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. PORTER

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 116-37.

Ms. PORTER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

**SEC. 4. REPORT BY FCC ON ENFORCEMENT ACTIONS.**

Not later than 1 year after the date of the enactment of this Act, the Federal Communications Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that describes all enforcement actions taken by the Commission under the rules described in section 2(b) since such date of enactment, including the amount of each fine imposed or settlement agreed to, the actions taken by the Commission to collect such fines and settlements, and the amounts of such fines and settlements collected.

The Acting CHAIR. Pursuant to House Resolution 294, the gentlewoman from California (Ms. PORTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. PORTER. Madam Chair, the Save the Internet Act of 2019 empowers the Federal Communications Commission, the FCC, to enforce net neutrality, protect consumers, and assist them with complaints against their internet service providers.

The FCC can fine internet service providers when they break the rules. However, simply issuing fines to a bad actor isn't enough to change the behavior of those bad actors. Those fines need to be collected. Corporations that break the law must pay.

My amendment would require the FCC to report to Congress within 1 year on the number of enforcement actions it has taken against internet service providers that violate net neutrality. Importantly, that report must include both the fines imposed and the amounts collected.

The FCC must act as a cop on the beat when internet service providers misbehave, protecting consumers and keeping the internet free and open to all.

When the FCC finds a bad actor, that fine should be paid by the company. If the FCC is not following through on protecting consumers, Congress should know so it can take oversight action, if necessary.

The FCC failing to collect fines is a real concern. Recently, The Wall Street Journal has highlighted the extent of the problem.

While the FCC has imposed record fines on robocallers—\$208 million—it has collected less than \$7,000 since 2015. That is 0.003 percent of the fines imposed.

When everyday Americans get a parking ticket or a traffic violation, the government makes sure that they pay their fines. Corporations must be held accountable as well.

As we vote to restore a free and open internet, we should also vote to provide oversight of the agency tasked to protect consumers.

Madam Chair, I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. LATTA. Madam Chair, I rise in opposition to the amendment.

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

Mr. LATTA. Madam Chair, I agree with the gentlewoman from California (Ms. PORTER), my colleague, that FCC enforcement is important in any area that the agency regulates, and that is why we will not oppose this amendment.

That is also why we in the majority have asked, at several hearings, when we were going to have our first FCC oversight hearing this Congress. We are 4 months into this Congress, and the majority has yet to bring the FCC before the committee to answer questions relating to its past enforcement efforts on ISPs, the impact of this legislation, and other topics pending at the FCC.

This is an issue that could have gained by having the FCC before the committee rather than the topic being delegated to a report that does not pertain to the base bill.

This is also an issue that could have gained from bipartisan negotiations. All three Republican net neutrality bills would have the FCC oversee ISP practices and enforce net neutrality to keep a free and open internet.

There is more agreement here than the majority would have you believe. There is also a role for the FCC to have in overseeing net neutrality and maintaining a free and open internet, and there should be clear net neutrality rules on the book.

Where we disagree is on giving the FCC unchecked powers to regulate the internet and determine on its own what is just and reasonable. That is not net neutrality.

Madam Chair, I yield back the balance of my time.

Ms. PORTER. Madam Chair, I just want to clarify that this amendment doesn't define the power that the FCC would have to regulate, but would merely make sure that, when it does take action, the companies are held accountable for the fines that are imposed.

I appreciate that my colleague from the other side of the aisle does not oppose the amendment.

Madam Chair, I yield 1 minute to my colleague from Pennsylvania (Mr. MICHAEL F. DOYLE).

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I thank the gentlewoman for yielding.

The important protections we are discussing today will only be a toothless tiger if the FCC is not taking action to investigate potential violations and taking enforcement action where it is warranted.

The great thing about this amendment is that the FCC will have to come back to us 1 year after the Save the Internet Act is adopted and tell us what kinds of investigations and enforcement actions they have undertaken.

It also shines a light on whether the FCC follows through with its enforcement actions. As we just heard, recently, it was reported that even though the FCC fined robocallers \$208 million, it only collected \$7,000.

Remind me not to use them as my collection agent.

Rules aren't a deterrent unless there are real consequences. This amendment will help Congress determine if the FCC is truly doing its job and better facilitate the critical oversight role of this body.

I fully support this amendment, and I look forward to getting this report.

Ms. PORTER. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. PORTER).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. WEXTON

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 116-37.

Ms. WEXTON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

#### SEC. 4. PLAN RELATING TO FORM 477 DATA COLLECTION.

Not later than 30 days after the date of the enactment of this Act, the Federal Communications Commission shall submit to Congress a report containing a plan for how the Commission will evaluate and address problems with the collection on Form 477 of data regarding the deployment of broadband Internet access service (as defined in section 8.2 of title 47, Code of Federal Regulations).

The Acting CHAIR. Pursuant to House Resolution 294, the gentlewoman from Virginia (Ms. WEXTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Virginia.

Ms. WEXTON. Madam Chair, I rise in support of this amendment, which would require the FCC to submit to Congress a plan for how the Commission will evaluate and address problems with the collection on form 477 of data regarding the deployment of broadband internet access service.

Form 477 is used by the FCC to determine which providers are—if any—providing services in various areas, and it is the government's main source of data used for identifying underserved areas of opportunity.

This amendment is needed because it has been more than 20 months—or almost 2 years—since the FCC originally sought comment on ways to improve the value of the data they collect through form 477.

Having better data and the creation of improved maps is essential to ensuring that service providers and government have the tools that we need to truly make universal broadband internet access a reality.

Too many residents of my district, and many other districts as well, lack affordable or any broadband internet access. This untenable situation is only made worse by maps and data charts that don't accurately reflect this experience of our constituents on the ground.

Consumers should not bear the responsibility or burden of reporting on an issue that the FCC and service providers should actively be working to address.

Madam Chair, I reserve the balance of my time.

□ 1715

Mr. LATTA. Madam Chair, I rise in opposition to the amendment.

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

Mr. LATTA. Madam Chair, I am pleased to see the Democrats bring so many ideas today as it comes to rural broadband, and because of that, we will not oppose this amendment.

The gentleman from Ohio (Mr. JOHN-SON) on our committee has been a strong advocate of improving the 477 data at the FCC and how to have the National Telecommunications and Information Administration, the NTIA, more engaged in mapping by aggregating resources across the Federal Government. He was part of an effort

last fall that shared a draft reauthorization of NTIA with the Democrats that would have helped get more granular information. Unfortunately, our friends on the other side of the aisle put down their pens on this effort.

In our markup last week, Mr. JOHNSON offered an amendment that was voted down by the majority that would have eased the title II albatross from small rural carriers. Sadly, this was rejected. Coincidentally, we saw a number of the Democratic amendments made in order to study the problems of rural broadband deployment.

Madam Chair, I yield back the balance of my time.

Ms. WEXTON. Madam Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE).

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I thank the gentlewoman for yielding to me.

The Save the Internet Act is going to ensure that net neutrality throughout this country is ensured, and, hopefully, it is going to bring the internet to all parts of this country. It will do that, in part, by restoring the legal authority of section 706 of the Telecommunications Act, which gives the FCC authority to take immediate action to accelerate deployment of such capability by removing barriers to infrastructure investment and by promoting competition in the telecommunications market.

The FCC's 477 data is critical for getting an accurate picture of broadband deployment in this country, but the methods of collecting that data are outdated, and the results are sometimes rife with errors.

This amendment calls upon the FCC to submit a report within 30 days of enactment, detailing how it plans to evaluate and address problems with the collection of that form 477 data.

We have already seen how inaccurate Commission data can lead to poor policy choices, whether it is holding up the Mobility Fund II proceedings, which will fund the deployment of wireless broadband in rural communities, or rendering inaccurate the Commission's recent draft broadband deployment report, which drastically overstated deployment in this country due to lax and faulty data collection methods.

I fully support this amendment, and I thank the gentlewoman for yielding.

Ms. WEXTON. Madam Chair, I yield myself such time as I may consume.

Madam Chair, the American people deserve an internet and FCC that works for them. By supporting this amendment and requesting an update regarding form 477 and the data collected thereby from the FCC, Congress can hold the FCC accountable in their mission to promote competition, innovation, and most importantly, investment in broadband services and facilities.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Virginia (Ms. WEXTON).

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I demand a recorded vote.

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. WEXTON) having assumed the chair, Ms. KAPTUR, 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. 1644) to restore the open internet order of the Federal Communications Commission, had come to no resolution thereon.

#### GENERAL LEAVE

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous material on H.R. 1644.

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

There was no objection.

#### PROVIDING FOR BUDGET ENFORCEMENT FOR FISCAL YEAR 2020

The SPEAKER pro tempore (Ms. KAPTUR). Pursuant to the adoption of House Resolution 294 earlier today, H. Res. 293 is considered as adopted.

The text of the resolution is as follows:

H. RES. 293

*Resolved,*

#### SECTION 1. BUDGET MATTERS.

(a) FISCAL YEAR 2020.—For the purpose of enforcing the Congressional Budget Act of 1974 for fiscal year 2020, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the House of Representatives in the same manner as for a concurrent resolution on the budget for fiscal year 2020 with appropriate budgetary levels for fiscal year 2020 and for fiscal years 2021 through 2029.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—In the House of Representatives, the chair of the Committee on the Budget shall submit a statement for publication in the Congressional Record as soon as practicable, containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2020 for new discretionary budget authority of \$1,295,018,000,000, and the outlays flowing therefrom, and committee allocations for fiscal year 2020 for current law mandatory budget authority and outlays, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees of the House other than the Committee on Appropriations, com-

mittee allocations for fiscal year 2020 and for the period of fiscal years 2020 through 2029 consistent with the most recent baseline of the Congressional Budget Office, as adjusted, to the extent practicable, for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal year 2020 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(4) aggregate revenue levels for fiscal year 2020 and for the period of fiscal years 2020 through 2029 consistent with the most recent baseline of the Congressional Budget Office, as adjusted, to the extent practicable, for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974.

(c) ADDITIONAL MATTER.—The statement referred to in subsection (b) may also include for fiscal year 2020, the matter contained in the provisions referred to in subsection (h).

(d) ADJUSTMENTS.—The chair of the Committee on the Budget of the House of Representatives may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b)—

(1) to reflect changes resulting from the Congressional Budget Office's updates to its baseline for fiscal years 2020 through 2029; or

(2) for any bill, joint resolution, amendment, or conference report by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2020 to fiscal year 2024 or fiscal year 2020 to fiscal year 2029.

(e) OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM ADJUSTMENT LIMIT.—The chair of the Committee on the Budget of the House of Representatives may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) in accordance with the Overseas Contingency Operations/Global War on Terrorism adjustment in section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 for any bill, joint resolution, amendment, or conference report, except that such adjustment shall not exceed \$69,000,000,000 for the revised security category or \$8,000,000,000 for the revised nonsecurity category.

(f) ADJUSTMENT FOR INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—The chair of the Committee on the Budget of the House of Representatives may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) as follows:

(1) IN GENERAL.—If a bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2020 specifies an amount in the Enforcement account and the Operations Support account for tax enforcement activities, including tax compliance to address the Federal tax gap, of the Internal Revenue Service of the Department of the Treasury, then the adjustment shall be the additional new budget authority provided in such measure for such purpose, but shall not exceed \$400,000,000.

(2) DEFINITION.—As used in this subsection, the term "additional new budget authority" means the amount provided for fiscal year 2020, in excess of \$8,584,000,000, in a bill, joint resolution, amendment, or conference report and specified for tax enforcement activities,

including tax compliance to address the Federal tax gap, of the Internal Revenue Service.

(g) ADJUSTMENT FOR THE U.S. CENSUS FOR 2020.—The chair of the Committee on the Budget of the House of Representatives may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) as follows:

(1) IN GENERAL.—If a bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2020 specifies an amount for the 2020 Census in the Periodic Censuses and Programs account of the Bureau of the Census of the Department of Commerce, then the adjustment shall be the new budget authority provided in such measure for such purpose, but shall not exceed \$7,500,000,000.

(2) DEFINITION.—As used in this subsection, the term “new budget authority” means the amount provided for fiscal year 2020 in a bill, joint resolution, amendment, or conference report and specified to pay for expenses associated with 2020 Census operations.

(h) APPLICATION.—

(1) Upon submission of the statement referred to in subsection (b), all references to allocations, aggregates, or other appropriate levels in “this concurrent resolution” in sections 5201, 5202, and 5203 of the House Concurrent Resolution 71 (115th Congress), specified in section 30104(f)(1) of the Bipartisan Budget Act of 2018, and continued in effect by section 103(m) of House Resolution 6 (116th Congress), shall be treated for all purposes in the House of Representatives as references to the allocations, aggregates, or other appropriate levels contained in the statement referred to in subsection (b), as adjusted in accordance with this section or any Act.

(2) The provisions of House Concurrent Resolution 71 (115th Congress), specified in section 30104(f)(1) of the Bipartisan Budget Act of 2018, shall have no force or effect through the remainder of the One Hundred Sixteenth Congress except for the sections of such concurrent resolution identified in paragraph (1).

(i) ADJUSTMENT FOR HOUSE PASSAGE OF H.R. 2021.—Upon passage of H.R. 2021, the chair of the Committee on the Budget of the House of Representatives may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) consistent with H.R. 2021 as passed by the House.

#### SEC. 2. LIMITATION ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), any general appropriation bill or bill or joint resolution continuing appropriations, or amendment thereto or conference report thereon, may not provide an advance appropriation.

(b) EXCEPTIONS.—An advance appropriation may be provided for programs, activities, or accounts identified in lists submitted for printing in the Congressional Record by the chair of the Committee on the Budget—

(1) for fiscal year 2021, under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new budget authority, and for fiscal year 2022, accounts separately identified under the same heading; and

(2) for fiscal year 2021, under the heading “Veterans Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$87,636,650,000 in new budget authority.

(c) DEFINITION.—The term “advance appropriation” means any new discretionary budget authority provided in a general appropriation bill or bill or joint resolution continuing appropriations for fiscal year 2020, or any amendment thereto or conference report thereon, that first becomes available following fiscal year 2020.

#### COMMEMORATING NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN'S 35TH ANNIVERSARY

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

Mr. COMER. Madam Speaker, I rise today to celebrate the 35th anniversary of the National Center for Missing and Exploited Children.

For more than three decades, this organization has assisted families in their times of greatest need and unimaginable pain, and it has assisted law enforcement agencies with the recovery of more than 290,000 missing children.

Although the Walsh family was the victim of child abduction with a tragic ending, their story inspired others and began a movement to create a coordinated national response to assist families like themselves.

The resulting organization has dutifully carried out their mission of finding missing children, reducing child sexual exploitation, and preventing future victimization. They achieved these goals not only by assisting families during and after their traumatic experiences but by providing technical assistance and resources to law enforcement and healthcare professionals.

I am proud that two vital pieces of legislation became law during the last Congress, the CyberTipline Modernization Act of 2018 and the Missing Children's Assistance Act of 2018, both of which strengthened and modernized programs essential to supporting the center's operations.

I join with the staff, partners, and past and future beneficiaries of the National Center for Missing and Exploited Children in celebrating their 35th anniversary.

#### HONORING JOE BRAMAN

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

Mr. CLOUD. Madam Speaker, I rise today to honor Joe Braman, a Refugio rancher who is recognized internationally for his commitment to protecting endangered animals from poachers, as well as aiding law enforcement officers in protecting our border.

Thanks to meticulous training, Mr. Braman's free-running pack dogs assisted with protecting South Africa's endangered black and white rhinos, ultimately leading to the arrest of 27 poachers and also beginning the recovery of the species.

His dogs can track human scent several hours old and take down hunters more than 20 miles away. They have proved immensely valuable in Texas as well. They have assisted local law enforcement in manhunts and border security.

Their 98 percent success rate with locating and capturing targets dem-

onstrates their potential usefulness in future border security efforts.

Joe Braman's unique and incredible ability to train dogs has made a positive difference, not just in Texas, but around the world, and I would like to extend to him our district's appreciation for his excellent work and devotion to justice.

#### WISHING FIRST LIEUTENANT JAMES CLAYTON FLOWERS A HAPPY 103RD BIRTHDAY

(Ms. TORRES SMALL of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TORRES SMALL of New Mexico. Madam Speaker, I rise today to honor First Lieutenant James Clayton Flowers and wish him a very happy 103rd birthday.

Born on Christmas Day in 1915, Mr. Flowers has seen our great Nation through a century of progress, conflict, and change.

Enlisting in the United States Army Air Forces during World War II, Mr. Flowers was one of the few African American soldiers chosen to train as a Tuskegee Airman.

After World War II, Mr. Flowers started a family with his wife, Evelyn Flowers, and began teaching for New York City public schools, where he was a leader in the United Federation of Teachers.

When he and his wife retired, they found their new home in southern New Mexico. Even in retirement, Mr. Flowers continued to work for the betterment of his community. Leading by example, he taught future generations to serve their communities by building houses with Habitat for Humanity. He also invested in the local chapters of the NAACP and the Alpha Phi Alpha Fraternity.

Madam Speaker, please join me today in thanking First Lieutenant James Clayton Flowers for his service to our Nation and wishing him a happy 103rd birthday.

#### HONORING SERGEANT DOMINICK PILLA

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

Mr. VAN DREW. Madam Speaker, I am here today to honor an outstanding member of south Jersey.

Recently in Vineland, New Jersey, we celebrated the naming of Sergeant Dominick Pilla Middle School. Sergeant Pilla was a brave soul who loved this country enough to enlist in the Army to serve to protect it.

Tragically, he was killed while saving a fellow soldier in Somalia during the Battle of Mogadishu in 1993 and was posthumously awarded the Bronze Star and the Purple Heart.

The naming of this school is to honor Sergeant Pilla's love and sacrifice for



his country. Now he will be remembered by every student who walks through those halls. He will be honored by these students as they grow and learn to dedicate themselves to do what they do and love the way that Sergeant Pilla did.

I thank Sergeant Dominick Pilla for his service.

To all of the men and all of the women in the Armed Forces who serve our country so bravely and so selflessly, may God bless them.

#### CALLING FOR VOTE ON DISASTER FUNDING

The SPEAKER pro tempore (Ms. TORRES SMALL of New Mexico). Under the Speaker's announced policy of January 3, 2019, the gentleman from Florida (Mr. DUNN) is recognized for 60 minutes as the designee of the minority leader.

Mr. DUNN. Madam Speaker, today, I join my colleagues in calling for an immediate vote on disaster funding.

In 2018 and so far in 2019, we have witnessed devastating disasters with hurricanes hitting Florida, Georgia, Alabama, and the Carolinas; wildfires in California; flooding in the Midwest; an earthquake in Alaska; and several other widespread weather events that have harmed communities across our country and our territories.

The people in our districts and States need our help, and it is our duty to fight for them.

I thank my colleagues for joining me today, and I yield to the gentlewoman from Alabama (Mrs. ROBY), whose district adjoins my district.

Mrs. ROBY. Madam Speaker, I thank the gentleman from Florida for leading this very important conversation here tonight, and I thank all my colleagues from our neighboring States and across this country for keeping this issue in the forefront of the American people's minds.

Over the last several months, Americans in many corners of this country have experienced a devastating loss of life, property, and livelihood because of wildfires, flooding, and severe storms. I am here tonight to express my strong support for the many Alabamians, both in the Second District and in neighboring Lee County, who have been badly impacted by severe weather.

Last October, areas of the Wiregrass region in Alabama's Second Congressional District were ravaged when Hurricane Michael made landfall. Barbour, Dale, Henry, Geneva, and Houston Counties were the most severely impacted.

Throughout the Southeast, people lost their loved ones and their homes, and our farmers were dealt a devastating blow during the middle of harvest.

□ 1730

This unprecedented disaster resulted in a tremendous economic setback for our agriculture community and our

State. Last month, our neighbors in Lee County faced extreme devastation when tornadoes touched down. Many were killed, and many homes were lost and destroyed.

Madam Speaker, we are here tonight because these people need help. Here in Congress, it is our responsibility to make disaster recovery funds available now. I implore my colleagues on both sides of the aisle to stop playing political games with disaster funding. By politicizing this humanitarian issue, we are playing politics with people's lives.

We must immediately advance commonsense, nonpartisan disaster assistance for the people who have been hit hardest and are struggling to recover. I am hopeful that alongside my colleagues on both sides of the aisle that a solution will be reached soon. Many Alabamians—many Americans—are depending on it.

Madam Speaker, I thank the gentleman from Florida for leading this discussion.

Mr. DUNN. Madam Speaker, I wish to express my gratitude to MARTHA ROBY for her speech and for her sentiments on her people in Alabama.

Next, Madam Speaker, I yield to the gentleman from Georgia (Mr. AUSTIN SCOTT), who is my good friend and who has been one of the champions for the disaster supplemental. He has worked tirelessly for the last 7 months to advance this effort.

Mr. AUSTIN SCOTT of Georgia. Madam Speaker, I want to thank my colleague, Mr. DUNN, for leading this effort. I know his district was hit probably harder than any other district in the United States.

Madam Speaker, I rise today alongside many of my fellow colleagues to again stress the hardships many of our fellow Americans faced following these devastating natural disasters of 2018.

On October 10, 2018, Hurricane Michael entered my home State of Georgia as a Category 3 storm. With it, we saw widespread damage from dangerous winds, flooding, and torrential rains. Hurricane Michael traced a path of destruction through south and middle Georgia, straddling both mine and Congressman SANFORD BISHOP's districts.

Our districts are largely rural areas that have also been hit hard by tornadoes and flooding in recent years. These areas are key to the State's agriculture sector, which is Georgia's number one industry.

Madam Speaker, the American farmer is the backbone of agriculture, and agriculture is Georgia's number one industry.

Fearing the worst of this storm, many farmers began harvesting what they could as Hurricane Michael crept closer and closer to Georgia. It was the best yield we had seen in years for what was gathered before the storm hit. After years of low commodity prices, unfair trade practices, labor shortages, and consecutive years of devastating storms, we needed it. Once

Hurricane Michael hit, it was all gone. Not only did we lose billions of dollars in commodity crops, like cotton and peanuts, but we also lost orchards and forests that will take decades to regrow.

Since the day after the storm, I have worked side by side with my friend and colleague, Congressman BISHOP, in an effort to bring our communities impacted by Hurricane Michael tools they need to recover and rebuild. At every turn, we have worked together to bring attention to the crisis and to bring relief to these farmers alongside our other colleagues who have been impacted.

The President and Vice President personally came down and promised help. I was there. For months, we have stressed the magnitude of the damage to our colleagues, and for months we were promised this was a priority for the White House and congressional leadership from both sides of the aisle.

"Any bill to fund the Government has disaster relief." I don't know how many times I have heard it. I can't name all the people I have heard it from. As we stand here today 6 months later, these can only be called empty promises.

Never before have we seen American communities that were wrecked with catastrophes neglected like this. To this day, OMB has not even submitted a request for disaster assistance, calls to White House staff have gone unheeded, and but for one tweet on April 1, it seems the President has moved on.

For months I have received calls from farmers and the lenders they rely on that the financial impacts from Hurricane Michael were becoming increasingly more difficult to bear. Then last week, the Senate showed how truly ugly and partisan politics have become, voting down a measure that would have brought billions in Federal relief that communities in my home State of Georgia and around the country desperately need to get back on their feet again, money to restore infrastructure and restore services, as well as farm aid.

Certainly, no one would have stood in the way of disaster relief for States like Vermont or New York. Rural Americans, we have been forgotten. We were forgotten again last week in the Senate's failure to pass disaster assistance.

Rural Americans are Americans, too, whether the press likes it or not, and whether certain Members of the Senate like it or not. They need our help to rebuild. If the Senate cannot pass a bill to provide this Federal disaster assistance, the bottom line is farm bankruptcies will continue, and I fear that the community banks and businesses that support the farm sector will too.

The truth is if Hurricane Michael had hit Americans who aren't farmers or farmers who aren't Americans, the stories of Washington's apathy to get things done would be the front page of every paper.

Mr. Speaker, the American farmers work day in and day out to feed and clothe America and the world. I urge the White House and the Congress to reverse their course of abandoning our farmers and keep the promises that were made to them.

Mr. DUNN. Madam Speaker, I thank my good friend, AUSTIN SCOTT, for his words. He has truly been at the forefront on the fight for this disaster supplemental since day one.

Madam Speaker, I yield to the gentleman from Omaha, Nebraska, (Mr. BACON). General DON BACON is my good friend and classmate.

Mr. BACON. Madam Speaker, I rise today to advocate in support of a disaster assistance package for recent floods, storms, fires, and others. Last month, my district and home State of Nebraska was hit by devastating flooding, destroying more than 2,000 homes, 340 businesses, and taking several lives, making it the worst natural disaster to hit the State in our 152-year history.

Many families and communities in my district have been severely impacted. For several days in March, the only way in and out of Valley and Waterloo, two towns in our district, was either by boat or helicopter. Next door to our district, one-third of Offutt Air Force Base was under water to include 60 structures.

The economic impact has also been severe and will hurt the State of Nebraska for years to come. Current estimates reveal that the cost of the damage will surpass \$1.3 billion to \$1.4 billion. This includes \$449 million in damaged roads, levees, and other infrastructure.

Currently, 200 miles of Nebraska roads are in need of repair. What once was a short drive of minutes, in some cases may take hours, disrupting everyday commerce and travel.

The Nebraska Department of Agriculture estimates that the March floods will have \$400 million in losses for livestock, \$36 million in livestock feed loss, and \$440 million worth of potential crop loss from delayed and prevented planting. Nebraskans are a strong and resilient people, but they need to know that we are with them and will help them through these difficult times.

While Nebraska has been experiencing these horrible floods, I take solace in our first responders and National Guard. I cannot thank these brave men and women enough for helping so many in our community. In many small communities across Nebraska, first responders are only volunteer, often rushing out to help others while their own homes were in peril. These heroes selflessly saved countless lives and property.

I want to give a shout-out to the Waterloo Fire Department volunteers; they rescued nearly 200 people as volunteers over the course of a week. I think of the Salvation Army leader who ran the collection center, working countless hours while his own home was underwater.

In these trying times, I urge my colleagues to put politics aside and come together to help Nebraskans and other Americans hurting from these natural disasters that have occurred over the past year. We are Nebraska strong. We do need that Federal support.

Mr. DUNN. Madam Speaker, I thank General BACON for his words.

Madam Speaker, from Nebraska we have a true leader of the House and a good friend.

Madam Speaker, I yield to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Madam Speaker, I thank Dr. DUNN for hosting this very important discussion. As we have visited on several different occasions, I want to publicly commend the gentleman for his dedication for fighting for the right thing to do, for his deep compassion for the people he represents and the tireless effort that he is making to explain the consequences of Hurricane Michael as it hit him, the floods that have hit us, and the wildfires that have hit others. I thank the gentleman so much for the time and for his leadership.

Madam Speaker, when spring approaches in Nebraska, we expect our rivers and streams to peacefully rise as snow from the nearby Rockies gently melts. We are the Cornhusker State, but we actually could be called the River State. Here is why: We have more miles of rivers than any other State in the Union. The Missouri, the Platte, the Republican, the Elkhorn, and the Niobrara are our most famous rivers, but we really don't think of them as threatening—until they are.

So as General BACON just said, this was the most destructive storm in most Nebraskans' lifetimes. A perfect storm of factors caused the pain and destruction now all around us. Lands that were soaked from earlier autumn rains were frozen solid and then covered in snow. When the bomb cyclone's lethal mix of blizzard and rain did hit our State, an enormous quantity of water, ice, and collected topsoil sped down the hard land like a furious slurry, into rivers, creeks, and reservoirs bursting through dams, levees, and other structures that normally would hold this back.

Madam Speaker, it is pretty hard to get the mind around what a 500-year event actually means. But as I was standing at the ridge on Offutt Air Force Base, which is located right south of Omaha near the confluence of the Platte and Missouri Rivers, I could see how the unprecedented force of water covered one-third of that entire base and many communities in eastern Nebraska. As the rushing water hit the bank on the other side of the river, on the Iowa side, it blew it out and created a 62-foot deep hole.

As a member of the Appropriations Committee here in Congress, I turned to the commander of the Corps of Engineers who was with me.

I looked at him, and I said: What is the number?

He immediately shot back without hesitation and said: It is going to be a lot.

Now, a little bit down the road to the west is the town of Fremont. Mayor Scotty Getzschman is a dedicated local public servant who is in the heating and air-conditioning business as his main job. He brought out a 1940 map of the old river channel of the Platte River. The problem for this town of Fremont began when the river got a bit nostalgic and sought to go back to its old ways. In a place now named ground zero near the Rod and Gun Club west of town, massive chunks of ice and the pressure of the Platte blew the levee. Water began to find its own channels in multiple breaches, and the southern part of the town of Fremont endured serious flooding.

We surveyed the damage from a freshly patched hole made from remnants of an old hog confinement lot and riprap from the old Scribner Air Base.

An initial call for help in the community brought 250 people out. Shortly thereafter, 1,000 people showed up to sandbag. One man moved his car to higher ground because he could see what was coming, but then it was later swept away by the raging river, and he spent the next few days at the intersection directing traffic as a volunteer.

Madam Speaker, a bit west of the town of Fremont is the small town of North Bend, and that is where a ditch dike could not contain itself and made its own channel, creating fingers of water flowing throughout the city, and the vast majority of homes in this small community were hit. The paved streets looked like mud streets by the time I got there, but even with 6 inches of water inside of it, the North Bend Eagle, the local newspaper, figured out a way to get that edition out.

Realizing that he was in a critical spot, the North Bend school superintendent transformed the entire school, really one of the newer buildings, into a center of gravity for emergency operations. Though school was canceled, it didn't mean the kids weren't busy. Initially they sandbagged, then they began to volunteer for days on end with the cleanup effort.

The people of North Bend organized themselves, and word spread. Goods poured in from all over the country. And as the superintendent told me, he said that what was happening there could make a good country song, they would have so much more appreciation for Nebraska.

Areas south of the town of Columbus, a little bit further to the west also were particularly hard hit with very large and mounting ag losses, the most visible sign of which were dead cattle. In fact, this past Saturday I went to a high school fundraiser in Columbus, and along Highway 81 the speed signs were still bent over with grass attached to them showing the magnitude and the volume of water that rushed over that area.

There is a truck stop there named T-Bone, Madam Speaker. It greets passersby with two enormous cowboy boots on poles embedded in concrete. One was found 300 yards away at Matulka's garage. The other one was across the highway about a half mile away. They will probably be put back up to greet passersby once again. By the time I got there, the 4 feet of mud and water had receded, and a lot had been cleaned up.

I looked at Fred, and I said: How did this happen?

He said:

At T-Bone's, we don't mess around. We are Nebraskans. We get it done.

On a more positive note, Madam Speaker, a Federal project initiated after the last flood of 2011 saved the little town of Schuyler, Nebraska, and a couple of other things positively have happened. Nebraska's congressional delegation asked for expedited federal disaster assistance, and the President granted it.

□ 1745

Even in the midst of this trauma, Nebraskans found a way to get a few laughs. Along the fence across from that truck stop of T-Bone's, there was a hand-painted sign that said, "Mud Wrestling Tomorrow."

Back at Offutt Air Force Base, it is a pretty jarring scene when you see a large fuel tank lifted up and turned on its side. It shows you the powerful force of this water.

As many of the Members of Congress who have experienced this have had the same outpouring of support from family and friends around the country, I want to tell you just a quick few things that happened to me.

A nun from Rome wrote to me and offered her prayers. A Congressman from another area of the country texted me and said: "I'll send my staff. Whatever you need." The Jordanian Ambassador to the United States contacted me with her concerns.

Madam Speaker, as you and I have seen firsthand, a natural disaster can create certain blessings in disguise. It is a time when we can come together and put aside any political differences and lend a helping hand to our fellow citizens.

I think that is exactly what America wants Congress to do right now: put our differences aside, find consensus, quickly pass a supplemental to simply help my constituents and the others who have been so devastated by these unpredictable, unforeseen events. Many have waited and waited, and I think this is the time.

Mr. DUNN. Madam Speaker, I thank Representative FORTENBERRY for his compelling description of the damages that were suffered in Nebraska and also of the response of those brave people.

Madam Speaker, I yield to the gentleman from Virginia (Mr. RIGGLEMAN). Representative DENVER RIGGLEMAN is my good friend and one of the most outstanding members of the new class here in Congress.

Mr. RIGGLEMAN. Madam Speaker, to my colleagues, I rise in support of them and the incredible work they have done for disaster relief, and I also rise today to speak about my district, the Fifth District of Virginia, which borders North Carolina, which was devastated last year by two hurricanes, first Florence and then Michael. The damage was immense, and the impact on families was tragic, including the loss of lives.

This is not an issue I take lightly. In fact, I pledged to make a donation to Drakes Branch Volunteer Fire Department in Charlotte County, which was an area the hurricanes hit particularly hard, actually, with the collapse of the volunteer fire station back into the river—and the fact is they had nowhere to actually do fire emergency work.

Applications for FEMA aid were filed in Charlotte County, Danville City, Franklin County, Halifax County, Lunenburg County, Mecklenburg County, and Prince Edward County. And many additional counties in my district were affected by these hurricanes.

Unfortunately, the effects were not limited to my district, and the lasting damage done by these storms lingers in these communities today. Yes, they are rebuilding and recovering, but we cannot ignore the opportunity to prevent this from happening again.

There are other things we can do not only with disaster relief and supplementals, but also working on issues like I am in the Financial Services Committee by addressing issues in the National Flood Insurance Program.

The NFIP is a necessary Federal backstop for flood insurance, but substantially increasing private participation will help Americans better prepare for potential future flood emergencies.

I would also like to take this time to commend the great work done by so many emergency responders and volunteers who helped the communities of the Fifth District and throughout the other States and in my colleagues' districts, helped them dig out and move forward after these hurricanes.

I have visited with many of these brave men and women who put themselves at risk to help their communities. I commend the strong folks who make up all of these communities, linked not only by hurricanes but by their ability to move on with great resilience.

Mr. DUNN. Madam Speaker, I thank Representative RIGGLEMAN for his words, and I know that his constituents are fortunate to have a man of his rare abilities serving them at all times.

Madam Speaker, I yield to the gentleman from South Dakota (Mr. JOHNSON). Representative DUSTY JOHNSON is another outstanding member of the freshman class.

Mr. JOHNSON of South Dakota. Madam Speaker, I am honored to be a part of this Special Order tonight.

I want to highlight the dire situation in my home State of South Dakota. Our State is just barely beginning to

recover from dramatic flooding while, simultaneously, we are trying to prepare for the disaster to get worse as a blizzard this week will dump freezing rain and more than a foot of snow onto already saturated ground.

Now, I have heard colleagues talk about similar and, in some cases, even more dramatic damage to their homes, and we have seen, in their States and in mine, commerce interrupted; we have seen livelihoods devastated; we have seen cattle killed; and, worse yet, we have seen human life lost.

Now, within South Dakota, there have been many impacted communities, although perhaps none more dramatically than Indian Country. When I have talked to President Bear Runner, Pine Ridge; President Bordeaux, Rosebud; or Chairman Frazier from Cheyenne River, their texts, their phone calls, our face-to-face meetings, they are heavy with the frustration and the exhaustion, the irritation, the concern about what is going on for their people. Madam Speaker, put more appropriately, they are concerned for what is going on with our people.

Right before I walked onto the floor here, I came from a meeting with Chairman Harold Frazier, and he had picture after picture after picture, Madam Speaker, of the devastation there at Cheyenne River: cemeteries under water, roads under water, cattle under water, cars under water.

I know South Dakota is not the only community that is impacted. Many of us need a helping hand. Many of the people in our States are too proud to ask for a helping hand, but tonight I would just ask my colleagues in this body and my colleagues in the Senate to do everything they can to put politics aside and to pass a disaster relief bill that can do much-needed work for our country.

Mr. DUNN. Madam Speaker, I thank Representative JOHNSON for his description, his words, and also for his granular knowledge of his district. I know that that is a benefit to everybody there.

Madam Speaker, I yield to the gentleman from Florida (Mr. RUTHERFORD). Sheriff JOHN RUTHERFORD is my good friend whose district of Jacksonville, Florida, abuts mine on the east side.

Mr. RUTHERFORD. Madam Speaker, I appreciate the gentleman yielding and giving me the opportunity to speak about this very important topic impacting our State and our constituents.

Madam Speaker, I rise today to strongly urge House and, particularly, Senate leadership to stop turning their backs on hurricane survivors in my home State of Florida and pass a disaster supplemental bill before Congress leaves for the next 2 weeks.

Last October, Hurricane Michael ravaged our State, hitting the panhandle with speeds of up to 155 miles an hour and killing 49 people. Six months later—6 months later—families, farmers, and businesses are still waiting for the assistance that they deserve.

Families lost homes, precious belongings, things that can never be replaced.

Florida's timber industry was decimated. The total timber damage is an estimated 2.8 million acres of timber that is now lying rotting on the ground—2.8 million acres.

This is, unquestionably, one of the worst storms to hit Florida in our long history.

But not only are Florida agriculture and other industries desperately awaiting our help, our national security is also being impacted. Tyndall Air Force Base, one of the Nation's premier military installations, was completely demolished by this storm.

Since Congress has not passed emergency funding, the Air Force has been forced to move money from other accounts to help pay for the recovery. The Air Force is now facing even tougher choices, like limiting flying time and construction projects from other installations.

Madam Speaker, this is simply unacceptable. Maybe if the Senate Democrats would spend less time focused on running for President and more time doing the job that they were elected to do, folks back home would already have the disaster relief that they are due.

I voted, along with my House colleagues, to pass a supplemental back in December. In December, we passed that. The Senate Democrats have just obstructed that effort.

Entire small communities that were wiped away still have no assistance coming from the Federal Government. I hope the hardworking taxpayers of Florida remember this lack of concern when they go to the polls in 2020.

Our Senate is broken by a 60-vote cloture rule that has to be removed, and I hope the folks back home will remember this in November of 2020.

Mr. DUNN. Madam Speaker, I thank Sheriff RUTHERFORD for his words. He has been a stalwart ally and a great friend ever since we arrived here on day one. He is a true friend to all of Florida.

Madam Speaker, I yield to the gentleman from California (Mr. LAMALFA), one of the true leaders of our Conference.

Mr. LAMALFA. Madam Speaker, I want to thank my colleague, Mr. DUNN from Florida, for leading us in this Special Order tonight and providing this opportunity to talk about a very important aspect of our job together as it affects our different regions and our States across the country.

This is an important opportunity to highlight, in my own district, our critical need for disaster funding in California, as well as the success stories we have had in the past, but, also, the needs of my colleagues in the Southern States and now, unfortunately, too, in the Midwest, my colleagues from Nebraska.

Unfortunately, it appears that we will head into a 2-week recess now without the Senate doing their half of

the job in this Congress and sending a relief package to the House that is so desperately needed—a real shame.

This comes after the Senate Democrats rejected the latest attempts by Republicans to reach a compromise. It highlights one common trend I have seen so far in this Congress that Democrats are not interested in good faith negotiations with Republicans. They say all or nothing; take it or leave it.

We have got two different Houses. One has a majority of one and the other has a majority of the other. We are going to have to come together a lot if we are going to get anything done in this Congress. What we have right now is no way to govern.

Disasters take a substantial toll on many areas of the country. In my own district, 2 years ago was the spillway disaster at Oroville on the Oroville Dam. Now, with 2 years of good work, that spillway is now back functioning once again, rebuilt with a heck of a lot of money and a lot of people coordinating to get it done quickly.

We just saw, in the last few days, 25,000 cfs of water is coming over that spillway in order for the lake to be regulated safely and accurately for flood control as well as storing water that we need through the year.

Unfortunately, that isn't the last disaster in northern California. We had two more on top of that: near Redding, California, what is known as the Carr fire—a firenado, they labeled it—doing so much devastation on the west side there; then, ultimately, in November, 2 days after the election, in Paradise, California—we have all heard about that—a whole town basically has disappeared in that fire, in that conflagration, destroying, again, thousands of homes and buildings, and dozens of people were lost in that.

The Camp fire and the areas around it—Concow, Magalia—they will be recovering for quite some time. Thankfully, we have had help, and we are thankful for that. We are thankful for the funding for the Oroville Dam spillway. We are thankful for the help initially here for the Carr fire in Redding and for the Camp fire in Paradise.

But, for all the combined disasters we are looking at—Mr. SCOTT in Georgia, who still needs help, and my other colleagues—we have to have a stable flow into the coffers for our disaster relief that is so desperately needed all over the country.

Why isn't the Senate doing its job? With all that has happened in our home State of California, why is the junior Senator from California more worried about, 2 years ahead of the election, spending all the time in the other 49 States campaigning instead of showing up to vote on the relief measure when the Senate considered it last week and the House passed a version of it back in December?

It appears that Senator has more important things to do. I hope Californians will remember that for a lot of reasons.

The Camp fire in Paradise was the deadliest and most destructive wildfire in California's history, the deadliest in our country for over 100 years.

It is time for the Senate Democrats to quit fooling around with political games and get this disaster assistance in place, not just for me but for all my colleagues around the country who have people they are responsible for and need to get the work done.

We have done our job in the House. D.C. must do its job overall, the Senate included.

□ 1800

Mr. DUNN. Madam Speaker, I want to thank Representative LAMALFA for his sincere words and his seasoned judgment and insights. Let us hope that those words fall on fertile ground.

Madam Speaker, I yield to the gentleman from Florida's First District (Mr. GAETZ), one of my dearest friends in the House. We were friends for many years before we came to this House, and his talents are known to all of us. He is an Olympian among his class.

Mr. GAETZ. Madam Speaker, I thank the gentleman for yielding, and I thank Dr. DUNN for the work, not only in ripening this issue, but also in crafting disaster response legislation that would work for the people impacted by Hurricane Michael.

I also want to thank the gentleman from Georgia, AUSTIN SCOTT. Well before others were speaking out on this issue, Dr. DUNN and Mr. SCOTT were working very hard to ensure that the needs of our constituents were adequately represented.

Madam Speaker, disasters give us time to rise to the occasion as leaders in our community. They give us the chance to inspire people on their worst day, and to ensure that those who carry the disproportionate burden of challenge will be assisted and helped by their fellow countrymen and women in the United States of America.

But sadly, following Hurricane Michael, we have not, as a Congress, risen to the occasion, particularly in the Senate, where there is no movement now on legislation, before a two-week recess, to address the terrible tragedy of Hurricane Michael.

It is unfathomable to me that every other major storm that has hit our country, named, has received a disaster supplemental. And I guess the constituents that I serve, that Dr. DUNN, that Mr. SCOTT serve wonder, What is so special about us? What is so different about the people of South Georgia, South Alabama, North Florida, that we would be left out?

Is it that Hurricane Michael blew at less of a rate of wind? No. Is it that it dumped less rain?

I guess it's just that the people impacted by Michael are unique victims of a broken system in Washington that careens from disaster to disaster itself, rather than focusing on the disasters impacting our constituents.

And, Madam Speaker, what is so deeply tragic about this is that as folks

are trying to put their lives, and their schools, and their families, and their churches back together, we are moving into the summer lightning storm season in my community, and they are going to be victimized all over again, because we have got 72 million cubic tons of fuel on the ground in North Florida and South Georgia, and South Alabama, and with the first lightning storm that is going to ignite.

And so, as my Democrat colleagues, in a matter of a day or so, prepare for their retreat, my constituents prepare, not for a retreat, but for the advance of fires that will take their homes, their lives, their farms, their livelihoods, and their hope for a brighter future.

So I beg, I plead, I implore my colleagues, let's look past the politics of this moment. Let's realize that it could be any of our districts uniquely impacted by a storm, or a fire, or an earthquake or some other terrible disaster; and that, while on most days, we wear our jerseys and suit up and compete against one another in the marketplace of ideas, let's come together as one team, as one country, and do right by those who are suffering from these terrible tragedies.

Again, I thank my colleague from Florida for yielding time, and I thank him for his leadership.

Mr. DUNN. Madam Speaker, it is always a pleasure to introduce Representative GAETZ and hear his oratory. I thank him for his brilliant words.

Madam Speaker, I yield to the gentleman from North Carolina (Mr. ROUZER). Representative ROUZER is a friend. He has visited my home. I have visited his district. He truly knows what it is like to see other districts and empathize with them and to reach out; and I am deeply gratified to have him here speaking today.

Mr. ROUZER. Madam Speaker, I want to thank my colleague from Florida, Representative NEAL DUNN, who is not only a great colleague but a great friend.

Madam Speaker, it is not just Hurricane Matthew—pardon me, Hurricane Michael. In my district we had Hurricane Matthew in 2016—but it is also Hurricane Florence that devastated southeastern North Carolina and many other areas this past fall as well.

A lot of the previous speakers, colleagues who have come before me here today have talked about the need for disaster assistance, and they are exactly right. I want to complement what they have said, supplement what they have said, and paint a little bit of a broader picture here.

You have got to understand that agriculture, in particular, has faced 5 years of really, really low prices; so farmers, whether they are in North Carolina and have suffered from the flood of Hurricane Florence, or whether they are in Georgia or Florida or anywhere else and have suffered from Hurricane Michael, or the floods in Nebraska, for example, they have no equity left.

They have suffered 5 years of really, really low prices. We had a farm bill in place that, quite honestly, was not adequate in terms of the safety net that was in place and, as a result, they have no equity.

And think about this: Think about all those out there—and for those who are not involved in agriculture, think about it this way—assume that you have invested millions and millions and millions of dollars that are plowed, literally plowed into the ground, but have no opportunity to produce a crop.

You have no equity left. You just took a loan out from the bank. You are highly leveraged because of 5 years of low commodity prices. You have taken that loan out. This is the one year that you had available to you to make up the difference, to begin to turn it around financially.

And lo and behold, you get hit by Hurricane Florence, totally flooded early September, no opportunity to harvest your crop, and there you are.

That is the scenario. That is the picture. That is what so many farm families all across Eastern North Carolina, all across the Southeast are facing today.

Meanwhile, you have got Members of the House and the Senate who care very deeply about their constituency, who have been working very, very hard to get an ag disaster package, and find it incredibly frustrating that here, in April, months after these storms have hit, we have made no progress. And there are a variety of reasons for that.

But the fact of the matter is, this Chamber and the Senate Chamber need to come together with the White House to get this ag disaster package done just as quickly as possible.

In North Carolina, agriculture is an \$87 billion industry, the largest industry, by far.

And let me make one final point. When these farm families are gone, when these farms are gone, they are not coming back; they are growing houses instead. They are not coming back.

This agriculture disaster package is so critically important. We have got to get it done. I thank the leadership and the spirit of my good friend from Florida, NEAL DUNN, and I really, really commend him and my other colleagues for putting forward the effort tonight to raise awareness of this issue. It is so critically important, not only for my home State of North Carolina, but for America.

Mr. DUNN. Madam Speaker, I thank Representative DAVID ROUZER for those words. It is a sad story that the gentleman told, but it is a story that needed to be heard and is one that is being lived out through many of our districts; the end of generations of farming in some families. It is a very sad story.

Madam Speaker, I yield to the gentleman from Georgia (Mr. ALLEN), a good friend of mine from our class. He is a great Congressman. We have vis-

ited in his district. And let me say that it has been a pleasure to work with him and his wife.

Mr. ALLEN. Madam Speaker, I thank Dr. DUNN for his work here this evening to bring attention to something that is critical for not only our great citizens in Florida, North Florida, but of course we heard about North Carolina, Nebraska; and, of course, we have been waiting since last October in Georgia.

You have heard about devastation from Hurricane Michael. It left a tremendous trail of destruction. It was a Category 3 storm that reached my district with winds over 100 miles per hour. We lost trees, power lines, crops, poultry houses, and much more.

While traveling the district, I was able to see firsthand the heart-wrenching wreckage that Hurricane Michael left behind, and it is still there to this day, nearly 6 months later.

Many of our farmers in my district are struggling to survive. I mean, we had cotton on the ground, probably the best harvest we were going to have in a long time. Gone.

In addition to Hurricane Michael, it is also important to highlight the need for the assistance we have been working to secure for our blueberry and peach producers in the State who still suffer from losses and damaged bushes and trees resulting from late season freezes.

Not a day goes by that I don't hear from a Georgia-12 farmer about the urgency of providing disaster relief funding immediately.

And just last week, Senate Democrats chose to block a desperately-needed bipartisan disaster relief package that would have provided critical funding to our communities, not only in Georgia, but across the Nation that have been affected by these disasters.

Let me just say this: Holding farmers who feed and clothe our Nation hostage over partisan politics is downright shameful.

I cannot stress enough that local farmers must obtain bank loans ahead of the upcoming planting season. So the urgency of getting a bill passed in both Chambers and sent to the President cannot be overstated. We do not have time for political games aimed at undermining our President.

Madam Speaker, agriculture is the number 1 industry in Georgia and in the 12th District of Georgia. I know this process has been more challenging than many of our farmers could have imagined, and I just want to reiterate that I will always stand with rural America 100 percent.

I will not stop working until the farmers of the 12th District of Georgia and across our great State get this disaster relief that they need and deserve.

I would like to thank Senators PERDUE and ISAKSON for leading the effort in the Senate, my colleagues AUSTIN SCOTT, SANFORD BISHOP, and NEAL DUNN, and others that you will hear from here tonight in the House, and all of my colleagues here this evening for

the commitment to getting this done. It cannot wait any longer.

Mr. DUNN. Madam Speaker, I wish to thank Representative ALLEN for his words and his support.

Next, I yield to the gentleman from Florida (Mr. BILIRAKIS), one of the most senior and experienced representatives in the delegation from Florida, a man who has been a personal mentor to me and a great model.

Mr. BILIRAKIS. Madam Speaker, I will tell the gentleman this: He has been a great model for me serving on the Energy and Commerce Committee. It is always good to go to the physician to hear firsthand what the patients need and want. So I thank the gentleman for healing his constituents over the years, and now serving them in the United States Congress.

Madam Speaker, I cannot stress enough the devastation that hurricanes over the last few years have inflicted not only on the State of Florida, but all over the country, as you can see, Georgia, North Carolina, Texas, what have you. And folks, we need to get—come together. We need to come together and get this done for the American people.

This should be a no-brainer. We have waited too long for this to happen, and it needs to be a bipartisan bill out of the Senate. Get it on the floor of the House as soon as possible so we can help our constituents.

One particular case, in the city of Tarpon Springs alone, Hurricane Irma exacerbated shallowing problems at its port. This puts at risk the livelihood of our marine and tourism business owners and impacts \$250 million in yearly commerce a year.

A remedy known as the Anclote River Dredge Project was set to be funded under the previously-passed emergency supplemental bill. We were given assurances—I understand we have a lot of disasters that need to be taken care of—but we need to take care of our constituents, and this is a good example.

And we did this right. We have county matching funds, State matching funds that are at risk right now. The city has put up money. We have got to get this project through.

The seafood industry is suffering. Again, commerce, the sponge industry is suffering because of the lack of dredging of this beautiful Anclote River.

Unfortunately, the sheer number of areas in need of repair from disasters force the already-allocated funding to be moved to other projects, and I understand that. But these projects are important as well.

We need to ensure projects like Anclote are quickly and adequately fixed after a hurricane or other disaster; and, therefore, I support the immediate consideration of a disaster supplemental bill.

I thank my colleague, NEAL DUNN, for this Special Order. He is doing an outstanding job.

We have got to get this done quickly for our constituents.

□ 1815

Mr. DUNN. Madam Speaker, I thank Representative BILIRAKIS for his leadership and for the personal generosity of his time spent with me tonight.

Madam Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman has 11 minutes remaining.

Mr. DUNN. Madam Speaker, next, I would like to introduce the third and final Representative from Nebraska, a good friend and a good friend of Nebraska. Thank you so much very much for being here.

Madam Speaker, I yield to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Madam Speaker, I thank Congressman DUNN for yielding. I appreciate his taking the initiative to bring folks together to discuss, unfortunately, the need to address the disasters across America.

Madam Speaker, representing one of the most rural districts in America, we have a lot of natural resources, among them, a lot of rivers, a lot of miles of river in Nebraska.

Not so long ago, conditions were such that the rivers flooded in the central and eastern part of Nebraska. In the west, a blizzard hit with the bomb cyclone, and it created massive damage. The chunks of ice flowing down rivers took out a dam, probably the first dam to break due to ice floes and the chunks of ice.

It has been tragic. There has been loss of human life, certainly the loss of livestock.

The initial estimates are about \$400 million in infrastructure damage and another roughly \$1 billion in damage to crops and livestock.

I appreciate the fact that President Trump moved quickly on Governor Ricketts' request for the disaster declaration.

We are working together among the Nebraska delegation, both Senators and all three House Members, to make sure that we articulate the needs of not only Nebraskans, but when you remove agriculture products, as is the case, ultimately, consumers will likely be impacted.

This is something we should always keep in mind because everyone needs to eat. When we lose the channels of supply for agriculture products, that is bound to increase the cost of food.

When you look at the storm, the bomb cyclone that hit, it probably couldn't have happened at a worse time of year, right in the middle of calving season.

It is a devastating condition here.

I do appreciate the fact that so many producers—I talked to one today. Instead of a 30-minute commute for a drive to work, they have to go 95 miles one way to work, because the bridge is out. When one bridge is out in rural Nebraska, that takes a few miles to make up for that.

I think we are resilient. Ag operators are resilient, so they are looking up. But we are concerned that, here in the next few weeks, in fact, there is another storm forecasted for later this week where folks are bracing for perhaps even more damage. Hopefully, we can get through this.

Again, I appreciate this opportunity to share what the needs are in Nebraska. I will be introducing legislation to extend a number of tax provisions often provided to disaster areas to cover this year's disasters. I hope we can offer that support to disasters from last year as well, since we are discussing this evening multiple disasters from last year and this year.

Madam Speaker, again, I appreciate this opportunity.

Mr. DUNN. Madam Speaker, I thank Representative SMITH for his words. It speaks to the disaster, what happened in Nebraska, that all three Representatives showed up.

Madam Speaker, next, I would like to introduce and yield to the gentleman from Florida (Mr. YOHO), my good friend.

We share more in common than most Representatives. Because of the vagaries of redistricting, we ran in 2016 in the same 12 counties. He was a great support, a great example, and cleared the way for me. I want to say that I am deeply grateful for having Dr. TED YOHO here tonight.

Mr. YOHO. Madam Speaker, I want to compliment Dr. DUNN for doing an awesome job. His leadership on this is well noticed and well taken by the people of his district and all north central Florida, working together with the Georgia delegation and other States.

Florida is no stranger to hurricanes. The year before, we had Hurricane Irma that went through the whole State, bypassed the panhandle. In 2018, we had Michael that hit the panhandle with virtually a Category 5. It was 2 miles short of Category 5.

The estimated impact for Hurricane Michael—in fact, it was so severe, before I get into the impact, we couldn't get ahold of Dr. DUNN, so our office was very concerned about that. We took a load, with the Gilchrist County Sheriff, to take supplies up there, looking for Dr. DUNN. We didn't know if he had survived, because nobody had heard. So we are thankful that Dr. DUNN is here, and I know his constituents are.

The impact of this went from timber, cotton, cattle, peanuts, nursery, poultry, vegetables, other field crops, dairy, aquaculture, fruit crops, tree nuts, beekeepers, to mention a few. That is no structures.

The estimated cost just in the panhandle of Florida is \$1.5 billion.

We heard these other States talking about agriculture as their largest economic driver in that State, their largest industry. Florida is the third largest State in the Union, with 22 million people. Agriculture is our second largest industry. It is vital.

We look at the past—this is my fourth term in Congress—and I remember Hurricane Sandy came, hit the



Northeast. Relief was put out. It was sent out.

This is something that we need to come together as Americans. We send billions of dollars in foreign aid around the world. It is time for us to look internally, fix our problems here, because the expense of these storms, they accumulate. They don't go away from one year to the next, and we are going into the next season, the next fire season. This is something we need to work now, to correct these things.

Madam Speaker, I appreciate the leadership of Dr. DUNN.

Mr. DUNN. Madam Speaker, let me say that I am deeply indebted to Dr. YOHO. Our channel of communications went down after the storm in a way that America has never seen. We lost cellphones, landlines. We lost police radios. We were talking to each other by ham radios and runners.

When Dr. YOHO could not raise me or my office staff, he mounted a rescue operation complete with food and supplies and took care of the east end of my district. I will always be grateful to Dr. YOHO for that, and I thank him so much.

Madam Speaker, for my final guest, I would like to introduce the Representative from south Georgia, another good friend and a neighbor. We don't quite about districts, but we come pretty close. I spend a lot of time in his neighborhood. He needs to spend more time down on my beaches.

Madam Speaker, I yield to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I thank Dr. DUNN for the work that he has done, as well as my other colleagues, Representative AUSTIN SCOTT, Representative SANFORD BISHOP, and Representative MARTHA ROBY. All of these fine legislators have worked diligently on this, and I thank them for their efforts, as well as others.

Madam Speaker, I have the honor and the privilege of representing the First Congressional District of Georgia. The First Congressional District of Georgia includes the entire coast of Georgia, over 100 miles of coastline. We have a lot to be thankful for, a lot to be proud of. We have two major seaports and four military installations, Moody Air Force Base, Kings Bay Naval Base, Fort Stewart, and Hunter Army Airfield. We have the Federal Law Enforcement Training Center. We have two Coast Guard stations, one in Savannah and one in Brunswick.

We have so much to be thankful for, but we also have a very strong agriculture community, particularly in the western portion of our district. It is very, very important.

Madam Speaker, much of the State of Georgia is in need right now, and they can't wait any longer.

In the First Congressional District of Georgia over the past few years, we have had hurricanes. We had Hurricane

Matthew, Hurricane Irma, and Hurricane Michael. We have had fires. We had the West Mims Fire. We have had freezes and harsh freezing conditions that impacted our agriculture community.

These disasters have been detrimental to agriculture in Georgia. By the way, agriculture in Georgia is our largest industry. That is very important and very important for the First District.

In fact, just to be specific, blueberries, which are the leading fruit now in the State of Georgia, blueberries alone make up a \$1 billion industry. That is "billion" with a B, a \$1 billion industry. Those farmers are the backbones of their communities.

Blueberry farmers, in some areas, their crops make up 30 percent of the portfolios of banks. That is significant to these communities, and we simply cannot allow these farmers to continue going without this assistance.

The banks are waiting for many of these farmers to repay their loans. It is putting them in jeopardy of not being able to farm next year and putting entire rural economies at risk. When you put 30 percent of your portfolio at risk, you are putting your community at risk.

Congressional inaction on this is absolutely unacceptable.

The Senate's failure to pass disaster aid last week was one of the worst moments that I have experienced in Washington since I have come to Congress.

These people need assistance, Madam Speaker. They need assistance. We need to help them. The American farmer feeds the world. Georgia farmers are an integral part of this. Blueberries are an important crop in our district. Agriculture is the number one industry in Georgia.

It is time for us to respond to this. This is what we are to do as Members of Congress. We cannot simply ignore this. It will not go away.

We need these farmers. They need our help, and we need to respond.

Madam Speaker, I encourage all my colleagues to support disaster aid.

Mr. DUNN. Madam Speaker, I thank my good friend, Representative CARTER, for his impassioned words. Obviously, he is echoing thoughts that we have heard from the other speakers.

Seldom has a Special Order been so well subscribed. So many people came to speak, so many people moved and hurt by the disaster.

It leaves me with very little time, but I want to say a couple things.

I want to reiterate that this is an unprecedented event for timber. Nobody has ever seen this much timber on the ground, 3 million acres of timber. Think about what that does to the foresters, the loggers, and the sawmills.

The military, we have lost an Air Force base, probably \$4 billion to \$6 billion worth of damage to that. We will rebuild it. We will rebuild it, and it will be great, but we need help from Congress to do that.

I have a Navy base in my district, \$288 million in damage.

I have a Coast Guard base in my district that is particularly sad. They have a single building standing. They were victims of the storm; they were first responders to the storm. They were not paid, because they are with the Department of Homeland Security, for a month. It is shameful. These are fine people in the Coast Guard.

We have housing problems right now. Thirty percent of the homes in my home county is uninhabitable. Fifty percent of the commercial real estate is not usable.

We have special geography. We are 100 miles away from the next place where there is multifamily housing. We need housing on the ground in the affected areas.

Madam Speaker, I thank all the people who took time to come and tell our story, which is a sad story, and I urge the Congress to come to our rescue.

That picture, by the way, is not 6 months old. It is 2 weeks old.

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

#### 2019 DEMOCRATIC FRESHMAN CLASS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the gentlewoman from Michigan (Ms. STEVENS) is recognized for 60 minutes as the designee of the majority leader.

#### GENERAL LEAVE

Ms. STEVENS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Ms. STEVENS. Madam Speaker, I yield to the gentleman from California (Mr. GARAMENDI), my friend.

RECOGNIZING BRIGADIER GENERAL THOMAS E. KUNKEL

Mr. GARAMENDI. Madam Speaker, I thank the freshman class for giving me the opportunity to take a few seconds here.

Madam Speaker, I wish to recognize Brigadier General Thomas Kunkel upon his departure as Chief, Air Force Legislative Liaison to the U.S. House of Representatives.

In this role, General Kunkel managed the Air Force interaction with Members of Congress and their staffs in support of the Air Force programs and congressional oversight and travel.

He served as the Air Force's senior escort for staff and congressional delegations, traveling to more than 20 countries, supporting leadership, Members, and committee offices.

□ 1830

Prior to his current position, he served as the 23rd Wing Commander,

which operates A-10Cs, HC-130Js, HH-60Gs, and Guardian Angel pararescuemen at Moody Air Force Base, Georgia; Davis-Monthan Air Force Base, Arizona; and Nellis Air Force Base, Nevada; and oversight of Avon Park aerial gunnery range, Florida.

General Kunkel received his commission in 1994 from the University of Texas, Arlington. He has served in the Air Force Special Operations and the Combat Air Forces as an HH-60G special operations and rescue pilot, flight examiner, and weapons officer. He has deployed in support of operations Allied Force, Enduring Freedom-Philippines, Enduring Freedom, and Iraqi Freedom. During his time serving in operation Allied Force, then Captain Kunkel was the pilot in command who rescued the now Chief of Staff of the Air Force, General David Goldfein, whose aircraft had been downed by an enemy surface-to-air missile in Serbia. General Kunkel has also served on the Air Staff as Program Element Monitor for helicopter sustainment and acquisitions.

He is married to Jennifer and has three children—Avery, Noah, and Griff—who have supported him and his career.

Madam Speaker, on behalf of the U.S. Congress and a grateful Nation, I extend our deepest appreciation to Brigadier General Thomas E. Kunkel for his dedicated service to the U.S. House of Representatives and to our Nation. We wish him well as he moves on to his next role at the National Military Command Center at the Pentagon.

There is no question that the Air Force, the Department of Defense, the United States, and all of us have benefited greatly from his service.

Ms. STEVENS. Madam Speaker, we are here today to recognize the accomplishments of the freshman class of the 116th Congress as we approach the 100th day since we were sworn into office. History is before us. Congress is 230 years old.

As co-president of the freshman class, alongside my colleague, Representative COLIN ALLRED of Texas, we ring with a dutiful pride, deeply humbled by this opportunity to serve in a legislative session that will mark the conclusion of a decade and the beginning of another. We take stock of new representation, new voices, people, that the likes of this body have never seen before, what the American people called for in their voting booth, and all that this great body represents.

This class of freshman Democrats, 67 Members strong, from every corner of our great Nation, is the largest in nearly 45 years. Our class represents several historic firsts. With 42 new women in Congress, the House of Representatives is more female than at any point in the Chamber's deep history.

Representative DAVIDS of Kansas and Representative HAALAND of New Mexico are the first Native American women to serve in this Chamber.

Representative OMAR of Minnesota and my fellow Michigander, Representative TLAIB, are the first Muslim women in Congress.

We now have more African American women and men serving in this body than ever before.

Nearly two-dozen new Members, from both sides of the aisle, have served our country as members of the military or Central Intelligence Agency.

Representative OCASIO-CORTEZ of New York is the youngest woman to ever serve in the House, and Representative FINKENAUER of Iowa is the second youngest.

Representative VAN DREW of New Jersey is a dentist.

Representative SCHRIER of Washington is a pediatrician.

Representative UNDERWOOD of Illinois is a nurse.

Representative HAYES of Connecticut was the Teacher of the Year.

And Representative SHALALA of Florida, the longest serving health and human services secretary in history. Representative MUCARSEL-POWELL, also of Florida, is the first South American immigrant Member of Congress.

This freshman class brings its brilliant diversity, experience, and unity, a broad array of skills and life experience, to the Halls of Congress, generating a commitment to address legacy issues and usher in opportunities for the common good to promote the general welfare for all American people.

President Lincoln's words bear down on us. He, who was once a Member of this very body, said: "Fellow citizens, we cannot escape history. We of this Congress and this administration, will be remembered in spite of ourselves. No personal significance, or insignificance, can spare one or another of us. The fiery trial through which we pass, will light us down, in honor or dishonor, to the latest generation."

The issues of today are complex, enormous, and often frustrating, but we do not bemoan. We bring a commitment to serve, to problem solve, and create opportunity. We are reminded that this very body saw us through western expansion to become a land of sea to shining sea, through pain, by the way. And we did reconstruction following a brutal Civil War.

And now, in the year 2019, in the first 100 days of the 116th Congress, we have been hard at work. We have passed the For the People Act, a historic bill to clean up corruption and restore ethics in Washington, putting voters at the center of elections.

We passed the Paycheck Fairness Act, to finally fulfill gender economic equality in the workplace and bring more people into the middle class.

We passed a universal background check bill, to keep firearms out of the hands of those who seek to do evil, and we will do more commonsense gun safety legislation to put the safety of all communities at the top of the priority list.

We have held hearings, long overdue, on climate change and outrageous prescription drug prices, on Government oversight on human rights abuses at our border, and we have led on matters of safety and security.

And we are evaluating all the ways to meet our country's infrastructure needs.

We, the people, for the people, a country in a new moment.

As a representative from the great State of Michigan, I have been privileged to introduce my first piece of legislation, the bipartisan Building Blocks of STEM Act, which promotes STEM education and pathways to education in the sciences, particularly for young girls.

As the chairwoman of the Research and Technology Subcommittee, I have had the opportunity to preside over hearings on bioengineering and advanced manufacturing, essential to regional economic development, particularly in places like southeastern Michigan.

I passed a bipartisan amendment to the Rebuilding America's Schools Act and led an effort to maintain funding for advanced technological educational training programs, an important initiative with active grants in my district.

This was all in the first 100 days: multiple townhalls, coffee hours, and Manufacturing Mondays.

The question before us, the Moon shot of 2015, what will usher in new scientific advancements in the workforce to help us achieve them? It is for those who dare to create a vision.

There are 18 freshmen currently serving as subcommittee chairs, holding informative hearings and driving important policy discussions on issues like veterans' healthcare, small business advocacy, trade assistance, and for justice and equality, for the individual hardworking Americans residing and fueling the energy in the towns throughout suburban metro Detroit, where I represent, and their young children dreaming of their future. They are eagerly, and sometimes quietly, counting on us to wage great discussion, to think deeply and penetratingly, to seize the duty at hand.

Congress often feels like being on a great ship, each side weighing side to side, sometimes in stormy weather, but we have all taken the oath to reside on this ship, to come together for the remainder of our service, to improve the outcomes for the next generation and for those to come, the whispers of time and time.

Madam Speaker, I yield to the gentleman from Texas (Mr. ALLRED).

Mr. ALLRED. Madam Speaker, this new freshman class has made history as the youngest and most diverse ever, and I am incredibly proud to be a Member of this class and of this Congress and to serve with my friend, Representative STEVENS, as freshman class co-president of the Democratic class.

We truly do represent our Nation's slogan of *E pluribus unum*—out of

many, one. And though we have much more work to do as the end of our first 100 days approaches, we have made real progress in fulfilling our efforts to make the lives of ordinary Americans a little bit better.

As freshman class co-president, I can tell you that this class came here with a mandate to end the sabotage of Americans' healthcare and to work to lower costs. I was proud to lead the effort, on our very first day in Congress, as we placed the United States House back on the side of the people by intervening to defend the Affordable Care Act in court and with its protections for people with preexisting conditions.

This resolution, that I was proud to lead, passed with bipartisan support, sending a strong message that the United States House will not stand idly by while this administration tries to take us back to the bad old days when people were denied care because they had a preexisting condition or ran into lifetime caps on their coverage.

We have also introduced bold legislation that will stop the sabotage, stabilize healthcare markets, and lower costs for regular folks, that I hope will pass with bipartisan support. After all, that is what the American people want us to do, to work together.

We have also passed commonsense gun safety measures that will keep our communities safe by closing loopholes in the background check system.

We passed the Paycheck Fairness Act, which helps guarantee that, no matter who you are, everyone gets equal pay for equal work.

We passed the most historic anticorruption and pro-democracy bill in a generation, H.R. 1, the For the People Act, which will reduce the influence of big money and special interests in Washington and return power to the people by expanding voting rights and ending voter suppression.

From my post on the Transportation and Infrastructure Committee, we are laying the groundwork for a much-needed and long overdue infrastructure bill. In my district in north Texas, we are rapidly growing, and I know that I am not alone in hearing from folks who are stuck in traffic and tired of congestion on their commutes, and we can and must do more to repair our roads and bridges and to diversify the transportation options available to all Americans.

In closing, I issue this challenge to my colleagues in both parties, in the House and in the Senate. The American people are counting on us. Let's put aside partisan politics and let's work together. From prescription drugs to infrastructure, there is so much that we agree on. Let's deliver in the next 100 days for the American people.

Ms. STEVENS. Madam Speaker, I yield to the gentlewoman from New Mexico (Ms. HAALAND).

Ms. HAALAND. Madam Speaker, if we think back to the beginning of this Congress, we started the first 100 days under an unnecessary government

shutdown. I met with constituents, Federal workers, and businessowners in my district who were forced to suffer for the President's frivolous campaign promise.

At the end of the day, we funded the government and made sure Federal workers received back pay. All the while, we were setting up a path to work for the people, making our communities a priority, not just the wealthy and well connected, but people who suffer when they lose a paycheck and need to rely on accessible healthcare.

We are in a special moment in history, a moment when our freshman class of House Members look more like the people we represent, and our experiences reflect the experiences of everyday Americans. I am a single mother. I often had to piece together healthcare for my daughter and I, and I am still paying off my student loans. This class of freshman lawmakers know the struggles that many are going through, and, with our new majority, it is clear we are working for the people.

□ 1845

We passed the bill that would ensure everyone has an opportunity to participate in our democracy, while taking steps to end corruption.

The most significant land legislation of our time made it across the finish line, including provisions of my first bill, to designate land for everyone to have access to public lands in New Mexico.

It was a huge win for my State, because in New Mexico we value our natural heritage and resources, and we believe in protecting the places we hold dear for future generations to enjoy.

The public lands package makes all of those things possible. It is also a prime example of what our Democratic majority can get done because we are willing to work across the aisle and push legislation through.

Our progress includes things like fighting for equality with the Paycheck Fairness Act and a resolution condemning the President's transgender troops ban, fighting for prosperity for everyone by introducing a \$15 minimum wage and passing the Dream and Promise Act.

We are also tackling the challenges of our time with the Violence Against Women Act and forging a path to address climate change with an unprecedented number of committee hearings uncovering the climate change realities facing our communities, and we are working on legislation that will create a Green New Deal for everyone and for our country.

In 100 days, you can get a lot done, and we are looking forward to getting more done for the people in the next 100 days.

Ms. STEVENS. Madam Speaker, we are so proud of our freshman class.

Madam Speaker, I yield to the gentlewoman from Texas (Ms. GARCIA),

someone whom her constituents know as "Senator SYLVIA" from her great service in her State's capitol, but whom we knew as the great Congresswoman from Texas.

Ms. GARCIA of Texas. Madam Speaker, I thank the gentlewoman from Michigan.

Madam Speaker, I rise today to commemorate the first 100 days of the 116th Congress. In this short amount of time, Madam Speaker, a lot has surely happened.

At our swearing in, the Congress became the most diverse on record, including 42 freshman women. And with one in five Members of Congress being people of color, we have come a long way, baby.

As our Representatives in Congress begin to look more like the communities we represent, our legislative priorities also more closely reflect the will of the people.

Our citizens have sent a message loud and clear that Congress should be giving a voice to our families on Main Street and not to the rich and the wealthy on Wall Street. As a result, we have been focused on passing groundbreaking legislation that protects our democracy, expands our civil liberties, provides for a stronger national security, and boosts our economy, all while staying true to our values.

Passage of H.R. 1, the For the People Act, is the largest, most sweeping election reform and campaign finance reform bill to pass the House in our Nation's history.

It also significantly protects access to the ballot box for every American; it will shed light on the corrupting influence of dark money in our campaign finance system; and, finally, it will return the voices of working-class Americans to our democracy. And the best part: election day would be a holiday.

We are upholding the promise of equal protection under the law for our citizens. With the Equality Act, we are finally providing explicit protections to the LGBTQ community, finally making them equal under the eyes of the law.

We are keeping our promise to women as well. With the introduction of the Paycheck Fairness Act, we are finally taking steps to close the wage gap, where women in Texas still make only 79 cents for every dollar a man makes, and 44 cents if you are Hispanic.

With the Violence Against Women Reauthorization Act, we are upholding our sacred duty to protect the millions of Texas women who experience violence and domestic abuse every year.

Perhaps most importantly for my district, we have finally introduced the Dream and Promise Act, which will provide protections for immigrants who, in their hearts, are often as American as myself and anyone else on this House floor.

These young men and women—about 113,100 in my district—whom we call

family, friends, and colleagues, will be able to continue working hard in their communities and contributing to our economy—nearly \$50 billion a year, by the way—without fear of being separated from their families.

Unfortunately, during our 100 days, the Trump administration's top priority has proven not to be for the people. The administration's recent budget proposal included deep cuts to Medicare, Medicaid, and the SNAP assistance program, all of this to pay for the radical GOP tax cuts which they have made on the backs of working people, veterans, and seniors.

After the eventual passage of the bipartisan budget without funding for a border wall, this administration decided to create a completely avoidable but devastating government shutdown. The 26-day shutdown cost families real money and opportunity, maybe more than 800,000 workers without a paycheck during that time.

Since then, we have seen an illegal national emergency declaration that seeks to take funding from vital national security needs to build the President's border wall.

We are also now hearing threats of another shutdown, this time shutting down the border completely. This is wrong and downright reckless. Trade through our southern border accounts for \$1.7 billion per day and would hurt our Texas economy.

And, finally, the Trump administration is trying once again to take our healthcare system, this time through the courts. This move could leave up to 53 million non-elderly Americans with preexisting conditions without access to healthcare—320,000 in my district. This is cruel; it is immoral; and it is just plain wrong.

It should be clear that our work is not done.

I am proud to be a Member of the majority that will fight for the people, defend our democracy, protect access to quality, affordable healthcare, and do so with justice and decency.

Madam Speaker, we have accomplished so much in these first 100 days, but we must make sure that the American people know that we are resoundingly focused on real solutions that will actually keep our border safe, help our businesses, and uphold our American values.

Ms. STEVENS. Madam Speaker, I yield to the gentlewoman from Pennsylvania (Ms. WILD), my friend.

Ms. WILD. Madam Speaker, I am so proud to rise today as part of this wonderful, diverse, strong, and vibrant freshman class.

As we mark the 100 first days of the 116th Congress, it has been a busy time, to say the least. In our first days of this 116th Congress, I have met with more than 150 constituents. I have held five townhalls and question-and-answer events and visited 17 local businesses and 10 local schools.

I have met with educators and labor leaders, health workers, business lead-

ers, manufacturers, students, and senior citizens.

I have heard the same messages from constituents of all backgrounds throughout Pennsylvania's Seventh District:

Build an economy that delivers for working and middle-class people;

Protect benefits like Medicare and Social Security that we have earned;

Defend the rights and dignity of all people;

Work across the aisle on urgent priorities, like protecting our communities from gun violence, combating the opioid epidemic, and protecting the environment; and

Fight to ensure that the next generation doesn't have a lower standard of living than its parents.

These messages have driven and shaped my work, particularly as a Member of the Education and Labor Committee, where we have been working on legislation to raise the minimum wage, make workplaces safer for working Pennsylvanians and all Americans, help students saddled with student loan debt, and make higher education more inclusive and affordable.

I am so proud of everything we are doing in the Education and Labor Committee to build an economy and education system that lifts all workers, all students, all Pennsylvanians, and all Americans. I am also proud that I am keeping my promises to my constituents.

My promise to work to improve our healthcare system, lower healthcare costs, and protect people with preexisting conditions led me to introduce my own bill as part of a larger effort to improve the Affordable Care Act—the Family Healthcare Affordability Act—to fix the ACA family glitch, an issue that has prevented some workers from being able to extend their employer-provided insurance to their families. My bill is a small fix to a big problem for many working families.

I also committed to my constituents that I would work to reform our government, reduce the influence of money in politics, and ensure that every American has a voice in our democracy. We kept that commitment when we passed H.R. 1, a landmark government reform package that included my bill to enact early voting across the country. In Pennsylvania, we don't have early voting, and that hurts working and lower income people who often have far less time and flexibility to get to the polls.

This has been a productive 100 days, but people in my community and across the country are counting on us to do so much more. They are also counting on the Senate and the White House to do their part so that the legislation we are passing gets signed into law.

In these next 100 days, I will continue working to bring about a more just, more equal future across our community, and I will continue doing everything I can to make the people of the Seventh District proud.

Ms. STEVENS. Madam Speaker, I yield to the gentleman from Michigan (Mr. LEVIN), my friend and fellow Michigander.

Mr. LEVIN of Michigan. Madam Speaker, I thank Congresswoman STEVENS, and it is so great to go after Congresswoman WILD.

The first thing I want to say is what a great time I am having with you all, how much I am learning from you, how much fun we are having working on things together.

Congresswoman WILD and I are particularly concerned that any new replacement for NAFTA really protects the working people of our country, really protects our environment, and does not subject people to outrageously high prices for prescription drugs.

As I look about me and see the other Members here, I see others whom I am working with on different things, and I think that is the great thing about this new freshman class. I am really so proud to be a part of this freshman class of the 116th Congress, and I feel like we have really had an outstanding first 100 days fighting for the people.

Right out of the gate, we are delivering on our promises to pass bold, transformative legislation and conduct essential oversight that the Constitution demands of us.

Voting on final passage of H.R. 1, the For the People Act, was certainly one of my proudest days.

My Transparency and Corporate Political Spending Act is in the final version of the bill, and it will increase transparency for big corporations that dump dark money into our elections.

My amendment to Whip CLYBURN's gun violence prevention bill to close the Charleston loophole will require the Government Accountability Office to report on gun violence prevention methods so that we have the best information available while crafting policy. I think it is so important that we bring back research to this public health crisis of gun violence.

Just last week, so many colleagues joined me in calling on the Department of Homeland Security and Immigration and Customs Enforcement to halt the cruel and unjust detention and deportation of Iraqi nationals, many of whom are Chaldean Christians and other religious minorities.

My district, the Ninth District of Michigan, has the most Iraqi nationals of any district in the country, out of 435. But I think, Congresswoman STEVENS, 9 out of the 10 districts with the most Iraqi nationals, those Representatives join me—I think, 23 altogether—in calling on our government to respect the rights of these people to just have their day in court.

I came to Congress on a mission to raise the standard of living for working people, and the Democratic majority has delivered on that promise in several ways already, from passing legislation to reduce the cost of healthcare to passing the Paycheck Fairness Act, to guaranteeing women get equal pay for equal work.

□ 1900

I commend my colleagues in the majority and the leadership of our Caucus for their hard work, fearlessness, and dedication that has gotten us this far, and we have only just begun.

I yield back to my sister Michigander, the gentlewoman from Rochester Hills, Ms. STEVENS.

Ms. STEVENS. Madam Speaker, I thank the gentleman, and I yield to the gentlewoman from Oklahoma (Ms. KENDRA S. HORN), my dear friend.

Ms. KENDRA S. HORN of Oklahoma. Madam Speaker, I thank Congresswoman STEVENS for yielding to me.

I am honored to rise this evening to talk about our accomplishments in the first 100 days. As a Representative of Oklahoma and Oklahoma's Fifth Congressional District, I talked to people all across my district about what is important to them, about what is paramount, and above and beyond everything else, the thing I heard from people across my district is that people need a voice. That is exactly what we have done in this first 100 days.

From day one, I have said and will continue to say and advocate for the people of Oklahoma in the Fifth Congressional District that their voice is number one.

Throughout this time, we have prioritized commonsense solutions for the people of Oklahoma, legislation and actions that help to improve the lives of everyday individuals. I have shown that with the time I have spent back in my district talking to and listening to the people there.

In order to hear from as many people as possible, we have held eight public events, or townhalls, ranging from coffee meetings to large townhall gatherings. From Seminole to Oklahoma City, from Oklahoma City Community College to diners, in both Oklahoma and Washington, D.C., I have met with more than 2,300 Oklahomans over the course of more than 200 meetings.

In response to inquiries from folks back home, I have replied to thousands of calls, letters, emails, and text messages about issues that are most important to them. Over and over I have heard: We need a voice.

So I have cosponsored 28 pieces of bipartisan legislation ranging from ensuring that the Indian Health Service is funded to increasing transparency in politics with the passage of H.R. 1, to ensuring that those individuals have that voice.

When we came in in the middle of a, sadly, historic shutdown, I spoke up for the members of the FAA and our Federal employees, including our air traffic controllers, because we should never play politics with people's lives. No family should have to endure the hardships caused by partisan political games.

I cosponsored legislation; that is the Shutdown to End All Shutdowns Act. And beyond that, we stood up for paycheck fairness and for wage equality, which is not just a women's issue. This

is an issue that impacts our families and our communities and our overall quality of life.

I have spoken up for education and ensuring that everyone has access to quality, available healthcare. That includes protecting people with pre-existing conditions, lifetime caps, and working, as we will continue to do, to make prescription drugs more affordable.

As a member of the House Armed Services Committee, I have been a vocal advocate for our servicemen and -women who have, sadly, had to deal with substandard housing.

I have spoken up for the security of our Nation, but also for respect for every single individual in our district.

And in an effort to stay in touch with all corners of the district, I have toured some of our most critical facilities, from Tinker Air Force Base to the Palomar Family Justice Center and the Regional Food Bank of Oklahoma, and so many more.

I have spoken with some of our most vital organizations, like the VFW, the Black Chamber of Commerce, the Farm Bureau, education and healthcare advocates, as well as local elected leaders, about priorities in our communities.

I have even had the privilege of showing a sheep at the Oklahoma Youth Expo, the largest youth expo in the Nation.

I am proud of what we have accomplished so far, and I am especially proud to serve with this historic freshman class. I look forward to what we accomplish moving forward and to being an independent voice for Oklahomans.

We have only begun, and I look forward to what we can accomplish in the next 100 days and the next 100 days after that to put the people first.

Ms. STEVENS. Madam Speaker, I thank Congresswoman HORN for showing us what leadership looks like.

It should also be noted that our presiding Speaker this evening, Ms. XOCHITL TORRES SMALL, the Congresswoman from the great State of New Mexico, is also a member of our freshman class.

Madam Speaker, I yield to the gentleman from Colorado (Mr. NEGUSE), my friend.

Mr. NEGUSE. Madam Speaker, I thank the gentlewoman for yielding.

I would like to engage in a colloquy of sorts with my fellow colleague in House leadership, a Representative of the freshman class, Representative HILL, and, of course, our co-class president, Representative STEVENS.

Representative HILL, what do you think about the freshman class?

Ms. HILL of California. Mr. NEGUSE, I am pretty excited to be here today because we get to brag a little, and I get a little tired with bragging about myself. I think that is something we do a lot as a Member of Congress, and today we get to brag about our friends.

Mr. NEGUSE. I couldn't agree more, Representative HILL.

Representative STEVENS, what do you think about the freshman class?

Ms. STEVENS. Well, I am delighted to be among the freshman class, and I am so proud of all of our accomplishments, particularly that we have 18 freshmen chairing subcommittees from all of the various great committees, the Committee on Science, Space, and Technology, the Veterans' Affairs Committee, and the Small Business Committee.

Mr. NEGUSE. Well, I couldn't agree more, and I want to associate myself with the remarks of Representative STEVENS and Representative HILL.

We have got an incredible freshman class in this 116th Congress. Not only is it the youngest and most diverse in history, but we got straight to work. We hit the ground running.

At the end of the day, this freshman class is making a lot of progress, so I would like to give the American people a sense of what the freshman class has been up to.

Over the last two recesses, the freshman class has held over 100 townhalls and over 400 events. That is a lot of events, Representative HILL.

Ms. HILL of California. That is a lot of events, and if you recall, the colleagues that many of us replaced, the former colleagues that many of us replaced, were criticized for not having townhalls. But, in fact, during the February recess alone, freshman Members made up 51 percent of the Members of Congress holding townhalls, even though we make up just 18 percent of Congress.

Mr. NEGUSE. That is right. Congressman ANDY KIM from the great State of New Jersey has held more townhalls in the last 3 months than his predecessor did over the last 4 years, and he has responded to over 5,000 letters from constituents—quite a feat.

Ms. HILL of California. Five thousand letters is a lot of letters.

Congressman DEAN PHILLIPS actually started holding townhalls before he was even sworn in.

Mr. NEGUSE. Well, let me tell you about my friend, Congressman ANTONIO DELGADO, who has held six townhalls over the first in-district work period.

Ms. HILL of California. At her first townhall in Virginia Beach, Congresswoman ELAINE LURIA, whom I am proud to sit on the Armed Services Committee with, brought the Beach's voter registrar and police chief, the head of its affordable housing efforts, and one of the State delegates with her and heard from more 250 people who were attending.

Mr. NEGUSE. Clearly, this freshman class is making townhalls the rule and not the exception. But the freshman class is also taking great care to talk about the issues that really matter to their constituents.

Ms. HILL of California. That is absolutely right. Congressman BRINDISI's Working for Rural New York plan focuses on solving problems rural communities face in his district.

Mr. NEGUSE. Let me tell you about my friend Congresswoman ANGIE CRAIG from the great State of Minnesota, who held a flood briefing to start discussions around different agencies working together in the case of major flooding.

Ms. HILL of California. Well, let me tell you about my friend JOSH HARDER from the great State of California, who is fighting for broadband in rural areas through the Save the Internet Act.

Mr. NEGUSE. I don't want to brag, but I will. Congressman JARED GOLDEN, from the great State of Maine, is advocating to lower the costs of prescription drugs for his constituents.

Ms. HILL of California. And Congresswoman JAHANA HAYES, who was Teacher the Year before, is now fighting to keep guns out of our classrooms.

Mr. NEGUSE. This freshman class truly is legislating with aggressive momentum.

Ms. HILL of California. Oh, we are indeed. Eighteen freshmen are leading House subcommittees, as my colleague, Ms. STEVENS mentioned, including: Congresswoman KENDRA HORN, Congresswoman MIKIE SHERRILL, Congressman TJ COX, Congressman MIKE LEVIN, Congressman HARLEY ROUDA, Congresswoman SUSIE LEE, Congresswoman XOCHITL TORRES SMALL, and Congresswoman LIZZIE FLETCHER.

That is a lot of people. And what is so exciting about that is that there has never been a freshman class with this many people with the gavel.

Mr. NEGUSE. Eighteen freshmen, quite an incredible feat. But I will also say that freshman Members of Congress have had much success legislating.

Congressman MAX ROSE from the great State of New York has had three amendments pass this House, including an amendment to expand childcare services for veterans seeking additional treatment.

Ms. HILL of California. Congressman ANDY LEVIN, who we just heard from, has introduced six pieces of original legislation. That is a lot.

Mr. NEGUSE. Representative HILL, I know that you know my great friend and colleague ABIGAIL SPANBERGER, who was able to include an amendment as part of H.R. 1 that would prevent foreign interference in U.S. elections.

Ms. HILL of California. Well, we really want that foreign interference not happening in any future elections, so I am glad to hear that.

Just this week, Congresswoman KIM SCHRIER introduced bipartisan, bicameral legislation to help prevent child abuse.

Mr. NEGUSE. Congresswoman CHRISSY HOULAHAN created a new bipartisan caucus to represent the interests of veterans.

Ms. HILL of California. Congresswoman ABBY FINKENAUER was the first freshman to have legislation pass the House, a bill to bring Federal investment to small businesses in rural America.

Mr. NEGUSE. I do know that Members of this House would be well familiar with Congressman CHRIS PAPPAS, who has introduced bipartisan legislation to increase protections for first responders on the front lines of our Nation's opioid epidemic.

Ms. HILL of California. My other friend, Congresswoman KATIE PORTER, a fellow member of the Katie Caucus, has introduced bipartisan legislation to make childcare more affordable.

Mr. NEGUSE. All of these accomplishments that Representative HILL and I have outlined that this freshman class has accomplished I think demonstrate that the freshman class is continuing to deliver for the people.

Nearly 100 days into our transformative majority, we have passed major legislation across issue areas.

Ms. HILL of California. A truly sweeping Democratic reform package.

Mr. NEGUSE. The first gun violence prevention legislation passed in nearly a decade.

Ms. HILL of California. The Paycheck Fairness Act and reauthorization of the Violence Against Women Act.

Mr. NEGUSE. So as we conclude and head into the next 100 days, I think it is important to stress that we are going to continue to work to lower the cost of healthcare.

Ms. HILL of California. End corruption in Washington.

Mr. NEGUSE. Raise workers' wages.

Ms. HILL of California. Invest in our Nation's infrastructure and public education system.

Mr. NEGUSE. And, of course, address the existential threat—climate change.

Ms. HILL of California. Above all, we are going to stand up for the people, again, with the full force of this freshman class; and I am so excited to do it with you, Mr. NEGUSE, and with all of my fellow freshman colleagues.

Mr. NEGUSE. As am I, Representative HILL.

Ms. STEVENS. Madam Speaker, I thank Congressman NEGUSE for sharing some of his time with Congresswoman HILL from California.

This Special Order hour has truly been special, and what a delight to reflect on these first 100 days with a historic freshman class in a new season here in the Nation's Capital.

Madam Speaker, I would like to conclude this Special Order hour of the freshman class of the 116th Congress, and I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to yield to each other in debate.

#### DISTRICT OF COLUMBIA STATEHOOD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 30 minutes.

Ms. NORTON. Madam Speaker, a week from Tuesday will be what we

call Emancipation Day in the District of Columbia. We use that occasion to point out the continued inequality of the residents who live in our Nation's Capital.

Emancipation Day was the day when Abraham Lincoln freed the slaves in the District of Columbia. Yes, there were slaves working in the District of Columbia. It was considered a Southern State. He freed them 9 months before the Emancipation Proclamation freed all slaves.

Yet the residents of the Nation's Capital remain less free than any other Americans. Even without statehood, however, the people of the Nation's Capital have, indeed, made progress.

Madam Speaker, I want to discuss the problems and the progress, especially as we come close to the point when we will bring our D.C. statehood bill to the floor and the House will vote whether to make the District the 51st State.

□ 1915

We recognize we were the last to be free because we are not free yet. We won't be free until the District of Columbia becomes the 51st State of the United States of America.

Now, I recognize, of course, there are no slaves living in the District of Columbia today. But there is not a single free and equal citizen resident of the District of Columbia.

I cannot help but think of the stories that were told me of my great-grandfather, a runaway slave from Virginia. I am a third-generation Washingtonian. He was in the District of Columbia when Lincoln freed the slaves in the District of Columbia, but he was a runaway slave, so he was not free from slavery until 9 months later.

His name was Richard Holmes. My family tells many stories about Richard Holmes. This runaway slave from the District of Columbia came here to work on the streets of the District of Columbia. Actually, he came to get away from slavery.

I don't tell any heroic stories of Richard Holmes. I tell it the way it was told me. When nobody was looking, Richard Holmes just walked off that plantation. He found his way to the District of Columbia. There were not enough workers to build the streets of the District of Columbia, so he was able to get work on the streets building this city.

I understand that slave owners went around the streets of the District of Columbia looking for their slaves. The man who owned Richard Holmes found him and went up to the straw boss and said: That is my slave. I have come to get him.

The straw boss said: You called out a name. That man never answered to that name. No, he is a good worker. He is not your slave.

That is how Richard Holmes, whose name was called out, by the slave



owner, "Richard," remained in the District of Columbia so I could become Eleanor Katherine Holmes and ultimately the Member who represents the District.

"Richard," they called out. By not answering to his name, Richard Holmes must have practiced for the day when the slaveholder would come looking for him. That is the kind of discipline I am trying to bring to my work in the Congress because freedom from slavery did not give the residents of the District of Columbia freedom.

Yet we celebrate Emancipation Day. We are pleased that the slaves in the District of Columbia were freed earlier than the Emancipation Proclamation, but that is only because the Federal Government controlled the District of Columbia, and, therefore, Abraham Lincoln could say whether there would be slaves in the District of Columbia.

In a real sense, the Federal Government still has control over the District of Columbia as I speak because the District does not even have full home rule. Yes, in 1973, the District did obtain self government. That means that the District has a Mayor and a city council and governs itself, except when the Congress of the United States decides to intrude. And intrude, it does.

Until Democrats captured the majority this session, I have had to ward off bills to eliminate all the District's gun safety laws, for example. Intrusion can be very dangerous.

Of course, now that Democrats are in the majority, such a bill does not have any chance of getting through. But I have spent most of my time in the Congress in the minority, and whatever I have had to do for the District or get to the District, I have had to do from that perch.

Emancipation Day for the District is, yes, a day off for the District, a holiday. It is just that important to us. There are parades, and there are celebrations. But it is not like George Washington's birthday, and it is not like Abraham Lincoln's birthday. The reason that it is a celebration in the District of Columbia is to remind us, the 700,000 residents who live in the District of Columbia, of our continuing obligation to work until the District and its residents are entirely free.

In this country, even small matters take work. I know because I have small matters pending. But even without the vote, I have been able to get three bills passed in only 3 months of the Congress. What it takes is work. What it takes is an insistence to keep going until you secure what residents deserve.

If I have any frustration, it is not with the work I must do to make the District the 51st State. It is with the knowledge, according to the polls, that most Americans think that the residents of the District of Columbia, their Nation's Capital, have the very same rights that they do. Of course, I am on this floor this evening to make sure that they know we do not.

The new Members who just spoke on the floor must have been shocked because they would have been among the Americans who would have thought we had the same rights that everyone else does before they were elected.

Now, I don't want to say, look, I don't have any rights, and I can't do anything for the District.

You can't face your challenges that way, Madam Speaker. I do vote in committee as the representative of the District of Columbia. I even vote on the House floor.

When I first came to Congress, I reasoned that since I could vote in committee, I ought to be able to vote in the Committee of the Whole. Sometimes we meet in the Committee of the Whole, for example, to vote on amendments. So I went to the Democratic Speaker. It was a Democratic Speaker for the first 2 years I was in Congress, Tom Foley, and I asked to be able to vote on the floor of the House.

He said: Eleanor, nobody ever said the District should be able to vote on the floor of the House, so I will have to ask advice from outside counsel.

Tom Foley sent it to outside counsel. They came back, and they said: Yes, in the Committee of the Whole, if Congress votes to allow her to vote, she should be able to vote on the House floor.

Because there was a Democratic majority, I was given the right to vote on the House floor.

I will never forget what happened afterward. My Republican friends then sued the House for giving me the right to vote on the House floor. They lost in the district court. Then they took it to the court of appeals, and they lost in the court of appeals. They knew better than to take it to the Supreme Court of the United States. So I voted on the House floor then, and I am voting on the House floor again.

I only regret that I have spent most of my time in Congress in the minority, and I have not had that right as often as the Americans I represent deserve.

The District, of course, does not even have full local control. Madam Speaker, you would think that my Republican colleagues would be the first to give them that because the bywords for Republicans are "federalism" and "local control." Instead, as I have indicated, they have spent years trying to interfere with the District's local control.

The one thing that ought to guarantee Americans freedom from Federal interference, including the Congress of the United States, is localism. Time and again, I have asked my Republican colleagues to grant me that privilege that they think all Americans should have.

The failure to give the District our full rights is not only a violation of every precept of the American creed, but a violation of treaties that the United States has signed. For example, in 1977, the United States signed the

International Covenant on Civil and Political Rights. The Human Rights Committee, which has oversight over that treaty, has said that the United Nations "remains concerned that residents of the District of Columbia do not enjoy full representation in Congress, a restriction that does not seem to be compatible with article 25 of the covenant," the covenant the United States has signed.

One of the reasons it galls the residents of the District of Columbia not to have full rights is that, as this chart shows, the residents pay more Federal taxes than any of the 50 States. Take a look. Mississippi pays the lowest Federal taxes, but it is the District of Columbia at \$12,000-plus per person that pays the highest.

If you are from New York or California, Madam Speaker, if you are from Idaho or the other Washington, you pay fewer taxes per capita than the people I represent, but you have more rights than they do.

Nothing better illustrates, I think, in a country where "taxes" is often a dirty word, the inequity of paying more taxes than Mississippi while Mississippi has every right the District of Columbia has. I cite Mississippi only because its residents pay the lowest taxes per capita.

Madam Speaker, there is a second and perhaps more important reason to claim our full citizenship. That, of course, is that the residents of your Nation's Capital have fought and died in every war, including the war that created the United States of America, the Revolutionary War.

On this chart, we show the sacrifices during the 20th century when the United States fought major world wars. World War I, 635 D.C. casualties, that was more than three States. Understand, we are a city. We are smaller than most States, though about the size of seven States, but we had more casualties than three States. The Korean war, 575 D.C. casualties, that was more casualties than eight States. Moving on to World War II, we find 3,575 casualties. Note the number is going up, but that is more casualties than four States. Finally, the Vietnam war, 243 D.C. casualties, that was more than 10 States.

□ 1930

It is one thing to have given your treasure; it is quite another to have given the lives of your citizens.

The District, for most of its existence, has had fewer African Americans than White people. That is not the case today. It is about equal White and Black citizens.

But, when I speak of war casualties, I am reminded of citizens who have especially distinguished themselves in time of war:

The first African American general was born and raised in the District of Columbia;

The first African American Air Force general was also born in the District of Columbia;

The first African American Naval Academy graduate, born here in the District of Columbia; and

The first African American Air Force Academy graduate, born in the District of Columbia.

I cite these African Americans because the District was a segregated city as well. With segregation and no vote, you see African Americans distinguishing themselves in the Armed Forces of the United States, fighting for their country.

So we move forward to today, and we see great progress on our statehood bill. Every Democratic Senator now backs the findings of H.R. 1.

H.R. 1 is a democracy bill. It calls for many kinds of improvements in democracy, and in that bill is included findings that lay out the case for D.C. statehood. That means that those who have voted for H.R. 1 here in the House have also voted to approve statehood.

The Senate has a similar bill, but with only three sections. It is Leader Chuck Schumer's bill. Their proposals are not as fulsome as H.R. 1, but has three major components: restoring the Voting Rights Act; establishing national automatic voter registration laws; and, yes, D.C. statehood.

D.C. statehood, for Democratic Senators, ranks just that high, along with the national voting rights bills cited. In both of our Chambers, Speaker NANCY PELOSI and Minority Leader CHUCK SCHUMER have been full-throated supporters of D.C. statehood.

We are taking two paths to statehood, however, because so much of home rule remains unfinished. Most of home rule is done, but I think most Americans would be amazed to find out how much is not done.

For example, the District's budget still has to come to the House of Representatives. We can get budget autonomy by vote of the House and the Senate without going all the way to statehood.

Or, take a life-and-death matter. We are now in the midst of climate change with all kinds of weather we had not seen. If there are floods in the District of Columbia or hurricanes, the District of Columbia cannot call out its own D.C. National Guard. It has got to go to the President of the United States to ask him to call out the D.C. National Guard.

For goodness' sake, by the time it goes up the chain of command, half of D.C. could be blown away. That is life and death. That is what every single State has, and D.C. can get that without statehood.

So, while we recognize that in order to get statehood we would have a tough time in the Senate, we also rely on making sure that we complete home rule with matters having to do with the District of Columbia as another way to move toward getting more of our rights.

Now, again, I don't want to leave the impression that because I don't have the final vote on the House floor I just

can't get anything done. I have passed three laws—the third month of Congress, going into the fourth month—already, without being able to vote for those bills.

And, I must say, I am very humbled, but I also am proud at the same time, that the organization that ranks Members of Congress has ranked me as the most effective Democrat in the Congress, and that is without having a vote.

To quote them, they said: The Center defines legislative effectiveness as the “proven ability to advance a Member's agenda items through the legislative process and into law.” That means passing bills. And it went on to say that Norton's ranking is “noteworthy because she is a nonvoting Member.”

I point that out because I don't want my residents, especially, to hear me here on the floor indicating how important statehood is to then say: Well, I don't guess ELEANOR HOLMES NORTON can do anything for us until she finally gets statehood.

I point out that I will be measured not by whether I got statehood. I may not get it. I will be measured by what I was able to get for the District of Columbia, whose residents voted for me to come to Congress.

Yes, only statehood can give the District the bucket of rights, the full bucket it is entitled to. Only statehood can make the District fully equal to the residents of the States. Only statehood can mean for the District what it means for the smallest States, that you can have two Senators as well as a Member of the House.

The District of Columbia has no Senators, so I have to do the work of both Houses. That is not how it is supposed to work.

So, instead of being disheartened, I am, indeed, elated that we already have 202 sponsors, or cosponsors, for D.C. statehood. It takes 218 to pass the bill.

People rushed onto the bill because of the knowledge that there is something wrong that there are people in our country who do not have the same rights that others have, and for no good reason.

If you were to ask people, “Well, why not?” today they would not be able to tell you. Without going into elaborate detail, I will tell you that it was a fluke that the District does not have full rights, a fluke having to do with a mishap or an incident when the Capitol was in Philadelphia and the troops from the Revolutionary War marched on the then-Capitol demanding their pensions.

The Framers were caught flat-footed and said: Oh, my goodness. We better make sure that the Capitol is not part of any State, and this is part of Pennsylvania.

Well, of course, we know that that was cured long ago. The District should not be part of any State, doesn't want to be part of any State, but there are plenty of armed troops to protect the

District from people marching on the District or the Capitol for their pensions or any other rights.

I am grateful to represent the District of Columbia. I am grateful because I love a good fight. I loved it as a kid in the civil rights movement. I loved it when I grew up in the District of Columbia, going to segregated schools and recognizing that all I had to do was get a good education and I could get out of that too.

But I take it as an honor and a privilege to represent residents who, in each and every way, are fully equal to each and every American and to do all that I possibly can to make that feeling reality in the United States of America.

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

#### SENATE ENROLLED JOINT RESOLUTION SIGNED

The Speaker announced her signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 7.—Joint resolution to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress.

#### ADJOURNMENT

Ms. NORTON. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 42 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 10, 2019, at 9 a.m.

#### NOTICE OF PROPOSED RULEMAKING

U.S. CONGRESS,  
OFFICE OF CONGRESSIONAL  
WORKPLACE RIGHTS,  
April 9, 2019, Washington, DC.

Hon. NANCY PELOSI,  
Speaker of the House, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: Section 303(a) of the Congressional Accountability Act of 1995 (CAA), 2 U.S.C. 1383(a), provides that the Executive Director of the Office of Congressional Workplace Rights “shall, subject to the approval of its Board of Directors, adopt rules governing the procedures of the Office, including the procedures of hearing officers, which shall be submitted for publication in the Congressional Record. The rules may be amended in the same manner.” Section 303(b) of the Act, 2 U.S.C. 1383(b), further provides that the Executive Director “shall publish a general notice of proposed rulemaking” and “shall transmit such notice to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day of which both Houses are in session following such transmittal.”

Having obtained the approval of the Board, I am transmitting the attached notice of proposed procedural rulemaking to the Speaker of the House. I request that this notice be published in the section of the Congressional Record for the House of Representatives on the first day on which both Houses are in session following the receipt of this transmittal. In compliance with section

303(b) of the CAA, a comment period of 30 days after the publication of this notice of proposed rulemaking is being provided before adoption of the rules.

Any inquiries regarding this notice should be addressed to Susan Tsui Grundmann, Executive Director of the Office of Congressional Workplace Rights, Room LA-200, 110 2nd Street SE, Washington, DC 20540; telephone: 202-724-9250.

Sincerely,

SUSAN TSUI GRUNDMANN,

*Executive Director,*

*Office of Congressional Workplace Rights.*

FROM THE EXECUTIVE DIRECTOR OF THE OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS: NOTICE OF PROPOSED RULEMAKING AND REQUEST FOR COMMENTS FROM INTERESTED PARTIES

PROPOSED AMENDMENTS TO THE RULES OF PROCEDURE, NOTICE OF PROPOSED RULEMAKING, AS REQUIRED BY 2 U.S.C. §1383, THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995, AS AMENDED

#### Introductory Statement

Shortly after the enactment of the Congressional Accountability Act (CAA or the Act) in 1995, Procedural Rules were adopted to govern the processing of cases and controversies under the administrative procedures established in subchapter IV of the CAA, 2 U.S.C. 1401-07. Those Rules of Procedure were amended in 1998, 2004, and again in 2016. The existing Rules of Procedure are available in their entirety on the public website of the Office of Congressional Workplace Rights (OCWR): [www.ocwr.gov](http://www.ocwr.gov).

Pursuant to section 303(a) of the CAA (2 U.S.C. 1383(a)), the Executive Director of the OCWR has obtained approval of its Board of Directors regarding certain amendments to the Rules of Procedure.

After obtaining the Board's approval, the OCWR Executive Director must then "publish a general notice of proposed rulemaking . . . for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal." (Section 303(b) of the CAA, 2 U.S.C. 1383(b)).

#### Notice

Comments regarding the proposed amendments to the OCWR Procedural Rules set forth in this NOTICE are invited for a period of thirty (30) days following the date of the appearance of this NOTICE in the Congressional Record. In addition to being posted on the OCWR's website ([www.ocwr.gov](http://www.ocwr.gov)), this NOTICE is also available in alternative formats. Requests for this NOTICE in an alternative format should be made to the Office of Congressional Workplace Rights, at 202-724-9272 (voice). Submission of comments must be made in writing to the Executive Director, Office of Congressional Workplace Rights, 110 Second Street, S.E., Room LA-200, Washington, D.C. 20540-1999. It is requested, but not required, that an electronic version of any comments be provided via e-mail to: [Alexander.Ruvinsky@ocwr.gov](mailto:Alexander.Ruvinsky@ocwr.gov), Alexander.Ruvinsky@ocwr.gov. Comments may also be submitted by facsimile to the Executive Director at 202-426-1913 (a non toll-free number). Those wishing to receive confirmation of the receipt of their comments are requested to provide a self-addressed, stamped post card with their submission. Copies of submitted comments will be available for review on the OCWR's public website at [www.ocwr.gov](http://www.ocwr.gov).

#### Supplementary Information

The Congressional Accountability Act of 1995, Pub. L. No. 104-1, was enacted into law on January 23, 1995. The CAA applies the rights and protections of 13 federal labor and employment statutes to covered employees and employing offices within the legislative

branch of the federal government. Section 301 of the CAA (2 U.S.C. 1381) establishes the OCWR as an independent office within that branch. Section 303 of the CAA (2 U.S.C. 1383) directs the Executive Director, as Chief Operating Officer, to adopt rules of procedure governing the OCWR, subject to approval by the Board of Directors of the Office. The OCWR Rules of Procedure establish the process by which alleged violations of the 13 laws made applicable to the legislative branch under the CAA are considered and resolved.

On December 21, 2018, the Congressional Accountability Act of 1995 Reform Act was signed into law. (Pub. L. No. 115-397). The new law reflects the first set of comprehensive reforms to the CAA since 1995. Among other reforms, the Act substantially modifies the administrative dispute resolution (ADR) process under the CAA, including: providing for preliminary hearing officer review of claims; requiring current and former Members of Congress to reimburse awards or settlement payments resulting from harassment or retaliation claims; requiring certain employing offices to reimburse payments resulting from specified claims of discrimination; and appointing advisers to provide confidential information to legislative branch employees about their rights under the CAA. Most changes to the ADR process will be effective 180 days from the date of enactment of the Reform Act, i.e., on June 19, 2019.

These proposed amendments to the OCWR's Procedural Rules are the result of the OCWR's comprehensive review of the OCWR's procedures in light of the changes in the Reform Act to the ADR program, and they reflect the OCWR's experience processing disputes under the CAA since the original adoption of these Rules in 1995.

#### Scope of Comments Requested

The OCWR asks commenters to provide their views on the changes to the Procedural Rules proposed by the OCWR.

#### Summary of the Changes

*Subpart A.* Subpart A of the Procedural Rules covers general provisions pertaining to scope and policy, definitions, and information on various filings and computation of time. The OCWR's proposed amendments to subpart A provide additional definitions, and also clarify pleading requirements and procedures concerning confidentiality.

*Subpart B.* Currently, subpart B of the Procedural Rules sets forth the pre-complaint procedures applicable to consideration of alleged violations of sections 201 through 207 of the CAA, which concern employment discrimination, family and medical leave, fair labor standards, employee polygraph protection, worker adjustment and retraining, employment and reemployment of veterans, and reprisal. Specifically, subpart B sets forth procedures for mandatory pre-complaint counseling and mediation, as well as the statutory election to file either an administrative complaint with the OCWR or a civil action in a U.S. district court. Under the CAA Reform Act, however, counseling and mediation are no longer mandatory jurisdictional prerequisites to adjudication of an alleged violation of sections 201-07 of the CAA. Therefore, the OCWR proposes to remove the procedures for mandatory counseling and mandatory mediation from subpart B. Under the proposed rules, the remaining provisions of subpart B—which concern mediation and the statutory election—appear in subpart D.

The OCWR proposes to reserve a new subpart B for proposed rules and procedures for enforcement of the inspection, investigation and complaint sections 210(d) and (f) of the CAA, which relate to Public Services and Accommodations under titles II and III of the Americans with Disabilities Act. (Subpart C had been reserved for these rules since 1995.)

*Subpart C.* The OCWR proposes to redesignate the contents of current subpart D as subpart C. Therefore, sections 3.01 through 3.15 of this subpart prescribe rules and procedures for enforcement of the inspection and citation provisions of section 215(c)(1) through (3) of the CAA, which concern the protections set forth in the Occupational Safety and Health Act of 1970 (OSHAct). Sections 3.20 through 3.31 contain rules of practice for administrative proceedings to grant variances and other relief under sections 6(b)(6)(A) and 6(d) of the OSHAct, as applied by section 215(c)(4) of the CAA. The proposed modifications to subpart C reflect nomenclature changes only. The modifications clarify that references to the "Hearing Officer" in this subpart are to the "Merits Hearing Officer" (defined in these proposed rules as the individual appointed by the Executive Director to preside over an administrative hearing conducted on matters within the Office's jurisdiction under section 405 of the Act), and not the "Preliminary Hearing Officer" (defined in these proposed rules as the individual appointed by the Executive Director to make a preliminary review of claims arising under sections 102(c) and 201 through 207 of the CAA).

*Subparts D and E.* The Procedural Rules currently set forth a single set of procedures for filing "complaints" under the CAA, whether the complaint is filed with the OCWR by an employee alleging violations of sections 201 through 207 of the Act, or by the OCWR General Counsel alleging violations of sections 210, 215 or 220 of the Act. The CAA Reform Act, however, uses the word "claim" to refer to an alleged violation of sections 201 through 207 of the Act (as well as an alleged violation of section 102(c) of the Act, which incorporates the protections of the Genetic Information Nondisclosure Act). As a result, the term "complaint" in the CAA refers only to violations alleged by the OCWR General Counsel.

Because the procedures in the Reform Act governing employee "claims" differ significantly from those governing General Counsel "complaints," these proposed rules set forth separate procedures for each. Therefore, subpart D, which concerns employee "claims," includes new procedures for informal employee requests for advice and information; confidential advising services; filing of claims; electing to file a civil action; initial processing and transmission of claims to parties; notification requirements; voluntary mediation; preliminary review of claims by a "Preliminary Hearing Officer;" requesting an administrative hearing before a "Merits Hearing Officer;" summary judgment and withdrawal of claims; confidentiality requirements; and automatic referral to congressional ethics committees.

Proposed subpart E, which concerns General Counsel complaints, sets forth procedures for filing complaints, appointment of the Merits Hearing Officer, dismissals, summary judgment, withdrawal of complaints, and confidentiality requirements. The new provisions in the Reform Act governing matters such as confidential advising services, preliminary review of claims, and automatic referral to congressional ethics committees, do not apply to OCWR General Counsel complaints alleging violations of sections 210, 215 or 220 of the Act. Therefore, they are not addressed in proposed subpart E.

*Subparts F-H.* Subparts F and G include the process for the conduct of administrative hearings held as the result of the filing of an administrative claim or an administrative complaint. Subpart H sets forth the procedures for appeals of decisions by Hearing Officers to the OCWR Board of Directors and for appeals of decisions by the Board of Directors to the United States Court of Appeals for the Federal Circuit.

Proposed amendments to subpart F concern such matters as depositions requests in cases in which a Member of Congress is an intervenor, rulings on motions to quash and motions to limit, and formal requirements for sworn statements. Proposed amendments to subpart G clarify the Merits Hearing Officer's authority concerning frivolous claims, defenses, and arguments. The proposed amendments also set forth the substantive requirements for the Merits Hearing Officer's written decision, including required findings when a final decision concerns a claim alleging a violation or violations described in section 415(d)(1)(C) of the Act, which requires Members of the House of Representatives and the Senate to reimburse the "compensatory damages" portion of a decision, award or settlement for a violation of section 201(a), 206(a), or 207 of the Act that the Member is found to have "committed personally." Proposed Amendments to subpart H concern appellate proceedings before the Board. They clarify that a report on preliminary review pursuant to section 402(c) of the CAA is not appealable to the Board.

**Subpart I.** Subpart I concerns other matters of general applicability to the dispute resolution process and to the OCWR's operations. Proposed amendments to subpart I concern requests for attorney fees in arbitration proceedings; informal resolution of disputes; general requirements for formal settlement agreements—including settlement of cases making allegations against a Member of Congress subject to the payment reimbursement provisions of section 415(d) of the Act.

The proposed amendments to subpart I also concern payments governed by section 415(a) of the CAA, which provides, in relevant part, that "only funds which are appropriated to an account of the Office in the Treasury of the United States for the payment of awards and settlements may be used for the payment of awards and settlements under this chapter." Pursuant to section 415(a), the OCWR, through its Executive Director, prepares and processes requisitions for disbursements from the Treasury account established pursuant to section 415(a) when qualifying final decisions, awards, or approved settlements require the payment of funds. These proposed amendments provide further guidance for processing certifications of payments from the funds appropriated to the Section 415(a) Treasury Account. They are based on regulations issued by the Department of Treasury's Bureau of Fiscal Services at 31 C.F.R. part 256, which provide guidance to agencies in the executive branch for submitting requests for payments from the Judgment Fund, which is a permanent, indefinite appropriation that is available to pay many judicially and administratively ordered monetary awards against the United States. The proposed amendments also concern reimbursement to the Section 415(a) Treasury Account in cases when the Act requires: (1) Members of the House of Representatives and the Senate to reimburse the "compensatory damages" portion of a decision, award or settlement for a violation of section 201(a), 206(a), or 207 that the Member is found to have "committed personally;" and (2) employing offices (other than an employing office of the House or Senate) to reimburse awards and settlements paid from the Section 415(a) Treasury Account in connection with claims alleging violations of section 201(a) or 206(a) of the Act.

The proposed amendments to subpart I also add a new section governing the requirement in the Reform Act that employing offices must post and keep posted in conspicuous places on their premises the notices provided by the OCWR, which contain infor-

mation about employees' rights and the OCWR's ADR process, along with OCWR contact information. Finally, the proposed amendments set forth rules concerning the new requirement in the Reform Act that each employing office (other than any employing office of the House of Representatives or any employing office of the Senate) submit a report both to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the implementation of the training and education program required under section 438(a) of the Act.

#### Explanation Regarding the Text of the Proposed Amendments

Only subsections of the Procedural Rules that include proposed amendments are reproduced in this NOTICE. The insertion of a series of five asterisks (\*\*\*\*\* ) indicates that a whole section or paragraph, including its subordinate sections paragraphs, is unchanged, and has not been reproduced in this document. The insertion of a series of three asterisks (\*\*\*) indicates that the unamended text of higher level sections or paragraphs remain unchanged when text is changed at a subordinate level, or that preceding or remaining sentences in a paragraph are unchanged. For the text of other portions of the Procedural Rules which are not proposed to be amended, please access the Office of Congressional Workplace Rights public website at [www.ocwr.gov](http://www.ocwr.gov).

#### Proposed Amendments

For the reasons set forth in the preamble, the OCWR proposes to amend subparts A through I of its Procedural Rules as follows:

#### SUBPART A—[AMENDED]

[Table of contents omitted]

1. *Revise section 1.01 to read as follows:*

##### § 1.01 Scope and Policy

These Rules of the Office of Congressional Workplace Rights (OCWR) govern the procedures for considering and resolving alleged violations of the laws made applicable under parts A, B, C, and D of title II of the Congressional Accountability Act of 1995, as amended by the Congressional Accountability Act of 1995 Reform Act of 2018. The Rules include definitions and procedures for seeking confidential advice, preliminary review, mediation, filing a claim or complaint, and electing between filing a claim with the OCWR and filing a civil action in a United States district court under part A of title II of the CAA. The Rules also address the procedures for compliance, investigation, and enforcement under part B of title II, and for compliance, investigation, enforcement, and variance under part C of title II. The Rules include procedures for the conduct of hearings held as a result of the filing of a claim or complaint and for appeals to the OCWR Board of Directors from Merits Hearing Officers' decisions; as well as other matters of general applicability to the dispute resolution process and to the OCWR's operations. It is the OCWR's policy that these Rules shall be applied with due regard to the rights of all parties and in a manner that expedites the resolution of disputes.

2. *Revise section 1.02 to read as follows:*

##### § 1.02 Definitions.

Except as otherwise specifically provided, the following are the definitions of terms used in these Rules:

(a) *Act.*—The term "Act" means the Congressional Accountability Act of 1995, as amended by the Congressional Accountability Act of 1995 Reform Act of 2018.

(b) *Board.*—The term "Board" means the Board of Directors of the Office of Congressional Workplace Rights.

(c) *Chair.*—The term "Chair" means the Chair of the Board of Directors of the Office of Congressional Workplace Rights.

(d) *Claim.*—The term "claim" means the allegations of fact that the claimant contends constitute a violation of part A of title II of the Act, which includes sections 102(c) and 201–207 of the Act.

(e) *Claim Form.*—The term "claim form" means the written pleading an individual files to initiate proceedings with the Office of Congressional Workplace Rights that describes the facts and law supporting the alleged violation of part A of title II of the Act, which includes sections 102(c) and 201–207 of the Act. The "claim form" also may be referred to as the "documented claim."

(f) *Claimant.*—The term "claimant" means the individual filing a claim form with the Office of Congressional Workplace Rights.

(g) *Complaint.*—The term "complaint" means the written pleading filed by the Office by the General Counsel with the Office of Congressional Workplace Rights that describes the facts and law supporting the alleged violation of sections 210(d)(3), 215(c)(3) or 220(c)(2) of the Act.

(h) *Confidential Advisor.*—A "Confidential Advisor" means, pursuant to section 382 of the Act, a lawyer appointed or designated by the Executive Director to offer to provide covered employees certain services, on a privileged and confidential basis, which a covered employee may accept or decline. A Confidential Advisor is not the covered employee's designated representative.

*Covered Employee.*—see "Employee, Covered," below.

(i) *Designated Representative.*—The term "designated representative" means an individual, firm, or other entity designated in writing by a party to represent the interests of that party in a matter filed with the Office.

(j) *Direct Act.*—The term "direct act," with regard to a Library claimant, means a statute (other than the Act) that is specified in sections 201, 202, or 203 of the CAA.

(k) *Direct Provision.*—The term "direct provision," with regard to a Library claimant, means a direct act provision (including a definitional provision) that applies the rights or protections of a direct act (including the rights and protections relating to nonretaliation or noncoercion).

(l) *Employee.*—The term "employee" includes an applicant for employment and a former employee.

(m) *Employee, Covered.*—The term "covered employee" means any employee of

- (1) the House of Representatives;
- (2) the Senate;
- (3) the Office of Congressional Accessibility Services;
- (4) the Capitol Police;
- (5) the Congressional Budget Office;
- (6) the Office of the Architect of the Capitol;

- (7) the Office of the Attending Physician;
- (8) the Library of Congress, except for section 220 of the Act;

(9) the Office of Congressional Workplace Rights;

- (10) the Office of Technology Assessment;
- (11) the John C. Stennis Center for Public Service Training and Development;

(12) the China Review Commission, the Congressional Executive China Commission, and the Helsinki Commission;

(13) to the extent provided by sections 204–207 and 215 of the Act, the Government Accountability Office; or

(14) unpaid staff, as defined below in subparagraph 1.02(r) of the Rules.

(n) *Employee of the Office of the Architect of the Capitol.*—The term "employee of the Office of the Architect of the Capitol" includes any employee of the Office of the Architect of the Capitol, or the Botanic Garden.

(o) *Employee of the Capitol Police.*—The term “employee of the Capitol Police” includes civilian employees and any member or officer of the Capitol Police.

(p) *Employee of the House of Representatives.*—The term “employee of the House of Representatives” includes an individual occupying a position the pay for which is disbursed by the Chief Administrative Officer of the House of Representatives, or another official designated by the House of Representatives, or any employment position in an entity that is paid with funds derived from the clerk-hire allowance of the House of Representatives, but not any such individual employed by any entity listed in subparagraphs (3) through (13) of paragraph (m) above.

(q) *Employee of the Senate.*—The term “employee of the Senate” includes any employee whose pay is disbursed by the Secretary of the Senate, but not any such individual employed by any entity listed in subparagraphs (3) through (13) of paragraph (m) above.

(r) *Employee, Unpaid Staff.*—The term “unpaid staff” means:

(1) any staff member of an employing office who carries out official duties of the employing office but who is not paid by the employing office for carrying out such duties (also referred to as an “unpaid staff member”), including an intern, an individual detailed to an employing office, and an individual participating in a fellowship program, in the same manner and to the same extent that section 201(a) and (b) of the Act applies to a covered employee; and

(2) a former unpaid staff member, if the act(s) that may be a violation of section 201(a) of the Act occurred during the service of the former unpaid staffer for the employing office.

(s) *Employing Office.*—The term “employing office” means:

(1) the personal office of a Member of the House of Representatives or a Senator;

(2) a committee of the House of Representatives or the Senate or a joint committee;

(3) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate;

(4) the Office of Congressional Accessibility Services, the Capitol Police, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Congressional Workplace Rights;

(5) the Library of Congress, except for section 220 of the Act;

(6) the John C. Stennis Center for Public Service Training and Development, the Office of Technology Assessment, the China Review Commission, the Congressional Executive China Commission, and the Helsinki Commission; or

(7) to the extent provided by sections 204-207 and 215 of the Act, the Government Accountability Office.

(t) *Executive Director.*—The term “Executive Director” means the Executive Director of the Office of Congressional Workplace Rights.

(u) *Final Disposition.*—The term “final disposition” of a claim under section 416(d) of the Act means any of the following:

(1) An order or agreement to pay an award or settlement, including an agreement reached pursuant to mediation under section 404 of the Act;

(2) A final decision of a hearing officer under section 405(g) of the Act that is no longer subject to review by the Board under section 406;

(3) A final decision of the Board under section 406(e) of the Act that is no longer sub-

ject to appeal to the United States Court of Appeals for the Federal Circuit under section 407;

(4) A final decision in a civil action under section 408 of the Act that is no longer subject to appeal; or

(5) A final decision of an appellate court, to include the United States Court of Appeals for the Federal Circuit, that is no longer subject to review.

(v) *General Counsel.*—The term “General Counsel” means the General Counsel of the Office of Congressional Workplace Rights.

(w) *Hearing.*—A “hearing” means an administrative hearing as provided in section 405 of the Act, subject to Board review as provided in section 406 of the Act and judicial review in the United States Court of Appeals for the Federal Circuit as provided in section 407 of the Act.

(x) *Hearing Officer.*—The term “Hearing Officer” means any individual appointed by the Executive Director to preside over administrative proceedings within the Office of Congressional Workplace Rights.

(y) *Hearing Officer, Merits.*—The term “Merits Hearing Officer” means any individual appointed by the Executive Director to preside over an administrative hearing conducted on matters within the Office’s jurisdiction under section 405 of the Act.

(z) *Hearing Officer, Preliminary.*—The term “Preliminary Hearing Officer” means an individual appointed by the Executive Director to make a preliminary review of the claim(s) and to issue a preliminary review report on such claim(s), as provided in section 403 of the Act.

(aa) *Intern.*—The term “intern,” for purposes of section 201(a) and (b) of the Act, means an individual who, for an employing office, performs service which is uncompensated by the United States to earn credit awarded by an educational institution or to learn a trade or occupation, and includes any individual participating in a page program operated by any House of Congress.

(bb) *Library Claimant.*—A “Library claimant” is a covered employee of the Library of Congress who initially brings a claim, complaint, or charge under a direct provision for a proceeding before the Library of Congress and who may, prior to requesting a hearing under the Library of Congress’ procedures, elect to—

(1) continue with the Library of Congress’ procedures and preserve the option (if any) to bring any civil action relating to the claim, complaint, or charge, that is available to the Library claimant; or

(2) file a claim with the Office under section 402 of the Act and continue with the corresponding procedures of this Act available and applicable to a covered employee.

(cc) *Library Visitor.*—The term “Library visitor” means an individual who is eligible to allege a violation under title II or III of the Americans with Disabilities Act of 1990 (other than a violation for which the exclusive remedy is under section 201 of the Act) against the Library of Congress.

(dd) *Member or Member of Congress.*—The terms “Member” and “Member of Congress” mean a United States Senator, a Representative in the House of Representatives, a Delegate to Congress, or the Resident Commissioner from Puerto Rico.

*Merits Hearing Officer.*—see “Hearing Officer, Merits,” above.

(ee) *Office.*—The term “Office” means the Office of Congressional Workplace Rights.

(ff) *Party.*—The term “party” means:

(1) an employee or employing office in a proceeding under part A of title II of the Act;

(2) a charging individual, an entity alleged to be responsible for correcting a violation, or the General Counsel in a proceeding under part B of title II of the Act;

(3) an employee, employing office, or as appropriate, the General Counsel in a proceeding under part C of title II of the Act;

(4) a labor organization, individual employing office or employing activity, or as appropriate, the General Counsel in a proceeding under part D of title II of the Act; or

(5) any individual, office, Member of Congress, or organization that has intervened in a proceeding.

*Preliminary Hearing Officer.*—see “Hearing Officer, Preliminary,” above.

(gg) *Respondent.*—The term “respondent” means the party against which a claim, a complaint, or a petition is filed.

(hh) *Senior Staff.*—The term “senior staff,” for purposes of the reporting requirement of the House and Senate Ethics Committees under the Act, means any individual who is employed in the House of Representatives or the Senate who, at the time a violation occurred, was required to file a report under title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 *et seq.*).

*Unpaid Staff.*—see “Employee, Unpaid Staff,” above.

3. *Amend section 1.03 by:*

(a) *Revising paragraph (a)(1);*

(b) *Revising the first four sentences of paragraph (a)(3); and*

(c) *Revising the first five sentences of paragraph (a)(4).*

*The revisions read as follows:*

**§ 1.03 Filing and Computation of Time.**

(a) \* \* \*

(1) *In Person.* A document shall be deemed timely filed if it is hand delivered to the Office at: Adams Building, Room LA-200, 110 Second Street, S.E., Washington, D.C. 20540-1999, before 5:00 p.m. Eastern Time on the last day of the applicable time period.

(2) \* \* \*

(3) *By Fax.* Documents transmitted by fax machine will be deemed filed on the date received at the Office at 202-426-1913, or on the date received at the Office of the General Counsel at 202-426-1663 if received by 11:59 p.m. Eastern Time. Faxed documents received after 11:59 p.m. Eastern Time will be deemed filed the following business day. A fax filing will be timely only if the document is received no later than 11:59 p.m. \* \* \*

(4) *By Electronic Mail.* Documents transmitted electronically will be deemed filed on the date received at the Office at ocwrefile@ocwr.gov, or on the date received at the Office of the General Counsel at OSH@ocwr.gov if received by 11:59 p.m. Eastern Time. Documents received electronically after 11:59 p.m. Eastern Time will be deemed filed the following business day. An electronic filing will be timely only if the document is received no later than 11:59 p.m. Eastern Time on the last day of the applicable filing period. Any party filing a document electronically is responsible for ensuring both that the document is timely and accurately transmitted and for confirming that the Office has received the document. \* \* \*

\* \* \* \* \*

4. *Amend section 1.04 by:*

(a) *Revising paragraph (a);*

(b) *Revising the first sentence of paragraph (b); and*

(c) *Revising paragraphs (c) through (d).*

*The revisions read as follows:*

**§ 1.04 Filing, Service, and Size Limitations of Motions, Briefs, Responses, and Other Documents.**

(a) *Filing with the Office; Number and Form.* One copy of claims, General Counsel complaints, requests for mediation, requests for inspection under OSH, unfair labor practice charges, charges under titles II and III of the Americans with Disabilities Act of 1990, all motions, briefs, responses, and other documents must be filed with the Office. A party

may file an electronic version of any submission in a format designated by the Board, the Executive Director, the General Counsel, or the Merits Hearing Officer, with receipt confirmed by electronic transmittal in the same format.

(b) *Service.* The parties shall serve on each other one copy of all motions, briefs, responses and other documents filed with the Office, other than the request for advising, the request for mediation, and the claim. \* \* \*

(c) *Time Limitations for Response to Motions or Briefs and Reply.* Unless otherwise specified by the Merits Hearing Officer or these Rules, a party shall file a response to a motion or brief within 15 days of the service of the motion or brief upon the party. Any reply to such response shall be filed and served within 5 days of the service of the response. Only with the Merits Hearing Officer's advance approval may either party file additional responses or replies.

(d) *Size Limitations.* Except as otherwise specified no brief, motion, response, or supporting memorandum filed with the Office shall exceed 35 double-spaced pages, exclusive of the table of contents, table of authorities and attachments. The Board, the Executive Director, or the Merits Hearing Officer may modify this limitation upon motion and for good cause shown, or on their own initiative. Briefs, motions, responses, and supporting memoranda shall be on standard letter-size paper (8-1/2" x 11"). If a filing exceeds 35 double-spaced pages, the Board, the Executive Director, or the Merits Hearing Officer may, in their discretion, reject the filing in whole or in part, and may provide the parties an opportunity to refile.

5. Amend section 1.05 by revising paragraph (a). The revisions read as follows:

**§ 1.05 Signing of Pleadings, Motions, and Other Filings; Violation of Rules; Sanctions.**

(a) *Signing.* Every pleading, motion, and other filing of a party represented by an attorney or other designated representative shall be signed by the attorney or representative. A party who is not represented shall sign the pleading, motion or other filing. In the case of an electronic filing, an electronic signature is acceptable. The signature of a representative or party constitutes a certificate by the signer that the signer has read the pleading, motion, or other filing; that to the best of the signer's knowledge, information, and belief formed after reasonable inquiry, each of the following is correct:

(1) It is not presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of resolution of the matter;

(2) The claims, defenses, and other legal contentions the party advocates are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;

(3) The factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further review or discovery; and

(4) The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.

\* \* \* \* \*

6. Amend section 1.06 by:

(a) Revising paragraph (a);

(b) Revising the first sentence of paragraph (b);

(c) Revising paragraphs (c) through (d); and

(d) Removing paragraph (f).

The revisions read as follows:

**§ 1.06 Availability of Official Information.**

(a) *Policy.* It is the policy of the Board, the Executive Director, and the General Counsel,

except as otherwise ordered by the Board, to make available for public inspection and copying final decisions and orders of the Board and the Office, as specified and described in subparagraph (d) below.

(b) *Availability.* Any person may examine and copy items described in paragraph (a) above at the Office of Congressional Workplace Rights, Adams Building, Room LA-200, 110 Second Street SE, Washington, D.C. 20540-1999, under conditions prescribed by the Office, including requiring payment for copying costs, and at reasonable times during normal working hours so long as it does not interfere with the efficient operations of the Office. \* \* \*

(c) *Copies of Forms.* Copies of blank forms prescribed by the Office for the filing of claims, complaints, and other actions or requests may be obtained from the Office or online at [www.ocwr.gov](http://www.ocwr.gov).

\* \* \* \* \*

(f) [Removed]

7. Amend section 1.07 by republishing the first two sentences of paragraph (c) and revising the third sentence of paragraph (c). The revisions read as follows:

**§ 1.07 Designation of Representative.**

\* \* \* \* \*

(c) *Revocation of a Designation of Representative.* A revocation of a designation of representative, whether made by the party or by the representative with notice to the party, must be made in writing and filed with the Office. The revocation will be deemed effective the date of receipt by the Office. Consistent with any applicable statutory time limit, at the discretion of the Executive Director, General Counsel, mediator, hearing officer, or Board, additional time may be provided to allow the party to designate a new representative as consistent with the Act.

8. Amend section 1.08 by:

(a) Revising paragraphs (a) through (e); and

(b) Republishing paragraph (f).

The revisions read as follows:

**§ 1.08 Confidentiality.**

(a) *Policy.* Except as provided in sections 302(d) and 416(c), (d), and (e) of the Act, the Office shall maintain confidentiality in the confidential advising process, mediation, and the proceedings and deliberations of hearing officers and the Board in accordance with sections 302(d)(2)(B) and 416(a)-(b) of the Act.

(b) *Participant.* For the purposes of this rule, "participant" means an individual or entity who takes part as either a party, witness, or designated representative in confidential advising under section 302(d) of the Act, mediation under section 404, the claim and hearing process under section 405, or an appeal to the Board under section 406 of the Act, or any related proceeding which is expressly or by necessity deemed confidential under the Act or these rules.

(c) *Prohibition.* Unless specifically authorized by the provisions of the Act or by these rules, no participant in the confidential advising process, mediation, or other proceedings made confidential under section 416 of the Act may disclose a written or an oral communication that is prepared for the purpose of or that occurs during the confidential advising process, mediation, and the proceedings and deliberations of Hearing Officers and the Board.

(d) *Exceptions.* Nothing in these rules prohibits a party or its representative from disclosing information obtained in mediation or hearings when reasonably necessary to investigate claims, ensure compliance with the Act, or prepare its prosecution or defense. However, the party making the disclosure shall take all reasonably appropriate steps to ensure that persons to whom the informa-

tion is disclosed maintain the confidentiality of such information. These rules do not preclude a mediator from consulting with the Office, except that when the covered employee is an employee of the Office, a mediator shall not consult with any individual within the Office who is or who might be a party or witness. These rules do not preclude the Office from reporting information to the Senate and House of Representatives as required by the Act.

(e) *Contents or Records of Mediation or Hearings.* For the purpose of this rule, the contents or records of the confidential advising process, mediation or other proceeding includes the information disclosed by participants to the proceedings, and records disclosed by the opposing party, witnesses, or the Office. A participant is free to disclose facts and other information obtained from any source outside of the mediation or hearing. For example, an employing office or its representatives may disclose information about its employment practices and personnel actions, provided that the information was not obtained in a confidential proceeding. However, a claimant who obtains that information in mediation or other confidential proceeding may not disclose such information. Similarly, information forming the basis for the allegation of a claimant may be disclosed by that claimant, provided that the information contained in those allegations was not obtained in a confidential proceeding. However, the employing office or its representatives may not disclose that information if it was obtained in a confidential proceeding.

(f) *Sanctions.* The Executive Director will advise all participants in the mediation and hearing at the time they became participants of the confidentiality requirements of section 416 of the Act and that sanctions may be imposed by a Hearing Officer for a violation of those requirements. No sanctions may be imposed except for good cause and the particulars of which must be stated in the sanction order.

**SUBPART B—[AMENDED]**

[Table of contents omitted]

Amend subpart B by:

(1) Removing sections 2.01 through 2.07; and

(2) Reserving subpart B for rules concerning "Compliance, Investigation, and Enforcement under Section 210 of the Act (ADA Public Services)—Inspections and Complaints"

**SUBPART C—[REDESIGNATED AND AMENDED]**

[Table of contents omitted]

1. Amend subpart C by:

(a) Redesignating subpart D as subpart C, and amending the references as indicated in the table below:

Old Section	New Section
4.01	3.01
4.02	3.02
4.03	3.03
4.04	3.04
4.05	3.05
4.06	3.06
4.07	3.07
4.08	3.08
4.09	3.09
4.10	3.10
4.11	3.11
4.12	3.12
4.13	3.13
4.14	3.14
4.15	3.15
4.20	3.20
4.21	3.21
4.22	3.22
4.23	3.23
4.24	3.24
4.25	3.25
4.26	3.26
4.27	3.27
4.28	3.28
4.29	3.29
4.30	3.30
4.31	3.31



(b) In subpart C, when referencing sections 4.01 through 4.15 or 4.20 through 4.31, writing the corresponding new section number as indicated in the table above.

2. Amend redesignated section 3.07 by revising the last sentence of paragraph (g)(1) as follows:

\* \* \* \* \*

§ 3.07 Conduct of Inspections.

\* \* \* \* \*

(g) Trade Secrets.

(1) \* \* \* In any such proceeding the Merits Hearing Officer or the Board shall issue such orders as may be appropriate to protect the confidentiality of trade secrets.

4. Amend redesignated section 3.14 by revising the second sentence of paragraph (b) as follows:

§ 3.14 Failure to Correct a Violation for Which a Citation Has Been Issued; Notice of Failure to Correct Violation; Complaint.

\* \* \* \* \*

(b) \* \* \* The complaint shall be submitted to a Merits Hearing Officer for decision pursuant to subsections (b) through (h) of section 405 of the Act, subject to review by the Board pursuant to section 406. \* \* \*

3. Amend redesignated section 3.22 by revising the second sentence as follows:

§ 3.22 Effect of Variances.

\* \* \* In its discretion, the Board may decline to entertain an application for a variance on a subject or issue concerning which a citation has been issued to the employing office involved and a proceeding on the citation or a related issue concerning a proposed period of abatement is pending before the General Counsel, a Merits Hearing Officer, or the Board until the completion of such proceeding.

4. Amend redesignated section 3.25 by:

(a) Revising the second sentence of paragraph (a); and

(b) Revising the second sentence of paragraph (c)(1).

The revisions read as follows:

§ 3.25 Applications for Temporary Variances and Other Relief.

(a) Application for Variance. \* \* \* Pursuant to section 215(c)(4) of the Act, the Board shall refer any matter appropriate for hearing to a Merits Hearing Officer under subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406. \* \* \*

\* \* \* \* \*

(c) Interim Order.

(1) Application. \* \* \* The Merits Hearing Officer to whom the Board has referred the application may rule ex parte upon the application.

\* \* \* \* \*

5. Amend redesignated section 3.26 by:

(a) Revising the second sentence of paragraph (a); and

(b) Revising the second sentence of paragraph (c)(1).

The revisions read as follows:

§ 3.26 Applications for Permanent Variances and Other Relief.

(a) Application for Variance. \* \* \* Pursuant to section 215(c)(4) of the Act, the Board shall refer any matter appropriate for hearing to a Merits Hearing Officer under subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406.

\* \* \* \* \*

(c) Interim Order.

(1) Application. \* \* \* The Merits Hearing Officer to whom the Board has referred the application may rule ex parte upon the application.

\* \* \* \* \*

6. Amend redesignated section 3.28 by revising paragraph (a)(1) as follows:

§ 3.28 Action on Applications.

(a) Defective Applications.

(1) If an application filed pursuant to sections 3.25(a), 3.26(a), or 3.27 of these Rules does not conform to the applicable section, the Merits Hearing Officer or the Board, as applicable, may deny the application.

\* \* \* \* \*

7. Amend redesignated section 3.29 by revising it as follows:

§ 3.29 Consolidation of Proceedings.

On the motion of the Merits Hearing Officer or the Board or that of any party, the Merits Hearing Officer or the Board may consolidate or contemporaneously consider two or more proceedings which involve the same or closely related issues.

8. Amend redesignated section 3.30 by

(1) Revising the second sentence of paragraph (a)(1);

(2) Revising paragraph (b)(3);

(3) Revising paragraph (c); and

(4) Revising paragraph (d).

The revisions read as follows:

§ 3.30 Consent Findings and Rules or Orders.

(a) General. \* \* \* The allowance of such opportunity and the duration thereof shall be in the discretion of the Merits Hearing Officer, after consideration of the nature of the proceeding, the requirements of the public interest, the representations of the parties, and the probability of an agreement which will result in a just disposition of the issues involved.

(b) Contents. Any agreement containing consent findings and rule or order disposing of a proceeding shall also provide:

\* \* \* \* \*

(3) a waiver of any further procedural steps before the Merits Hearing Officer and the Board; and

\* \* \* \* \*

(c) Submission. On or before the expiration of the time granted for negotiations, the parties or their counsel may:

(1) submit the proposed agreement to the Merits Hearing Officer for his or her consideration; or

(2) inform the Merits Hearing Officer that agreement cannot be reached.

(d) Disposition. In the event an agreement containing consent findings and rule or order is submitted within the time allowed therefor, the Merits Hearing Officer may accept such agreement by issuing his or her decision based upon the agreed findings.

9. Amend redesignated section 3.31 by revising paragraph (a) as follows:

§ 3.31 Order of Proceedings and Burden of Proof.

(a) Order of Proceeding. Except as may be ordered otherwise by the Merits Hearing Officer, the party applicant for relief shall proceed first at a hearing.

\* \* \* \* \*

SUBPART D—[AMENDED]

Add a new subpart D as follows:

SUBPART D—CLAIMS PROCEDURES APPLICABLE TO CONSIDERATION OF ALLEGED VIOLATIONS OF SECTIONS 102(C) AND 201-07 OF THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995, AS AMENDED BY THE CAA REFORM ACT OF 2018.

[Table of Contents omitted]

§ 4.01 Matters Covered by this Subpart.

(a) These rules govern the processing of any allegation that sections 102(c) or 201 through 206 of the Act have been violated and any allegation of intimidation or reprisal prohibited under section 207 of the

Act. Sections 102(c) and 201-06 of the Act apply to covered employees and employing offices certain rights and protections of the following laws:

(1) the Fair Labor Standards Act of 1938

(2) title VII of the Civil Rights Act of 1964

(3) title I of the Americans with Disabilities Act of 1990

(4) the Age Discrimination in Employment Act of 1967

(5) the Family and Medical Leave Act of 1993

(6) the Employee Polygraph Protection Act of 1988

(7) the Worker Adjustment and Retraining Notification Act

(8) the Rehabilitation Act of 1973

(9) chapter 43 (relating to veterans' employment and re-employment) of title 38, United States Code

(10) chapter 35 (relating to veterans' preference) of title 5, United States Code

(11) the Genetic Information Non-discrimination Act of 2008

(b) This subpart applies to the covered employees and employing offices as defined in subparagraphs 1.02(m) and (s) of these Rules and any activities within the coverage of sections 102(c) and 201-07 of the Act and referenced above in subparagraph 4.01(a) of these Rules.

§ 4.02 Requests for Advice and Information.

At any time, an employee or an employing office may seek from the Office informal advice and information on the procedures of the Office and under the Act and information on the protections, rights and responsibilities under the Act and procedures available under the Act. The Office will maintain the confidentiality of requests for such advice or information.

§ 4.03 Confidential Advising Services.

(a) Appointment or Designation of Confidential Advisors. The Executive Director shall appoint or designate one or more Confidential Advisors to carry out the duties set forth in section 302(d)(2) of the Act.

(1) Qualifications. A Confidential Advisor appointed or designated by the Executive Director must be a lawyer who is admitted to practice before, and is in good standing with, the bar of a State or territory of the United States or the District of Columbia, and who has experience representing clients in cases involving the laws incorporated by section 102 of the Act. A Confidential Advisor may be an employee of the Office. A Confidential Advisor cannot serve as a mediator in any mediation conducted pursuant to section 404 of the Act.

(2) Restrictions. A Confidential Advisor may not act as the designated representative for any covered employee in connection with the covered employee's participation in any proceeding, including any proceeding under the Act, any judicial proceeding, or any proceeding before any committee of Congress. A Confidential Advisor may not offer or provide any of the services in section 302(d)(2) of the Act if the covered employee has designated an attorney representative in connection with the employee's participation in any proceeding under the Act, except that the Confidential Advisor may provide general assistance and information to the attorney representative regarding the Act and the role of the Office, as the Confidential Advisor deems appropriate.

(3) Continuity of Service. Once a covered employee has accepted and received any services offered under section 302(d)(2) of the Act from a Confidential Advisor, any other services requested under section 302(d)(2) by the covered employee shall be provided, to the extent practicable, by the same Confidential Advisor.

(b) Who May Obtain the Services of a Confidential Advisor. The services provided by a

Confidential Advisor are available to any covered employee, including any unpaid staff and any former covered employee, except that a former covered employee may only request such services if the alleged violation occurred during the employment or service of the employee; and a covered employee may only request such services before the end of the 180-day period described in section 402(d) of the Act.

(c) *Services Provided by a Confidential Advisor.* A Confidential Advisor shall offer to provide the following services to covered employees, on a privileged and confidential basis, which may be accepted or declined:

(1) informing, on a privileged and confidential basis, a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201-07 of the Act about the employee's rights under the Act;

(2) consulting, on a privileged and confidential basis, with a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201-07 of the Act regarding—

(A) the roles, responsibilities, and authority of the Office; and

(B) the relative merits of securing private counsel, designating a nonattorney representative, or proceeding without representation for proceedings before the Office;

(3) advising and consulting, on a privileged and confidential basis, with a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201-07 of the Act regarding any claims the covered employee may have under title IV of the Act, the factual allegations that support each such claim, and the relative merits of the procedural options available to the employee for each such claim;

(4) assisting, on a privileged and confidential basis, a covered employee who seeks consideration under title IV of an allegation of a violation of sections 102(c) or 201-07 of the Act in understanding the procedures, and the significance of the procedures, described in title IV, including—

(A) assisting or consulting with the covered employee regarding the drafting of a claim form to be filed under section 402(a) of the Act; and

(B) consulting with the covered employee regarding the procedural options available to the covered employee after a claim form is filed, and the relative merits of each option; and

(5) informing, on a privileged and confidential basis, a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201-07 of the Act about the option of pursuing, in appropriate circumstances, a complaint with the Committee on Ethics of the House of Representatives or the Select Committee on Ethics of the Senate.

(d) *Privilege and Confidentiality.* Although the Confidential Advisor is not the employee's representative, the services provided under subparagraph (c) of this section, and any related communications between the Confidential Advisor and the employee before or after the filing of a claim, shall be strictly confidential and shall be privileged from discovery. All of the records maintained by a Confidential Advisor regarding communications between the employee and the Confidential Advisor are the property of the Confidential Advisor and not the Office, are not records of the Office within the meaning of section 301(m) of the Act, shall be maintained by the Confidential Advisor in a secure and confidential manner, and may be destroyed under appropriate circumstances. Upon request from the Office, the Confidential Advisor may provide the Office with statistical information about the number of contacts from covered employees and the

general subject matter of the contacts from covered employees.

#### § 4.04 Claims.

(a) *Who May File.* A covered employee alleging any violation of sections 102(c) or 201-07 of the Act may commence a proceeding by filing a timely claim pursuant to section 402 of the Act.

(b) *When to File.*

(1) A covered employee may not file a claim under this section alleging a violation of law after the expiration of the 180-day period that begins on the date of the alleged violation.

(2) *Special Rule for Library of Congress Claimants.* A claim filed by a Library claimant shall be deemed timely filed under section 402 of the Act:

(A) if the Library claimant files the claim within the time period specified in subparagraph (1); or

(B) the Library claimant:

(i) initially filed a claim under the Library of Congress's procedures set forth in the applicable direct provision under section 401(d)(1)(B) of the Act;

(ii) met any initial deadline under the Library of Congress's procedures for filing the claim; and

(iii) subsequently elected to file a claim with the Office under section 402 of the Act prior to requesting a hearing under the Library of Congress's procedures.

(c) *Form and Contents.* All claims shall be on the form provided by the Office either on paper or electronically, signed manually or electronically under oath or affirmation by the claimant or the claimant's representative, and contain the following information, if known:

(1) the name, mailing and e-mail addresses, and telephone number(s) of the claimant;

(2) the name of the employing office against which the claim is brought;

(3) the name(s) and title(s) of the individual(s) involved in the conduct that the employee alleges is a violation of the Act;

(4) a description of the conduct being challenged, including the date(s) of the conduct;

(5) a description of why the claimant believes the challenged conduct is a violation of the Act;

(6) a statement of the specific relief or remedy sought; and

(7) the name, mailing and e-mail addresses, and telephone number of the representative, if any, who will act on behalf of the claimant.

(d) *Election of Remedies for Library of Congress Employees.* A Library claimant who initially files a claim for an alleged violation as provided in section 402 of the Act may, at any time within 10 days after a Preliminary Hearing Officer submits the report on the preliminary review of the claim pursuant to section 403, elect instead to bring the claim before the Library of Congress under the corresponding direct provision.

#### § 4.05 Right to File a Civil Action.

(a) A covered employee may file a civil action in Federal district court pursuant to section 401(b) of the Act if the covered employee:

(1) has timely filed a claim as provided in section 402 of the Act; and

(2) has not submitted a request for an administrative hearing on the claim pursuant to section 405(a) of the Act.

(b) *Period for Filing a Civil Action.* A civil action pursuant to section 401(b) of the Act must be filed within a 70-day period beginning on the date the claim form was filed.

(c) *Effect of Filing a Civil Action.* If a claimant files a civil action concerning a claim during a preliminary review of that claim pursuant to section 403 of the Act, the review terminates immediately upon the filing of

the civil action, and the Preliminary Hearing Officer has no further involvement.

(d) *Notification of Filing a Civil Action.* A claimant filing a civil action in Federal district court pursuant to section 401(b) of the Act shall notify the Office within 10 days of the filing.

#### § 4.06 Initial Processing and Transmission of Claim; Notification Requirements.

(a) After receiving a claim form, the Office shall record the pleading, transmit immediately a copy of the claim form to the head of the employing office and the designated representative of that office, and provide the parties with all relevant information regarding their rights under the Act. An employee filing an amended claim form pursuant to § 4.04 of these Rules shall serve a copy of the amended claim form upon all other parties in the manner provided by § 1.04(b). A copy of these Rules also may be provided to the parties upon request. The Office shall include a service list containing the names and addresses of the parties and their designated representatives.

(b) *Notification of Availability of Mediation.*

(1) Upon receipt of a claim form, the Office shall notify the covered employee who filed the claim form about the mediation process under section 4.07 of these Rules below and the deadlines applicable to mediation.

(2) Upon transmission to the employing office of the claim, the Office shall notify the employing office about the mediation process under the Act and the deadlines applicable to mediation.

(c) *Special Notification Requirements for Claims Based on Acts by Members of Congress.* When a claim alleges a violation described in subparagraphs (A) and (B) of section 402(b)(2) of the Act that consists of a violation described in section 415(d)(1)(A) by a Member of Congress, the Office shall notify immediately such Member of the claim, the possibility that the Member may be required to reimburse the account described in section 415(a) of the Act for the reimbursable portion of any award or settlement in connection with the claim, and the right of the Member under section 415(d)(8) to intervene in any mediation, hearing, or civil action under the Act as to the claim.

(d) *Special Rule for Architect of the Capitol, Capitol Police and Library of Congress Employees.* The Executive Director, after receiving a claim filed under section 402 of the Act, may recommend that a claimant use, for a specific period of time, the grievance procedures referenced in any Memorandum of Understanding between the Office and the Architect of the Capitol, the Capitol Police, or the Library of Congress. Any pending deadline in the Act relating to a claim for which the claimant uses such grievance procedures shall be stayed during that specific period of time.

#### § 4.07 Mediation.

(a) *Overview.* Mediation is a process in which employees, including unpaid staff for purposes of section 201 of the Act, employing offices, and their representatives, if any, meet with a mediator trained to assist them in resolving disputes. As participants in the mediation, employees, employing offices, and their representatives discuss alternatives to continuing their dispute, including the possibility of reaching a voluntary, mutually satisfactory resolution. The mediator cannot impose a specific resolution, and all information discussed or disclosed in the course of any mediation shall be strictly confidential, pursuant to section 416 of the Act. Notwithstanding the foregoing, section 416 expressly provides that a covered employee may disclose the "factual allegations underlying the covered employee's claim" and an employing office may disclose "the

factual allegations underlying the employing office's defense to the claim[.]”

(b) *Availability of Optional Mediation.* Upon receipt of a claim filed pursuant to section 402 of the Act, the Office shall notify the covered employee and the employing office about the process for mediation and applicable deadlines. If the claim alleges a Member committed an act made unlawful under sections 201(a), 206(a) or 207 of the Act which consists of a violation of section 415(d)(1)(A), the Office shall permit the Member to intervene in the mediation. The request for mediation shall contain the claim number, the requesting party's name, office or personal address, e-mail address, telephone number, and the opposing party's name. Failure to request mediation does not adversely impact future proceedings.

(c) *Timing.* The covered employee or the employing office may file a written request for mediation beginning on the date that the covered employee or employing office, respectively, receives notice from the Office about the mediation process. The time to request mediation under these rules ends on the date on which a Merits Hearing Officer issues a written decision on the claim, or the covered employee files a civil action.

(d) *Notice of Commencement of the Mediation.* The Office shall promptly notify the opposing party or its designated representative of the request for mediation and the deadlines applicable to such mediation. When a claim alleges a violation described in subparagraphs (A) and (B) of section 402(b)(2) of the Act that consists of a violation described in section 415(d)(1)(A) by a Member of Congress, the Office shall notify immediately such Member of the right to intervene in any mediation concerning the claim.

(e) *Selection of Mediators; Disqualification.* Upon receipt of the second party's agreement to mediate, the Executive Director shall assign one or more mediators from a master list developed and maintained pursuant to section 404 of the Act, to commence the mediation process. Should the mediator consider himself or herself unable to perform in a neutral role in a given situation, he or she shall withdraw from the matter and immediately shall notify the Office of the withdrawal. Any party may ask the Office to disqualify a mediator by filing a written request, including the reasons for such request, with the Executive Director. This request shall be filed as soon as the party has reason to believe there is a basis for disqualification. The Executive Director's decision on this request shall be final and unreviewable.

(f) *Duration and Extension.*

(1) The mediation period shall be 30 days beginning on the first day after the second party agrees to mediate the matter.

(2) The Executive Director shall extend the mediation period an additional 30 days upon the joint written request of the parties, or of the appointed mediator on behalf of the parties. The request shall be written and filed with the Executive Director no later than the last day of the mediation period.

(g) *Effect of Mediation on Proceedings.*

Upon the parties' agreement to mediate a claim, any deadline relating to the processing of that claim that has not already passed by the first day of the mediation period, shall be stayed during the mediation period.

(h) *Procedures.*

(1) *The Mediator's Role.* After assignment of the case, the mediator will contact the parties. The mediator has the responsibility to conduct the mediation, including deciding how many meetings are necessary and who may participate in each meeting. The mediator may accept and may ask the parties to provide written submissions.

(2) *The Agreement to Mediate.* At the commencement of the mediation, the mediator

will ask the participants and/or their representatives to sign an agreement prepared by the Office (“the Agreement to Mediate”). The Agreement to Mediate will define what is to be kept confidential during mediation and set out the conditions under which mediation will occur, including the requirement that the participants adhere to the confidentiality of the process and a notice that a breach of the mediation agreement could result in sanctions later in the proceedings.

(i) The parties, including an intervenor Member, may elect to participate in mediation proceedings through a designated representative, provided that the representative has actual authority to agree to a settlement agreement, or has immediate access to someone with actual settlement authority, and provided further that, should the mediator deem it appropriate at any time, the physical presence in mediation of any party may be required. The Office may participate in the mediation process through a representative and/or observer. The mediator may determine, as best serves the interests of mediation, whether the participants may meet jointly or separately with the mediator. At the request of any of the parties, the parties shall be separated during mediation.

(j) *Informal Resolutions and Settlement Agreements.* At any time during mediation the parties may resolve or settle a dispute in accordance with subparagraph 9.03 of these Rules.

(k) *Conclusion of the Mediation Period and Notice.* If, at the end of the mediation period, the parties have not resolved the matter that forms the basis of the request for mediation, the Office shall provide the employee, Member, and the employing office, and their representatives, with written notice that the mediation period has concluded. The written notice will be e-filed, e-mailed, sent by first-class mail, faxed, or personally delivered.

(l) *Independence of the Mediation Process and the Mediator.* The Office will maintain the independence of the mediation process and the mediator. No individual appointed by the Executive Director to mediate may conduct or aid in a hearing conducted under section 405 of the Act with respect to the same matter or shall be subject to subpoena or any other compulsory process with respect to the same matter.

(m) *Violation of Confidentiality in Mediation.* An alleged violation of the confidentiality provisions may be made by a party in mediation to the mediator during the mediation period and, if not resolved by agreement in mediation, to a Merits Hearing Officer during proceedings brought under section 405 of the Act.

(n) *Exceptions to Confidentiality in Mediation.* It shall not be a violation of confidentiality to provide the information required by sections 301(1) and 416(d) of the Act.

#### § 4.08 Preliminary Review of Claims.

(a) *Appointment of Preliminary Hearing Officer.* Not later than 7 days after transmission to the employing office of a claim or claims, the Executive Director shall appoint a hearing officer to conduct a preliminary review of the claim or claims filed by the claimant. The appointment of the Preliminary Hearing Officer shall be in accordance with the requirements of section 405(c) of the Act.

(b) *Disqualifying a Preliminary Hearing Officer.*

(1) In the event that a Preliminary Hearing Officer considers himself or herself disqualified, either because of personal bias or of an interest in the case or for some other disqualifying reason, he or she shall withdraw from the case, stating in writing or on the record the reasons for his or her withdrawal, and shall immediately notify the Office of the withdrawal.

(2) Any party may file a motion requesting that a Preliminary Hearing Officer withdraw on the basis of personal bias or of an interest in the case or for some other disqualifying reason. This motion shall specifically set forth the reasons supporting the request and be filed as soon as the party has reason to believe that there is a basis for disqualification.

(3) The Preliminary Hearing Officer shall promptly rule on the withdrawal motion. If the motion is granted, the Executive Director will appoint another Preliminary Hearing Officer within 3 days. Any objection to the Preliminary Hearing Officer's ruling on the withdrawal motion shall not be deemed waived by a party's further participation in the preliminary review process. Such objection will not stay the conduct of the preliminary review process.

(c) *Assessments Required.* In conducting a preliminary review of a claim or claims under this section, the Preliminary Hearing Officer shall assess each of the following:

(1) whether the claimant is a covered employee authorized to obtain relief relating to the claim(s) under the Act;

(2) whether the office which is the subject of the claim(s) is an employing office under the Act;

(3) whether the individual filing the claim(s) has met the applicable deadlines for filing the claim(s) under the Act;

(4) the identification of factual and legal issues in the claim(s);

(5) the specific relief sought by the claimant;

(6) whether, on the basis of the assessments made under paragraphs (1) through (5), the claimant is a covered employee who has stated a claim for which, if the allegations contained in the claim are true, relief may be granted under the Act; and

(7) the potential for the settlement of the claim(s) without a formal hearing as provided under section 405 of the Act or a civil action as provided under section 408 of the Act.

(d) *Amendments to Claims.* Amendments to the claim(s) may be permitted in the Preliminary Hearing Officer's discretion, taking the following factors into consideration:

(1) whether the amendments relate to the cause of action set forth in the claim(s); and

(2) whether such amendments will unduly prejudice the rights of the employing office, or of other parties, unduly delay the preliminary review, or otherwise interfere with or impede the proceedings.

(e) *Report on Preliminary Review.*

(1) Except as provided in subparagraph (2), not later than 30 days after a claim form is filed, the Preliminary Hearing Officer shall submit to the claimant and the respondent(s) a report on the preliminary review. The report shall include a determination whether the claimant is a covered employee who has stated a claim for which, if the allegations contained in the claim are true, relief may be granted under the Act. Submitting the report concludes the preliminary review.

(2) In determining whether a claimant has stated a claim for which relief may be granted under the Act, the Preliminary Hearing Officer shall:

(A) be guided by judicial and Board decisions under the laws made applicable by section 102 of the Act; and

(B) consider whether the legal contentions the claimant advocates are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law.

(3) *Extension of Deadline.* The Preliminary Hearing Officer may, upon notice to the individual filing the claim(s) and the respondent(s), use an additional period of not to exceed 30 days to conclude the preliminary review.

(f) *Effect of Determination of Failure to State a Claim for which Relief may be Granted.*

(1) If the Preliminary Hearing Officer's report under subparagraph (e) includes the determination that the claimant is not a covered employee or has not stated a claim for which relief may be granted under the Act:

(A) the claimant (including a Library claimant) may not obtain an administrative hearing as provided under section 405 of the Act as to the claim; and

(B) the Preliminary Hearing Officer shall provide the claimant and the Executive Director with written notice that the claimant may file a civil action as to the claim in accordance with section 408 of the Act.

(2) The claimant must file the civil action not later than 90 days after receiving the written notice referred to in subparagraph (1)(B).

(g) *Transmission of Report on Preliminary Review of Certain Claims to Congressional Ethics Committees.* When a Preliminary Hearing Officer issues a report on the preliminary review of a claim alleging a violation described in section 415(d)(1)(A) of the Act, the Preliminary Hearing Officer shall transmit the report to—

(1) the Committee on Ethics of the House of Representatives, in the case of such an alleged act by a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress); or

(2) the Select Committee on Ethics of the Senate, in the case of such an alleged act by a Senator.

#### § 4.09 Request for Administrative Hearing.

(a) Except as provided in subparagraph (b), a claimant may submit to the Executive Director a written request for an administrative hearing under section 405 of the Act not later than 10 days after the Preliminary Hearing Officer submits the report on the preliminary review of a claim under section 403(c).

(b) Subparagraph (a) does not apply to the claim if—

(1) the preliminary review report of the claim under section 403(c) of the Act includes the determination that the individual filing the claim is not a covered employee who has stated a claim for which relief may be granted, as described in section 403(d) of the Act; or

(2) the covered employee files a civil action as to the claim as provided in section 408 of the Act.

(c) *Appointment of the Merits Hearing Officer.*

(1) Upon the filing of a request for an administrative hearing under subparagraph (a) of this section, the Executive Director shall appoint an independent Merits Hearing Officer to consider the claim(s) and render a decision, who shall have the authority specified in sections 4.10 and 7.01 of these Rules below.

(2) The Preliminary Hearing Officer shall not serve as the Merits Hearing Officer in the same case.

(d) *Answer.*

(1) Within 10 days after the filing of a request for an administrative hearing under subparagraph (a), the respondent(s) shall file an answer with the Office and serve one copy on the claimant. Filing a motion to dismiss a claim does not stay the time period for filing the answer.

(2) In answering a claim form, the respondent(s) must state in short and plain terms its defenses to each claim asserted against it and admit or deny the allegations asserted against it.

(3) Failure to deny an allegation, other than one relating to the amount of damages, or to raise a defense as to any allegation(s) shall constitute an admission of such allega-

tion(s). Affirmative defenses not raised in an answer that could have reasonably been anticipated based on the facts alleged in the claim form shall be deemed waived.

(4) A respondent's motion for leave to amend an answer to interpose a denial or affirmative defense will ordinarily be granted unless to do so would unduly prejudice the rights of the other party or unduly delay or otherwise interfere with or impede the proceedings.

#### § 4.10 Summary Judgment and Withdrawal of Claims.

(a) If a claimant fails to proceed with a claim, the Merits Hearing Officer may dismiss the claim with prejudice.

(b) *Summary Judgment.* A Merits Hearing Officer may, after notice and an opportunity for the parties to address the question of summary judgment, issue summary judgment on the claim. A motion before the Merits Hearing Officer asserting that the covered employee has failed to state a claim upon which relief can be granted shall be construed as a motion for summary judgment on the ground that the moving party is entitled to judgment as to that claim as a matter of law.

(c) *Appeal.* A final decision by the Merits Hearing Officer made under section 4.10 or 7.16 of these Rules may be subject to appeal before the Board if the aggrieved party files a timely petition for review under section 8.01 of these Rules. A final decision under subparagraphs 4.10(a)–(d) of these Rules that does not resolve all of the issues in the case(s) before the Merits Hearing Officer may not be appealed to the Board in advance of a final decision entered under section 7.16 of these Rules, except as authorized pursuant to section 7.13.

(d) *Withdrawal of Claim.* At any time, a claimant may withdraw his or her own claim(s) by filing a notice with the Office for transmittal to the Preliminary or Merits Hearing Officer and by serving a copy on the respondent(s). Any such withdrawal must be approved by the relevant Hearing Officer and may be with or without prejudice to refile at that Hearing Officer's discretion.

(e) *Withdrawal from a Case by a Representative.* A representative must provide sufficient notice to the Hearing Officer and the parties of record of his or her withdrawal from a case. Until the party designates another representative in writing, the party will be regarded as appearing pro se.

#### § 4.11 Confidentiality.

(a) Pursuant to section 416 of the Act, except as provided in subsections 416(c), (d) and (e), all proceedings and deliberations of Hearing Officers and the Board, including any related records, shall be confidential. A violation of the confidentiality requirements of the Act and these rules may result in the imposition of procedural or evidentiary sanctions. See also sections 1.08, 1.09 and 7.12 of these Rules.

(b) The fact that a request for an administrative hearing has been filed with the Office by a covered employee shall be kept confidential by the Office, except as allowed by these Rules.

#### § 4.12 Automatic Referral to Congressional Ethics Committees.

Pursuant to section 416(d) of the Act, upon the final disposition of a claim alleging a violation described in section 415(d)(1)(C) committed personally by a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, or by a senior staff of the House of Representatives or Senate, the Executive Director shall refer the claim to—

(a) the Committee on Ethics of the House of Representatives, in the case of a Member or senior staff of the House; or

(b) the Select Committee on Ethics of the Senate, in the case of a Senator or senior staff of the Senate.

#### SUBPART E—[AMENDED]

[Table of contents omitted]

Revise subpart E to read as follows:

Subpart E—General Counsel Complaints

[Table of contents omitted]

#### § 5.01 Complaints.

(a) *Who May File.*

The General Counsel may timely file a complaint alleging a violation of sections 210, 215 or 220 of the Act.

(b) *When to File.*

A complaint may be filed by the General Counsel:

(1) after the investigation of a charge filed under section 210 or 220 of the Act; or

(2) after the issuance of a citation or notification under section 215 of the Act.

(c) *Form and Contents.*

A complaint filed by the General Counsel shall be in writing, signed by the General Counsel, or his designee, and shall contain the following information:

(1) the name, mail and e-mail addresses, if available, and telephone number of the employing office, as applicable;

(A) each entity responsible for correction of an alleged violation of section 210(b) of the Act;

(B) each employing office alleged to have violated section 215 of the Act; or

(C) each employing office and/or labor organization alleged to have violated section 220, against which the complaint is brought;

(2) notice of the charge filed alleging a violation of section 210 or 220 of the Act and/or issuance of a citation or notification under section 215;

(3) a description of the acts and conduct that are alleged to be violations of the Act, including all relevant dates and places, and the names and titles of the responsible individuals; and

(4) a statement of the relief or remedy sought.

(d) *Amendments.* Amendments to the complaint may be permitted by the Office or, after assignment, by a Hearing Officer, on the following conditions: that all parties to the proceeding have adequate notice to prepare to meet the new allegations; that the amendments, as appropriate, relate to the charge(s) investigated and/or the citation or notification issued by the General Counsel; and that permitting such amendments will not unduly prejudice the rights of the employing office, the labor organization, or other parties, unduly delay the completion of the hearing, or otherwise interfere with or impede the proceedings.

(e) *Service of Complaint.* Upon receipt of a complaint or an amended complaint, the Office shall serve the respondent, or its designated representative, by hand delivery or first-class mail, e-mail, or facsimile with a copy of the complaint or amended complaint and written notice of the availability of these Rules at [www.ocwr.gov](http://www.ocwr.gov). A copy of these Rules may also be provided if requested by either party. The Office shall include a service list containing the names and addresses of the parties and their designated representatives.

(f) *Answer.*

(1) Within 10 days after receipt of a copy of a complaint or an amended complaint, the respondent shall file an answer with the Office and serve one copy on the General Counsel. Filing a motion to dismiss a claim does not stay the time period for filing the answer.

(2) In answering a complaint, a respondent must state in short and plain terms its defenses to each claim asserted against it and admit or deny the allegations asserted against it by an opposing party.

(3) Failure to deny an allegation, other than one relating to the amount of damages, or to raise a claim or defense as to any allegation(s) shall constitute an admission of such allegation(s). Affirmative defenses not raised in an answer that could have reasonably been anticipated based on the facts alleged in the complaint shall be deemed waived.

(4) A respondent's motion for leave to amend an answer to interpose a denial or affirmative defense will ordinarily be granted unless to do so would unduly prejudice the rights of the other party or unduly delay or otherwise interfere with or impede the proceedings.

(g) *Motion to Dismiss.* In addition to an answer, a respondent may file a motion to dismiss, or other responsive pleading with the Office and serve one copy on the complainant. Responses to any motions shall comply with subparagraph 1.04(c) of these Rules. A motion asserting that the General Counsel has failed to state a claim upon which relief can be granted may, in the Merits Hearing Officer's discretion, be construed as a motion for summary judgment pursuant to subparagraph 5.03(d) of these Rules on the ground that the moving party is entitled to judgment as a matter of law.

**§ 5.02 Appointment of the Merits Hearing Officer.**

Upon the filing of a complaint, the Executive Director will appoint an independent Merits Hearing Officer, who shall have the authority specified in subparagraphs 5.03 and 7.01(b) of the Rules below.

**§ 5.03 Dismissal, Summary Judgment and Withdrawal of Complaints.**

(a) A Merits Hearing Officer may, after notice and an opportunity to respond, dismiss any claim that the Merits Hearing Officer finds to be frivolous or that fails to state a claim upon which relief may be granted.

(b) A Merits Hearing Officer may, after notice and an opportunity to respond, dismiss a complaint because it fails to comply with the applicable time limits or other requirements under the Act or these Rules.

(c) If the General Counsel fails to proceed with an action, the Merits Hearing Officer may dismiss the complaint with prejudice.

(d) *Summary Judgment.* A Merits Hearing Officer may, after notice and an opportunity for the parties to address the question of summary judgment, issue summary judgment on some or all of the complaint.

(e) *Appeal.* A final decision by the Merits Hearing Officer made under sections 5.03(a)-(d) or 7.16 of these Rules may be subject to appeal before the Board if the aggrieved party files a timely petition for review under section 8.01. A final decision under old subparagraph 5.03(a)-(d) that does not resolve all of the claims or issues in the case(s) before the Merits Hearing Officer may not be appealed to the Board in advance of a final decision entered under section 7.16 of these Rules, except as authorized pursuant to section 7.13.

(f) *Withdrawal of Complaint by the General Counsel.* At any time prior to the opening of the hearing, the General Counsel may withdraw his complaint by filing a notice with the Office for transmittal to the Merits Hearing Officer and by serving a copy on the respondent. After opening of the hearing, any such withdrawal must be approved by the Merits Hearing Officer and may be with or without prejudice to refile at the Merits Hearing Officer's discretion.

(g) *Withdrawal from a Case by a Representative.* A representative must provide sufficient notice to the Merits Hearing Officer and the parties of record of his or her withdrawal from a case. Until the party designates another representative in writing, the party will be regarded as appearing pro se.

**§ 5.04 Confidentiality.**

Pursuant to section 416(b) of the Act, except as provided in subsections 416(c) and (f), all proceedings and deliberations of Merits Hearing Officers and the Board, including any related records, shall be confidential. Section 416(b) does not apply to proceedings under section 215 of the Act, but does apply to the deliberations of Merits Hearing Officers and the Board under section 215. A violation of the confidentiality requirements of the Act and these rules may result in the imposition of procedural or evidentiary sanctions. See also sections 1.08 and 7.12 of these Rules.

**SUBPART F—[AMENDED]**

[Table of Contents Omitted]

Revise subpart F to read as follows:

**§ 6.01 Discovery.**

(a) *Description.* Discovery is the process by which a party may obtain from another person, including a party, information that is not privileged and that is reasonably calculated to lead to the discovery of admissible evidence, to assist that party in developing, preparing and presenting its case at the hearing. No discovery, whether oral or written, by any party shall be taken of or from an employee of the Office of Congressional Workplace Rights (including but not limited to a Board member, the Executive Director, the General Counsel, a Confidential Advisor, a mediator, a hearing officer, or unpaid staff), including files, records, or notes produced during the confidential advising, mediation, and hearing phases of a case and maintained by the Office, the Confidential Advisor, the mediator, or the hearing officer.

(b) *Initial Disclosure.* Within 14 days after the prehearing conference in cases commenced by the filing of a claim pursuant to section 402(a) of the Act, and except as otherwise stipulated or ordered by the Merits Hearing Officer (the hearing officer appointed by the Executive Director to conduct the administrative hearing), a party must, without awaiting a discovery request, provide to the other parties: the name and, if known, mail and e-mail addresses, and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its causes of action or defenses; and a copy or a description by category and location of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses.

(c) *Discovery Availability.* Pursuant to section 405(e) of the Act, reasonable prehearing discovery may be permitted at the Merits Hearing Officer's discretion.

(1) The parties may take discovery by one or more of the following methods: depositions upon oral examination or written questions; written interrogatories; production of documents or things or permission to enter upon land or other property for inspection or other purposes; physical and mental examinations; and requests for admissions. Nothing in section 415(d) of the Act—dealing with reimbursements by Members of Congress of amounts paid as settlements and awards—may be construed to require the claimant to be deposed by counsel for the intervening member in a deposition that is separate from any other deposition taken from the claimant in connection with the hearing or civil action.

(2) The Merits Hearing Officer may adopt standing orders or make any order setting forth the forms and extent of discovery, including orders limiting the number of depositions, interrogatories, and requests for production of documents, and also may limit the length of depositions.

(3) The Merits Hearing Officer may issue any other order to prevent discovery or disclosure of confidential or privileged materials or information, as well as hearing or trial preparation materials and any other information deemed not discoverable, or to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense.

*(d) Claims of Privilege.*

(1) *Information Withheld.* Whenever a party withholds information otherwise discoverable under these Rules by claiming that it is privileged or confidential or subject to protection as hearing or trial preparation materials, the party shall make the claim of privilege expressly in writing and shall describe the nature of the documents, communications or things not produced or disclosed in a manner that, without revealing whether the information itself is privileged or protected, will enable other parties to assess the applicability of the privilege or protection. A party must make a claim for privilege no later than the due date to produce the information.

(2) *Information Produced as Inadvertent Disclosure; Sealing All or Part of the Record.* If information produced in discovery is subject to a claim of privilege or of protection as hearing preparation material, the party making the claim of privilege may notify any party that received the information of the claim of privilege and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim of privilege is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the Merits Hearing Officer or the Board under seal for a determination of the claim of privilege. The producing party must preserve the information until the claim of privilege is resolved.

**§ 6.02 Request for Subpoena.**

(a) *Authority to Issue Subpoenas.* At the request of a party, the Merits Hearing Officer may issue subpoenas for the attendance and testimony of witnesses and for the production of correspondence, books, papers, documents, or other records. The attendance of witnesses and the production of records may be required from any place within the United States. However, no subpoena shall be issued for the attendance or testimony of an employee or agent of the Office of Congressional Workplace Rights (including but not limited to a Board member, the Executive Director, the General Counsel, a Confidential Advisor, a mediator, a hearing officer, or unpaid staff), or for the production of files, records, or notes produced during the confidential advising process, in mediation, or at the hearing. Employing offices shall make their employees available for discovery and hearing without requiring a subpoena.

\* \* \* \* \*

(b) *Request.* A request to issue a subpoena requiring the attendance and testimony of witnesses or the production of documents or other evidence under paragraph (a) above shall be submitted to the Merits Hearing Officer at least 15 days before the scheduled hearing date. If the subpoena is sought as part of the discovery process, the request shall be submitted to the Merits Hearing Officer at least 10 days before the date that a witness must attend a deposition or the date for the production of documents. The Merits Hearing Officer may waive the time limits stated above for good cause.

(c) *Forms and Showing.* Requests for subpoenas shall be submitted in writing to the Merits Hearing Officer and shall specify with particularity the witness, correspondence,

books, papers, documents, or other records desired and shall be supported by a showing of general relevance and reasonable scope.

(d) *Rulings.* The Merits Hearing Officer shall promptly rule on subpoena requests.

#### § 6.03 Service.

Subpoenas shall be served in the manner provided under Rule 45(b) of the Federal Rules of Civil Procedure. Service of a subpoena may be made by any person who is over 18 years of age and is not a party to the proceeding.

#### § 6.04 Proof of Service.

When service of a subpoena is effected, the person serving the subpoena shall certify the date and the manner of service. The party on whose behalf the subpoena was issued shall file the server's certification with the Merits Hearing Officer.

#### § 6.05 Motion to Quash or Limit.

Any person against whom a subpoena is directed may file a motion to quash or limit the subpoena setting forth the reasons why the subpoena should not be complied with or why it should be limited in scope. This motion shall be filed with the Merits Hearing Officer before the time specified in the subpoena for compliance and not later than 10 days after service of the subpoena. The Merits Hearing Officer should promptly rule on a motion to quash or limit and ensure that the person receiving the subpoena is made aware of the ruling.

#### § 6.06 Enforcement.

(a) *Objections and Requests for Enforcement.*

If a person has been served with a subpoena pursuant to section 6.03 of the Rules, but fails or refuses to comply with its terms or otherwise objects to it, the party or person objecting or the party seeking compliance may seek a ruling from the Merits Hearing Officer. The request for a ruling shall be submitted in writing to the Merits Hearing Officer. However, it may be made orally on the record at the hearing at the discretion of the Merits Hearing Officer. The party seeking compliance shall present the proof of service and, except when the witness was required to appear before the Merits Hearing Officer, shall submit evidence, by affidavit or declaration, of the failure or refusal to obey the subpoena.

(b) *Ruling by the Merits Hearing Officer.*

(1) The Merits Hearing Officer shall promptly rule on the request for enforcement and/or the objection(s).

(2) On request of the objecting witness or any party, the Merits Hearing Officer shall—or on the Hearing Officer's own initiative, the Hearing Officer may—refer the ruling to the Board for review.

(c) *Review by the Board.* The Board may overrule, modify, remand, or affirm the Merits Hearing Officer's ruling and, in its discretion, may direct the General Counsel to apply in the name of the Office for an order from a United States district court to enforce the subpoena.

(d) *Application to an Appropriate Court; Civil Contempt.* If a person fails to comply with a subpoena, the Board may direct the General Counsel to apply, in the name of the Office, to an appropriate United States district court for an order requiring that person to appear before the Merits Hearing Officer to give testimony or produce records. Any failure to obey a lawful order of the district court may be held by such court to be a civil contempt thereof.

#### § 6.07 Requirements for Sworn Statements.

Any time that the Office and/or a Hearing Officer requires an affidavit or sworn statement from a party or a witness, he or she should refer the party or witness to a sample declaration under 28 U.S.C. § 1746, which substantially requires:

(a) If executed within the United States, its territories, possessions, or commonwealths: "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)."

(b) If executed outside the United States: "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)."

#### SUBPART G—[AMENDED]

[Table of Contents Omitted]

*Revise subpart G to read as follows:*

#### § 7.01 The Merits Hearing Officer.

This subpart concerns the duties and responsibilities of Merits Hearing Officers, who are appointed by the Executive Director to preside over the administrative hearings under the Act. The duties and responsibilities of Preliminary Hearing Officers are contained in section 5.08 of these Rules.

(a) *Exercise of Authority.* The Merits Hearing Officer may exercise authority as provided in subparagraph (b) of this section upon his or her own initiative or upon a party's motion, as appropriate.

(b) *Authority.* Merits Hearing Officers shall conduct fair and impartial hearings and take all necessary action to avoid undue delay in disposing of all proceedings. They shall have all powers necessary to that end unless otherwise limited by law, including, but not limited to, the authority to:

- (1) administer oaths and affirmations;
- (2) rule on motions to disqualify designated representatives;
- (3) issue subpoenas in accordance with section 6.02 of these Rules;
- (4) rule upon offers of proof and receive relevant evidence;
- (5) rule upon discovery issues as appropriate under sections 6.01 to 6.06 of these Rules;
- (6) hold prehearing conferences for simplifying issues and settlement;
- (7) convene a hearing, as appropriate, regulate the course of the hearing, and maintain decorum at and exclude from the hearing any person who disrupts, or threatens to disrupt, that decorum;
- (8) exclude from the hearing any person, except any claimant, any party, the attorney or representative of any claimant or party, or any witness while testifying;
- (9) rule on all motions, witness and exhibit lists, and proposed findings, including motions for summary judgment;
- (10) require the filing of briefs, memoranda of law, and the presentation of oral argument as to any question of fact or law;
- (11) order the production of evidence and the appearance of witnesses;
- (12) impose sanctions as provided under section 7.02 of these Rules;
- (13) file decisions on the issues presented at the hearing;
- (14) dismiss any claim that is found to be frivolous or that fails to state a claim upon which relief may be granted;
- (15) maintain and enforce the confidentiality of proceedings; and
- (16) waive or modify any procedural requirements of subparts F and G of these Rules so long as permitted by the Act.

#### § 7.02 Sanctions.

(a) When necessary to regulate the course of the proceedings (including the hearing), the Merits Hearing Officer may impose an appropriate sanction, which may include, but is not limited to, the sanctions specified in this section, on the parties and/or their representatives.

(b) The Merits Hearing Officer may impose sanctions upon the parties and/or their rep-

resentatives based on, but not limited to, the circumstances set forth in this section.

(1) *Failure to Comply with an Order.* When a party fails to comply with an order (including an order to submit to a deposition, to produce evidence within the party's control, or to produce witnesses), the Merits Hearing Officer may:

(A) draw an inference in favor of the requesting party on the issue related to the information sought;

(B) stay further proceedings until the order is obeyed;

(C) prohibit the party failing to comply with such order from introducing evidence concerning, or otherwise relying upon, evidence relating to the information sought;

(D) permit the requesting party to introduce secondary evidence concerning the information sought;

(E) strike, in whole or in part, the claim, briefs, answer, or other submissions of the party failing to comply with the order, as appropriate; or

(F) direct judgment against the non-complying party in whole or in part.

(2) *Failure to Prosecute or Defend.* If a party fails to prosecute or defend a position, the Merits Hearing Officer may dismiss the action with prejudice or decide the matter, when appropriate.

(3) *Failure to Make Timely Filing.* The Merits Hearing Officer may refuse to consider any request, motion or other action that is not filed in a timely fashion in compliance with this subpart.

(4) *Frivolous Claims, Defenses, and Arguments.* If a party or a representative files a claim that fails to meet the requirements of section 401(f) of the Act, the Merits Hearing Officer may dismiss the claim, in whole or in part, with prejudice or decide the matter for the opposing party. If a party or a representative presents a pleading, written motion, or other paper containing claims, defenses, and other legal contentions for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of resolution of the matter, the Merits Hearing Officer may reject the claims, defenses or legal contentions, in whole or in part. A claim, defense, or legal contention shall not be subject to sanctions if it constitutes a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law.

(5) *Failure to Maintain Confidentiality.* An allegation regarding a violation of the confidentiality provisions may be made to a Merits Hearing Officer in proceedings under section 405 of the Act. If, after notice and hearing, the Merits Hearing Officer determines that a party has violated the confidentiality provisions, the Merits Hearing Officer may:

(A) direct that the matters related to the breach of confidentiality or other designated facts be taken as established for purposes of the action, as the prevailing party contends;

(B) prohibit the party breaching confidentiality from supporting or opposing designated claims or defenses, or from introducing designated matters in evidence;

(C) strike the pleadings in whole or in part;

(D) stay further proceedings until the breach of confidentiality is resolved to the extent possible;

(E) dismiss the action or proceeding in whole or in part; or

(F) render a default judgment against the party breaching confidentiality.

(c) No sanctions may be imposed under this section except for good cause and the particulars of which must be stated in the sanction order.

#### § 7.03 Disqualifying a Merits Hearing Officer.

(a) In the event that a Merits Hearing Officer considers himself or herself disqualified,



either because of personal bias or of an interest in the case or for some other disqualifying reason, he or she shall withdraw from the case, stating in writing or on the record the reasons for his or her withdrawal, and shall immediately notify the Office of the withdrawal.

(b) Any party may file a motion requesting that a Merits Hearing Officer withdraw on the basis of personal bias or of an interest in the case or for some other disqualifying reason. This motion shall specifically set forth the reasons supporting the request and be filed as soon as the party has reason to believe that there is a basis for disqualification.

(c) The Merits Hearing Officer shall promptly rule on the withdrawal motion. If the motion is granted, the Executive Director will appoint another Merits Hearing Officer within 5 days. Any objection to the Merits Hearing Officer's ruling on the withdrawal motion shall not be deemed waived by a party's further participation in the hearing and may be the basis for an appeal to the Board from the Merits Hearing Officer's decision under section 8.01 of these Rules. Such objection will not stay the conduct of the hearing.

#### § 7.04 Motions and Prehearing Conference.

(a) *Motions.* Motions shall be filed with the Merits Hearing Officer and shall be in writing except for oral motions made on the record during the hearing. All written motions and any responses to them shall include a proposed order, when applicable. Only with the Merits Hearing Officer's advance approval may either party file additional responses to the motion or to the response to the motion. Motions for extension of time will be granted only for good cause shown.

(b) *Scheduling the Prehearing Conference.* Within 7 days after a Merits Hearing Officer is assigned to adjudicate the claim(s), the Merits Hearing Officer shall serve on the parties and their designated representatives written notice setting forth the time, date, and place of the prehearing conference, except that the Executive Director may, for good cause, extend up to an additional 7 days the time for serving notice of the prehearing conference.

(c) *Prehearing Conference Memoranda.* The Merits Hearing Officer may order each party to prepare a prehearing conference memorandum. The Merits Hearing Officer may direct that a memorandum be filed after discovery has concluded. The memorandum may include:

(1) the major factual contentions and legal issues that the party intends to raise at the hearing in short, successive, and numbered paragraphs, along with any proposed stipulations of fact or law;

(2) an estimate of the time necessary for presenting the party's case;

(3) the specific relief, including, when known, a calculation of any monetary relief or damages that is being or will be requested;

(4) the names of potential witnesses for the party's case, except for potential impeachment or rebuttal witnesses, and the purpose for which they will be called and a list of documents that the party is seeking from the opposing party, and, if discovery was permitted, the status of any pending request for discovery. (It is not necessary to list each document requested. Instead, the party may refer to the request for discovery.); and

(5) a brief description of any other unresolved issues.

(d) At the prehearing conference, the Merits Hearing Officer may discuss the subjects specified in paragraph (c) above and the manner in which the hearing will be con-

ducted. In addition, the Merits Hearing Officer may explore settlement possibilities and consider how the factual and legal issues might be simplified and any other issues that might expedite resolving the dispute. The Merits Hearing Officer shall issue an order, which recites the actions taken at the conference and the parties' agreements as to any matters considered, and which limits the issues to those not disposed of by the parties' admissions, stipulations, or agreements. Such order, when entered, shall control the course of the proceeding, subject to later modification by the Merits Hearing Officer by his or her own motion or upon proper request of a party for good cause shown.

#### § 7.05 Scheduling the Hearing.

(a) *Date, Time, and Place of Hearing.* The Office shall issue the notice of hearing, which shall fix the date, time, and place of hearing. Absent a postponement granted by the Office, a hearing must commence no later than 60 days after the filing of the claim(s).

(b) *Motions for Postponement or a Continuance.* Motions for postponement or for a continuance by either party shall be made in writing to the Merits Hearing Officer, shall set forth the reasons for the request, and shall state whether or not the opposing party consents to such postponement. A Merits Hearing Officer may grant such a motion upon a showing of good cause. In no event will a hearing commence later than 90 days after the filing of the claim form.

#### § 7.06 Consolidation and Joinder of Cases.

(a) *Explanation.*

(1) Consolidation is when two or more parties have cases that might be treated as one because they contain identical or similar issues or in such other appropriate circumstances.

(2) Joinder is when one party has two or more cases pending and they are united for consideration. For example, joinder might be warranted when a single party has one case pending challenging a 30-day suspension and another case pending challenging a subsequent dismissal.

(b) *Authority.* The Executive Director (before assigning a Merits Hearing Officer to adjudicate a claim); a Merits Hearing Officer (during the hearing); or the Board (during an appeal) may consolidate or join cases on their own initiative or on the motion of a party if to do so would expedite case processing and not adversely affect the parties' interests, taking into account the confidentiality requirements of section 416 of the Act.

#### § 7.07 Conduct of Hearing; Disqualifying a Representative.

(a) Pursuant to section 405(d)(1) of the Act, the Merits Hearing Officer shall conduct the hearing in closed session on the record. Only the Merits Hearing Officer, the parties and their representatives, and witnesses during the time they are testifying, shall be permitted to attend the hearing, except that the Office may not be precluded from observing the hearing. The Merits Hearing Officer, or a person designated by the Merits Hearing Officer or the Executive Director, shall record the proceedings.

(b) The hearing shall be conducted as an administrative proceeding. Witnesses shall testify under oath or affirmation. Except as specified in the Act and in these Rules, the Merits Hearing Officer shall conduct the hearing, to the greatest extent practicable, consistent with the principles and procedures in sections 554 through 557 of title 5 of the United States Code (the Administrative Procedure Act).

(c) No later than the opening of the hearing, or as otherwise ordered by the Merits Hearing Officer, each party shall submit to

the Merits Hearing Officer and to the opposing party typed lists of the hearing exhibits and the witnesses expected to be called to testify, excluding impeachment or rebuttal witnesses.

(d) At the commencement of the hearing, or as otherwise ordered by the Merits Hearing Officer, the Merits Hearing Officer may consider any stipulations of facts and law pursuant to section 7.10 of the Rules, take official notice of certain facts pursuant to section 7.11 of the Rules, rule on the parties' objections and hear witness testimony. Each party must present his or her case in a concise manner, limiting the testimony of witnesses and submission of documents to relevant matters.

(e) Any evidentiary objection not timely made before a Merits Hearing Officer shall, absent clear error, be deemed waived on appeal to the Board.

(f) Failure of either party to appear at the hearing, to present witnesses, or to respond to an evidentiary order may result in an adverse finding or ruling by the Merits Hearing Officer. At the Merits Hearing Officer's discretion, the hearing also may be held without the claimant if the claimant's representative is present.

(g) If the Merits Hearing Officer concludes that an employee's representative, a witness, a charging party, a labor organization, an employing office, or an entity alleged to be responsible for correcting a violation has a conflict of interest, the Merits Hearing Officer may, after giving the representative an opportunity to respond, disqualify the representative. In that event, within the time limits for hearing and decision established by the Act, the affected party shall be afforded reasonable time to retain other representation.

#### § 7.08 Transcript.

(a) *Preparation.* The Office shall keep an accurate electronic or stenographic hearing record, which shall be the sole official record of the proceeding. The Office shall be responsible for the cost of transcribing the hearing. Upon request, a copy of the hearing transcript shall be furnished to each party, provided, however, that such party has first agreed to maintain and respect the confidentiality of such transcript in accordance with the applicable rules prescribed by the Office or the Merits Hearing Officer to effectuate section 416(b) of the Act. Additional copies of transcripts shall be made available to a party at the party's expense. The Office may grant exceptions to the payment requirement for good cause shown. A motion for an exception shall be made in writing, accompanied by an affidavit or a declaration setting forth the reasons for the request, and submitted to the Office. Requests for copies of transcripts also shall be directed to the Office. The Office may, by agreement with the person making the request, arrange with the official hearing reporter for required services to be charged to the requester.

(b) *Corrections.* Corrections to the official transcript of the hearing will be permitted. Motions for correction must be submitted within 10 days of service of the transcript upon the parties. Corrections to the official transcript will be permitted only upon the approval of the Merits Hearing Officer. The Merits Hearing Officer may make corrections at any time with notice to the parties.

#### § 7.09 Admissibility of Evidence.

The Merits Hearing Officer shall apply the Federal Rules of Evidence to the greatest extent practicable. These Rules provide, among other things, that the Merits Hearing Officer may exclude evidence if, among other things, it constitutes inadmissible hearsay or its probative value is substantially outweighed by the danger of unfair prejudice, by confusion of the issues, or by considerations of

undue delay, waste of time, or needless presentation of cumulative evidence.

#### § 7.10 Stipulations.

The parties may stipulate as to any matter of fact. Such a stipulation will satisfy a party's burden of proving the fact alleged.

#### § 7.11 Official Notice.

(a) The Merits Hearing Officer on his or her own motion or on motion of a party, may take official notice of a fact that is not subject to reasonable dispute because it is either:

(1) a matter of common knowledge; or  
(2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. Official notice taken of any fact satisfies a party's burden of proving the fact noticed.

(b) When a decision, or part thereof, rests on the official notice of a material fact not appearing in the evidence in the record, the fact of official notice shall be so stated in the decision, and any party, upon timely request, shall be afforded an opportunity to show the contrary.

#### § 7.12 Confidentiality.

(a) Pursuant to section 416 of the Act and section 1.08 of these Rules, all proceedings and deliberations of Merits Hearing Officers and the Board, including the hearing transcripts and any related records, shall be confidential, except as specified in sections 416(c), (d), (e), and (f) of the Act and subparagraph 1.08(d) of these Rules. All parties to the proceeding and their representatives, and witnesses who appear at the hearing, will be advised of the importance of confidentiality in this process and of their obligations, subject to sanctions, to maintain it. This provision shall not apply to proceedings under section 215 of the Act, but shall apply to the Merits Hearing Officers' and the Board's deliberations under that section.

(b) *Violation of Confidentiality.* A Merits Hearing Officer, under section 405 of the Act, may resolve an alleged violation of confidentiality that occurred during a hearing. After providing notice and an opportunity to the parties to be heard, the Merits Hearing Officer, under subparagraph 1.08(f) of these Rules, may find a violation of confidentiality and impose appropriate procedural or evidentiary sanctions, to include the sanctions listed in section 7.02 of these Rules.

#### § 7.13 Immediate Board Review of a Hearing Officer's Ruling.

(a) *Review Strongly Disfavored.* Board review of a Merits Hearing Officer's ruling is strongly disfavored while a proceeding is ongoing (an "interlocutory appeal"). In general, the Board may consider a request for interlocutory appeal only if the Merits Hearing Officer, on his or her own motion or by motion of the parties, determines that the issue presented is of such importance to the proceeding that it requires the Board's immediate attention.

(b) *Time for Filing.* A party must file a motion for interlocutory appeal of a Merits Hearing Officer's ruling with the Merits Hearing Officer within 5 days after service of the ruling upon the parties. The motion shall include arguments in support of both interlocutory appeal and the requested determination to be made by the Board upon review. Responses, if any, shall be filed with the Hearing Officer within 3 days after service of the motion.

(c) *Standards for Review.* In determining whether to certify and forward a request for interlocutory appeal to the Board, the Merits Hearing Officer shall consider the following:

(1) whether the ruling involves a significant question of law or policy about which there is substantial ground for difference of opinion;

(2) whether an immediate Board review of the Merits Hearing Officer's ruling will materially advance completing the proceeding; and

(3) whether denial of immediate review will cause undue harm to a party or the public.

(d) *Merits Hearing Officer Action.* If all the conditions set forth in paragraph (c) above are met, the Merits Hearing Officer shall certify and forward a request for interlocutory appeal to the Board for its immediate consideration. Any such submission shall explain the basis on which the Merits Hearing Officer concluded that the standards in paragraph (c) have been met. The Merits Hearing Officer's decision to forward or decline to forward a request for review is not appealable.

(e) *Granting or Denying an Interlocutory Appeal is Within the Board's Sole Discretion.* The Board, in its sole discretion, may grant or deny an interlocutory appeal, upon the Merits Hearing Officer's certification and decision to forward a request for review. The Board's decision to grant or deny an interlocutory appeal is not appealable.

(f) *Stay Pending Interlocutory Appeal.* Unless otherwise directed by the Board, the stay of any proceedings during the pendency of either a request for interlocutory appeal or the appeal itself shall be within the Merits Hearing Officer's discretion, provided that no stay shall serve to toll the time limits set forth in section 405(d) of the Act. If the Merits Hearing Officer does not stay the proceedings, the Board may do so while an interlocutory appeal is pending with it.

(g) *Procedures before the Board.* Upon its decision to grant interlocutory appeal, the Board shall issue an order setting forth the procedures that will be followed in the conduct of that review.

(h) *Appeal of a Final Decision.* Denial of interlocutory appeal will not affect a party's right to challenge rulings, which are otherwise appealable, as part of an appeal to the Board under section 8.01 of the Rules from the Merits Hearing Officer's decision issued under section 7.16 of these Rules.

#### § 7.14 Proposed Findings of Fact and Conclusions of Law; Posthearing Briefs.

*May be Required.* The Merits Hearing Officer may require the parties to file proposed findings of fact and conclusions of law and/or posthearing briefs on the factual and the legal issues presented in the case.

#### § 7.15 Closing the Record.

(a) Except as provided in section 7.14 of the Rules, the record shall close when the hearing ends. However, the Hearing Officer may hold the record open as necessary to allow the parties to submit arguments, briefs, documents or additional evidence previously identified for introduction.

(b) Once the record is closed, no additional evidence or argument shall be accepted into the hearing record except upon a showing that new and material evidence has become available that was not available despite due diligence before the record closed or that the additional evidence or argument is being provided in rebuttal to new evidence or argument that the other party submitted just before the record closed. The Merits Hearing Officer also shall make part of the record an approved correction to the transcript.

#### § 7.16 Merits Hearing Officer Decisions; Entry in Office Records; Corrections to the Record; Motions to Alter, Amend, or Vacate the Decision.

(a) The Merits Hearing Officer shall issue a written decision no later than 90 days after the hearing ends, pursuant to section 405(g) of the Act.

(b) The Merits Hearing Officer's written decision shall:

(1) state the issues raised in the claim(s), form, or complaint;

(2) describe the evidence in the record;

(3) contain findings of fact and conclusions of law, and the reasons or bases therefore, on all the material issues of fact, law, or discretion presented on the record;

(4) determine whether a violation has occurred; and

(5) order such remedies as are appropriate under the Act.

(c) If a final decision concerns a claim alleging a violation or violations described in section 415(d)(1)(C) of the Act, the written decision shall include the following findings:

(1) whether the alleged violation or violations occurred;

(2) whether any violation or violations found to have occurred were committed personally by an individual who, at the time of committing the violation, was a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator;

(3) the amount of compensatory damages, if any, awarded pursuant to section 415(d)(1)(B) of the Act; and

(4) the amount, if any, of compensatory damages that is the "reimbursable portion" as defined by section 415(d) of the Act.

(d) Upon issuance, the Merits Hearing Officer's decision and order shall be entered into the Office's records.

(e) The Office shall promptly provide a copy of the Merits Hearing Officer's decision and order to the parties.

(f) If there is no appeal of a Merits Hearing Officer's decision and order, that decision becomes a final decision of the Office, which is subject to enforcement under section 8.03 of these Rules.

(g) *Corrections to the Record.* After a Merits Hearing Officer's decision has been issued, but before an appeal is made to the Board, or absent an appeal, before the decision becomes final, the Merits Hearing Officer may issue an erratum notice to correct simple errors or easily correctible mistakes. The Merits Hearing Officer may do so on the parties' motion or on his or her own motion with or without advance notice.

(h) After a Merits Hearing Officer's decision has been issued, but before an appeal is made to the Board, or absent an appeal, before the decision becomes final, a party to the proceeding before the Merits Hearing Officer may move to alter, amend, or vacate the decision. The moving party must establish that relief from the decision is warranted because: (1) of mistake, inadvertence, surprise, or excusable neglect; (2) there is newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new hearing; (3) there has been fraud (misrepresentation, or misconduct by an opposing party); (4) the decision is void; or (5) the decision has been satisfied, released, or discharged; it is based on an earlier decision that has been reversed or vacated; or applying it prospectively is no longer equitable. The motion shall be filed within 15 days after service of the Merits Hearing Officer's decision. No response shall be filed unless the Merits Hearing Officer so orders. The filing and pendency of a motion under this provision shall not relieve a party of the obligation to file a timely appeal or operate to stay the Merits Hearing Officer's action unless the Merits Hearing Officer so orders.

#### Subpart H—[AMENDED]

[Table of Contents Omitted]

Amend section 8.01 by:

(a) Revising the second sentence of paragraph (a);

(b) Adding a new paragraph (b) and redesignating paragraphs (b) through (j) as paragraphs (c) through (k), respectively;

(c) Revising redesignated paragraph (c)(2); and

(d) Revising redesignated paragraphs (i) through (k).

The revisions read as follows:

§ 8.01 Appeal to the Board.

(a) \* \* \* The appeal must be served on all opposing parties or their representatives.

(b) A Report on Preliminary Review pursuant to section 402(c) of the Act is not appealable to the Board.

(c)

(2) Unless otherwise ordered by the Board, within 21 days following the service of the appellant's brief, any opposing party may file and serve a responsive brief. Unless otherwise ordered by the Board, within 10 days following the service of the responsive brief(s), the appellant may file and serve a reply brief.

(i) Record. The docket sheet, claim form or complaint and any amendments, preliminary review report, request for hearing, notice of hearing, answer and any amendments, motions, rulings, orders, stipulations, exhibits, documentary evidence, any portions of depositions admitted into evidence, docketed Memoranda for the Record, or correspondence between the Office and the parties, and the transcript of the hearing (together with any electronic recording of the hearing if the original reporting was performed electronically) together with the Merits Hearing Officer's decision and the petition for review, any response thereto, any reply to the response and any other pleadings shall constitute the record in the case.

(j) The Board may invite amicus participation, in appropriate circumstances, in a manner consistent with the requirements of section 416 of the Act.

(k) An appellant may move to withdraw a petition for review at any time before the Board renders a decision. The motion must be in writing and submitted to the Board. The Board, at its discretion, may grant or deny such a motion and take whatever action is required.

SUBPART I—[AMENDED]

[Table of Contents Omitted]

1. Amend section 9.01 by:

(a) Revising paragraph (a); and

(b) Adding a new paragraph (c).

The revisions read as follows:

§ 9.01 Attorney's Fees and Costs.

(a) Request. No later than 30 days after the entry of a final decision of the Office, the prevailing party may submit to the Merits Hearing Officer who decided the case a motion for the award of reasonable attorney's fees and costs, following the form specified in paragraph (b) below. The Merits Hearing Officer, after giving the respondent an opportunity to reply, shall rule on the motion. Decisions regarding attorney's fees and costs are collateral and do not affect the finality or appealability of a final decision issued by the Office.

(c) Arbitration Awards. In arbitration proceedings, the prevailing party must submit any request for attorney's fees and costs to the arbitrator in accordance with the established arbitration procedures.

2. Amend section 9.02 by revising paragraph (b) as follows:

§ 9.02 Ex Parte Communications.

(b) Exception to Coverage. The Rules set forth in this section do not apply during pe-

riods that the Board designates as periods of negotiated rulemaking in accordance with the procedures set forth in the Administrative Procedure Act, 5 U.S.C. § 500 et seq.

3. Revise section 9.03 as follows:

§ 9.03 Informal Resolutions and Settlement Agreements.

(a) Informal Resolution. At any time before a covered employee files a claim form under section 402 of the Act, a covered employee and the employing office, on their own, may agree voluntarily and informally to resolve a dispute. Any informal resolution shall be ineffective to the extent that it purports to:

(1) constitute a waiver of a covered employee's rights under the Act; or

(2) create an obligation that is payable from the account established by section 415(a) of the Act ("Section 415(a) Treasury Account") or enforceable by the Office.

(c) General Requirements for Formal Settlement Agreements. A formal settlement agreement must contain the signatures of all parties or their designated representatives on the agreement document. A formal settlement agreement cannot be approved by the Executive Director until the appropriate revocation periods have expired and the employing office has fully completed and submitted the Office's Section 415(a) Account Requisition Form. A formal settlement agreement cannot be rescinded after the signatures of all parties have been affixed to the agreement, unless by written revocation of the agreement voluntarily signed by all parties, or as otherwise permitted by law. All formal settlement agreements must also:

(1) specify the amount of each payment to be made from the Section 415(a) Treasury Account;

(2) identify the portion of any payment that is subject to the reimbursement provisions of section 415(e) of the Act because it is being used to settle an alleged violation of section 201(a) or 206(a) of the Act;

(3) identify each payment that is back pay and indicate the net amount that will be paid to the employee after tax withholding and authorized deductions; and

(4) certify that, except for funds to correct alleged violations of sections 201(a)(3), 210, or 215 of the Act, only funds from the Section 415(a) Treasury Account will be used for the payment of any amount specified in the settlement agreement.

(d) Requirements for Formal Settlement Agreements Involving Claims against Members of Congress. If a formal settlement agreement concerns allegations against a Member of Congress subject to the payment reimbursement provisions of section 415(d) of the Act, the settlement agreement must comply with subparagraphs 9.03(c)(1), (3) and (4) of these Rules, and:

(1) specify the amount, if any, that is the "reimbursable portion" as defined by section 415(d) of the Act; and

(2) contain the signature of any individual (or the representative of any individual) who has exercised his or her right to intervene pursuant to section 414(d)(8) of the Act.

3. Revise section 9.04 as follows:

§ 9.04 Payments Required Pursuant to Decisions, Awards, or Settlements under Section 415(a) of the Act.

(a) In General. Whenever an award or settlement requires the payment of funds pursuant to section 415(a) of the Act, the award or settlement must be submitted to the Executive Director together with a fully completed Section 415(a) Account Requisition Form for processing by the Office.

(b) Requesting Payments.

(1) Only an employing office under section 101 of the Act may submit a payment request from the Section 415(a) Treasury Account.

(2) Employing offices must submit requests for payments from the Section 415(a) Treasury Account on the Office's Section 415(a) Account Requisition Forms.

(c) Duty to Cooperate. Each employment office has a duty to cooperate with the Executive Director or his or her designee by promptly responding to any requests for information and to otherwise assist the Executive Director in providing prompt payments from the Section 415(a) Treasury Account. Failure to cooperate may be grounds for disapproval of the settlement agreement.

(d) Back Pay. When the award or settlement specifies a payment as back pay, the gross amount of the back pay will be paid to the employing office and the employing office will then promptly issue amounts representing back pay (and interest if authorized) to the employee and retain amounts representing withholding and deductions.

(e) Attorney's fees. When the award or settlement specifies a payment as attorney's fees, the attorney's fees are paid directly to the attorney from the Section 415(a) Treasury Account.

(f) Tax Reporting and Withholding Obligations. The Office does not report Section 415(a) Treasury Account payments as potential taxable income to the Internal Revenue Service (IRS) and is not responsible for tax withholding or reporting. To the extent that W-2 or 1099 forms need to be issued, it is the responsibility of the employing office submitting the payment request to do so. The employing office should also consult IRS regulations for guidance in reporting the amount of any back pay award as wages on a W-2 Form.

(g) Method of Payment. Section 415(a) Treasury Account payments are made by electronic funds transfer. The Office will issue an electronic payment to the payee's account as specified on the appropriate Section 415(a) Treasury Account form.

(h) Reimbursement of the Section 415(a) Treasury Account.

(1) Members of Congress. Section 415(d) of the Act requires Members of the House of Representatives and the Senate to reimburse the "compensatory damages" portion of a decision, award or settlement for a violation of section 201(a), 206(a), or 207 that the Member is found to have "committed personally." Reimbursement shall be in accordance with the timetable and procedures established by the applicable congressional committee for the withholding of amounts from the compensation of an individual who is a Member of the House of Representatives or a Senator.

(2) Other Employing Offices. Section 415(e) of the Act requires employing offices (other than an employing office of the House or Senate) to reimburse awards and settlements paid from the Section 415(a) Treasury Account in connection with claims alleging violations of section 201(a) or 206(a) of the Act.

(A) As soon as practicable after the Executive Director is made aware that a payment of an award or settlement under this Act has been made from the Section 415(a) Treasury Account in connection with a claim alleging a violation of section 201(a) or 206(a) of the Act by an employing office (other than an employing office of the House of Representatives or an employing office of the Senate), the Executive Director will notify the head of the employing office that the payment has been made. The notice will include a statement of the payment amount.

(B) Reimbursement must be made within 180 days after receipt of notice from the Executive Director, and is to be transferred to

the Section 415(a) Treasury Account out of funds available for the employing office's operating expenses.

(C) The Office will notify employing offices of any outstanding receivables on a quarterly basis. Employing offices have 30 days from the date of the notification of an outstanding receivable to respond to the Office regarding the accuracy of the amounts in the notice.

(D) Receivables outstanding for more than 30 days from the date of the notification will be noted as such on the Office's public website and in the Office's annual report to Congress on awards and settlements requiring payments from the Section 415(a) Treasury Account.

(3) [reserved]

4. Amend section 9.05 by revising paragraph (b) as follows:

§ 9.05 Revocation, Amendment or Waiver of Rules.

(b) The Board or a Hearing Officer may waive a procedural rule in an individual case for good cause shown if application of the rule is not required by law.

5. Add a new section 9.06 as follows:

§ 9.06 Notices.

(a) All employing offices are required to post and keep posted the notice provided by the Office that: (1) describes the rights, protections, and procedures applicable to covered employees of the employing office under this Act, concerning violations described in 2 U.S.C. § 1362(b); and (2) includes contact information for the Office. (b) The notice must be displayed in all premises of the covered employer in con-

spicuous places where notices to applicants and employees are customarily posted.

6. Add a new section 9.07 as follows:

§ 9.07 Training and Education Programs.

(a) Not later than 180 days after the date of the enactment of the Reform Act, June 19, 2019, and not later than 45 days after the beginning of each Congress (beginning with the 117th Congress), each employing office shall submit a report both to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the implementation of the training and education program required under section 438(a) of the Act.

(b) Exception for Offices of Congress.—This section does not apply to any employing office of the House of Representatives or any employing office of the Senate.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. Yarmuth hereby submits, prior to the vote on passage, the attached estimate of the costs of H.R. 1957, the Taxpayer First Act of 2019, for printing in the CONGRESSIONAL RECORD.

ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 1957

Table with columns for fiscal years 2019-2029 and 2019-2029. Row: NET INCREASE OR DECREASE (-) IN THE DEFICIT. Values: 0, -5, -17, -6, 2, 3, 3, 4, 4, 4, 4, -23, -3.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

659. A letter from the Director, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule — Elimination of the Requirement That Livestock Carcasses Be Marked "U.S. Inspected and Passed" at the Time of Inspection Within a Slaughter Establishment for Carcasses To Be Further Processed Within the Same Establishment [Docket No.: FSIS 2018-0019] (RIN: 0583-AD69) received April 8, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

660. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Loans in Areas Having Special Flood Hazards [Docket ID: OCC-2014-0016] (RIN: 1557-AD84) received April 8, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

661. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0575; FRL-9991-19] (RIN: 2070-AB27) received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

662. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flonicamid; Pesticide Tolerances [EPA-HQ-OPP-2018-0273; FRL-9990-52] received April 5, 2019, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

663. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clean Data Determination; Provo, Utah 2006 Fine Particulate Matter Standards Nonattainment Area [EPA-R08-OAR-2018-0353; FRL-9991-76-Region 8] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

664. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation Air Quality Implementation Plans; Wyoming; Interstate Transport for the 2008 Ozone National Ambient Air Quality Standards [EPA-R08-OAR-2018-0723; FRL-9991-74-Region8; FRL-9991-74-Region 8] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

665. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Oregon; Update to Materials Incorporated by Reference [EPA-R10-OAR-2018-0023; FRL-9990-80-Region 10] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

666. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; North Carolina; Miscellaneous Rules [EPA-R04-OAR-2018-0078; FRL-9991-94-Region 4] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

667. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Kentucky; Regional Haze Plan and Prong 4 (Visibility) for the 1997 Ozone, 2010 NO2, 2010 SO2, and 2012 PM2.5 NAAQS [EPA-R04-OAR-2018-0799; FRL-9991-82-Region 4] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

668. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Kentucky; Jefferson County Prevention of Significant Deterioration [EPA-R04-OAR-2018-0018; FRL-9991-95-Reigon 4] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

669. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Florida; 2008 8-Hour Ozone Interstate Transport [EPA-R04-OAR-2018-0542; FRL-9991-96-Region 4] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

670. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Hydroxypropyl Starch; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2018-0613; FRL-9991-13] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

671. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i) Post-Transition Table of DTV Allotments (Gadsden and Hoover, Alabama) [MB Docket No.:

19-18] (RM-11823) received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

672. A letter from the Chief of Staff, Competition and Infrastructure Policy Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — 1998 Biennial Regulatory Review — Review of Accounts Settlement in the Maritime Mobile and Maritime Mobile-Satellite Radio Services and Withdrawal of the Commission as an Accounting Authority in the Maritime Mobile and Maritime Mobile-Satellite Radio Services [IB Docket No.: 98-96] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

673. A letter from the Secretary, Department of Labor, transmitting the Department's FY 2018 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Reform.

674. A letter from the Acting Chief Executive and Administrative Officer, U.S. Merit Systems Protection Board, transmitting the Board's FY 2018 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Reform.

675. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Commercial Aggregated Large Coastal Shark and Hammerhead Shark Management Group Retention Limit Adjustment [Docket No.: 150413357-5999-02] (RIN: 0648-XG325) received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

676. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2018 Recreational Fishing Seasons for Red Snapper in the Gulf of Mexico [Docket No.: 140818679-5356-02] (RIN: 0648-XG060) received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

677. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Other Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8161-02] (RIN: 0648-XG316) received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

678. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report titled, "Annual Report to Congress on the Medicare and Medicaid Integrity Programs for Fiscal Year 2017", pursuant to 42 U.S.C. 1395ddd(i)(2); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1893(i)(2) (as amended by Public Law 111-148, Sec. 6402(j)(1)(B)); (124 Stat. 762) and 42 U.S.C. 1396u-6(e)(5); Aug. 14, 1935, ch. 531, Sec. 1936(e)(5) (as added by Public Law 109-171, Sec. 6034(a)(2)); (120 Stat. 76); jointly to the Committees on Energy and Commerce and Ways and Means.

679. A letter from the Executive Director, Office of Congressional Workplace Rights,

transmitting notifying the Congress of proposed procedural rulemaking, pursuant to 2 U.S.C. 1383(b); Public Law 104-1, Sec. 303(b); (109 Stat. 28); jointly to the Committees on House Administration and Education and Labor.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NEAL: Committee on Ways and Means. H.R. 1759. A bill to amend title III of the Social Security Act to extend reemployment services and eligibility assessments to all claimants for unemployment compensation, and for other purposes; with amendments (Rept. 116-38). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEAL: Committee on Ways and Means. H.R. 1957. A bill to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes; with an amendment (Rept. 116-39, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Financial Services discharged from further consideration. H.R. 1957 referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DELGADO (for himself and Mr. JOYCE of Pennsylvania):

H.R. 2142. A bill to amend the Small Business Act to require the Small Business and Agriculture Regulatory Enforcement Ombudsman to create a centralized website for compliance guides, and for other purposes; to the Committee on Small Business.

By Ms. SPEIER (for herself and Ms. TITUS):

H.R. 2143. A bill to prevent wasteful and abusive billing of ancillary services to the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIDSON of Ohio (for himself, Mr. SOTO, Mr. GOTTHEIMER, Mr. BUDD, Ms. GABBARD, and Mr. PERRY):

H.R. 2144. A bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to exclude digital tokens from the definition of a security, to direct the Securities and Exchange Commission to enact certain regulatory changes regarding digital units secured through public key cryptography, to adjust taxation of virtual currencies held in individual retirement accounts, to create a tax exemption for exchanges of one virtual currency for another, to create a de minimis exemption from taxation for gains realized from the sale or exchange of virtual currency for other than cash, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined

by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RICE of South Carolina (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. DUNN, and Mr. ROUZER):

H.R. 2145. A bill to provide disaster relief; to the Committee on Ways and Means.

By Ms. LOFGREN (for herself, Mr. NEGUSE, Mr. NADLER, Mr. ENGEL, Mr. BLUMENAUER, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. MCGOVERN, Mr. MEEKS, Ms. NORTON, Mr. RASKIN, and Ms. SHALALA):

H.R. 2146. A bill to amend the Immigration and Nationality Act to require the President to set a minimum annual goal for the number of refugees to be admitted, and for other purposes; to the Committee on the Judiciary.

By Ms. SEWELL of Alabama (for herself and Mr. SMITH of Nebraska):

H.R. 2147. A bill to amend the Internal Revenue Code of 1986 to modify the definition of income for purposes of determining the tax-exempt status of certain mutual or cooperative telephone or electric companies; to the Committee on Ways and Means.

By Ms. CLARK of Massachusetts (for herself, Ms. PRESSLEY, Ms. SLOTKIN, and Ms. MUCARSEL-POWELL):

H.R. 2148. A bill to prevent discrimination and harassment in employment; to the Committee on Education and Labor, and in addition to the Committees on the Judiciary, House Administration, Oversight and Reform, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEIL (for himself and Ms. DEAN):

H.R. 2149. A bill to amend the Trafficking Victims Protection Act of 2000 to include financial criminal activities associated with the facilitation of severe forms of trafficking in persons within the factors considered as indicia of serious and sustained efforts to eliminate severe forms of trafficking in persons, and for other purposes; to the Committee on Foreign Affairs.

By Ms. SCHAKOWSKY (for herself, Mr. CARTER of Georgia, Mr. KIND, Mr. KELLY of Pennsylvania, Ms. WILD, and Mr. JOYCE of Ohio):

H.R. 2150. A bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELGADO (for himself, Ms. STEFANK, Mr. MORELLE, Miss RICE of New York, and Mr. BRINDISI):

H.R. 2151. A bill to designate the facility of the United States Postal Service located at 7722 South Main Street in Pine Plains, New York, as the "Senior Chief Petty Officer Shannon M. Kent Post Office"; to the Committee on Oversight and Reform.

By Mr. LYNCH:

H.R. 2152. A bill to require the Federal Energy Regulatory Commission to revoke a certificate of public convenience and necessity issued under section 7 of the Natural Gas as such certificate applies to the Weymouth Compressor Station, and for other purposes; to the Committee on Energy and Commerce.

By Ms. FRANKEL (for herself, Mrs. BROOKS of Indiana, Mrs. LOWEY, Mr. FITZPATRICK, Mr. BERA, Ms.

STEFANK, Mr. WEBER of Texas, Ms. KELLY of Illinois, Mr. RUTHERFORD, and Ms. HOULAHAN):

H.R. 2153. A bill to support empowerment, economic security, and educational opportunities for adolescent girls around the world, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SOTO (for himself and Mr. DAVIDSON of Ohio):

H.R. 2154. A bill to authorize additional appropriations to the Federal Trade Commission to prevent unfair or deceptive acts or practices relating to digital tokens and transactions relating to digital tokens, and to require a report to Congress on the Commission's actions related to digital tokens; to the Committee on Energy and Commerce.

By Mr. RUSH:

H.R. 2155. A bill to provide for certain requirements with respect to the treatment of personally identifiable information by genetic testing services; to the Committee on Energy and Commerce.

By Mr. CARTWRIGHT (for himself, Mr. ROGERS of Kentucky, Mr. BEYER, and Mr. THOMPSON of Pennsylvania):

H.R. 2156. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide funds to States and Indian tribes for the purpose of promoting economic revitalization, diversification, and development in economically distressed communities through the reclamation and restoration of land and water resources adversely affected by coal mining carried out before August 3, 1977, and for other purposes; to the Committee on Natural Resources.

By Mrs. LOWEY:

H.R. 2157. A bill making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURCHETT:

H.R. 2158. A bill to amend title 39, United States Code, to establish rules and procedures for the United States Postal Service regarding the use of centralized delivery of the mail with respect to residential housing units, and for other purposes; to the Committee on Oversight and Reform.

By Mr. WATKINS:

H.R. 2159. A bill to modernize and streamline the public diplomacy capabilities of the Department of State, increase evaluation of public diplomacy programming, enhance strategic planning for the Department's public diplomacy physical presence abroad, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PAYNE (for himself and Mr. GREEN of Texas):

H.R. 2160. A bill to amend the Homeland Security Act of 2002 to authorize expenditures to combat emerging terrorist threats, including vehicular attacks, and for other purposes; to the Committee on Homeland Security.

By Mr. BANKS (for himself, Mr. GIBBS, and Mr. KEVIN HERN of Oklahoma):

H.R. 2161. A bill to amend the Higher Education Act of 1965 to establish a Job Training Federal Pell Grants demonstration program, and for other purposes; to the Committee on Education and Labor.

By Mrs. BEATTY (for herself and Mr. STIVERS):

H.R. 2162. A bill to require the Secretary of Housing and Urban Development to discount FHA single-family mortgage insurance premium payments for first-time homebuyers who complete a financial literacy housing counseling program; to the Committee on Financial Services.

By Mr. BIGGS (for himself, Mr. MEADOWS, Mr. GAETZ, Mr. GOHMERT, Mr. GOSAR, Mr. WRIGHT, Mrs. LESKO, Mr. NORMAN, Mr. HICE of Georgia, Mr. JOYCE of Pennsylvania, Mr. WALKER, Mr. COLE, Mr. BUCK, and Mr. GROTHMAN):

H.R. 2163. A bill to amend the Internal Revenue Code of 1986 to allow for tax-advantaged distributions from health savings accounts during family or medical leave, and for other purposes; to the Committee on Ways and Means.

By Ms. BROWNLEY of California:

H.R. 2164. A bill to require any bus purchased for use in public transportation with funds provided by the Federal Transit Administration to be a zero emission bus, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COLLINS of New York (for himself, Ms. ESHOO, and Ms. PINGREE):

H.R. 2165. A bill to amend the Wireless Communications and Public Safety Act of 1999, to clarify acceptable 9-1-1 obligations or expenditures, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CONNOLLY (for himself, Mr. CHABOT, Mr. BERA, Mr. FITZPATRICK, Mr. LARSEN of Washington, and Mrs. WAGNER):

H.R. 2166. A bill to authorize a comprehensive, strategic approach for United States foreign assistance to developing countries to strengthen global health security, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CURTIS (for himself and Mr. MCCAUL):

H.R. 2167. A bill to authorize the President to impose sanctions with respect to any foreign person the President determines, based on credible evidence, engages in public or private sector corruption activities that adversely affect a United States foreign investor, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DANNY K. DAVIS of Illinois (for himself, Mr. BANKS, Ms. LEE of California, Mr. HILL of Arkansas, and Mr. RICHMOND):

H.R. 2168. A bill to reinstate Federal Pell Grant eligibility for individuals incarcerated in Federal and State penal institutions, and for other purposes; to the Committee on Education and Labor.

By Mr. DANNY K. DAVIS of Illinois (for himself, Mr. GOMEZ, and Mr. PETERS):

H.R. 2169. A bill to amend the Internal Revenue Code of 1986 to allow for a credit against tax for rent paid on the personal residence of the taxpayer; to the Committee on Ways and Means.

By Mrs. DINGELL (for herself and Ms. STEVENS):

H.R. 2170. A bill to support research, development, and other activities to develop innovative vehicle technologies, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 2171. A bill to amend title 10, United States Code, to ensure that certain TRICARE beneficiaries who reside in Puerto Rico may enroll in TRICARE Prime, and for other purposes; to the Committee on Armed Services.

By Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself, Mrs. RADEWAGEN, and Mr. SOTO):

H.R. 2172. A bill to amend title XIX of the Social Security Act to remove the matching requirement for a territory to use specially allocated Federal funds for Medicare covered part D drugs for low-income individuals; to the Committee on Energy and Commerce.

By Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself and Mr. LAMALFA):

H.R. 2173. A bill to amend the Immigration and Nationality Act to reserve EB-5 visas each fiscal year for investors in new commercial enterprises in areas with respect to which a major disaster has been declared by the President; to the Committee on the Judiciary.

By Mr. GRAVES of Missouri:

H.R. 2174. A bill to remove fish and wildlife as an authorized purpose of the Missouri River Mainstem Reservoir System and to make flood control the highest priority of authorized purposes of such system, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HUNTER:

H.R. 2175. A bill to amend the Immigration and Nationality Act to provide that a spouse must be at least 18 years of age, and for other purposes; to the Committee on the Judiciary.

By Ms. KAPTUR (for herself, Mr. LYNCH, Mr. KHANNA, Ms. SPEIER, Mrs. WATSON COLEMAN, Ms. SCHAKOWSKY, Mr. DEFAZIO, Ms. NORTON, Mr. MCGOVERN, Ms. GABBARD, Mr. COHEN, Ms. JAYAPAL, Ms. PINGREE, Mr. CICILLINE, Ms. ESHOO, Mr. TONKO, Ms. DELAURO, Mr. WELCH, Ms. LEE of California, Mrs. NAPOLITANO, Mr. POCAN, Mr. GRJALVA, Mr. YARMUTH, Ms. ROYBAL-ALLARD, Ms. OMAR, and Ms. WILD):

H.R. 2176. A bill to repeal certain provisions of the Gramm-Leach-Bliley Act and revise the separation between commercial banking and the securities business, in the manner provided in the Banking Act of 1933, the so-called "Glass-Steagall Act", and for other purposes; to the Committee on Financial Services.

By Mr. KELLY of Pennsylvania (for himself, Mr. PETERSON, Mr. BIGGS, Mr. MOONEY of West Virginia, Mr. SMUCKER, Mr. HUDSON, Mr. WALKER, Mr. PALMER, Mr. KING of Iowa, Mr. MEADOWS, Mr. BABIN, Mr. SMITH of New Jersey, Mr. RODNEY DAVIS of Illinois, Mr. ALLEN, Mrs. HARTZLER, Mr. LAMBORN, Mrs. WALORSKI, Mr. KINZINGER, Mr. MASSIE, Mr. HIGGINS of Louisiana, Mrs. RODGERS of Washington, and Mr. SMITH of Nebraska):

H.R. 2177. A bill to amend the Internal Revenue Code of 1986 to make members of health care sharing ministries eligible to establish health savings accounts; to the Committee on Ways and Means.

By Mr. KING of New York (for himself and Ms. CASTOR of Florida):

H.R. 2178. A bill to amend title II of the Social Security Act to eliminate the waiting periods for disability insurance benefits and Medicare coverage for individuals with metastatic breast cancer, and for other purposes; to the Committee on Ways and Means.

By Mr. LAMB (for himself, Mr. RUTHERFORD, Mr. VAN DREW, and Mr. CRENSHAW):



H.R. 2179. A bill to amend chapter 44 of title 18, United States Code, to enhance penalties for certain thefts of a firearm from certain Federal firearms licensees, and to criminalize the theft of a firearm from a gun range that rents firearms or a shooting club; to the Committee on the Judiciary.

By Mr. LANGEVIN:

H.R. 2180. A bill to provide for the discharge of parent borrower liability if a student on whose behalf a parent has received certain student loans becomes disabled; to the Committee on Education and Labor.

By Mr. LUJÁN (for himself, Ms. TORRES SMALL of New Mexico, Ms. HAALAND, and Mr. GRIJALVA):

H.R. 2181. A bill to provide for the withdrawal and protection of certain Federal land in the State of New Mexico; to the Committee on Natural Resources.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. NORTON, Ms. SPEIER, Mr. GRIJALVA, Ms. MOORE, Mr. CONNOLLY, Mr. DEFAZIO, and Ms. BONAMICI):

H.R. 2182. A bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, medication related to contraception, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MARSHALL:

H.R. 2183. A bill to amend the Patient Protection and Affordable Care Act to streamline the State innovation waiver process, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORELLE:

H.R. 2184. A bill to improve oversight and evaluation of the mental health and suicide prevention media outreach campaigns of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. NORTON:

H.R. 2185. A bill to amend the Coastal Zone Management Act of 1972 to allow the District of Columbia to receive Federal funding under such Act, and for other purposes; to the Committee on Natural Resources.

By Mr. POCAN (for himself, Mr. GROTHMAN, Mr. PAYNE, Ms. JAYAPAL, Ms. LEE of California, Mr. THOMPSON of Mississippi, Mr. BEYER, Mr. SCHIFF, Mr. KHANNA, Mr. COHEN, Mr. RUSH, Ms. BROWNLEY of California, Mr. SCHRADER, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. MENG, Mr. WELCH, Mr. LOEBSACK, Mr. PETERS, Mr. LOWENTHAL, Ms. MOORE, Mr. RASKIN, Mr. MALINOWSKI, and Ms. WASSERMAN SCHULTZ):

H.R. 2186. A bill to authorize borrowers of loans under the William D. Ford Federal Direct Loan Program to modify the interest rate of such loans to be equal to the interest rate for such loans at the time of modification; to the Committee on Education and Labor.

By Mr. QUIGLEY (for himself and Mr. RICE of South Carolina):

H.R. 2187. A bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. ROONEY of Florida (for himself and Mr. SMUCKER):

H.R. 2188. A bill to provide accountability and protect whistleblowers in the Department of Education; to the Committee on Education and Labor, and in addition to the Committee on Oversight and Reform, for a

period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUPPERSBERGER (for himself and Mr. YOUNG):

H.R. 2189. A bill to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes; to the Committee on Natural Resources.

By Mr. SMUCKER (for himself and Mr. ROONEY of Florida):

H.R. 2190. A bill to improve accountability of senior officials and other supervisory employees of the Department of Labor; to the Committee on Education and Labor, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEUBE (for himself and Mr. CISNEROS):

H.R. 2191. A bill to prohibit the Secretary of Veterans Affairs from denying a veteran benefits administered by the Secretary by reason of the veteran participating in a State-approved marijuana program, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. TORRES SMALL of New Mexico (for herself, Mr. LUJÁN, and Ms. HAALAND):

H.R. 2192. A bill to grant the Congressional Gold Medal to the troops from the United States and the Philippines who defended Bataan and Corregidor, in recognition of their personal sacrifice and service during World War II; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WILD (for herself, Ms. HILL of California, Ms. NORTON, Mr. ROUDA, Mr. VARGAS, Ms. HAALAND, and Mr. RASKIN):

H.R. 2193. A bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for qualified tuition and related expenses; to the Committee on Ways and Means.

By Mr. ZELDIN (for himself, Ms. WASSERMAN SCHULTZ, and Mr. MCCAUL):

H.R. 2194. A bill to amend chapter 3123 of title 54, United States Code, to protect United States Heritage Abroad; to the Committee on Foreign Affairs.

By Mr. MCADAMS (for himself, Mrs. MURPHY, Mr. CASE, Mr. COOPER, Mr. CORREA, Mr. CRIST, Mr. CUNNINGHAM, Mr. GOTTHEIMER, Mr. LIPINSKI, Mr. SCHRADER, Ms. SPANBERGER, and Mr. O'HALLERAN):

H.J. Res. 55. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. HASTINGS (for himself, Mr. COOPER, Mr. COHEN, Mr. THOMPSON of Mississippi, Mrs. MCBATH, and Mrs. BEATTY):

H. Res. 297. A resolution supporting the goals and ideals of Jubilee Day; to the Committee on Education and Labor.

By Mr. LOEBSACK (for himself, Mr. BYRNE, Mr. GRIJALVA, Ms. TITUS, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. SCHIFF, and Mrs. BEATTY):

H. Res. 298. A resolution expressing support for the designation of the week of April 8, 2019, through April 12, 2019, as National Specialized Instructional Support Personnel Appreciation Week; to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MALINOWSKI (for himself, Ms. SCHRIER, Mr. MORELLE, Ms. ESCOBAR, Mr. TRONE, Mr. CISNEROS, Ms. PORTER, Ms. OMAR, Mr. PHILLIPS, Ms. MUCARSEL-POWELL, Mr. KRISHNAMOORTHY, Mr. HECK, Mr. CARBAJAL, Ms. SHERRILL, Mr. PALLONE, Mr. ALLRED, Mr. KIND, Mrs. TRAHAN, Mr. RASKIN, Mr. NORCROSS, Mr. CASTEN of Illinois, Ms. NORTON, Mr. COX of California, Mrs. FLETCHER, Ms. OCASIO-CORTEZ, Ms. HILL of California, Mr. PASCRELL, Ms. SCHAKOWSKY, Mr. ESPALLAT, Mr. MCGOVERN, Ms. DEAN, Ms. PRESSLEY, Mr. COHEN, Ms. BROWNLEY of California, Ms. GARCIA of Texas, Ms. LOFGREEN, Mr. NADLER, Mr. BLUMENAUER, Mr. CROW, Mr. JOHNSON of Georgia, Ms. WASSERMAN SCHULTZ, Ms. VELAZQUEZ, Mr. VAN DREW, Ms. SPANBERGER, Ms. LEE of California, Mrs. LOWEY, Ms. MCCOLLUM, Ms. KUSTER of New Hampshire, Ms. CLARKE of New York, Mr. MEEKS, Mr. CARSON of Indiana, Mr. ROUDA, Ms. TITUS, Mr. CUMMINGS, Mr. ENGEL, Mr. COOPER, Ms. HAALAND, Mr. DANNY K. DAVIS of Illinois, Mr. CASE, Ms. ADAMS, Ms. ESHOO, Mr. DEUTCH, Mr. MOULTON, Mr. SOTO, Mr. CORREA, Mrs. WATSON COLEMAN, Mrs. CRAIG, Mrs. CAROLYN B. MALONEY of New York, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. TORRES of California, Mr. TAKANO, Mr. PANETTA, Mr. GARAMENDI, Ms. MOORE, Mr. LOWENTHAL, Mr. FOSTER, Mr. SMITH of Washington, Mr. PAYNE, Mr. GARCIA of Illinois, Ms. MENG, Mr. CLEAVER, Mr. SIREMS, Mr. HIMES, Mr. LEVIN of Michigan, Mr. KHANNA, Mr. HASTINGS, Mr. HUFFMAN, Ms. JACKSON LEE, and Mr. CARTWRIGHT):

H. Res. 299. A resolution expressing the sense of the House of Representatives that immigration makes the United States stronger; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHIMKUS (for himself and Mr. SCHIFF):

H. Res. 300. A resolution expressing support for the designation of August 23, 2019, as Black Ribbon Day to recognize the victims of Soviet and Nazi regimes; to the Committee on Oversight and Reform.

By Mr. SUOZZI (for himself, Ms. MENG, Mr. MEEKS, Mr. KING of New York, and Mr. WILSON of South Carolina):

H. Res. 301. A resolution expressing the importance of the United States alliance with the Republic of Korea and the contributions of Korean Americans in the United States; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY  
STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DELGADO:

H.R. 2142.

Congress has the power to enact this legislation pursuant to the following:

By Ms. SPEIER:

H.R. 2143.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. DAVIDSON of Ohio:

H.R. 2144.

Congress has the power to enact this legislation pursuant to the following:

Section 8, subsection 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RICE of South Carolina:

H.R. 2145.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Ms. LOFGREN:

H.R. 2146.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 4 provides Congress with the power to establish a "uniform rule of Naturalization."

By Ms. SEWELL of Alabama:

H.R. 2147.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution.

By Ms. CLARK of Massachusetts:

H.R. 2148.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. STEIL:

H.R. 2149.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. SCHAKOWSKY:

H.R. 2150.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. DELGADO:

H.R. 2151.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8, Clause 1 of the Constitution of the United States.

By Mr. LYNCH:

H.R. 2152.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the Constitution, Congress has the power "to make all

Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof".

By Ms. FRANKEL:

H.R. 2153.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. SOTO:

H.R. 2154.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the United States Constitution.

By Mr. RUSH:

H.R. 2155.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: "The Congress shall have power to . . . provide for the . . . general welfare of the United States. . . .";

Article I, Section 8, Clause 3: The Congress shall have power "To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;" and

Article I, Section 8, Clause 18: The Congress shall have power "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof."

By Mr. CARTWRIGHT:

H.R. 2156.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3. To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mrs. LOWEY:

H.R. 2157.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states:

"No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . ."

In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides:

"The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . ."

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. BURCHETT:

H.R. 2158.

Congress has the power to enact this legislation pursuant to the following:

Article IV,

Section 3, Clause 2. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. WATKINS:

H.R. 2159.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the Constitution of the United States.

By Mr. PAYNE:

H.R. 2160.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. BANKS:

H.R. 2161.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mrs. BEATTY:

H.R. 2162.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution which grants Congress the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BIGGS:

H.R. 2163.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. BROWNLEY of California:

H.R. 2164.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. COLLINS of New York:

H.R. 2165.

Congress has the power to enact this legislation pursuant to the following :

ARTICLE I SECTION 8

By Mr. CONNOLLY:

H.R. 2166.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. CURTIS:

H.R. 2167.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 2168.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 2169.

Congress has the power to enact this legislation pursuant to the following :

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mrs. DINGELL:

H.R. 2170.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 2171.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 2171.

Congress has the power to enact this legislation pursuant to the following:

The Congress has the power to enact this legislation pursuant to Article I, Section 1, U.S. Constitution, which provide as follows:

To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 2172.

Congress has the power to enact this legislation pursuant to the following:

The Congress has the power to enact this legislation pursuant to Article I, Section 8, Clauses 1 and 18 of the U.S. Constitution, which provide as follows:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; [ . . . ]—And

To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Moreover, the Congress has the power to enact this legislation pursuant to Article IV, Section 3, which provides, in relevant part, as follows:

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Miss GONZÁLEZ-COLON of Puerto Rico:

H.R. 2173.

Congress has the power to enact this legislation pursuant to the following:

The Congress has the power to enact this legislation pursuant to Article I, Section 8, Clauses 1, 4, and 18 of the U.S. Constitution, which provide as follows:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; [ . . . ]

To establish a uniform rule of naturalization [ . . . ] throughout the United States; [ . . . ]—And

To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. GRAVES of Missouri:

H.R. 2174.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which states “Congress shall have the power to regulate commerce with foreign nations, and among the several States, and with the Indian Tribes.”

The management of the Missouri River by the Army Corps of Engineers directly impacts commerce. The river is a source of barge traffic carrying a variety of goods.

By Mr. HUNTER:

H.R. 2175.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Con-

stitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. KAPTUR:

H.R. 2176.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

clause 1

clause 5

By Mr. KELLY of Pennsylvania:

H.R. 2177.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. KING of New York:

H.R. 2178.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1

The Congress shall have power to lay and collect Taxes, Duties, Imposts and Excises to pay the Debts and provide for the common Defence and general Welfare of the United States

By Mr. LAMB:

H.R. 2179.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution Article 1, Section 8

Powers of Congress. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LANGEVIN:

H.R. 2180.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. LUJÁN:

H.R. 2181.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 7

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 2182.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MARSHALL:

H.R. 2183.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MORELLE:

H.R. 2184.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. NORTON:

H.R. 2185.

Congress has the power to enact this legislation pursuant to the following: clause 18 of section 8 of article I of the Constitution.

By Mr. POCAN:

H.R. 2186.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. QUIGLEY:

H.R. 2187.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. ROONEY of Florida:

H.R. 2188.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. RUPPERSBERGER:

H.R. 2189.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SMUCKER:

H.R. 2190.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. STEUBE:

H.R. 2191.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

2: To borrow Money on the credit of the United States;

3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

4: To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

5: To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

6: To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

7: To establish Post Offices and post Roads;

8: To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

9: To constitute Tribunals inferior to the supreme Court;

10: To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

11: To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

12: To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

13: To provide and maintain a Navy;

14: To make Rules for the Government and Regulation of the land and naval Forces;

15: To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

16: To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

17: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. TORRES SMALL of New Mexico:

H.R. 2192.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Ms. WILD:

H.R. 2193.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 Clause I

By Mr. ZELDIN:

H.R. 2194.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. McADAMS:

H.J. Res. 55.

Congress has the power to enact this legislation pursuant to the following:

Article V of the U.S. Constitution

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 41: Ms. OMAR.  
 H.R. 97: Mr. FITZPATRICK and Mr. SHERMAN.  
 H.R. 132: Mr. WILLIAMS.  
 H.R. 141: Mr. TED LIEU of California and Ms. WEXTON.  
 H.R. 299: Ms. BLUNT ROCHESTER, Mr. JORDAN, Mr. ARRINGTON, and Mr. SHIMKUS.  
 H.R. 307: Mr. CLAY.  
 H.R. 309: Ms. SCHAKOWSKY, Ms. NORTON, Ms. BROWNLEY of California, Mr. ESPAILLAT, and Mr. TED LIEU of California.  
 H.R. 375: Ms. SCHAKOWSKY and Ms. HAALAND.  
 H.R. 448: Mr. KIM.  
 H.R. 497: Mr. GROTHMAN, Mr. PAPPAS, Mr. COURTNEY, and Mr. LAMALFA.  
 H.R. 513: Mr. WATKINS.  
 H.R. 553: Mr. KENNEDY, Mr. HUDSON, Mr. AMODEI, Mr. MCKINLEY, Mr. NEGUSE, Mr. FLORES, and Mr. CRENSHAW.  
 H.R. 555: Mr. CISNEROS, Ms. FUDGE, Mr. CICILLINE, Ms. DELBENE, and Mr. COURTNEY.  
 H.R. 594: Ms. KUSTER of New Hampshire.  
 H.R. 598: Mr. CRENSHAW.  
 H.R. 647: Mr. MCCAUL and Mr. CISNEROS.  
 H.R. 649: Mr. CRENSHAW.  
 H.R. 663: Mr. BARR, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. CRAIG, Mr. GROTHMAN, Mr. LAMALFA, Mrs. MURPHY, Mr. SCHNEIDER, Mrs. WATSON COLEMAN, and Mr. STIVERS.  
 H.R. 689: Ms. DEAN.  
 H.R. 732: Mr. LEVIN of Michigan and Mrs. BEATTY.  
 H.R. 748: Ms. SLOTKIN, Mr. CLINE, and Mr. PANETTA.  
 H.R. 801: Mr. FITZPATRICK, Mr. RUPPERSBERGER, Mr. HARDER of California, and Mrs. KIRKPATRICK.  
 H.R. 808: Mr. MAST.  
 H.R. 838: Ms. MOORE, Mrs. LESKO, Mr. COHEN, Mr. DUNN, Mr. BRINDISI, and Mr. AUSTIN SCOTT of Georgia.  
 H.R. 864: Mr. WATKINS and Mr. HASTINGS.  
 H.R. 919: Ms. LEE of California.  
 H.R. 925: Mr. PAPPAS.  
 H.R. 943: Mr. STIVERS, Mr. KUSTOFF of Tennessee, and Mr. BRINDISI.  
 H.R. 946: Mr. HIGGINS of New York, Mr. RASKIN, and Mr. YARMUTH.  
 H.R. 961: Mr. MALINOWSKI, Mr. LAMB, Ms. FRANKEL, Mr. LEVIN of California, Ms. ROYBAL-ALLARD, Mr. FITZPATRICK, Mr. BARR, Ms. DELBENE, and Ms. WEXTON.  
 H.R. 965: Mr. LARSON of Connecticut.  
 H.R. 976: Mr. PETERS.  
 H.R. 988: Mr. CRIST.  
 H.R. 1006: Mr. RODNEY DAVIS of Illinois, Mr. OLSON, and Mr. WENSTRUP.  
 H.R. 1007: Mrs. AXNE.  
 H.R. 1025: Ms. SPEIER.  
 H.R. 1034: Mr. VELA.  
 H.R. 1042: Mr. WATKINS.  
 H.R. 1043: Mr. COX of California and Ms. MENG.

H.R. 1044: Mr. CLINE.

H.R. 1058: Mr. STAUBER, Mr. SIRES, and Ms. SPANBERGER.

H.R. 1095: Mr. FORTENBERRY.

H.R. 1096: Mr. JOYCE of Ohio, Mr. RODNEY DAVIS of Illinois, Mr. OLSON, Mrs. HARTZLER, and Mr. REED.

H.R. 1101: Mr. THOMPSON of Pennsylvania, Mr. RODNEY DAVIS of Illinois, and Mr. HILL of Arkansas.

H.R. 1133: Mrs. LEE of Nevada.

H.R. 1139: Mr. CONNOLLY.

H.R. 1155: Mr. BISHOP of Georgia.

H.R. 1163: Mr. GALLAGHER.

H.R. 1175: Mr. MAST, Mr. MARCHANT, Ms. STEFANK, Mr. BIGGS, Mr. COLLINS of New York, Mr. COLE, and Mr. PETERS.

H.R. 1219: Mr. HICE of Georgia.

H.R. 1225: Ms. KUSTER of New Hampshire, Mr. HECK, Mr. COX of California, Mr. CÁRDENAS, and Mr. JOHNSON of South Dakota.

H.R. 1229: Mr. MALINOWSKI.

H.R. 1237: Mr. BEYER and Mr. HASTINGS.

H.R. 1309: Mr. CRIST and Ms. SLOTKIN.

H.R. 1315: Mr. BUTTERFIELD.

H.R. 1339: Mr. RIGGLEMAN.

H.R. 1342: Mr. CISNEROS.

H.R. 1359: Mr. SHERMAN.

H.R. 1380: Ms. DEAN.

H.R. 1383: Mr. GROTHMAN.

H.R. 1399: Mr. GOODEN.

H.R. 1411: Mr. HASTINGS.

H.R. 1442: Mr. QUIGLEY, Mr. SCOTT of Virginia, Mr. GARAMENDI, Ms. LEE of California, and Ms. OCASIO-CORTEZ.

H.R. 1446: Mr. SERRANO.

H.R. 1452: Mrs. MURPHY.

H.R. 1458: Mr. PALLONE, Mr. KHANNA, Mr. PAPPAS, and Mr. LUJÁN.

H.R. 1499: Mr. LARSON of Connecticut and Mr. HASTINGS.

H.R. 1517: Mr. HIMES.

H.R. 1530: Mr. YOUNG, Mr. RYAN, and Ms. FUDGE.

H.R. 1534: Ms. MENG and Mr. PALLONE.

H.R. 1549: Ms. PRESSLEY.

H.R. 1550: Mr. STAUBER.

H.R. 1572: Mr. HECK.

H.R. 1575: Ms. MCCOLLUM.

H.R. 1588: Mr. MOULTON.

H.R. 1591: Mr. RASKIN, Mr. TRONE, and Ms. WEXTON.

H.R. 1596: Mr. RUSH.

H.R. 1597: Mr. SRES, Mr. HIGGINS of New York, Mr. LANGEVIN, Mr. HASTINGS, Mr. LARSEN of Washington, Mr. SABLAN, and Mr. MCGOVERN.

H.R. 1605: Mr. SCHWEIKERT.

H.R. 1606: Mr. BLUMENAUER.

H.R. 1641: Mr. BRINDISI.

H.R. 1646: Mr. CARBAJAL, Mr. RUIZ, and Mr. VISCLOSKEY.

H.R. 1679: Mr. FOSTER, Mr. MARSHALL, and Mr. STAUBER.

H.R. 1690: Mr. NEGUSE, Mr. THOMPSON of Mississippi, and Mr. DANNY K. DAVIS of Illinois.

H.R. 1695: Mr. RESCHENTHALER, Mr. HORSFORD, and Mrs. TRAHAN.

H.R. 1717: Mr. HASTINGS and Ms. DELAURO.

H.R. 1730: Mr. WALBERG and Mr. GRIJALVA.

H.R. 1740: Mr. ALLEN.

H.R. 1748: Mr. DAVID SCOTT of Georgia, Ms. DAVIDS of Kansas, and Mr. LOEBSACK.

H.R. 1753: Mr. WATKINS, Mr. WILSON of South Carolina, and Mr. LOUDERMILK.

H.R. 1766: Ms. KUSTER of New Hampshire.

H.R. 1767: Mrs. CRAIG.

H.R. 1785: Ms. KUSTER of New Hampshire.

H.R. 1789: Mr. BLUMENAUER, Mr. RASKIN, Mr. GRIJALVA, and Mr. KHANNA.

H.R. 1791: Mr. RESCHENTHALER.

H.R. 1799: Mr. MCGOVERN.

H.R. 1819: Mr. SMITH of New Jersey and Mr. SIRES.

H.R. 1828: Mr. KHANNA.

H.R. 1830: Mr. Crow and Ms. ESCOBAR.

H.R. 1837: Mrs. MILLER, Mr. KIND, Mr. QUIGLEY, Mrs. CAROLYN B. MALONEY of New York, Mrs. HARTZLER, Mr. JOYCE of Ohio, Mr. MCHENRY, Mr. HIMES, Mr. COX of California, Mr. BOST, and Mr. KUSTOFF of Tennessee.

H.R. 1840: Mr. PETERS.

H.R. 1854: Mrs. DEMINGS, Mrs. LESKO, and Mr. TIPTON.

H.R. 1864: Mr. CRIST, Mrs. WATSON COLEMAN, and Mr. COHEN.

H.R. 1896: Mrs. RODGERS of Washington.

H.R. 1903: Mr. COLE.

H.R. 1904: Mrs. CRAIG, Ms. VELÁZQUEZ, and Mr. HORSFORD.

H.R. 1911: Mr. MITCHELL.

H.R. 1921: Mr. CRIST.

H.R. 1934: Mr. GRIJALVA.

H.R. 1944: Mr. STEIL.

H.R. 1948: Mr. CONNOLLY, Mr. YOHO, Mr. GOODEN, Mr. GUEST, Mr. MALINOWSKI, Mr. BROWNLEY of California, and Ms. FRANKEL.

H.R. 1952: Mr. SMITH of New Jersey.

H.R. 1956: Mr. RYAN, Mr. RODNEY DAVIS of Illinois, and Mr. RUPPERSBERGER.

H.R. 1959: Mr. CARTER of Georgia.

H.R. 1980: Ms. MOORE and Mr. COOPER.

H.R. 1992: Ms. KUSTER of New Hampshire.

H.R. 1997: Mr. FITZPATRICK, Ms. HILL of California, Mrs. LESKO, Mr. MAST, and Mr. STIVERS.

H.R. 2000: Mr. ROUDA.

H.R. 2009: Mr. RASKIN, Mr. PETERS, and Mr. MOULTON.

H.R. 2010: Mr. GIBBS and Mr. STEUBE.

H.R. 2014: Mr. CLINE.

H.R. 2039: Mr. HASTINGS.

H.R. 2062: Mr. COX of California.

H.R. 2074: Ms. MCCOLLUM, Mr. KHANNA, and Mr. MCGOVERN.

H.R. 2085: Mr. KRISHNAMOORTHY, Mr. GARCÍA of Illinois, and Mr. SARBANES.

H.R. 2091: Ms. KUSTER of New Hampshire.

H.R. 2108: Mrs. LESKO.

H.R. 2111: Ms. SLOTKIN and Ms. JOHNSON of Texas.

H.R. 2116: Mr. SHERMAN and Ms. OMAR.

H.R. 2134: Mr. SOTO and Mr. COHEN.

H.J. Res. 35: Mr. PAYNE.

H. Con. Res. 20: Mr. GOTTHEIMER and Mrs. LEE of Nevada.

H. Con. Res. 27: Mr. NUNES, Mr. STAUBER, and Mr. PASCARELL.

H. Res. 23: Mr. CARTWRIGHT, Mr. PANETTA, Mr. CRIST, and Mr. COSTA.

H. Res. 91: Ms. MENG.

H. Res. 106: Mr. SHERMAN.

H. Res. 129: Mr. GRIJALVA and Mr. MALINOWSKI.

H. Res. 191: Mrs. LESKO.

H. Res. 222: Mr. COLE and Ms. GARCIA of Texas.

H. Res. 224: Mr. MCGOVERN.

H. Res. 230: Ms. NORTON and Ms. ESHOO.

H. Res. 231: Mrs. TRAHAN, Ms. UNDERWOOD, Ms. VELÁZQUEZ, and Ms. WILD.

H. Res. 250: Mrs. KIRKPATRICK, Mr. BEYER, Mr. COOK, Mr. HURD of Texas, Mr. LAWSON of Florida, Ms. JUDY CHU of California, Mr. MALINOWSKI, and Ms. KUSTER of New Hampshire.

H. Res. 267: Mr. RUSH.

H. Res. 273: Mr. PAYNE and Mr. FITZPATRICK.

H. Res. 279: Mr. CARSON of Indiana.

H. Res. 291: Mr. ALLRED and Ms. TITUS.

H. Res. 296: Ms. TLAIB, Mr. ROUDA, Mr. DANNY K. DAVIS of Illinois, and Mr. BRINDISI.

H. Res. 299: Mr. CARSON of Indiana.

H. Res. 291: Mr. ALLRED and Ms. TITUS.

H. Res. 296: Ms. TLAIB, Mr. ROUDA, Mr. DANNY K. DAVIS of Illinois, and Mr. BRINDISI.

H. Res. 299: Mr. CARSON of Indiana.

H. Res. 291: Mr. ALLRED and Ms. TITUS.

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H. Res. 296: Ms. TLAIB, Mr. ROUDA, Mr. DANNY K. DAVIS of Illinois, and Mr. BRINDISI.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

*April 9, 2019*

CONGRESSIONAL RECORD—HOUSE

**H3221**

OFFERED BY MRS. LOWEY

H.R. 2157, making supplemental appropriations for the fiscal year ending September 30,

2019, and for other purposes, does not contain any congressional earmark, limited tax ben-

efits, or limited tariff benefits as defined in clause 9 of rule XXI.