



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 117<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 167

WASHINGTON, TUESDAY, JANUARY 5, 2021

No. 3

## Senate

The Senate was not in session today. Its next meeting will be held on Wednesday, January 6, 2021, at 12:30 p.m.

## House of Representatives

TUESDAY, JANUARY 5, 2021

The House met at noon and was called to order by the Speaker pro tempore (Mr. CUELLAR).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
January 5, 2021.

I hereby appoint the Honorable HENRY CUELLAR to act as Speaker pro tempore on this day.

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

### PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Eternal God, we approach this new day, in this new year, serving in this new Congress, keenly aware of the challenges all this newness brings. We have new rules and new colleagues, in some cases new offices, and new decisions, each of which threaten to test our resilience and try our patience.

Remind us then, that on each new morning, we are renewed with Your mercies, grounded in Your steadfast love for us, and inspired by the greatness of Your faithfulness to each of us.

We wait on You, the one who has created this day, to refresh not just our strength, but to renew the spirit of our minds, that so fortified, we would yield ourselves to You throughout the day. Transform our attitudes that we would

not allow our debate, our actions, ourselves to be conformed by any other purpose or perspective than Your own. As we encounter the choices that will be laid before us, give us discernment to know and to do Your will—to seek to do what is good and acceptable and perfect.

For by the grace given to us this new day, we give You thanks.

We pray these things in the strength of Your holy name.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 5(a)(1)(A) of House Resolution 8, the Journal of the last day's proceedings is approved.

### PLEDGE OF ALLEGIANCE

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

Mr. PALMER 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.

### COMMUNICATION FROM THE HONORABLE DEBBIE WASSERMAN SCHULTZ, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable DEBBIE

WASSERMAN SCHULTZ, Member of Congress:

HOUSE OF REPRESENTATIVES,  
Washington, DC, January 4, 2021.

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

DEAR SPEAKER PELOSI: On January 3, 2021, you designated me to administer the oath of office to Representative-elect Alcee L. Hastings of the Twentieth District of the State of Florida pursuant to House Resolution 7, One Hundred Seventeenth Congress.

Under such designation, I have the honor to report that on January 4, 2021, at Fort Lauderdale, Florida, I administered the oath of office to Mr. Hastings. Mr. Hastings took the oath prescribed by 5 U.S.C. 3331. I have delivered two copies of the oath, signed by Mr. Hastings, to the Clerk of the House of Representatives.

Thank you very much.

Very truly yours,

DEBBIE WASSERMAN SCHULTZ,  
*Member of Congress.*

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from Florida, the whole number of the House is 431.

### 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 the yeas and nays are ordered.

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

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



Printed on recycled paper.

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

## FEDERAL RISK AND AUTHORIZATION MANAGEMENT PROGRAM AUTHORIZATION ACT OF 2021

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 21) to enhance the innovation, security, and availability of cloud computing products and services used in the Federal Government by establishing the Federal Risk and Authorization Management Program within the General Services Administration and by establishing a risk management, authorization, and continuous monitoring process to enable the Federal Government to leverage cloud computing products and services using a risk-based approach consistent with the Federal Information Security Modernization Act of 2014 and cloud-based operations, and for other purposes.

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

H.R. 21

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Risk and Authorization Management Program Authorization Act of 2021” or the “FedRAMP Authorization Act”.

### SEC. 2. CODIFICATION OF THE FEDRAMP PROGRAM.

(a) AMENDMENT.—Chapter 36 of title 44, United States Code, is amended by adding at the end the following new sections:

#### “§ 3607. Federal Risk and Authorization Management Program

“(a) ESTABLISHMENT.—There is established within the General Services Administration the Federal Risk and Authorization Management Program. The Administrator of General Services, in accordance with section 3612, shall establish a governmentwide program that provides the authoritative standardized approach to security assessment and authorization for cloud computing products and services that process unclassified information used by agencies.

“(b) COMPONENTS OF FEDRAMP.—The Joint Authorization Board and the FedRAMP Program Management Office are established as components of FedRAMP.

#### “§ 3608. FedRAMP Program Management Office

“(a) GSA DUTIES.—

“(1) ROLES AND RESPONSIBILITIES.—The Administrator of General Services shall—

“(A) determine the categories and characteristics of cloud computing products and services that are within the jurisdiction of FedRAMP and that require a FedRAMP authorization or a FedRAMP provisional authorization;

“(B) develop, coordinate, and implement a process for the FedRAMP Program Management Office, the Joint Authorization Board, and agencies to review security assessments of cloud computing products and services pursuant to subsections (b) and (c) of section 3611, and appropriate oversight of continuous monitoring of cloud computing products and services; and

“(C) ensure the continuous improvement of FedRAMP.

“(2) IMPLEMENTATION.—The Administrator shall oversee the implementation of FedRAMP, including—

“(A) appointing a Program Director to oversee the FedRAMP Program Management Office;

“(B) hiring professional staff as may be necessary for the effective operation of the FedRAMP Program Management Office, and such other activities as are essential to properly perform critical functions;

“(C) entering into interagency agreements to detail personnel on a reimbursable or non-reimbursable basis to assist the FedRAMP Program Management Office and the Joint Authorization Board in discharging the responsibilities of the Office under this section; and

“(D) such other actions as the Administrator may determine necessary to carry out this section.

“(b) DUTIES.—The FedRAMP Program Management Office shall have the following duties:

“(1) Provide guidance to independent assessment organizations, validate the independent assessments, and apply the requirements and guidelines adopted in section 3609(c)(5).

“(2) Oversee and issue guidelines regarding the necessary requirements for accreditation of third-party organizations seeking to be awarded accreditation as independent assessment organizations, including qualifications, roles, and responsibilities of independent assessment organizations.

“(3) Develop templates and other materials to support the Joint Authorization Board and agencies in the authorization of cloud computing products and services to increase the speed, effectiveness, and transparency of the authorization process, consistent with standards defined by the National Institute of Standards and Technology.

“(4) Establish and maintain a public comment process for proposed guidance before the issuance of such guidance by FedRAMP.

“(5) Review any authorization to operate issued by an agency to determine if the authorization meets the requirements and guidelines adopted in section 3609(c)(5).

“(6) Establish frameworks for agencies to use authorization packages processed by the FedRAMP Program Management Office and Joint Authorization Board.

“(7) Coordinate with the Secretary of Defense and the Secretary of Homeland Security to establish a framework for continuous monitoring under section 3553 and agency reports required under section 3554.

“(8) Establish a centralized and secure repository to collect and share necessary data, including security authorization packages, from the Joint Authorization Board and agencies to enable better sharing and reuse of such packages across agencies.

“(c) EVALUATION OF AUTOMATION PROCEDURES.—

“(1) IN GENERAL.—The FedRAMP Program Management Office shall assess and evaluate available automation capabilities and procedures to improve the efficiency and effectiveness of the issuance of FedRAMP authorizations and FedRAMP provisional authorizations, including continuous monitoring of cloud computing products and services.

“(2) MEANS FOR AUTOMATION.—Not later than 1 year after the date of the enactment of this section, and updated annually thereafter, the FedRAMP Program Management Office shall establish a means for the automation of security assessments and reviews.

“(d) METRICS FOR AUTHORIZATION.—The FedRAMP Program Management Office shall establish annual metrics regarding the time and quality of the assessments necessary for completion of a FedRAMP authorization process in a manner that can be consistently tracked over time in conjunction with the periodic testing and evaluation process pur-

suant to section 3554 in a manner that minimizes the agency reporting burden.

#### “§ 3609. Joint Authorization Board

“(a) ESTABLISHMENT.—The Joint Authorization Board shall consist of cloud computing experts, appointed by the Director in consultation with the Administrator, from each of the following:

“(1) The Department of Defense.

“(2) The Department of Homeland Security.

“(3) The General Services Administration.

“(4) Such other agencies as determined by the Director, in consultation with the Administrator.

“(b) ISSUANCE OF FEDRAMP PROVISIONAL AUTHORIZATIONS.—The Joint Authorization Board shall conduct security assessments of cloud computing products and services and issue FedRAMP provisional authorizations to cloud service providers that meet the requirements and guidelines established in subsection (c)(5).

“(c) DUTIES.—The Joint Authorization Board shall—

“(1) develop and make publicly available on a website, determined by the Administrator, criteria for prioritizing and selecting cloud computing products and services to be assessed by the Joint Authorization Board;

“(2) provide regular updates to applicant cloud service providers on the status of any cloud computing product or service during the assessment and authorization process of the Joint Authorization Board;

“(3) review and validate cloud computing products and services and materials submitted by independent assessment organizations or any documentation determined to be necessary by the Joint Authorization Board to evaluate the system security of a cloud computing product or service;

“(4) in consultation with the FedRAMP Program Management Office, serve as a resource for best practices to accelerate the process for obtaining a FedRAMP authorization or FedRAMP provisional authorization;

“(5) establish requirements and guidelines for security assessments of cloud computing products and services, consistent with standards defined by the National Institute of Standards and Technology, to be used by the Joint Authorization Board and agencies;

“(6) perform such other roles and responsibilities as the Administrator may assign, in consultation with the FedRAMP Program Management Office and members of the Joint Authorization Board; and

“(7) establish metrics and goals for reviews and activities associated with issuing FedRAMP provisional authorizations and provide to the FedRAMP Program Management Office.

“(d) DETERMINATIONS OF DEMAND FOR CLOUD COMPUTING PRODUCTS AND SERVICES.—The Joint Authorization Board shall consult with the Chief Information Officers Council established in section 3603 to establish a process, that shall be made available on a public website, for prioritizing and accepting the cloud computing products and services to be granted a FedRAMP provisional authorization.

“(e) DETAIL OF PERSONNEL.—To assist the Joint Authorization Board in discharging the responsibilities under this section, personnel of agencies may be detailed to the Joint Authorization Board for the performance of duties described under subsection (c).

#### “§ 3610. Independent assessment organizations

“(a) REQUIREMENTS FOR ACCREDITATION.—The Joint Authorization Board shall determine the requirements for the accreditation of a third-party organization seeking to be accredited as an independent assessment organization, ensuring adequate implementation of section 3609. Such requirements may

include developing or requiring certification programs for individuals employed by the third-party organization seeking accreditation. The Program Director of the FedRAMP Program Management Office shall accredit any third-party organization that meets the requirements for accreditation.

“(b) ASSESSMENT.—An independent assessment organization may assess, validate, and attest to the quality and compliance of security assessment materials provided by cloud service providers as part of the FedRAMP authorization or the FedRAMP provisional authorization process.

**“§ 3611. Roles and responsibilities of agencies**

“(a) IN GENERAL.—In implementing the requirements of FedRAMP, the head of each agency shall, consistent with guidance issued by the Director pursuant to section 3612—

“(1) create policies to ensure cloud computing products and services used by the agency meet FedRAMP security requirements and other risk-based performance requirements as defined by the Director;

“(2) issue agency-specific authorizations to operate for cloud computing services in compliance with section 3554;

“(3) confirm whether there is a FedRAMP authorization or FedRAMP provisional authorization in the cloud security repository established under section 3608(b)(8) before beginning the process to award a FedRAMP authorization or a FedRAMP provisional authorization for a cloud computing product or service;

“(4) to the extent practicable, for any cloud computing product or service the agency seeks to authorize that has received a FedRAMP authorization or FedRAMP provisional authorization, use the existing assessments of security controls and materials within the authorization package; and

“(5) provide data and information required to the Director pursuant to section 3612 to determine how agencies are meeting metrics as defined by the FedRAMP Program Management Office.

“(b) SUBMISSION OF POLICIES REQUIRED.—Not later than 6 months after the date of the enactment of this section, the head of each agency shall submit to the Director the policies created pursuant to subsection (a)(1) for review and approval.

“(c) SUBMISSION OF AUTHORIZATIONS TO OPERATE REQUIRED.—Upon issuance of an agency authorization to operate, the head of the agency shall provide a copy of the authorization to operate letter and any supplementary information required pursuant to section 3608(b) to the FedRAMP Program Management Office.

“(d) PRESUMPTION OF ADEQUACY.—

“(1) IN GENERAL.—The assessment of security controls and materials within the authorization package for a FedRAMP authorization or FedRAMP provisional authorization shall be presumed adequate for use in an agency authorization to operate cloud computing products and services.

“(2) INFORMATION SECURITY REQUIREMENTS.—The presumption under paragraph (1) does not modify or alter the responsibility of any agency to ensure compliance with subchapter II of chapter 35 for any cloud computing products or services used by the agency.

**“§ 3612. Roles and responsibilities of the Office of Management and Budget**

“The Director shall have the following duties:

“(1) Issue guidance to ensure that an agency does not operate a Federal Government cloud computing product or service using Government data without an authorization to operate issued by the agency that meets the requirements of subchapter II of chapter

35 and the FedRAMP authorization or FedRAMP provisional authorization.

“(2) Ensure agencies are in compliance with any guidance or other requirements issued related to FedRAMP.

“(3) Review, analyze, and update guidance on the adoption, security, and use of cloud computing services used by agencies.

“(4) Ensure the Joint Authorization Board is in compliance with section 3609(c).

“(5) Adjudicate disagreements between the Joint Authorization Board and cloud service providers seeking a FedRAMP provisional authorization.

“(6) Promulgate regulations on the role of FedRAMP authorizations and FedRAMP provisional authorizations in agency acquisition of cloud computing products and services that process unclassified information.

**“§ 3613. Authorization of appropriations for FedRAMP**

“There is authorized to be appropriated \$20,000,000 each year for the FedRAMP Program Management Office and the Joint Authorization Board.

**“§ 3614. Reports to Congress; GAO Report**

“(a) REPORTS TO CONGRESS.—Not later than 12 months after the date of the enactment of this section, and annually thereafter, the Director shall submit to the Committee on Oversight and Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that includes the following:

“(1) The status, efficiency, and effectiveness of FedRAMP Program Management Office and agencies during the preceding year in supporting the speed, effectiveness, sharing, reuse, and security of authorizations to operate for cloud computing products and services, including progress towards meeting the metrics adopted by the FedRAMP Program Management Office pursuant to section 3608(d) and the Joint Authorization Board pursuant to section 3609(c)(5).

“(2) Data on FedRAMP authorizations and FedRAMP provisional authorizations.

“(3) The average length of time for the Joint Authorization Board to review applications for and issue FedRAMP provisional authorizations.

“(4) The average length of time for the FedRAMP Program Management Office to review authorizations to operate.

“(5) The number of FedRAMP authorizations and FedRAMP provisional authorizations issued for the previous year.

“(6) A review of progress made during the preceding year in advancing automation techniques to securely automate FedRAMP processes and to accelerate reporting as described in this section.

“(7) The number and characteristics of authorized cloud computing products and services in use at each agency consistent with guidance provided by the Director in section 3612.

“(8) The cost incurred by agencies and cloud service providers related to the issuance of FedRAMP authorizations and FedRAMP provisional authorizations, including information responsive to the report required in subsection (b).

“(b) GAO REPORT.—Not later than 6 months after the date of the enactment of this section, the Comptroller General of the United States shall publish a report that includes an assessment of the cost incurred by agencies and cloud service providers related to the issuance of FedRAMP authorizations and FedRAMP provisional authorizations.

**“§ 3615. Federal Secure Cloud Advisory Committee**

“(a) ESTABLISHMENT, PURPOSES, AND DUTIES.—

“(1) ESTABLISHMENT.—There is established a Federal Secure Cloud Advisory Committee (referred to in this section as the ‘Committee’) to ensure effective and ongoing coordination of agency adoption, use, authorization, monitoring, acquisition, and security of cloud computing products and services to enable agency mission and administrative priorities.

“(2) PURPOSES.—The purposes of the Committee are the following:

“(A) To examine the operations of FedRAMP and determine ways that authorization processes can continuously be improved, including the following:

“(i) Measures to increase agency re-use of FedRAMP provisional authorizations.

“(ii) Proposed actions that can be adopted to reduce the cost of FedRAMP authorizations and FedRAMP provisional authorizations for cloud service providers.

“(iii) Measures to increase the number of FedRAMP authorizations and FedRAMP provisional authorizations for cloud computing services offered by small businesses (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a))).

“(B) Collect information and feedback on agency compliance with and implementation of FedRAMP requirements.

“(C) Serve as a forum that facilitates communication and collaboration among the FedRAMP stakeholder community.

“(3) DUTIES.—The duties of the Committee are, at a minimum, to provide advice and recommendations to the Administrator, the Joint Authorization Board, and to agencies on technical, financial, programmatic, and operational matters regarding secure adoption of cloud computing products and services.

“(b) MEMBERS.—

“(1) COMPOSITION.—The Committee shall be comprised of not more than 15 members who are qualified representatives from the public and private sectors, appointed by the Administrator, in consultation with the Administrator of the Office of Electronic Government, as follows:

“(A) The Administrator or the Administrator’s designee, who shall be the Chair of the Committee.

“(B) At least one representative each from the Cybersecurity and Infrastructure Security Agency and the National Institute of Standards and Technology.

“(C) At least two officials who serve as the Chief Information Security Officer within an agency, who shall be required to maintain such a position throughout the duration of their service on the Committee.

“(D) At least one official serving as Chief Procurement Officer (or equivalent) in an agency, who shall be required to maintain such a position throughout the duration of their service on the Committee.

“(E) At least one individual representing an independent assessment organization.

“(F) No fewer than five representatives from unique businesses that primarily provide cloud computing services or products, including at least two representatives from a small business (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a))).

“(G) At least two other Government representatives as the Administrator determines to be necessary to provide sufficient balance, insights, or expertise to the Committee.

“(2) DEADLINE FOR APPOINTMENT.—Each member of the Committee shall be appointed not later than 30 days after the date of the enactment of this section.

“(3) PERIOD OF APPOINTMENT; VACANCIES.—

“(A) IN GENERAL.—Each non-Federal member of the Committee shall be appointed for a term of 3 years, except that the initial terms for members may be staggered 1-, 2-,

or 3-year terms to establish a rotation in which one-third of the members are selected each year. Any such member may be appointed for not more than 2 consecutive terms.

“(B) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner in which the original appointment was made. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member’s predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member’s term until a successor has taken office.

“(c) MEETINGS AND RULES OF PROCEDURES.—

“(1) MEETINGS.—The Committee shall hold not fewer than three meetings in a calendar year, at such time and place as determined by the Chair.

“(2) INITIAL MEETING.—Not later than 120 days after the date of the enactment of this section, the Committee shall meet and begin the operations of the Committee.

“(3) RULES OF PROCEDURE.—The Committee may establish rules for the conduct of the business of the Committee, if such rules are not inconsistent with this section or other applicable law.

“(d) EMPLOYEE STATUS.—

“(1) IN GENERAL.—A member of the Committee (other than a member who is appointed to the Committee in connection with another Federal appointment) shall not be considered an employee of the Federal Government by reason of any service as such a member, except for the purposes of section 5703 of title 5, relating to travel expenses.

“(2) PAY NOT PERMITTED.—A member of the Committee covered by paragraph (1) may not receive pay by reason of service on the Committee.

“(e) APPLICABILITY TO THE FEDERAL ADVISORY COMMITTEE ACT.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.

“(f) HEARINGS AND EVIDENCE.—The Committee, or on the authority of the Committee, any subcommittee, may, for the purposes of carrying out this section, hold hearings, sit and act at such times and places, take testimony, receive evidence, and administer oaths.

“(g) CONTRACTING.—The Committee, may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Committee to discharge its duties under this section.

“(h) INFORMATION FROM FEDERAL AGENCIES.—

“(1) IN GENERAL.—The Committee is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of the Committee. Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Committee, upon request made by the Chair, the Chair of any subcommittee created by a majority of the Committee, or any member designated by a majority of the Committee.

“(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information may only be received, handled, stored, and disseminated by members of the Committee and its staff consistent with all applicable statutes, regulations, and Executive orders.

“(i) DETAIL OF EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement from

the Committee, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

“(j) POSTAL SERVICES.—The Committee may use the United States mails in the same manner and under the same conditions as agencies.

“(k) EXPERT AND CONSULTANT SERVICES.—The Committee is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, but at rates not to exceed the daily rate paid a person occupying a position at Level IV of the Executive Schedule under section 5315 of title 5.

“(1) REPORTS.—

“(1) INTERIM REPORTS.—The Committee may submit to the Administrator and Congress interim reports containing such findings, conclusions, and recommendations as have been agreed to by the Committee.

“(2) ANNUAL REPORTS.—Not later than 18 months after the date of the enactment of this section, and annually thereafter, the Committee shall submit to the Administrator and Congress a final report containing such findings, conclusions, and recommendations as have been agreed to by the Committee.

#### “§ 3616. Definitions

“(a) IN GENERAL.—Except as provided under subsection (b), the definitions under sections 3502 and 3552 apply to sections 3607 through this section.

“(b) ADDITIONAL DEFINITIONS.—In sections 3607 through this section:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of General Services.

“(2) AUTHORIZATION PACKAGE.—The term ‘authorization package’—

“(A) means the essential information used to determine whether to authorize the operation of an information system or the use of a designated set of common controls; and

“(B) at a minimum, includes the information system security plan, privacy plan, security control assessment, privacy control assessment, and any relevant plans of action and milestones.

“(3) CLOUD COMPUTING.—The term ‘cloud computing’ has the meaning given that term by the National Institutes of Standards and Technology in NIST Special Publication 800-145 and any amendatory or superseding document thereto.

“(4) CLOUD SERVICE PROVIDER.—The term ‘cloud service provider’ means an entity offering cloud computing products or services to agencies.

“(5) DIRECTOR.—The term ‘Director’ means the Director of the Office of Management and Budget.

“(6) FEDRAMP.—The term ‘FedRAMP’ means the Federal Risk and Authorization Management Program established under section 3607(a).

“(7) FEDRAMP AUTHORIZATION.—The term ‘FedRAMP authorization’ means a certification that a cloud computing product or service received from an agency that provides an authorization to operate and the FedRAMP Program Management Office has determined the product or service has completed the FedRAMP authorization process.

“(8) FEDRAMP PROGRAM MANAGEMENT OFFICE.—The term ‘FedRAMP Program Management Office’ means the office that administers FedRAMP established under section 3607(b).

“(9) FEDRAMP PROVISIONAL AUTHORIZATION.—The term ‘FedRAMP provisional authorization’ means a certification that a cloud computing product or service has received from the Joint Authorization Board that approves a provisional authorization to operate.

“(10) INDEPENDENT ASSESSMENT ORGANIZATION.—The term ‘independent assessment organization’ means a third-party organization accredited by the Program Director of the FedRAMP Program Management Office to undertake conformity assessments of cloud service providers and their products or services.

“(11) JOINT AUTHORIZATION BOARD.—The term ‘Joint Authorization Board’ means the Joint Authorization Board established under section 3607(b).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 36 of title 44, United States Code, is amended by adding at the end the following new items:

“3607. Federal Risk and Authorization Management Program.

“3608. FedRAMP Program Management Office.

“3609. Joint Authorization Board.

“3610. Independent assessment organizations.

“3611. Roles and responsibilities of agencies.

“3612. Roles and responsibilities of the Office of Management and Budget.

“3613. Authorization of appropriations for FEDRAMP.

“3614. Reports to Congress.

“3615. Federal Secure Cloud Advisory Committee.

“3616. Definitions.”.

(c) SUNSET.—This Act and any amendment made by this Act shall be repealed on the date that is 10 years after the date of the enactment of this Act.

(d) RULE OF CONSTRUCTION.—Nothing in this Act or any amendment made by this Act shall be construed as altering or impairing the authorities of the Director of the Office of Management and Budget or the Secretary of Homeland Security under subchapter II of chapter 35 of title 44, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Alabama (Mr. PALMER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

#### GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. 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 before us.

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

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

I thank Representatives CONNOLLY and COMER for working on this important bipartisan issue.

A version of this bill passed the House in the last Congress, and it has been improved after receiving technical assistance from the General Services Administration. The Federal Risk and Authorization Management Program Authorization Act would codify and improve the existing FedRAMP in the General Services Administration.

First established in 2011, FedRAMP is an important program that certifies cloud service providers who wish to offer services and products to the Federal Government.

The FedRAMP certification process outlined in this bill is comprehensive,

facilitates easier agency adoption, promotes agency reuse, and encourages savings. The FedRAMP process uses a risk-based approach to ensure the reliability of any cloud platform that hosts unclassified government data.

A significant provision of this bill is the Federal Secure Cloud Advisory Committee. This committee would be tasked with key responsibilities, including providing technical expertise on cloud products and services and identifying ways to reduce costs associated with FedRAMP certification.

The Director of the Office of Management and Budget would be required to issue regulations pertaining to FedRAMP and would ensure that agencies are not using cloud service providers without authorizations. This bill supports a critical effort to keep our Nation's information secure in cloud environments.

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

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

Mr. Speaker, I rise in support of H.R. 21, the FedRAMP Authorization Act, introduced by my distinguished colleague and friend, Representative GERRY CONNOLLY.

Cybersecurity and technology modernization are both vital issues to ensure this government runs efficiently and effectively. This is even clearer in light of the unprecedented recent cyberattack that compromised both the private and public sectors' critical information systems. Congress must work to further the Federal Government's cybersecurity while moving Federal agencies to more modern solutions, which will help keep our public data safe and provide improved services to our Nation's citizens.

The Federal Risk and Authorization Program, or FedRAMP, is the main Federal program focused on helping agencies procure secure cloud computing services. The FedRAMP provides a consistent process for agencies to procure modern cloud systems in accordance with established Federal cybersecurity standards. Recent Federal policies make the focus on securing cloud services especially important.

With both the Cloud First initiative in 2011 and the Cloud Smart initiative from President Trump's administration, the government continues to focus on adopting modern, cost-effective cloud technology solutions.

The Federal Government is plagued by reoccurring problems in information technology, such as low asset utilization, duplicative systems, and fragmented resources. Shifting to the cloud provides for improved asset utilization, increased innovation, and more agile and responsive technology capabilities. These improved efficiencies have led to significant cost savings.

In fiscal year 2018, the government spent roughly \$6.5 billion on cloud computing, with 84 percent coming from FedRAMP authorized cloud computing providers.

The centralized security authorization process offered by the FedRAMP program has saved agencies over \$250 million in cost avoidance, according to the General Services Administration.

Recognizing these cost benefits, this legislation aims to increase the Federal Government's use of the consistent, centrally managed cloud computing security authorizations provided by the FedRAMP program. Codifying this successful program into law is an important step towards encouraging Federal agencies to take full advantage of this program and all the security benefits that it offers.

Mr. Speaker, again, I thank my colleague, Representative CONNOLLY, for introducing this bill. I urge my colleagues to support the bill, and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank the distinguished chairwoman of our committee for her graciousness in not only bringing this bill back to the floor, but making it the first legislative bill we are going to consider in the new Congress. I thank my good friend from New York. I also thank my friend from Alabama for his gracious words and his partnership on so many issues on our committee on a bipartisan basis.

I want to thank the majority leader for bringing this bill to the floor. I also want to thank the ranking member of the full committee, Mr. COMER; and the ranking member of our subcommittee, Mr. HICE, for cosponsoring this bill, making it as bipartisan as we get.

H.R. 21, the FedRAMP Authorization Act, would finally provide a statutory framework—which we currently lack—for the Federal Risk and Authorization Management Program, FedRAMP.

FedRAMP is a standardized approach to certifying and assessing in an ongoing manner the security of cloud computing technologies used across the Federal Government. FedRAMP seeks to reduce the redundancies of Federal cloud migration by creating a “certify once, reuse many times” model for cloud products and services that provide cost-effective, risk-based approach to cloud adoption. Enabling the efficient and secure procurement of cloud computing technology is an important part of Federal IT modernization efforts and essential to the Federal Government's transition to a more virtual posture amid the pandemic.

In the first 4 years of FedRAMP, the program authorized only 20 cloud products. Today, there are 211 FedRAMP authorized cloud products that Federal agencies can use and more than 240 cloud service providers participating in FedRAMP, 30 percent of which are small businesses—female-owned, minority-owned, and veteran-owned businesses. In fiscal year 2020, FedRAMP saw a 50 percent increase in agencies reusing authorized cloud products.

This bill already passed the House in the last Congress with bipartisan support not once, but twice; once under suspension by voice vote and once as an amendment to the House version of the National Defense Authorization Act.

After incorporating technical assistance that the chairwoman mentioned from the General Services Administration and other key stakeholders, I rise again to offer the FedRAMP Authorization Act.

For nearly 4 years, we have worked with the Office of Management and Budget, GSA, industry stakeholders, and our friends on both sides of the aisle to make the needed improvements so FedRAMP can be codified in law.

This bill is essential, and it will demonstrate a universal commitment to FedRAMP and the accelerated adoption of secure cloud computing technologies, a vital component of the broader Federal IT modernization effort. And we know it is needed after the cyber hack, probably led by the Russians, in the last few weeks.

The FedRAMP Authorization Act would codify the program and address many of the concerns raised by industry and government stakeholders.

First, the bill reduces duplication of security assessments and other obstacles to agency adoption of cloud products by establishing a presumption of adequacy for cloud technologies that have received FedRAMP certification. This is important so that companies are not spending millions of dollars simply to get the same certification over and over again.

□ 1215

The bill would also facilitate agency reuse of cloud technologies that have already received an authorization-to-operate by requiring agencies to check a centralized and secure repository.

It requires that GSA work toward automating their processes, which will lead to more standard security. It will establish a Federal secure cloud advisory committee to ensure dialogue among GSA, agency cybersecurity and procurement officials, and industry representatives for effective and ongoing coordination.

Finally, it authorizes \$20 million in annual appropriations for the program, providing sufficient resources to increase the number of secure cloud technologies available and to allow free and fair competition, especially for our small and minority-owned businesses.

Mr. Speaker, I urge that the House act on this first bill on the first day of our legislative activity. Again, I thank our distinguished chairwoman for being so generous in bringing this bill up again.

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

Mr. Speaker, protecting our public's valuable information by improving the

Federal Government's cybersecurity and adopting modern technology should be a top priority of Congress.

I look forward to working together on issues like this that are in the best interest of the Nation. I strongly urge my colleagues to support this legislation, and I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of H.R. 21, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H.R. 21.

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

A motion to reconsider was laid on the table.

### CONGRESSIONAL BUDGET JUSTIFICATION TRANSPARENCY ACT OF 2021

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 22) to amend the Federal Funding Accountability and Transparency Act of 2006, to require the budget justifications and appropriation requests of agencies be made publicly available.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 22

*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 "Congressional Budget Justification Transparency Act of 2021".

#### SEC. 2. PUBLIC AVAILABILITY OF BUDGET JUSTIFICATIONS AND APPROPRIATION REQUESTS.

(a) IN GENERAL.—Section 3 of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282; 31 U.S.C. 6101 note) is amended to read as follows:

##### "SEC. 3. FULL DISCLOSURE OF FEDERAL FUNDS.

"(a) IN GENERAL.—Not less frequently than monthly when practicable, and in any event not less frequently than quarterly, the Secretary (in consultation with the Director and, with respect to information described in subsection (b)(2), the head of the applicable agency) shall ensure that updated information with respect to the information described in subsection (b) is posted on the website established under section 2.

"(b) INFORMATION TO BE POSTED.—

"(1) FUNDS.—For any funds made available to or expended by a Federal agency or component of a Federal agency, the information to be posted shall include—

"(A) for each appropriations account, including an expired or unexpired appropriations account, the amount—

"(i) of budget authority appropriated;

"(ii) that is obligated;

"(iii) of unobligated balances; and

"(iv) of any other budgetary resources;

"(B) from which accounts and in what amount—

"(i) appropriations are obligated for each program activity; and

"(ii) outlays are made for each program activity;

"(C) from which accounts and in what amount—

"(i) appropriations are obligated for each object class; and

"(ii) outlays are made for each object class; and

"(D) for each program activity, the amount—

"(i) obligated for each object class; and

"(ii) of outlays made for each object class.

"(2) BUDGET JUSTIFICATIONS.—

"(A) DEFINITION.—In this paragraph, the term 'budget justification materials' means the annual budget justification materials of an agency that are submitted, in conjunction with the budget of the United States Government submitted under section 1105(a) of title 31, United States Code, but does not include budget justification materials that are classified.

"(B) INFORMATION.—The information to be posted shall include any budget justification materials—

"(i) for the second fiscal year beginning after the date of enactment of this paragraph, and each fiscal year thereafter; and

"(ii) to the extent practicable, that were released for any fiscal year before the date of enactment of this paragraph.

"(C) FORMAT.—Budget justification materials shall be posted under subparagraph (B)—

"(i) as an open Government data asset (as defined under section 3502 of title 44, United States Code);

"(ii) in a manner that enables users to download individual reports, download all reports in bulk, and download in bulk the results of a search, to the extent practicable; and

"(iii) in a structured data format, to the extent practicable.

"(D) DEADLINE.—The budget justification materials required to be posted under subparagraph (B)(i) shall be posted not later than 2 weeks after the date on which the budget justification materials are first submitted to Congress.

"(E) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to authorize an agency to destroy any budget justification materials relating to a fiscal year before the fiscal year described in subparagraph (B)(i)."

(b) INFORMATION REGARDING AGENCY BUDGET JUSTIFICATIONS.—Section 1105 of title 31, United States Code, is amended by adding at the end the following:

"(i)(1) The Director of the Office of Management and Budget shall make publicly available on a website, and continuously update, a tabular list for each fiscal year of each agency that submits budget justification materials, which shall include—

"(A) the name of the agency;

"(B) a unique identifier that identifies the agency;

"(C) to the extent practicable, the date on which the budget justification materials of the agency are first submitted to Congress;

"(D) the date on which the budget justification materials of the agency are posted online under section 3 of the Federal Funding Accountability and Transparency Act of 2006;

"(E) the uniform resource locator where the budget justification materials are published on the website of the agency; and

"(F) a single data set that contains the information described in subparagraphs (A) through (E) with respect to the agency for all fiscal years for which budget justifications of the agency are made available under section 3 of the Federal Funding Accountability and Transparency Act of 2006 in a structured data format.

"(2)(A) Each agency that submits budget justification materials shall make the materials available on the website of the agency, in accordance with the policies established by the Director of the Office of Management and Budget under subparagraph (B).

"(B) The Director of the Office of Management and Budget, in consultation with the Secretary of the Treasury, shall establish policies for agencies relating to making available materials under subparagraph (A), which shall include guidelines for making budget justification materials available in a format aligned with the requirements of section 3(b)(2)(C) of the Federal Funding Accountability and Transparency Act of 2006 and using a uniform resource locator that is in a consistent format across agencies and is descriptive, memorable, and pronounceable, such as the format of 'agencyname.gov/budget'.

"(C) If the Director of the Office of Management and Budget maintains a public website that contains the budget of the United States Government submitted under subsection (a) and any related materials, such website shall also contain a link to the tabular list required under paragraph (1).

"(3) In this subsection, the term 'budget justification materials' has the meaning given that term in section 3 of the Federal Funding Accountability and Transparency Act of 2006."

#### SEC. 3. 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 gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Alabama (Mr. PALMER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. 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 before us.

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

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before us, the Congressional Budget Justification Transparency Act, is a commonsense, good-government measure every Member should support.

It would require the congressional budget justification documents that agencies prepare for congressional committees to be posted online in a centralized, searchable database. This would make these detailed, plain-language explanations of how agencies plan to spend taxpayer dollars more accessible to the public.

I thank Representative MIKE QUIGLEY for his work on this bill. He has a long

history as a strong advocate of transparency in the operations of the Federal Government.

This bill builds on the work of the committee to improve government transparency by allowing the public to more easily learn how Federal agencies spend their taxpayer dollars.

Mr. Speaker, I support this bill, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 22, the Congressional Budget Justification Transparency Act.

The Congressional Budget Justification Transparency Act is a long-overdue reform that would ensure Congress and the Nation's taxpayers can understand the full scope and context of the annual Federal budget.

I thank my colleagues, Congressman MIKE QUIGLEY and Ranking Member JAMES COMER, for working together on this important bipartisan legislation.

Mr. Speaker, H.R. 22 will truly open up the executive branch annual budget request and provide needed transparency of each agency's detailed budget justifications. The American public and each of their congressional Representatives deserve full access to the annual agency plans to spend their hard-earned tax dollars.

This past year alone, the Federal Government spent more than \$6.5 trillion. Public spending transparency resources, like USAspending.gov, are currently helping the public track ongoing agency spending activity. However, the annual congressional budget justifications provide detailed and plain language explanations of how each Federal agency plans to spend congressional appropriations.

Currently, these valuable budget documents are sent directly to congressional appropriators and are then posted across hundreds of disconnected agency web pages. This makes them extremely hard to track down.

H.R. 22 simply requires the budget justifications of every agency to be made publicly available on a single website. To do this, the bill requires the Office of Management and Budget to issue a full listing of agency budget justifications and the individual agency web pages where they are posted. This will assure the public that they have access to the complete publication of these authoritative budget resources.

The bill also requires the U.S. Treasury Department to centrally publish all the materials on USAspending.gov as open data.

As established in 2014 by the DATA Act, USAspending.gov is quickly becoming the primary public resource for the public to track how the government is using their tax dollars. Adding congressional budget justifications to USAspending.gov will provide even better context to agency spending activity.

Thanks to another House Committee on Oversight and Reform-produced law,

the 2018 Good Accounting Obligation in Government Act, congressional budget justifications also now list unimplemented inspector general audit and GAO report recommendations. This means H.R. 22 will also help Congress and the public annually track open IG and GAO oversight recommendations.

Mr. Speaker, I thank my colleague from Illinois (Mr. QUIGLEY). I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. QUIGLEY).

Mr. QUIGLEY. Mr. Speaker, I proudly rise in support of my Congressional Budget Justification Transparency Act, H.R. 22.

The SPEAKER pro tempore. The gentleman will put on his mask.

Mr. QUIGLEY. Mr. Speaker, it is a bipartisan bill that addresses the lack of transparency around the documents that explain why executive agencies are requesting funds from Congress. These justifications shed light on the work and priorities of the Federal Government far more effectively than high-level spending figures.

Mr. Speaker, in 2018 and 2019, Congress encouraged OMB to publish all executive branch congressional budget justification materials on a centralized web portal. However, there is no legal requirement for congressional budget justifications to be posted on a centralized portal or on agency websites.

For these reasons, agencies are inconsistent in posting congressional budget justifications online, making them difficult to access because they are either not publicly available or are scattered across the internet.

Mr. Speaker, my bill will strengthen Federal Government transparency by requiring Federal agencies to publish their annual budget justifications online in a central location. This will better allow oversight of our government and allow the American people to verify that their taxpayer dollars are being used wisely to invest in their communities.

All Illinoisans and Americans should get the transparency they deserve on government spending, and the bill does just that.

Mr. Speaker, I recognize Chairwoman MALONEY and Ranking Member COMER for their unwavering support for this bill and for prioritizing this legislation early on in the 117th Congress. I thank them again for their leadership.

Mr. Speaker, I urge my colleagues to support this bipartisan bill.

Mr. PALMER. Mr. Speaker, I have no further speakers, and I am prepared to close.

Mr. Speaker, I yield myself such time as I may consume. I strongly urge my colleagues to support this common-sense transparency legislation, and I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 4 minutes to

the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the chairwoman for her leadership and continued respect for the oversight of this body. And I particularly thank the gentleman from Illinois and his cosponsors for this very astute legislation.

I join with my bipartisan colleagues to indicate that the transparency of funding by way of the budget process is absolutely crucial to be able to be guided by what is right, as well, to ensure that we, the Congress, have a knowledge of the importance of the funding process, the importance of the programs that are used for taxpayer dollars.

Mr. Speaker, let me just take a microcosm of what I believe will be an important aspect of this. Why don't I take COVID-19 as an example?

Mr. Speaker, I believe that we have been hearing from all over the Nation that the Federal Government needs to be in charge. The agency that I think would be most effective as a national coordinator of vaccine transport and delivery is FEMA.

For safe and effective supply chain transport, delivery, and site use of vaccines, FEMA has the ability to tell other agencies what to do or to be able to be part of the success of the distribution of these vaccines. They have broad stakeholder engagement. FEMA has personnel all over the Nation, and they are not in the business of picking business winners or losers. And implementing CDC COVID-19 vaccine recommendations, they know how to do that.

Mr. Speaker, I say thank you to all the private-sector volunteers, all the pharmacies located in grocery stores and well-known chains, but that is not working. It is not going to work.

This particular legislation would let us know the budget plan of an agency, like FEMA, which really looms large in our lives because whether you have experienced a fire in California, or whether or not you have experienced Hurricane Harvey in Texas, or whether or not you have experienced tornadoes, FEMA has been on the ground. They know how to put large efforts together. They can lead the effort for vaccine delivery so that we don't have these kinds of episodes.

"One American dies from COVID-19 every 33 seconds." Mr. Speaker, I include in the RECORD an article.

[From CNN, Jan. 5, 2021]

ONE AMERICAN DIES FROM COVID-19 EVERY 33 SECONDS AS THE VACCINE ROLLOUT HITS SNAGS

(By Holly Yan and Madeline Holcombe)

While hopes of vaccinating 20 million people by New Year's Day sputtered out, the US now faces staggering new challenges in the fight against Covid-19.

Over the past week, the US has averaged 2,637 coronavirus deaths every day, according to Johns Hopkins University.

That's an average of one Covid-19 death every 33 seconds.

December was the deadliest month yet of this pandemic, with 77,572 lives lost. And

deaths are likely to accelerate as new infections and hospitalizations rise.

On Monday, more people were hospitalized with Covid-19 than any other day in this pandemic—128,210, according to the Covid Tracking Project.

The US averaged 213,437 new infections every day over the past week, largely fueled by holiday gatherings, health experts say.

But while daily new infections soared 16% over the past week, testing has actually decreased 11.65% over the past week, according to the Covid Tracking Project.

Doctors worry this rampant spread of Covid-19 will push more hospitals beyond capacity and lead to more deaths as the vaccine rollout staggers along.

#### THE POSSIBILITY OF GIVING HALF-DOSES OF A VACCINE

About 15.4 million vaccine doses have been distributed in the US, but only 4.5 million people have received their first doses, the US Centers for Disease Control and Prevention said Monday.

That's far behind what officials had hoped for by now. And it means herd immunity is still many months away.

"We agree that there is a lag. We'll work with the states," said Moncef Slaoui, chief scientific adviser of the federal Operation Warp Speed vaccination effort.

To help expedite vaccinations, the US might start giving half-doses of Moderna's Covid-19 vaccine to people age 18 to 55, which could make the vaccine available to twice as many people in that age group, Slaoui said.

Slaoui said Sunday the US Food and Drug Administration would meet this week to consider the idea.

But the FDA commissioner and its vaccine division chief said in a joint statement that people need to get two full doses instead of two half-doses.

"At this time, suggesting changes to the FDA-authorized dosing or schedules of these vaccines is premature and not rooted solidly in the available evidence," said FDA Commissioner Dr. Stephen Hahn and Dr. Peter Marks, who heads the agency's vaccine division. "Without appropriate data supporting such changes in vaccine administration, we run a significant risk of placing public health at risk, undermining the historic vaccination efforts to protect the population from Covid-19."

It's understandable that people may want to stretch the vaccine supply, they said. But it's not advisable.

"If people do not truly know how protective a vaccine is, there is the potential for harm because they may assume that they are fully protected when they are not, and accordingly, alter their behavior to take unnecessary risks," they said.

The two 100-microgram Moderna vaccine doses are intended to be spaced 28 days apart.

CNN has reached out to Moderna for comment.

Dr. Jonathan Reiner, a professor of medicine at George Washington University, said he does not agree with the idea of half-doses.

"We have about 13 million doses that have been shipped out to the states, and only barely 4 million doses that have gone into arms. So the bottleneck is not the lack of availability of vaccine. The bottleneck is actually the logistics of vaccinating people in this country."

It's difficult enough to get some patients on board with getting a vaccine, he said. Going against the recommended dosing could hurt patients' confidence.

"When I see people in clinic, I talk about the vaccine every single day. I'm trying to reduce vaccine hesitancy," Reiner said Monday.

"And the strongest weapon I have is the data. I can tell people that these two vaccines have been studied in 70,000 people—more than 70,000 people—in this two-dose strategy. And when given that way, they're both 95% effective, and basically no one gets critically ill if you get this vaccine. . . . Once you break from the data, I can no longer say that."

#### STUDY SAYS HOLDING BACK FEWER DOSES COULD CUT CASES BY 29%

Right now, the federal government is allocating about half of the vaccines being produced. The other half is held in reserve to be used as a second dose or as replacements in cases where doses are unusable.

But by reducing the amount withheld to 10% for the first three weeks and supplying a steady dose of 6 million doses per week, the US could avoid up to 29% more coronavirus cases over eight weeks, a study published in the *Annals of Internal Medicine* found.

"We find that under most plausible scenarios, a more balanced approach that withholds fewer doses during early distribution in order to vaccinate more people as soon as possible could substantially increase the benefits of vaccines, while enabling most recipients to receive second doses on schedule," write the study's authors, who were supported by the Canadian Institutes for Health Research and the Centers for Disease Control and Prevention.

The researchers modeled several scenarios, with variables including vaccine supply, protection provided by the first dose, and waning efficacy of a first dose if a second dose is delayed.

#### AN EMERGENCY DEPARTMENT EMPLOYEE DIES OF COVID-19

In California, health care workers are treating an unprecedented number of Covid-19 patients. Sometimes, those patients are colleagues.

At Kaiser Permanente San Jose Medical Center, 44 emergency department employees tested positive for Covid-19 between December 27 and January 1, said Irene Chavez, senior vice president and area manager.

On Monday, the hospital said one employee who was working on Christmas has died of Covid-19.

"Our thoughts and prayers are with those affected by this terrible loss," the hospital said in a statement. "We are providing support to our employees during this difficult time," according to a statement from the hospital.

Over the weekend, Chavez said the medical center is investigating whether an inflatable, air-powered costume may have played a role in the spread.

"A staff member did appear briefly in the emergency department on December 25th wearing an air-powered costume," she said.

"Any exposure, if it occurred, would have been completely innocent, and quite accidental, as the individual had no Covid symptoms and only sought to lift the spirits of those around them during what is a very stressful time."

Chavez said air-powered costumes will no longer be allowed at the facility.

"If anything, this should serve as a very real reminder that the virus is widespread, and often without symptoms, and we must all be vigilant," she said.

#### 'A ROUGH START TO 2021'

On Sunday, five states reported their highest number of new infections ever in one day—Arizona, New Hampshire, Oklahoma, South Carolina and Washington.

And over the past week, at least five states have average test positivity rates higher than 40%—meaning more than 40% of people who take a Covid-19 test get a positive result.

Those states include Idaho (57%), Alabama (46.7%), Iowa (44.6%), Pennsylvania (44%) and South Dakota (43.8%). For perspective, the WHO has recommended governments not reopen until the test positivity rates stays at or below 5% for 14 days.

In South Carolina, which had a 29.6% test positivity rate Sunday, officials in four counties said their hospitals were at 100% capacity, according to the South Carolina Department of Health and Environmental Control.

"We're in for a bit of a rough start to 2021," said Maria Van Kerkhove, the World Health Organization's technical lead for Covid-19 response.

But it's possible daily life in the US could be closer to normal by the summer or fall, she said. Other countries are already well on their way—thanks to quarantining, testing, isolation and contact tracing.

"We've seen countries bring this virus to its knees, without vaccination," Van Kerkhove said. "We have the tools at hand right now to actually bring this virus under control."

Ms. JACKSON LEE. The city of Houston has done a phenomenal job by trying to open up these centers, but guess what? They are looking for their next delivery. We should not be looking for the next delivery. The delivery should be organized, logistically. It should be stored on the ground.

"Houston, have you finished your utilization? Are you ready for your next?"

"L.A., have you finished your utilization? Are you ready for your next?"

That is not happening.

"COVID vaccine rollout is going about as well as you'd feared." Mr. Speaker, I include in the RECORD that article, along with an article regarding the opening of Houston's first public COVID-19 vaccine location.

#### COVID VACCINE ROLLOUT IS GOING ABOUT AS WELL AS YOU'D FEARED

Texans are beginning the new year the same way we spent much of the last one: straggling through a devastating pandemic with a patchy public health infrastructure, a confusing mishmash of rules and procedures, and an ominous absence of effective statewide leadership.

We have a COVID-19 vaccine now: that's the good news. Two of them, actually, one by Pfizer and the other by Moderna, both developed as part of the federal Operation Warp Speed and approved by the Federal Drug Administration for emergency use last month.

We knew that distributing hundreds of millions of vaccines would be a challenge. Each requires two doses and careful handling—including ultra-cold storage for the Pfizer vaccine. Each is being distributed to a population that includes potential recipients skeptical of vaccines in general, and the COVID vaccine in particular.

But we had several months to figure this out. And it's quickly become painfully clear that we didn't.

In Phase 1A of the plan put forward by the Texas Department of State Health Services, the first doses of the vaccine were distributed to front-line health care workers and residents of long-term care facilities, beginning last month. On Tuesday, the state announced that vaccine providers could begin immunizing Texans in group 1B—those over age 65 and those with pre-existing conditions.

The experiences of Texans in that group gives you the impression that we've responded to an ongoing crisis with a maddening, high-stakes scavenger hunt. In Harris County, for example, there are dozens of providers that have partnered with the state to distribute vaccines, but making an appointment at any of them seems to require persistence, endless phone calls, and a hefty dose of luck.

Overall, the distribution process has been inefficient and confusing. As of Dec. 31, according to DSHS, some 283,000 people across Texas—roughly 45,000 in Harris County—had received the first dose of the vaccine. That's of the 773,000 doses the state had shipped to various providers, up to that point.

And it's a worryingly low figure, according to public health professionals, given that we'll need to vaccinate up to 80 percent of the population to achieve the herd immunity that will allow normal life to resume. Dr. Peter Hotez, professor and dean of the National School of Tropical Medicine at Baylor College of Medicine, has pointed to the straightforward back-of-the-envelope math: with roughly 30 million people in Texas, we should be aiming for a million immunizations a week to achieve herd immunity by mid-year.

Last week, as these difficulties began coming to light, Gov. Greg Abbott pointed the finger at the state's hospitals and other vaccine providers.

"A significant portion of vaccines distributed across Texas might be sitting on hospital shelves as opposed to being given to vulnerable Texans," Abbott said on Twitter.

"The state urges vaccine providers to quickly provide all shots," he continued. "We get plenty more each week."

In the Houston area, at least, providers say they're doing just that. And Texans are having unpleasant memories of the early days of the pandemic, when state leaders such as Abbott took a largely hands-off approach to the public health response—intervening only when local leaders in cities such as Houston and Austin crossed what he deemed to be a red line.

"Here we are, once again, hoping that private companies will figure out a decent vaccine distribution system since the State of Texas sure hasn't," said state Rep. Erin Zwiener, a Democrat, on Twitter. "But that means it will be disparate and confusing and hard for our constituents to navigate."

These issues aren't unique to Texas. Even states with relatively robust public health systems have seen what Massachusetts Gov. Charlie Baker described this week as a "lumpy and bumpy" rollout.

An exasperated U.S. Sen. Mitt Romney of Utah vented in a statement on New Year's Day.

"That comprehensive vaccination plans have not been developed at the federal level and sent to the states as models is as incomprehensible as it is inexcusable," Romney said.

"It was unrealistic to assume that the health care workers already overburdened with COVID care could take on a massive vaccination program," he continued. "So too is the claim that CVS and Walgreens will save the day: they don't have excess personnel available to inoculate millions of Americans. Nor are they equipped to deal with the rare but serious reactions which may occur."

The distribution of COVID vaccines is, without question, a matter of urgency. We begin the new year with more than 12,000 Texans hospitalized due to the virus, and public health experts fretting about the impact of holiday gatherings and travel on those statistics—as well as reports that cases of a more transmissible variant of the

virus have been confirmed in the United States.

The state's plan to rely on public/private partnerships to distribute the vaccine may be sensible, given Texas's extant public health infrastructure. But, at the minimum, we need better communication from state leaders about how Texans who are eligible for the vaccine can access it—not finger-pointing and politics.

#### Houston's First Public COVID-19 Vaccine Location Officially Opens

HOUSTON.—On Saturday, Houston's first public COVID-19 vaccine location opened on the city's Southside. City and state leaders believe this could be one of the first public Coronavirus vaccine locations to open in the country. "Houston may be the very first city of this size to setup a massive distribution of vaccines," said Congresswoman Sheila Jackson Lee. "I believe that deserves an applause."

The site, located off Knight Road in South Houston, had a long line of cars surrounding the parking lot early Saturday morning.

"The goal will be to get these vaccines out as quickly as we get them" said Houston Mayor Sylvester Turner.

The free Coronavirus shots were originally planned to be given to people who made appointments over the phone. However, the Houston Health Department quickly had to change their plan after being overwhelmed with calls.

Within an hour of opening their call center, the Houston Health Department tweeted, "The volume of calls to our COVID-19 call center overwhelmed the system and it's currently experiencing technical issues . . ."

"Call-in centers across the board received about 250,000 calls today," said Mayor Turner. "The system was literally overwhelmed, so we went to Plan B. Plan B was on-site registration."

"Seven out of 10 people who die from COVID are 65 years and older," said Houston Health Department Director Stephen Williams. "If you look in line, we're actually seeing those folks, and I'm grateful for that."

Texas recently started Phase 1B of the state's COVID-19 vaccine distribution plan. Now, front-line medical works, people at least 65 years-old, or adults with chronic health issues can get vaccinated.

"Even though there's a lot of vaccine hesitancy, there's still a strong desire from people to get the vaccine," said Mayor Turner.

According to Mayor Turner, he hopes to have the City of Houston open a mass distribution location for Coronavirus shots by the end of the week.

"The New York Mayor announced that they were going to try to do 1-million vaccines in the month of January," said Mayor Turner. "I think we can do the same thing in the month of January. I'd like to do even more than that."

Ms. JACKSON LEE. Mr. Speaker, FDA is considering to halve the amount of vaccines going to Americans. This haphazard way will not work. And the budget bill that is before us gives Congress the insight into how agencies plan their work.

So, is FEMA well-funded to take care of a pandemic? Were they funded the way they should have been in case a pandemic came and they were the right agency to do it?

Please remember, when we were flagging around and flustering around at the beginning of COVID-19, the PPE had to be taken over by FEMA.

That is what happened. We were struggling. People were fighting over PPE. Governors were out on the market. They were making negotiations individually with China while their health professionals were dying or reusing masks or reusing PPE. FEMA came in and did it.

Mr. Speaker, I will be discussing this even further, but I support this legislation because it gives Members of Congress the ability to know budget and appropriations so that if a pandemic comes, what agency can handle it? FEMA, because it has the funding.

Mr. Speaker, I ask my colleagues to support the underlying legislation, and I look forward to this further discussion.

Mr. Speaker, I rise to speak in support of H.R. 22, the Congressional Budget Justification Transparency Act, which requires congressional budget justifications to be posted online in a centralized, searchable database, as well as on a Federal agency's websites.

The bill also would require the Office of Management and Budget to maintain and regularly update a public list of agencies expected to submit congressional budget justifications, the date they are submitted to Congress, and when they are posted online.

This bill is identical to one that passed the House under suspension in the last Congress.

As a member of the Budget Committee, I applaud this progovernment budget transparency legislation because it will make sure that the people we represent know and understand how each agency is spending taxpayer dollars.

Budget transparency is important during ordinary time but is much more important during extraordinary times like a global pandemic.

I am particularly focused on federal pandemic response that FEMA is engaged in as it relates to the COVID-19 Pandemic.

Since the beginning of the pandemic, I have worked on community access to testing and through this effort have opened over 40 testing centers in and around Houston, Texas.

Now that there are vaccines it is time to pivot to vaccinations.

For this reason, I will be introducing a new bill that will address vaccine delivery to every community across the nation.

Making FEMA the lead agency is the first step, the next important is making sure the American people have access to information on how the agency is accomplishing the task and at what cost.

My bill would establish: FEMA as the National Coordinator of vaccine transport and delivery; Safe and effective supply chain transport, delivery, and site use of vaccines; Broad Stakeholder Engagement; No picking business winners or losers; and Implementing CDC COVID-19 Vaccine Recommendations.

FEMA will be empowered to:

Lead the effort for vaccine delivery from the receipt from manufacturing facilities to delivery to designated inoculation sites (hospital, clinic, doctors' offices, schools, places of worship, community centers, parks, or neighborhood gathering locations, etc.)

Develop and deploy a fully staffed and resourced 24-7 advanced real-time tracking system that allows FEMA to monitor shipments of vaccine units that can provide end-to-end transparency on the temperature, real-

time location, origin, and destination data, anticipated time of arrival, and update recipients on the progress of their delivery and report on changes that may impact expected delivery or the viability of the vaccine while in transit;

Provide an advanced communication system that allows public health departments to communicate their vaccine readiness, their capability of receiving vaccines, delivery locations, details of facility capability of storing, securing, personnel authorized to receive deliveries, logistics for delivering vaccines to patients, report on vaccine receipts, condition of vaccines, patient reactions, and feedback on how to improve the process;

Design custom Apps for use by public health agencies, doctors' offices, etc. to be provided to patients to communicate information on the vaccine being received and the date and location of a second dose if required. The App should generate a token that corresponds to their vaccination record to ensure that the right vaccine is administered should a second inoculation be required and to ensure that a person is not vaccinated with different vaccines, additional information such as vaccine effectiveness period may be addressed as more is learned about this;

Secure transportation for delivery or use of vaccines, and, when requested, security for the vaccine delivery sites or inoculation locations to ensure the life and safety of personnel and patients who seek to provide or receive vaccinations are free of interference or threat;

Provide public education and patient engagement through the provision of inoculations of persons in areas and locations where vulnerable populations are under performing in getting vaccinations;

Waive authority of the states to share vaccination data with HHS;

Provide HHS with the capacity to manage the inoculations data on persons and tracking the second vaccination to ensure full immunity and to determine when enough vaccinations have been administered to unique persons to achieve herd immunity. HHS shall protect Vaccination Data as HIPAA protected data, and under the Privacy Act, which shall not allow a waiver of any provision of that law; and the Freedom of Information Act shall not apply to the records maintained.

Provide civil fines of up to \$10,000 per violation, per instance; and criminal penalties of 5 years in prison for violation of this section; or for the use of the information outside the specific purpose of the data collection, which is to assure full inoculation of individuals; and determination of local, state and national herd immunity goals being achieved. Include a data retention limitation—all records shall be destroyed after 5 years—Sunset this provision after 5 years.

Provide an ombudsman to support: public (tribal, territorial, state, and local government); stakeholder input on the work being done; provide advocacy and advice for those who elect not to be vaccinated; and champion the privacy, civil liberty rights on behalf of the American people.

Waive state laws regarding management of inoculation data;

Provide HHS with the capacity as evidenced by the agency's prior experience in managing healthcare.gov, to manage the inoculations data on persons; for the purpose of tracking the second vaccination to ensure full immunity and the management of national inoculation

goals. The protection of inoculation medical information is provided by the: Federal HIPAA medical information privacy law; the Privacy Act and eliminate access to that information through the Freedom of Information Act; and providing for civil and criminal penalties for access or use of the information outside the specific purposes of the collection, which are to ensure inoculations; and determination of progress in herd immunity goals. Patient Inoculation Data retention limitation—all medical records on inoculation of persons under this title shall be destroyed after 5 years—Sunset this provision after 5 years.

Keep oversight Committees in the House and Senate, and the American people informed through daily and weekly reporting requirements comprising data the CDC determines to be relevant and have public benefit in measuring and reporting on inoculation statistics;

Establish a stakeholder advisory board to support the collaboration and cooperation of participants that shall include representatives from, federal, state, and local governments, businesses, colleges, universities, K-12 schools, hospitals, clinics, professional medical associations. Others as deemed essential to the success of a national vaccination program.

Lead government collaboration with Stakeholders in establishing vaccine inoculation centers in locations that shall include: Stadiums; Arenas; K-12 schools; Colleges and Universities; Places of Worship; and Other locations determined to be conducive to reaching the greatest number of person who are in need of inoculations.

#### EMPOWERING FEMA

FEMA will be empowered to engage all stakeholders and marshals the resources of the federal government where needed to accomplish the objectives.

FEMA employs about 20,000 people nationwide who are stationed in 10 regional offices and the Washington DC headquarters.

FEMA has the authority during times of emergency to leverage its tremendous capacity to coordinate within the federal government, pull federal agency personnel from agencies throughout the federal government to make sure America is equipped and prepared to respond to disasters.

I ask that my Colleagues join me in support of H.R. 22, and greater accountability to the American public on what the federal government is doing and the budget justification that supports expenditures.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of H.R. 22, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H.R. 22.

The question was taken.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

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

□ 1230

## INSPECTOR GENERAL PROTECTION ACT

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 23) to require congressional notification for certain changes in status of inspectors general, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 23

*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 "Inspector General Protection Act".

### SEC. 2. CONGRESSIONAL NOTIFICATION OF CHANGE IN STATUS OF INSPECTOR GENERAL.

(a) CHANGE IN STATUS OF INSPECTOR GENERAL OF OFFICES.—Section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by inserting " , is placed on paid or unpaid non-duty status," after "is removed from office";

(2) by inserting " , change in status," after "any such removal"; and

(3) by inserting " , change in status," after "before the removal".

(b) CHANGE IN STATUS OF INSPECTOR GENERAL OF DESIGNATED FEDERAL ENTITIES.—Section 8G(e)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by inserting " , is placed on paid or unpaid non-duty status," after "office";

(2) by inserting " , change in status," after "any such removal"; and

(3) by inserting " , change in status," after "before the removal".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 30 days after the date of the enactment of this Act.

### SEC. 3. PRESIDENTIAL EXPLANATION OF FAILURE TO NOMINATE AN INSPECTOR GENERAL.

(a) IN GENERAL.—Subchapter III of chapter 33 of title 5, United States Code, is amended by inserting after section 3349d the following new section:

#### "§ 3349e. Presidential explanation of failure to nominate an Inspector General

"If the President fails to make a formal nomination for a vacant Inspector General position that requires a formal nomination by the President to be filled within the period beginning on the date on which the vacancy occurred and ending on the day that is 210 days after that date, the President shall communicate, within 30 days after the end of such period, to Congress in writing—

"(1) the reasons why the President has not yet made a formal nomination; and

"(2) a target date for making a formal nomination."

(b) CLERICAL AMENDMENT.—The table of sections for chapter 33 of title 5, United States Code, is amended by inserting after the item relating to 3349d the following new item:

"3349e. Presidential explanation of failure to nominate an Inspector General."

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and

shall apply to any vacancy first occurring on or after that date.

**SEC. 4. 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 gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Alabama (Mr. PALMER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

**GENERAL LEAVE**

Mrs. CAROLYN B. MALONEY of New York. 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 before us.

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

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Inspector General Protection Act was introduced by Representatives TED LIEU and JODY HICE. An identical measure passed the House in the last Congress.

I am proud to support this bipartisan measure, which would improve the independence of inspectors general. The bill would also address the disturbingly slow nomination of IGs that has been the norm across multiple administrations.

The bill would require notification of Congress 30 days prior to an IG being placed on leave. Such notification is already required prior to an IG being removed from duty.

The bill also would require the President to report to Congress if he has not nominated an IG after 210 days of a vacancy occurring. This report must include the reasons for failing to make the nomination and a target date for doing so. The requirement will hopefully prod the executive branch to nominate IGs in a more timely manner.

IGs provide critical oversight and accountability within Federal agencies, and the positions need to be filled more quickly than is currently the case.

I urge Members to support this bipartisan bill, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 23, the Inspector General Protection Act. I want to thank Representatives TED LIEU and JODY HICE for working together on this legislation.

H.R. 23 will help Congress track Federal agency inspectors general vacan-

cies and make sure they are filled by the President in a timely manner.

Inspectors general help combat Federal fraud, waste, and abuse and improve the operations of the executive branch departments and agencies. Inspectors general help Congress shine light on areas of the government that need improvement and oversight. However, both Republican and Democratic administrations have experienced numerous and prolonged inspector general vacancies.

The Inspector General Protection Act would simply require the President to notify Congress of any change to a current inspector general's employment status. The bill would also require the President to notify Congress if a nomination to replace an inspector general does not take place within 210 days.

These provisions will improve congressional oversight of the executive branch by providing transparency to the President's inspectors general nominations.

Inspectors general are an indispensable resource to Congress and to the American people, and Congress can reaffirm our responsibility to combating government waste, fraud, and abuse by assuring consistent Federal agency inspector general office leadership.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I rise in support of Representative LIEU's Inspector General Protection Act.

The inspector general system has been invaluable in rooting out waste, fraud, and abuse in our Federal programs, and sometimes even criminal activity. It has also instilled confidence in Federal agencies by ensuring accountability. That, however, doesn't mean the system is perfect.

Since the initial passage of the Inspector General Act of 1978, we have seen what works and what doesn't. We have added inspectors general and refined their processes.

On January 20, a new President will be sworn into office and a new administration will lead our Federal agencies. Before they begin, now is a good time to update some of our inspector general requirements.

This bill makes important improvements by requiring disclosure to Congress when an IG is put on nonduty status and why a President has not nominated a permanent IG for a vacant position. These updates are necessary, and we must also do more.

Last Congress, I introduced the Appointments Clause Enforcement Act. That bill included several important changes to the IG system that would help make inspectors general more independent and instill confidence in them.

For example, rather than the President appointing an acting IG when a

position is vacant, my bill would have the Council of the Inspectors General on Integrity and Efficiency develop a list of qualified candidates and share those with the chief judge of the district court in the District of Columbia, who would make the appointment. That way, a President could not install political allies as acting inspectors general, even ones who didn't receive the advice and consent of the Senate, as a way to reduce oversight.

We should also clarify provisions to make sure that IGs forward legitimate whistleblower complaints to Congress without political interference and that those whistleblowers are protected from political retribution.

I thank Representative LIEU for sponsoring the Inspector General Protection Act and Speaker PELOSI for bringing it to the floor as one of our first bills.

I hope that this is the beginning of the 117th Congress' efforts to improve the inspector general system that works to improve our Federal Government's systems of administration and protects policies that are important for transparency and integrity of government.

Mr. PALMER. Mr. Speaker, I yield as much time as he may consume to the gentleman from Ohio (Mr. JORDAN).

Mr. JORDAN. Mr. Speaker, the integrity of the inspector general process and the ability of the President of the United States to appoint inspectors general is dependent on the integrity of the Presidential election.

During the campaign, Vice President Biden would get 55 people at an event. President Trump got 55,000 at just one rally. President Trump increased his vote with African Americans, increased his vote with Hispanic Americans, won 19 of 20 bellwether counties, won Ohio by 8, Iowa by 8, Florida by 3, got 11 million more votes than he got in 2016, and House Republicans won 27 of 27 toss-up races.

But somehow Joe Biden, the guy who barely left his house, won the election? Maybe.

But 80 million Americans, both Republicans and Democrats, have their doubts, and 60 million Americans think the election was stolen—60 million people, over one-third of the electorate.

But no one in this town seems to care. Democrats don't care. The media doesn't care. Eighty million of our fellow citizens have their doubts about the election 2 months ago, and the media and the Democrats say: Nothing to see here.

Of course, this town has been out to get the President since July 31, 2016, before he was elected the first time. Four years and \$40 million on the Russia hoax, but we can't look into an election that 60 million Americans think was stolen?

Nine weeks since election day, not one investigation, not one hearing in the House of Representatives. We asked for it. We asked Chairwoman MALONEY. Mr. COMER and I asked for it. We asked

Chairman NADLER. Nope, not going to do it.

We would welcome an inspector general investigation, for goodness sake. Over 200 affidavits and declarations of wrongdoing, but no investigation in the Congress—no subpoenas, no depositions, no chance for questioning or cross-examination of witnesses.

Why? Why won't they look into it? Why no hearings? Why no investigation?

I think it is because deep down they know there were big problems with this past election. They know the Constitution was violated.

Article I, Section 4: Time, place, and manner for holding elections shall be determined in each State by the legislature thereof.

Article II, Section 1: "Each State shall appoint, in such manner as the legislature thereof may direct. . . ."

Look at Pennsylvania. Pennsylvania law says mail-in ballots by 8 o'clock on election day. Election day ends at 8 o'clock. Mail-in ballots have to be in by 8 o'clock on election day. The Democrat State Supreme Court said: No, we are going to extend the election day till Friday, till 5 o'clock on Friday.

Pennsylvania State law says mail-in ballots require signature verification. The Democrat secretary of state said no. For 2.6 million ballots, she said: We are not going to follow the law.

Pennsylvania law says mail-in ballots can't be processed until election day, but some county commissioner said no and allowed ballots to be cured, to be fixed, to be changed before election day. You can imagine which counties allowed that, you can just imagine. Democrat counties allowed it; Republican counties didn't.

The legislature determines the time, place, and manner of elections, not State supreme courts, not secretaries of states, not county commissioners. All of those entities took actions that directly violated the law, the law that State legislatures enacted, and thereby violated the Constitution.

But Democrats don't care. They don't want to look into it. They would rather just belittle 60 million of our fellow citizens, call them names, say it is a conspiracy, make fun of the very people we are all supposed to represent.

Well, guess what. Tomorrow, those people will get a chance to hear the truth. Tomorrow, those 60 million people, those 80 million people who have their doubts, will not be treated with disrespect; they will be treated with the respect they deserve.

Tomorrow, there will be a debate in the people's House. Tomorrow, the Constitution will be defended, and the American people will see the truth. They will see how Democrats changed the rules in the days and weeks leading up to the election and created chaos in our election process. Tomorrow, they will see what the late Justice Ruth Bader Ginsburg said: The ultimate date of significance is January 6. Tomorrow, the citizens of this great country will see why.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I have no further speakers. I urge a positive vote on H.R. 23, and I reserve the balance of my time.

Mr. PALMER. Mr. Speaker, I hope we can continue to find bipartisan ways to build on similar good government reforms, such as this bill.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of H.R. 23, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H.R. 23.

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

A motion to reconsider was laid on the table.

#### CONSTRUCTION CONSENSUS PROCUREMENT IMPROVEMENT ACT OF 2021

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 26) to amend the Consolidated Appropriations Act, 2021, to correct a provision on the prohibition on the use of a reverse auction, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 26

*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 "Construction Consensus Procurement Improvement Act of 2021".

##### SEC. 2. AMENDMENT.

Section 402 of title IV of division U of the Consolidated Appropriations Act, 2021, is amended to read as follows:

"PROHIBITION ON USE OF A REVERSE AUCTION FOR THE AWARD OF A CONTRACT FOR COMPLEX, SPECIALIZED, OR SUBSTANTIAL DESIGN AND CONSTRUCTION SERVICES

"SEC. 402.

"(a) FINDINGS.—Congress makes the following findings:

"(1) In contrast to a traditional auction in which the buyers bid up the price, sellers bid down the price in a reverse auction.

"(2) Reverse auctions, while providing value for the vast majority of Federal acquisitions, including certain construction-related acquisitions, are limited in value for complex, specialized, or substantial design and construction services.

"(b) REVERSE AUCTION DEFINED.—In this section, the term 'reverse auction' means, with respect to any procurement by an executive agency, a real-time auction generally conducted through an electronic medium among two or more offerors who compete by submitting bids for a supply or service contract, or a delivery order, task order, or purchase order under the contract, with the ability to submit revised lower bids at any time before the closing of the auction.

"(c) PROHIBITION.—

"(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this section, the Federal Acquisition Regulation shall be amended to prohibit the use of reverse auctions for awarding contracts for complex, specialized, or substantial design and construction services.

"(2) APPLICABILITY TO ACQUISITIONS ABOVE THE SIMPLIFIED ACQUISITION THRESHOLD.—The prohibition on reverse auctions for complex, specialized, or substantial design and construction services shall apply only to acquisitions above the simplified acquisition threshold (SAT) for construction and design services pursuant to part 36 of the Federal Acquisition Regulation.

"(d) RULEMAKING FOR COMPLEX, SPECIALIZED, OR SUBSTANTIAL SERVICES.—Not later than 180 days after the date of the enactment of this section, the Federal Acquisition Regulatory Council shall promulgate a definition of complex, specialized, or substantial design and construction services, which shall include—

"(1) site planning and landscape design;

"(2) architectural and engineering services (as defined in section 1102 of title 40, United States Code);

"(3) interior design;

"(4) performance of substantial construction work for facility, infrastructure, and environmental restoration projects; and

"(5) construction or substantial alteration of public buildings or public works.

"(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to restrict the use of reverse auctions for the procurement of other goods and services except as specifically provided for under this section.

"(f) REPORT.—Not later than two years after the date of the enactment of this section, the Administrator of General Services shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report on the effectiveness of this section in delivering complex, specialized, or substantial design and construction services to the United States Government."

##### SEC. 3. 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 gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Alabama (Mr. PALMER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. 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 before us.

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

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank Representatives COMER and KHANNA for their work on this bipartisan bill, and I thank Senators PORTMAN and PETERS for their work on last year's Senate companion.

This measure would correct a provision of the Consolidated Appropriations Act for fiscal year 2021 that was incorrectly inserted into the law.

The language of this bill had been carefully crafted by the House Oversight and Reform Committee and the Senate Committee on Homeland Security and Governmental Affairs over many months prior to the agreement to include it in last year's Consolidated Appropriations Act. The bill you see before you today honors that agreement and resolves the drafting error.

The bill would prohibit the use of reverse auctions for the procurement of complex, specialized, or substantial design and construction services procured by the Federal Government.

Such services would include site planning, architectural and engineering services, interior design, construction or substantial alteration of public buildings or public works, and substantial construction work for facility, infrastructure, and environmental restoration projects.

Reverse auctions are generally a valuable tool to ensure the responsible stewardship of taxpayer dollars through the acquisition process.

□ 1245

In a reverse auction, a buyer seeking a good or service—in this case the Federal Government—solicits bids. Multiple sellers offer bids and the seller with the lowest bid wins the competition.

However, in the specific instance of complex, specialized, or substantial design and construction services, the use of reverse auctions can be problematic. While the lowest price is often the goal for standardized goods and services, it is not the only factor that should be considered for these unique projects.

Quality is also an important evaluation factor, especially for complex services, like design-build contracts for major public buildings or works.

This bill would not prevent contracting officers from considering price in evaluating proposals for complex construction services, just the use of reverse auctions designed to achieve the lowest price without regard to quality.

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

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

Mr. Speaker, I rise in support of H.R. 26, the Construction Consensus Procurement Improvement Act of 2021. This bill would prohibit the Federal Government's use of reverse auctions for complex design and construction services. A reverse auction is one where the sellers bid down the price instead of the buyers driving up the price. Most often, the contractor with

the lowest bid wins the contract. While we all wish for the Federal Government to get the lowest price, it is important that these complex projects are done properly, on time, and on budget.

Reverse auctions are not always appropriate for the types of services this bill deals with because design-build or complex construction projects often have variables which cannot be contemplated during the original bidding process.

The use of reverse auctions can often result in products that are subpar and, ultimately, over budget. Often, the winning low bid is nowhere near the final cost to the government after unanticipated factors lead to time and budget overruns.

Specifically, the Office of Federal Procurement Policy found that, for complex design and construction contracts, the expertise required to complete these projects was not built in to reverse auction bids.

Construction projects have a high degree of variability and the reverse auction process often does not yield the low costs intended for the taxpayer. This legislation is tailored to ensure that products and services which do not benefit from the reverse auction process will not be affected.

Going forward, we must continue to fight for the best possible products at the best price to the taxpayer. That includes ensuring benefits are brought to our constituents on time and on budget. This legislation will help to achieve that.

Mr. Speaker, I thank my colleague, Representative RO KHANNA, for his work and support on this legislation. I urge my colleagues to support the bill, and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I reserve the balance of my time.

Mr. PALMER. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. COMER).

Mr. COMER. Mr. Speaker, I rise in strong support of my bill, H.R. 26, the Construction Consensus Procurement Improvement Act of 2021.

It is vitally important that the Federal Government procure complex design and construction services that remain on time and on budget. This bill would prevent the Federal reverse auctions procurement process from being used for complex projects. Using reverse auctions for major construction projects only causes problems, such as delays and wasteful spending.

Who pays the price?

The taxpayer.

The Federal Government must be good stewards of taxpayer dollars and get the best possible services for the best price. As ranking member of the Committee on Oversight and Reform, I want to continue to deliver savings to the taxpayer and make stakeholder interaction with the government much easier, and H.R. 26 does just that.

This bill is the result of strong bipartisan, bicameral negotiations and the

hard work of many private sector groups. I thank Senator PORTMAN for his hard work on this legislation last Congress. I am also thankful for the support of my Committee on Oversight and Reform colleague, Mr. KHANNA.

Mr. Speaker, I would also like to particularly thank the Construction Industry Procurement Coalition, the Association of General Contractors, the Design-Build Institute of America, the American Subcontractors Association, and numerous others for their hard work on this legislation.

I look forward to continuing to work with the majority to advance common-sense legislation to make government more efficient and effective. I encourage the Senate to quickly consider this bill and send it to the President's desk.

Mr. Speaker, I urge my House colleagues to support H.R. 26.

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

Mr. Speaker, this is a sensible and needed bipartisan reform. I am hopeful to see similar bipartisan procurement reform bills this Congress, and I urge my colleagues to support this legislation.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of H.R. 26, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H.R. 26.

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

A motion to reconsider was laid on the table.

#### SETTLEMENT AGREEMENT INFORMATION DATABASE ACT OF 2021

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 27) to amend chapter 3 of title 5, United States Code, to require the publication of settlement agreements, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 27

*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 "Settlement Agreement Information Database Act of 2021".

#### SEC. 2. INFORMATION REGARDING SETTLEMENT AGREEMENTS ENTERED INTO BY FEDERAL AGENCIES.

(a) REQUIREMENTS FOR SETTLEMENT AGREEMENTS.—Chapter 3 of title 5, United States Code, is amended by adding at the end the following new section:

#### “§ 307. Information regarding settlement agreements

“(a) DEFINITIONS.—In this section:

“(1) LOCAL GOVERNMENT.—The term ‘local government’ has the meaning given that term in section 6501 of title 31.

“(2) ORDER TYPE.—The term ‘order type’ means the type of action or instrument used to settle a civil or criminal judicial action.

“(3) SETTLEMENT AGREEMENT.—The term ‘settlement agreement’ means a settlement agreement (including a consent decree) that—

“(A) is entered into by an Executive agency; and

“(B) relates to an alleged violation of Federal civil or criminal law.

“(4) STATE.—The term ‘State’ means each of the several States, the District of Columbia, each territory or possession of the United States, and each federally recognized Indian Tribe.

“(b) SETTLEMENT AGREEMENT INFORMATION DATABASE.—

“(1) EXECUTIVE AGENCY REQUIREMENT.—

“(A) IN GENERAL.—Subject to subparagraph (B), the head of each Executive agency shall, in accordance with guidance issued pursuant to paragraph (2), submit the following information to the database established under paragraph (3):

“(i) A list of each settlement agreement, in a categorized and searchable format, entered into by the Executive agency, as a party to a lawsuit, which shall include, for each settlement agreement—

“(I) the order type of the settlement agreement;

“(II) the date on which the parties entered into the settlement agreement;

“(III) a list of specific violations that specify the basis for the action taken, with a description of the claims each party settled under the settlement agreement;

“(IV) the amount of attorneys’ fees and other litigation costs awarded, if any, including a description of the statutory basis for such an award;

“(V) the amount each party settling a claim under the settlement agreement is obligated to pay under the settlement agreement;

“(VI) the total amount the settling parties are obligated to pay under the settlement agreement;

“(VII) the amount, if any, the settling party is obligated to pay that is expressly specified under the settlement agreement as a civil or criminal penalty or fine;

“(VIII) any payment made under the settlement agreement, including a description of any payment made to the Federal Government;

“(IX) the projected duration of the settlement agreement, if available;

“(X) a list of State or local governments that may be directly affected by the terms of the settlement agreement;

“(XI) a brief description of any economic data and methodology used to justify the terms of the settlement agreement;

“(XII) any modifications to the settlement agreement, when applicable;

“(XIII) notice and comments, when applicable; and

“(XIV) whether the settlement agreement is still under judicial enforcement and any period of time by which the parties agreed to have certain conditions met.

“(ii) A copy of each—

“(I) settlement agreement entered into by the Executive agency; and

“(II) statement issued under paragraph (4).

“(B) NONDISCLOSURE.—The requirement to submit information or a copy of a settlement agreement under subparagraph (A) shall not apply to the extent the information or copy (or portion thereof)—

“(i) is subject to a confidentiality provision that prohibits disclosure of the information or copy (or portion thereof); and

“(ii) would not be disclosed under section 552, if the Executive agency provides a citation to the applicable exemption.

“(C) CLARIFICATION OF RESPONSIBLE AGENCY.—In a case in which an Executive agency is acting at the request or on behalf of another Executive agency (referred to as the originating agency), the originating agency is responsible for submitting information under subparagraph (A).

“(2) GUIDANCE.—The Director of the Office of Management and Budget shall issue guidance for Executive agencies to implement paragraph (1). Such guidance shall include the following:

“(A) Specific dates by which submissions must be made, not less than twice a year.

“(B) Data standards, including common data elements and a common, nonproprietary, searchable, machine-readable, platform independent format.

“(C) A requirement that the information and documents required under paragraph (1) are publicly available for a period starting on the date of the settlement through not less than 5 years after the termination of the settlement agreement.

“(3) ESTABLISHMENT OF DATABASE.—The Director of the Office of Management and Budget, or the head of an Executive agency designated by the Director, shall establish and maintain a public, searchable, downloadable database for Executive agencies to directly upload and submit the information and documents required under paragraph (1) for immediate publication online.

“(4) STATEMENT OF CONFIDENTIALITY.—If the head of an Executive agency determines that a confidentiality provision in a settlement agreement, or the sealing of a settlement agreement, is required to protect the public interest of the United States, the head of the Executive agency may except the settlement agreement from the requirement in paragraph (1) and shall issue a written public statement stating why such action is required to protect the public interest of the United States, which shall explain—

“(A) what interests confidentiality protects; and

“(B) why the interests protected by confidentiality outweigh the public’s interest in knowing about the conduct of the Federal Government and the expenditure of Federal resources.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 3 of title 5, United States Code, is amended by adding at the end the following new item:

“307. Information regarding settlement agreements.”

(c) DEADLINE TO ESTABLISH DATABASE.—Not later than 1 year after the date of the enactment of this Act, the Director of the Office of Management and Budget shall issue guidance required by section 307(b)(2) of title 5, United States Code, as added by subsection (a), and establish the settlement agreement information database required by section 307(b)(3) of title 5, United States Code, as added by subsection (a).

(d) DEADLINE FOR FIRST SUBMISSION.—Not later than 90 days after the Director issues guidance under section 307(b)(2) of title 5, United States Code, as added by subsection (a), the head of each Executive agency (as defined in section 105 of title 5, United States Code) shall begin submitting information to the database established under such section 307.

**SEC. 3. AMENDMENTS TO THE FREEDOM OF INFORMATION ACT.**

Section 552(a)(2) of title 5, United States Code, is amended—

(1) by redesignating subparagraphs (B) through (E) as subparagraphs (C) through (F), respectively; and

(2) by inserting after subparagraph (A) the following new subparagraph:

“(B) each settlement agreement (as defined in section 307) entered into by an Executive agency, with redactions for information that the agency may withhold under paragraph (8) and subsections (b) and (c) of this section;”

**SEC. 4. RULE OF CONSTRUCTION.**

Nothing in this Act, or the amendments made by this Act, shall be construed to require the disclosure of information or records that any agency may properly withhold from public disclosure under section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”).

**SEC. 5. EFFECTIVE DATE; APPLICABILITY.**

This Act shall be effective 180 days after the date of the enactment of this Act and shall apply—

(1) with respect to any settlement agreement (as such term is defined in section 307 of title 5, United States Code, as added by section 2), entered into on or after the date of the enactment of this Act; and

(2) to the extent practicable, any such settlement agreement (as such term is defined in section 307 of title 5, United States Code, as added by section 2) that remains in effect on or after the date of the enactment of this Act.

**SEC. 6. 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 gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Alabama (Mr. PALMER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure before us.

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

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support this common-sense measure, and I thank Representatives PALMER and COOPER for their hard work on it.

The Settlement Agreement Information Database Act would create a database of settlement agreements entered into by Federal agencies that relate to alleged violations of Federal, civil, or criminal law. The Office of Management and Budget would manage this database and set deadlines for submission.

The heads of executive agencies would be required to submit details about the types of settlement agreements, the parties involved in the settlements, specific violations, and the

dates on which the settlement agreements were agreed to.

The information about the settlement agreements would remain public until 5 years after the termination of the agreements. The information in the agreements would remain subject to the Freedom of Information Act; but if the head of the agency decided to keep an entire agreement confidential, he or she would be required to provide an explanation of that action.

This bill would improve the transparency surrounding settlement agreements, which in the past have been difficult for the public to access.

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

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

Mr. Speaker, I rise in support of H.R. 27, the Settlement Agreement Information Database Act. Transparency and public participation are vital to ensure the public's continued trust in our government. Increasingly, Federal agencies are using legally binding settlement agreements to resolve litigation without going through lengthy public trials.

However, it is impossible for Congress and the public to determine the comprehensive impact of these settlement agreements on the State and local governments and private sector entities, which must continue to follow the mandated requirements. Such secret negotiations and agreements essentially prevent the public from participating in important policy decisions.

The burden of Federal settlement agreements can be difficult to see and understand, but State and local governments, industry stakeholders, and taxpayers can be directly affected by the settlements for years, and yet they are unable to provide input. This legislation seeks to correct that problem.

The Settlement Agreement Information Database Act, or SAID Act, requires Federal agencies to submit information regarding consent decrees and settlement agreements to a public electronic database. This public resource, to be overseen by the Office of Management and Budget, would include dates, payments, attorney fees awards, and a list of State and local governments and entities impacted by the settlement.

Currently, agencies release information about settlements at their discretion and will only publicize the facts that reflect favorably upon the agency. Furthermore, the terms of settlement agreements are often deemed confidential.

Under the requirements of the SAID Act, if the agency believes that the information regarding an agreement should remain confidential, the agency head must publish an explanation of why it is confidential. This will increase the transparency of the Federal Government and shine a much-needed light on settlement agreements.

Mr. Speaker, I thank my colleagues, Representatives JIM COOPER, GERRY

CONNOLLY, and VAN TAYLOR, for supporting this important legislation. I am happy we could expedite its consideration again in the House after passing this bill unanimously in the 116th Congress. I thank the chairman for bringing this bill and making it part of this first legislative day package.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this commonsense legislation, and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, if the gentleman has no further speakers, I am prepared to close, and I reserve the balance of my time.

Mr. PALMER. Mr. Speaker, I hope we can continue to find bipartisan ways to increase transparency of the Federal Government. I strongly urge my colleagues to support this commonsense legislation, and I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of H.R. 27. I am strongly in support of this bipartisan legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H.R. 27.

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

A motion to reconsider was laid on the table.

CONGRESSIONAL BUDGET JUSTIFICATION TRANSPARENCY ACT OF 2021

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. 22) to amend the Federal Funding Accountability and Transparency Act of 2006, to require the budget justifications and appropriation requests of agencies be made publicly available, 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 gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 412, nays 2, not voting 16, as follows:

[Roll No. 9]  
YEAS—412

Adams	Bacon	Bice (OK)	Bowman	Garbarino	Levin (CA)
Aderholt	Baird	Biggs	Boyle, Brendan F.	Garcia (CA)	Levin (MI)
Aguilar	Balderson	Billirakis	Brooks	Garcia (IL)	Lieu
Allen	Banks	Bishop (GA)	Brown	Garcia (TX)	Lofgren
Allred	Barr	Bishop (NC)	Buchanan	Gibbs	Long
Amodei	Barragán	Blumenauer	Buck	Gimenez	Loudermilk
Armstrong	Bass	Blunt Rochester	Bucshon	Gohmert	Lucas
Arrington	Bentz	Boebert	Budd	Golden	Luetkemeyer
Auchincloss	Bera	Bonamici	Burchett	Gomez	Luria
Axne	Bergman	Bost	Burgess	Gonzales, Tony	Lynch
Babin	Beyer	Bourdeaux	Bush	Gonzalez (OH)	Mace
			Bustos	Gonzalez, Vicente	Malinowski
			Butterfield	Good (VA)	Malliotakis
			Calvert	Gooden (TX)	Maloney,
			Cammack	Gosar	Carolyn B.
			Carbajal	Gottheimer	Maloney, Sean
			Cárdenas	Graves (LA)	Mann
			Carl	Graves (MO)	Manning
			Carson	Green (TN)	Mast
			Carter (GA)	Green, Al (TX)	Matsui
			Carter (TX)	Greene (GA)	McBath
			Cartwright	Griffith	McCarthy
			Case	Grijalva	McCaul
			Casten	Grothman	McClain
			Castor (FL)	Guest	McClintock
			Castro (TX)	Guthrie	McCollum
			Cawthorn	Haaland	McGovern
			Chabot	Hagedorn	McHenry
			Cheney	Harder (CA)	McKinley
			Chu	Harris	McNerney
			Cicilline	Harshbarger	Meeks
			Clarke (NY)	Hartzler	Meijer
			Cleaver	Hayes	Meng
			Cline	Hern	Meuser
			Cloud	Herrell	Mfume
			Clyburn	Herrera Beutler	Miller (IL)
			Clyde	Hice (GA)	Miller (WV)
			Cohen	Higgins (LA)	Miller-Meeks
			Cole	Higgins (NY)	Moolenaar
			Comer	Hill	Mooney
			Connolly	Himes	Moore (AL)
			Cooper	Hinson	Moore (UT)
			Correa	Hollingsworth	Moore (WI)
			Costa	Horsford	Morelle
			Courtney	Houlahan	Moulton
			Craig	Hoyer	Mrvan
			Crawford	Hudson	Mullin
			Crenshaw	Huffman	Murphy (FL)
			Crist	Huizenga	Murphy (NC)
			Crow	Issa	Neal
			Cuellar	Jackson	Neguse
			Curtis	Jackson Lee	Nehls
			Davids (KS)	Jacobs (CA)	Newhouse
			Davis, Danny K.	Jacobs (NY)	Newman
			Davis, Rodney	Jayapal	Norcross
			Dean	Jeffries	Norman
			DeFazio	Johnson (GA)	Nunes
			DeGette	Johnson (LA)	O'Halleran
			DeLauro	Johnson (OH)	Oberholte
			DelBene	Johnson (SD)	Ocasio-Cortez
			Delgado	Johnson (TX)	Omar
			Demings	Jones	Owens
			DesJarlais	Jordan	Palazzo
			Deutch	Joyce (OH)	Pallone
			Diaz-Balart	Joyce (PA)	Palmer
			Dingell	Kahele	Panetta
			Doggett	Kaptur	Pappas
			Donalds	Katko	Pascarell
			Doyle, Michael F.	Keating	Payne
			Duncan	Keller	Pence
			Dunn	Kelly (IL)	Perlmutter
			Emmer	Kelly (MS)	Perry
			Escobar	Kelly (PA)	Peters
			Eshoo	Khanna	Pfleger
			Espallat	Kildee	Phillips
			Estes	Kim (CA)	Pingree
			Evans	Kim (NJ)	Pocan
			Fallon	Kind	Porter
			Feenstra	Kinzinger	Pressley
			Ferguson	Kirkpatrick	Price (NC)
			Fischbach	Krishnamoorthi	Quigley
			Fitzgerald	Kuster	Reed
			Fitzpatrick	Kustoff	Reschenthaler
			Fleischmann	LaHood	Rice (NY)
			Fletcher	LaMalfa	Rice (SC)
			Fortenberry	Lamb	Rodgers (WA)
			Foster	Lamborn	Rodgers (AL)
			Fox	Langevin	Rogers (KY)
			Frankel, Lois	Larsen (WA)	Rose
			Franklin, C.	Latta	Rosendale
			Scott	LaTurner	Ross
			Fudge	Lawrence	Rouzer
			Fulcher	Lawson (FL)	Roy
			Gaetz	Lee (CA)	Royal-Allard
			Gallagher	Lee (NV)	Ruiz
			Gallego	Leger Fernandez	Ruppersberger
			Garamendi	Lesko	Rush
					Rutherford

Ryan	Stauber	Veasey
Sánchez	Steel	Vela
Sarbanes	Stefanik	Velázquez
Scalise	Steil	Wagner
Scanlon	Steube	Walberg
Schakowsky	Stevens	Walorski
Schiff	Stewart	Waltz
Schneider	Stivers	Wasserman
Schrader	Strickland	Schultz
Schrier	Suozzi	Waters
Schweikert	Swalwell	Watson Coleman
Scott (VA)	Takano	Weber (TX)
Scott, Austin	Taylor	Webster (FL)
Scott, David	Thompson (CA)	Welch
Sessions	Thompson (MS)	Wenstrup
Sewell	Thompson (PA)	Westerman
Sherman	Tiffany	Wexton
Sherrill	Timmons	Wild
Sires	Titus	Williams (GA)
Slotkin	Tlaib	Williams (TX)
Smith (MO)	Tonko	Wilson (FL)
Smith (NE)	Torres (CA)	Wilson (FL)
Smith (NJ)	Torres (NY)	Wilson (SC)
Smith (WA)	Trahan	Wittman
Smucker	Turner	Womack
Soto	Underwood	Wright
Spanberger	Upton	Yarmuth
Spartz	Van Drew	Young
Speier	Van Duyne	Zeldin
Stanton	Vargas	

## NAYS—2

Davidson

Posey

## NOT VOTING—16

Beatty	Hastings	Raskin
Brady	Larson (CT)	Richmond
Brownley	Lowenthal	Simpson
Clark (MA)	McEachin	Trone
DeSaulnier	Nadler	
Granger	Napolitano	

□ 1343

Messrs. RESCHENTHALER, BABIN, and TAYLOR changed their vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. GRANGER. Mr. Speaker, I missed votes due to circumstances beyond my control. Had I been present, I would have voted "yea" on rollcall No. 9.

Mr. BRADY. Mr. Speaker, I was unexpectedly withheld. Had I been present, I would have voted "yea" on rollcall No. 9, H.R. 22.

## ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 5(a)(1)(B) of House Resolution 8, the House stands adjourned until noon tomorrow.

Thereupon (at 1 o'clock and 47 minutes p.m.), the House adjourned until tomorrow, Wednesday, January 6, 2021, at noon.

## 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, for printing in the CONGRESSIONAL RECORD, that H.R. 22, the Congressional Budget Justification Transparency Act of 2021, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YAR-

MUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 26, the Construction Consensus Procurement Improvement Act of 2021, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 27, the Settlement Agreement Information Database Act of 2021, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

## 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. CLOUD (for himself, Mr. MOONEY, Mr. TIFFANY, Mr. MULLIN, Mr. GAETZ, Mr. ROUZER, Mr. ALLEN, Mr. BIGGS, Mr. KELLY of Mississippi, Mr. WALTZ, Mr. BANKS, Mr. GOSAR, Mr. WILLIAMS of Texas, Mr. JOYCE of Pennsylvania, Mr. LAMBORN, Mr. TIMMONS, Mr. CHABOT, Mr. BUDD, Mr. DUNCAN, Mr. NORMAN, Mr. LAMALFA, Mr. GALLAGHER, Mr. STEUBE, Mr. SMITH of New Jersey, Mr. FULCHER, Mr. BAIRD, Mr. LATTA, Mr. GOHMERT, Mr. KUSTOFF, Mr. ADERHOLT, Mr. WEBER of Texas, Mr. MCKINLEY, Mr. GROTHMAN, Mr. GRAVES of Louisiana, Mrs. HINSON, and Mr. WRIGHT):

H.R. 188. A bill to amend title XIX of the Social Security Act to allow for greater State flexibility with respect to excluding providers who are involved in abortions; to the Committee on Energy and Commerce.

By Ms. BARRAGAN (for herself, Mr. CARTER of Georgia, and Mr. TAYLOR):

H.R. 189. A bill to amend the Public Health Service Act to provide that the authority of the Director of the National Institute on Minority Health and Health Disparities to make certain research endowments applies with respect to both current and former centers of excellence, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H.R. 190. A bill to repeal certain amendments to the Clean Air Act relating to the expansion of the renewable fuel program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H.R. 191. A bill to repeal Federal energy conservation standards, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H.R. 192. A bill to provide that certain bad faith communications in connection with the assertion of a United States patent are unfair or deceptive acts or practices, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H.R. 193. A bill to reduce the amount of foreign assistance to El Salvador, Guatemala, and Honduras based on the number of unaccompanied alien children who are nationals or citizens of such countries and who in the preceding fiscal year are placed in Federal custody by reason of their immigration status; to the Committee on Foreign Affairs.

By Mr. BURGESS:

H.R. 194. A bill to require the Inspector General, Department of Justice, to submit a report to the Congress on the number of firearm transaction denials issued by the National Instant Criminal Background Check System that are referred to the Bureau of Alcohol, Tobacco, Firearms, and Explosives for investigation, the number of prosecutions resulting from such investigations, and the number of firearms recovered by the Bureau in cases in which such a denial was issued after the firearm was transferred; to the Committee on the Judiciary.

By Mr. BURGESS:

H.R. 195. A bill to amend the Internal Revenue Code of 1986 to increase the dollar limitation on employer-provided group term life insurance that can be excluded from the gross income of the employee; to the Committee on Ways and Means.

By Mr. BURGESS:

H.R. 196. A bill to prohibit the Central Intelligence Agency from using an unmanned aerial vehicle to carry out a weapons strike or other deliberately lethal action and to transfer the authority to conduct such strikes or lethal action to the Department of Defense; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Armed Services, 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. CALVERT (for himself, Mr. MAST, Mr. GAETZ, Mr. BUCHANAN, Ms. BROWNLEY, and Ms. TITUS):

H.R. 197. A bill to amend the ICCVAM Authorization Act of 2000 to improve reporting about animal testing and alternative test method use by Federal agencies, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COHEN:

H.R. 198. A bill to waive certain prohibitions with respect to nationals of Cuba coming to the United States to play organized professional baseball; 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. DELGADO (for himself, Mr. ZELDIN, and Mr. KATKO):

H.R. 199. A bill to provide funding for cities, counties, and other units of general local government to prevent, prepare for, and respond to coronavirus; 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. EMMER:

H.R. 200. A bill to direct the Secretary of Transportation to establish a national intersection and interchange safety construction program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. EMMER:

H.R. 201. A bill to direct the Secretary of Transportation to establish a national bridge replacement and improvement program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GARCIA of California:

H.R. 202. A bill to amend the Internal Revenue Code of 1986 to repeal the limitation on deduction for State and local taxes, and for other purposes; to the Committee on Ways and Means.

By Ms. GARCIA of Texas (for herself, Mr. CASTRO of Texas, Mr. BABIN, Mr. VELA, Ms. JOHNSON of Texas, Ms. JACKSON LEE, Mr. ROY, Mr. VEASEY, Mr. TAYLOR, Mr. WILLIAMS of Texas, and Mr. GREEN of Texas):

H.R. 203. A bill to designate the facility of the United States Postal Service located at 4020 Broadway Street in Houston, Texas, as the “Benny C. Martinez Post Office Building”; to the Committee on Oversight and Reform.

By Ms. JOHNSON of Texas (for herself and Mr. LUCAS):

H.R. 204. A bill to direct the Director of the Office of Science and Technology Policy to carry out programs and activities to ensure that Federal science agencies and institutions of higher education receiving Federal research and development funding are fully engaging their entire talent pool, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. KELLY of Mississippi:

H.R. 205. A bill to accelerate rural broadband deployment; to the Committee on Energy and Commerce.

By Mr. KELLY of Mississippi:

H.R. 206. A bill to streamline the application process for H-2A employers and for other purposes; to the Committee on the Judiciary.

By Mr. KELLY of Mississippi:

H.R. 207. A bill to designate the facility of the United States Postal Service located at 215 1st Avenue in Amory, Mississippi, as the “Command Sergeant Major Lawrence E. ‘Rabbit’ Kennedy Post Office Building”; to the Committee on Oversight and Reform.

By Mr. KELLY of Mississippi:

H.R. 208. A bill to designate the facility of the United States Postal Service located at 500 West Main Street, Suite 102 in Tupelo, Mississippi, as the “Colonel Carlyle ‘Smitty’ Harris Post Office”; to the Committee on Oversight and Reform.

By Mr. KELLY of Mississippi (for himself, Mr. GUEST, and Mr. THOMPSON of Mississippi):

H.R. 209. A bill to designate the facility of the United States Postal Service located at 305 Highway 15 North in Pontotoc, Mississippi, as the “Lance Corporal Marc Lucas Tucker Post Office Building”; to the Committee on Oversight and Reform.

By Mr. LUCAS (for himself and Ms. JOHNSON of Texas):

H.R. 210. A bill to coordinate Federal research and development efforts focused on STEM education and workforce development in rural areas, including the development and application of new technologies to support and improve rural STEM education, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. MCCLINTOCK:

H.R. 211. A bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes; to the Committee on Natural Resources, 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. SCHNEIDER (for himself and Mr. KATKO):

H.R. 212. A bill to require Federal agencies to submit plans for responding to the COVID-19 pandemic, and for other purposes; to the Committee on Oversight and Reform, 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. SIRES:

H.R. 213. A bill to modify the minimum allocation requirement for the emergency solutions grants program; to the Committee on Financial Services.

By Mr. STEWART:

H.R. 214. A bill to allow States to elect to observe daylight savings time for the duration of the year, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STEWART:

H.R. 215. A bill to amend the Congressional Accountability Act of 1995 to prohibit the imposition of a nondisclosure agreement as a condition of the payment of any award or settlement in connection with a violation of such Act; to the Committee on House Administration.

By Ms. TITUS:

H.R. 216. A bill to designate a peak in the State of Nevada as Maude Frazier Mountain, and for other purposes; to the Committee on Natural Resources.

[Omitted from the Record of January 4, 2021]

By Mr. MCGOVERN:

H. Con. Res. 1. A concurrent resolution regarding consent to assemble outside the seat of government; considered and agreed to.

[Omitted from the Record of January 4, 2021]

By Mr. HOYER:

H. Res. 8. A resolution adopting the Rules of the House of Representatives of the One Hundred Seventeenth Congress, and for other purposes; considered and agreed to.

By Mr. JEFFRIES:

H. Res. 9. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Ms. CHENEY:

H. Res. 10. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. MCGOVERN:

H. Res. 11. A resolution fixing the daily hour of meeting of the First Session of the One Hundred Seventeenth Congress; considered and agreed to.

By Mr. BURGESS:

H. Res. 17. A resolution expressing the sense of the House of Representatives that the President should redirect and target foreign assistance provided to El Salvador, Guatemala, and Honduras in a manner that addresses the driving causes of illegal immigration into the United States from such countries, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FITZPATRICK (for himself, Mr. EVANS, Ms. WILD, Ms. HOULAHAN, and Ms. DEAN):

H. Res. 18. A resolution honoring the life of Dr. Frank Erdman Boston as a World War I veteran, military surgeon, community doctor, and founder of the Elm Terrace/Abington Lansdale Hospital and the Volunteer Medical Service Corps (VMSC) ambulance corps; to the Committee on Oversight and Reform.

By Ms. WASSERMAN SCHULTZ:

H. Res. 19. A resolution condemning and censuring Representative Louie Gohmert of Texas; to the Committee on Ethics.

#### 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. CLOUD:

H.R. 188.

Congress has the power to enact this legislation pursuant to the following:

This bill makes specific changes to existing law in a manner that returns power to the States and to the people, in accordance with Amendment X of the United States Constitution.

By Ms. BARRAGÁN:

H.R. 189.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. BURGESS:

H.R. 190.

Congress has the power to enact this legislation pursuant to the following:

The legislation falls under Congress’ enumerated constitutional authority to regulate interstate commerce pursuant to Article I, Section 8, clause 3.

By Mr. BURGESS:

H.R. 191.

Congress has the power to enact this legislation pursuant to the following:

This legislation would repeal existing federal law which was passed under the claimed constitutional authority of Article I, Section 8, Clause 3, often referred to as the “Commerce Clause.”

By Mr. BURGESS:

H.R. 192.

Congress has the power to enact this legislation pursuant to the following:

The authority granted to Congress to regulate patent and intellectual property law is derived from Article I, Section 8, clause 8 of the Constitution, providing the legislature with the power 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.” Further, the Necessary and Proper Clause found in Article I, Section 8, clause 18, provides Congress with 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 in any department or officer thereof.”

By Mr. BURGESS:

H.R. 193.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the Constitution of the United States: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by law, and

Article I, Section 8, Clause 4 of the Constitution of the United States: To Establish a uniform Rule of Naturalization;

By Mr. BURGESS:

H.R. 194.

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; and

Article I, Section 8, Clause 18: To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. BURGESS:

H.R. 195.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, clause 1 enumerates that, “The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .” Further, Amendment XVI states that “The Congress shall have power to lay and collect taxes on incomes, from

whatever source derived, without apportionment among the several states, and without regard to any census or enumeration.”

By Mr. BURGESS:

H.R. 196.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section VIII, 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 defense and general welfare of the United States . . .” In addition, Article I, Section VIII, Clause 14 provides, “To make rules for the government and regulation of the land and naval forces.” Lastly, Article I, Section VIII, Clause 16 states “The Congress shall have Power 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.”

By Mr. CALVERT:

H.R. 197.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the United States Constitution relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress.

By Mr. COHEN:

H.R. 198.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DELGADO:

H.R. 199.

Congress has the power to enact this legislation pursuant to the following:

Article 1

By Mr. EMMER:

H.R. 200.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7

By Mr. EMMER:

H.R. 201.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. GARCIA of California:

H.R. 202.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. GARCIA of Texas:

H.R. 203.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7: [The Congress shall have Power . . .] To establish Post Offices and post Roads;

By Ms. JOHNSON of Texas:

H.R. 204.

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. KELLY of Mississippi:

H.R. 205.

Congress has the power to enact this legislation pursuant to the following:

Under Clause 1 Section 8 of Article 1 of the United States Constitution, Congress as the ability to enact legislation necessary and proper to effectuate its purposes in taxing and pending.

By Mr. KELLY of Mississippi:

H.R. 206.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. KELLY of Mississippi:

H.R. 207.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 7 of Section 8 of Article I.

By Mr. KELLY of Mississippi:

H.R. 208.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 7 of Section 8 of Article I.

By Mr. KELLY of Mississippi:

H.R. 209.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 7 of Section 8 of Article I.

By Mr. LUCAS:

H.R. 210.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, 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. MCCLINTOCK:

H.R. 211.

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. SCHNEIDER:

H.R. 212.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SIREs:

H.R. 213.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee find the authority for this legislation in article 1, Section 8 of the Constitution.

By Mr. STEWART:

H.R. 214.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which states that Congress has the power “to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.”

By Mr. STEWART:

H.R. 215.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, Clause 2 and Article I, Section 8 Clause 18 of the Constitution

By Ms. TITUS:

H.R. 216.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 22: Mr. CLINE.

H.R. 38: Mr. GOOD of Virginia and Mr. CARL.

H.R. 40: Ms. SÁNCHEZ, Mr. RYAN, and Ms. BROWNLEY.

H.R. 79: Ms. BARRAGÁN and Mr. GARCÍA of Illinois.

H.R. 151: Mr. LOWENTHAL, Mrs. AXNE, Mr. SUOZZI, Mr. HIGGINS of New York, Mr. WELCH, Mr. SIREs, Mr. FITZPATRICK, Ms. STEVENS, Mr. KHANNA, and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 152: Mr. COHEN.

H.R. 153: Mr. DAVID SCOTT of Georgia.

H.R. 160: Ms. PLASKETT.

H.R. 161: Mrs. MURPHY of Florida and Miss GONZÁLEZ-COLÓN.

H.R. 176: Mrs. HAYES.

H. Res. 14: Mr. HASTINGS, Mr. VEASEY, Mr. ALLRED, Mr. MOULTON, Mrs. LURIA, Mr. TONKO, Ms. SÁNCHEZ, Mrs. TRAHAN, Mr. CLEAVER, and Mrs. AXNE.