Constituents from across my district and across the country have been sharing heartbreaking stories of hardship and pain because these benefits have expired. One constituent, VeraMae of Lynn, Massachusetts, wrote to me and said:

I am one of the people whose benefits expired at the end of the last year. My husband and I have tapped out all of our savings, and I'm beside myself with worry wondering how to make the little that we have remaining last longer. It is a mistake to eliminate this crucial safety net for those of us struggling to get back on our feet.

We should not leave VeraMae and others just like her out in the cold another day longer.

If the moral imperative to act isn't enough, Mr. Speaker, perhaps we should consider the economic benefits of extending unemployment insurance. In fact, economists agree that unemployment insurance is one of the best ways to spur economic growth, delivering $1.52 in economic activity for every dollar spent.

This House should pass that bill immediately.

REMEMBERING MAJOR CHARLES SWIM

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

Mr. LAMALFA. Mr. Speaker, sadly, I rise today in remembrance of my dear friend and a great patriot, Mr. Charles Swim of Paradise, California.

Charlie was quite a character. He was very involved politically, and if he picked you as the person he thought was going to win, that virtually guaranteed your election. But more importantly, what we know him for in northern California is his service to his Nation and his community.

He was born on April 14, 1927, in Detroit, Michigan, although he claimed Kentucky. His true age at the time he enlisted in the Army was 15. They finally caught up to him when he was 17. He then soon enlisted in the Navy, where he served 6 years during World War II. After that, he rejoined the Army. He also served as a California State parole agent for 27 years, where he successfully fought for the Second Amendment rights of parole agents. Many credit Charlie's efforts to saving their lives.

After retirement, Charlie's extensive knowledge and experience in his field continued to affect those in California's First District, leading him to become appointed the first official historian for the Butte County Sheriff's Office.

He is survived by his wife of 40 years, 8 children, 11 grandchildren, 15 great-grandchildren, 3 great-great-grandchildren, 1 niece, and 3 nephews.

Charlie's valiance and warm heart touched and changed many lives. We are very grateful to him. He was deeply loved by his family, friends, and the community, and he will be incredibly missed by all.

□ 0915

PAYING TRIBUTE TO THE SERVICE OF SALVADOR LARA AND JESUS DURAN

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

Mr. TAKANO. Mr. Speaker, I rise today to pay tribute to Salvador Lara and Jesus Duran, two Inland Empire heroes who, after decades of being overlooked, will be awarded the Medal of Honor.

Salvador Lara served in World War II and, while in Italy in 1944, he ''aggressively led his rifle squad in neutralizing multiple enemy strong points. The next morning, as his company returned the attack, Lara sustained a severe leg wound but did not stop to receive aid.''

Jesus Duran served in Vietnam and saved several wounded Americans on a search-and-clear mission in 1969. According to his son, Chuy, ''His platoon was in a fight and a lot of guys were killed. He thought he was going to be left for dead, so he decided to take the M60 and unload.''

Unfortunately, Mr. Speaker, these heroes are no longer with us and they will receive their Medals of Honor posthumously, but we must never forget their sacrifice, for it is because of their bravery that we are able to continue spreading freedom throughout the world.

UNFUNDED MANDATES INFORMATION AND TRANSPARENCY ACT OF 2013

GENERAL LEAVE

Mr. LANKFORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 899.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 492 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 899.

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

□ 0916

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 899) to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes, with Mr. HULTGREN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Oklahoma (Mr. LANKFORD) and the gentleman from Maryland (Mr. CUMMINGS) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. LANKFORD. Mr. Chairman, I yield myself as much time as I may consume.

Last Congress, the Oversight and Government Reform Subcommittee that I chaired began studying the effectiveness of the Unfunded Mandates Reform Act, also known as UMRA, which was enacted in 1995.

We held three legislative hearings, and we inquired with the Congressional Budget Office and the Office of Information and Regulatory Affairs about various UMRA provisions and the possible improvements to the law.

During our hearings, representatives from State and local governments, and the private sector, they all came to testify about many of the burdensome mandates that are actually not characterized and not protected under the original Unfunded Mandates Reform Act. The analyses often failed to capture the heavy burdens of those regulatory mandates.

UMRA's limited coverage is a concern because, as the chief economist of the Small Business and Entrepreneurship Council testified: ''Unfunded mandates and regulations continually stifle private sector growth and economic expansion.''

To help raise awareness about unfunded mandates and ensure more of these mandates are captured by the Unfunded Mandates Reform Act, H.R. 899, the Unfunded Mandates Information and Transparency Act, was introduced by Representative VIRGINIA FOXX. It is bipartisan legislation that will close existing loopholes in the law and bring more transparency and accountability to the regulatory process.

The legislation has the support of the National Federation of Independent Businesses, the Small Business and Entrepreneurship Council, the U.S. Chamber of Commerce, and the National Conference of State Legislatures.

The American Action Forum, which is headed by former CBO Director Doug Holtz-Eakin, also supports the concepts of this bill.

H.R. 899 requires that independent regulatory agencies comply with the Unfunded Mandates Reform Act. Independent regulatory agencies are currently excluded from review, but the regulations they promulgate can impose significant costs and burdensome requirements.

Currently, regulations issued by agencies such as the Securities and Exchange Commission, the National Labor Relations Board, they are excluded from cost-benefit analyses otherwise required of other agencies.

The Congressional Research Service found that between 2010 and 2012, nine independent agencies issued 57 major rules. Those are rules with a cost to the economy of over $100 million. But

none of those agencies monetized both costs and benefits in estimating the impacts of the rules.

H.R. 899 codifies the principles of regulation in Executive Order 12866, issued by President Clinton and reaffirmed in Executive Order 13563, issued by President Obama. It also codifies Executive Order 12866's requirement that agencies conduct a cost-benefit analysis.

H.R. 899 requires agencies to consult with the private sector prior to proposing a major rule. Currently, this requirement only applies to State, local, and tribal governments.

In light of President Obama's emphasis on early stakeholder input on the development of Federal regulations, there is no reason to exclude private sector stakeholders from early consultation in this requirement.

H.R. 899 allows the chairman or ranking member of any congressional committee to request that an agency conduct a retrospective analysis of an existing Federal regulatory mandate.

Again, President Obama even has acknowledged the need for retrospective review, stating that each agency ''should periodically review its existing significant regulations to determine whether any such regulations should be modified, streamlined, expanded, or repealed to make the agency's regulatory program more effective or less burdensome in achieving the regulatory objectives.'' This change would ensure existing regulations are actually reviewed.

H.R. 899 extends judicial review to ensure that agencies carefully consider the least costly or least burdensome regulatory alternatives.

According to the Small Business and Entrepreneurship Council, the current judicial review provision included in the original UMRA ''lacks teeth'' and ''offers no real incentives for agencies to deal legitimately with the Unfunded Mandates Reform Act requirements.''

H.R. 899 ensures that Federal agencies and the Congressional Budget Office estimate the entire cost of a Federal mandate, such as forgone profits, costs passed on to consumers, and behavioral changes as a result of a Federal mandate.

The administration said it is ''strongly supportive'' of the first generation of the Unfunded Mandates Reform Act. I am glad that we are here today to make the Unfunded Mandates Reform Act even stronger.

I have stated before, and I will state again, making these reforms is not an attack on the current administration. Many of the issues we are here to deal with today did not originate in this administration, and the solutions we propose will extend well beyond this administration.

It is the role and responsibility of Congress to ensure regulations are consistent with legislative intent and they are written to cause the least amount of burden and the greatest possible benefit.

I encourage all Members to support this bill.

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

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

I rise in opposition to H.R. 899, the Unfunded Mandates Information and Transparency Act. This bill is the second major piece of legislation being considered this week that will add needless and counterproductive red tape to the rulemaking process.

I have the privilege of serving as the ranking member of the Committee on Oversight and Government Reform. The Oversight Committee has jurisdiction over the executive branch and legislative jurisdiction over government-wide policies.

It is our duty and our responsibility to ensure that the Federal Government is operating effectively and efficiently. It is also the responsibility of every Member of Congress, and we must hold that dearly.

This legislation may be well-intended, but it would have unintended consequences that would make government less efficient and less effective.

We rely on agency rulemakings to protect our children, protect our workers, and protect our economy. The Coalition for Sensible Safeguards, a group of more than 150 good government, labor, scientific, faith, health, and community organizations, sent a letter to the Oversight Committee. Here is just a portion of what that letter said:

> The Wall Street economic collapse, the British Petroleum oil spill catastrophe, various food and product safety recalls, and numerous industrial disasters, including the Upper Big Branch mine explosion in West Virginia and the fertilizer plant in West, Texas, have all dramatically demonstrated the need for a stronger regulatory system that is more responsive to the public interest. Congress should be moving forward to protect the public from harm, not rolling back the clock and weakening important safeguards.

Mr. Chairman, now is not the time for us to be adding unnecessary, burdensome requirements to the rulemaking process. Our constituents expect us to make them safer, not to make it harder for agencies to keep them safe.

The bill would give private industry an unfair advantage in the rulemaking process. Under this bill, agencies would be required to consult with corporations before consulting with customers who would be protected by the regulations. In fact, the bill requires agencies to consult with private industry ''before issuance of a proposed rulemaking.''

This means that, for example, if the Department of Agriculture planned to propose a new food safety rule, corporate agricultural interests would get advance access to the rule, and the opportunity to shape it, before food safety groups, children's health groups, doctors, or independent scientists are able to participate in the process.

I believe that businesses should have the opportunity to provide comments on proposed rules. I think it is very important. They should do it through the normal public comment process, however, just like other stakeholders.

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

That would mean that independent regulatory agencies like the Securities and Exchange Commission would have to submit their rules to the Office of Management and Budget for review, which could undermine their independence. I plan to offer an amendment to strike that provision, and I hope it will be adopted.

This is a well-intended bill with serious, negative consequences. I urge my colleagues to oppose it.

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

Mr. LANKFORD. Mr. Chairman, I am submitting for the RECORD letters of exchange between the Committee on Oversight and Government Reform and the Committees on Budget and Judiciary and Rules regarding the committees' jurisdictional interest in H.R. 899.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RULES,
Washington, DC, February 11, 2013.

Hon. DARRELL ISSA,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN ISSA: On July 24, 2013, the Committee on Oversight and Government Reform ordered reported H.R. 899, the Unfunded Mandates Information and Transparency Act of 2013. As you know, the Committee on Rules was granted an additional referral upon the bill's introduction pursuant to the Committee's jurisdiction under rule X of the Rules of the House of Representatives over rules and joint rules of the House.

Because of your willingness to consult with my committee regarding this matter, I will waive consideration of the bill by the Rules Committee. By agreeing to waive its consideration of the bill, the Rules Committee does not waive its jurisdiction over H.R. 899. In addition, the Committee on Rules reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I ask your commitment to support any request by the Committee on Rules for conferees on H.R. 899 or related legislation.

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

Thank you for your attention to these matters.

Sincerely,

PETE SESSIONS.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, February 11, 2014.

Hon. PETE SESSIONS,
Chairman, Committee on Rules,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Rules Committee's jurisdictional interest in H.R. 899, the ''Unfunded Mandates Information and Transparency Act of 2013,'' and your willingness to forego consideration of H.R. 899 by your committee.

I agree that the Committee on Rules has a valid jurisdictional interest in certain provisions of H.R. 899 and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration of H.R. 899. As you have requested, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

DARRELL ISSA,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, February 11, 2014.

Hon. DARRELL E. ISSA,
Chairman, Committee on Oversight and Government Reform, House of Representatives, Washington, DC.

DEAR CHAIRMAN ISSA: I am writing to you concerning H.R. 899, the Unfunded Mandates Information and Transparency Act of 2013. There are certain provisions in the legislation which fall within Rule X jurisdiction of the Committee on the Budget.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Budget Committee does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its jurisdiction.

Please include a copy of this letter and any response in the committee report on H.R. 899 as well as in the Congressional Record during any floor consideration of this bill. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

PAUL RYAN,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, February 11, 2014.

Hon. PAUL RYAN,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Committee on the Budget's jurisdictional interest in H.R. 899, the ''Unfunded Mandates Information and Transparency Act of 2013,'' and your willingness to forego consideration of H.R. 899 by your committee.

I agree that the Committee on Rules has a valid jurisdictional interest in certain provisions of H.R. 899 and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration of H.R. 899. As you have requested, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

DARRELL ISSA,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, February 11, 2014.

Hon. DARRELL ISSA,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN ISSA: I am writing concerning H.R. 899, the ''Unfunded Mandates Information and Transparency Act of 2013,'' which your Committee ordered reported on July 24, 2013.

As you know, the Committee on the Judiciary was given an additional referral on this measure upon introduction. As a result of your having consulted with the Judiciary Committee concerning provisions of the bill that fall within our Rule X jurisdiction, I agree to discharge the Committee on the Judiciary from further consideration of H.R. 899. The Judiciary Committee takes this action with our mutual understanding that, by foregoing consideration of H.R. 899 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our committee will be appropriately consulted and involved as the bill or similar legislation moves forward. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, February 11, 2014.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Committee on the Judiciary's jurisdictional interest in H.R. 899, the ''Unfunded Mandates Information and Transparency Act of 2013,'' and your willingness to forego consideration of H.R. 899 by your committee.

I agree that the Committee on the Judiciary has a valid jurisdictional interest in certain provisions of H.R. 899 and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration of H.R. 899. As you have requested, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

DARRELL ISSA,
Chairman.

Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. ISSA), the chairman of the Oversight and Government Reform Committee.

Mr. ISSA. Mr. Chairman, let me start off on a positive note. The positive note is the regular order in which we bring this important legislation. We have held 11 full committee hearings, 30 subcommittee hearings, produced three full staff reports.

Between the work of Chairman JORDAN, Chairman LANKFORD and Congresswoman FOXX on this legislation, there have been countless thousands of hours of hard work to figure the right way to say it to make sure it is narrow and consistent with multiple Presidents' policies of both parties.

This legislation is filled with bipartisan support on each of the bills. This is, in fact, not a Republican or a Democratic idea.

Mr. Chairman, that ends the positive part. I just listened to my ranking member in opposition, and I was shocked—shocked—that he would talk in terms of rulemaking shouldn't have the interference of the private sector. Customers should not look at their supplier being involved in the production of the regulation. Locking out people who have to manufacture the goods, produce the labels, comply with the law in the process is exactly what is wrong in government today.

□ 1030

Mr. Chairman, the American people know full well that a regulation is a law; a rule is a law. The idea that laws are produced in private with often special interest groups on one side only at the table and then put out as a take it or leave it, fight it if you can, is the absurdity of the regulatory state.

Mr. Chairman, this commonsense reform is perhaps too little, rather than too much, because, Mr. Chairman, the lawmaking that is going on in the executive branch, including those so-called independent agencies, is independent of our responsibility, as Members of Congress.

We are supposed to make the laws, and we are supposed to make them in the clear light of day, with all sides having an opportunity to be heard.

Rulemaking for too long has been, in fact, done in secret, shown up without any input, and then those very manufacturers and producers and growers—the regulated—have the option of trying to come here and asking us to strike down or slow down the speed of some ill-conceived regulation.

So this important legislation—something that President Obama supported, something President Clinton supported, something that people in the executive branch understand needs to happen—needs to pass here today. I strongly urge the passage of this bill, this bipartisan legislation.

I thank Chairman LANKFORD, and I thank Congresswoman FOXX.

Mr. CUMMINGS. I yield 4 minutes to the gentleman from Missouri (Mr. CLAY), a distinguished member of the committee.

Mr. CLAY. I thank the gentleman from Maryland for yielding.

Mr. Chairman, I rise in opposition to H.R. 899, the curiously named Unfunded Mandates Information and Transparency Act. As a senior member of the Oversight and Government Reform Committee, which passed this ill-conceived omnibus lobbyist gift bag on a strictly partisan vote, I can assure you that the only thing transparent about this bill are the invisible benefits it promises to help our economy.

It is shameful that the majority would advance reckless legislation like this, which would seriously obstruct and weaken the Federal Government's ability to protect clean air and water, ensure a safe workplace, safeguard the purity of our food supply, provide safe medications and medical devices for the sick and injured, and protect consumers from predatory practices that have already caused so much pain across this country.

This bill puts corporate profits ahead of protecting workers and consumers. It would shackle key Federal agencies, like OSHA, the FCC, the Mine Safety and Health Administration, and CFPB. It assumes that the ability to regulate is always an evil to be evaded, delayed, or defeated.

It would give business interests advance notice of proposed regulations, but would exclude workers and the public from deliberations. My friends, that is not transparency. That is not good for our economy; and it is a prescription for more fraud and abuse, more environmental disaster, and more workplace accidents.

H.R. 899 would greatly undermine the independence of Federal agencies that the American people depend on to keep them safe at home and at work and to give them a fair shake in the economy. This bill is not a job creator.

It is a gift-wrapped offering to special interest lobbyists who advocate for no new rules, no regulation, and no consequences for their clients, regardless of how much damage they have caused.

H.R. 899 would not only delay or halt the rulemaking process by adding time-consuming and redundant procedures, it would also strip away the public's right to petition agencies when they fail to act. These proposals would severely undermine our Nation's ability to establish and enforce reasonable health, safety, and environmental standards.

Given the multiple health and safety disasters in communities and workplaces across the country that have occurred since the beginning of the year, it is hard to believe that the majority would attempt to weaken standards and safeguards for the public.

You know, Mr. Chairman, recently, the director of the CFPB, Richard Cordray, came before Congress—testified before Congress and told us that he knows there are no perfect rules in government; and there is a process for Members of this body to challenge those rules and appeal for changes in the rules.

We should follow that process and not come up with flawed legislation like this.

Mr. LANKFORD. Mr. Chairman, I yield 6 minutes to the gentlelady from North Carolina (Ms. FOXX), who is the author of H.R. 899 and has worked on this concept for years, to try to repair the inconsistencies in the original law.

Ms. FOXX. Mr. Chairman, I thank the gentleman from Oklahoma for yielding and for shepherding this bill through the committee.

I am especially grateful to the gentleman from Oklahoma (Mr. LANKFORD) for his tireless efforts on behalf of this legislation; not only I, but the people of this country owe him a great debt of gratitude.

I also want to commend him for employing such a wonderful staff. They have been a real pleasure to work with and have been devoted to getting this legislation passed.

I want to recognize the efforts of Chairman ISSA and his staff at the Oversight and Government Reform Committee, including his eloquent comments today. They have provided my office with five-star service.

Finally, I want to recognize my esteemed Democrat colleagues, LORETTA SANCHEZ, MIKE MCINTYRE, and COLLIN PETERSON. I am very grateful for their support and wise counsel. They realize that this legislation does not stop the Federal Government from adopting regulations.

And I am, frankly, shocked at the allegations by some of our colleagues on the other side who say this is going to stop the Federal Government from regulating and putting in commonsense rules and regulations.

If you look up the definition of ''straw dog'' in the dictionary, the arguments against this legislation this morning would fit the bill.

Every year, Mr. Chairman, Washington imposes thousands of pages of rules and regulations on America's small businesses and local governments. Hidden in those pages are costly mandates that make it harder for companies to hire and for cash-strapped States, counties, and cities to keep streets safe and parks clean.

Republicans and Democrats alike agree that each regulation the Federal Government hands down should be deliberative and economically defensible. This bill, H.R. 899, will ensure public and bureaucratic awareness about the cost in dollars and in jobs that Federal dictates pose to the economy and local governments.

There is precedent for bipartisanship on this issue. In 1995, Members from both parties supported and President Clinton signed the Unfunded Mandates Reform Act, UMRA, which sought to expose Washington's abuse of unfunded Federal mandates.

The 1995 bill was designed to force the Federal Government to estimate how much its mandates would cost local governments and employers, not to prevent it from regulating, but to make sure its regulations were fair and efficient.

For the most part, the 1995 law has worked very well; but over the years, weaknesses in that law have been revealed—weaknesses that some government agencies and independent regulatory bodies have exploited.

My bill, the Unfunded Mandates Information and Transparency Act, will correct these oversights and put some weight behind UMRA to ensure no government body purposefully or accidentally skirts public scrutiny when jobs and scarce resources are at stake.

H.R. 899, Mr. Chairman, has bipartisan DNA. It codifies administrative fixes championed by Presidents Clinton and Obama and promotes good government, accountability, and transparency, something we all believe in. For these reasons, I urge my colleagues to support this commonsense bipartisan bill.

Mr. CUMMINGS. Mr. Chairman, I yield 3½ minutes to the gentleman from Virginia (Mr. CONNOLLY), a member of our committee.

Mr. CONNOLLY. Mr. Chairman, I thank the distinguished ranking member of the Oversight and Government Reform Committee, my good friend from Maryland, ELIJAH CUMMINGS.

Mr. Chairman, I was listening to my good friend, Ms. FOXX from North Carolina; and I don't doubt her commitment to try to rein in unfunded mandates, and I certainly supported the 1995 effort, as somebody working at that time in local government, because local governments are burdened with many unfunded Federal mandates. No Child Left Behind, for example, comes to mind.

This legislation before us today, however, is not a simple extension of unfunded mandates. It is something else. Mr. Chairman, any lingering doubt about this week's Republican assault, which is orchestrated on the regulatory process as designed to benefit corporate interests, should be laid to rest with this bill.

Agencies are already required to consult with any interested party during the rulemaking process through a robust public participation and comment period. This bill, however, would single out private sector special interests and give them special treatment and an unfair advantage by requiring agencies to consult with them before a rule is even proposed.

The bill further subverts existing law by opening the door for opponents of regulation or delay to invalidate rules through frivolous litigation. Current law expressly prohibits the courts from blocking a new rule based on the advocacy of an agency's analysis. This bill would expand judicial review to give

for-profit special interests a new tool to tie up regulations with unnecessary litigation.

I would remind my friends on the other side of the aisle that agencies are currently required by existing law and executive order to consider all regulatory alternatives to promote flexibility and to promulgate regulations based on a reasonable determination that the benefits, in fact, justify the costs. That is already in existing law.

Agencies are also required to conduct cost-benefit analyses and increase public participation for all interested parties, not just corporate special interests. Of course, House Republicans also fail to acknowledge that the Obama administration has directed agencies to harmonize rulemaking across agencies and conduct a systematic review of existing regulations to reduce outdated or redundant rules.

Mr. Chairman, if my Republican friends really want to do something meaningful about unfunded mandates, they could work with us to correct the historic failures of the Federal Government to meet its financial obligations to our cash-strapped State and local partners, rather than catering to special, big corporate interests with well-paid lobbyists.

Mr. LANKFORD. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. I thank my friend from Oklahoma for yielding, Mr. Chairman, and I appreciate his leadership on the Oversight and Government Reform Committee.

He has only been in this institution for 3 years, but he brought with him, when he came, a heart of service that he has been applying his entire lifetime; and it is that heart of service that I think has enabled him to work in a bipartisan way across the aisle.

I will say that it is not without a heavy heart, Mr. Chairman, that I hear folks talk about a Republican assault, a majority this, conservatives that; there are some things that happen in this institution that are party line events. There are things that happen in this institution that are Republicans driving in one way and Democrats driving in the other.

But this is an openness bill today, and by its very introduction, Mr. Chairman—I have a copy of the bill here; it is available for anyone to read online—the very first thing they will see when they open up this piece of legislation are the men and women who came together to offer it.

Now, one of those people is my good friend, the chairman of the subcommittee, Mr. LANKFORD from Oklahoma; but so, too, is the gentlelady from California, LORETTA SANCHEZ, who believes in this piece of legislation—not just believes it passing on the floor today, but believes in being a part of the process that drives this forward.

□ 0945

Yes, we heard from my friend, VIRGINIA FOXX, Republican from North Carolina, but also among the original cosponsors bringing this legislation forward, MIKE MCINTYRE, Democrat, from North Carolina.

Mr. Chairman, this bill is about one thing and one thing only, and that is providing more information and more transparency to all the stakeholders in the process. There are things that are worth doing and there are things that are worth using the power of government to do, but if we are proud of what those things are, we should be proud of sharing that information.

When you get in a car today, Mr. Chairman, there are airbags everywhere. I can't even count the number of airbags when I rent a car these days. Old cars that folks drive, they don't have them, but the new cars do. I don't know what it costs to put that airbag in. I don't know what it cost to promulgate that regulation. I would like to know. But I promise you that, if we were to look at those numbers, we would say it is worth it. It is worth it.

Regulatory burdens on this economy—and we are seeing GDP revised down again today, Mr. Chairman—are undeniable. Maybe they are worth it, but the burden is undeniable. Let's just tell folks what that burden is, and then let's come together and decide whether or not it is something worth doing.

This is not a partisan bill today, Mr. Chairman; this is a bipartisan bill. This isn't about hiding the ball today; this is about transparency. This bill is not about dividing folks; this is about, again, what my friend from Oklahoma has been about since the day he showed up in this institution, and that is bringing people together around tough challenges, but challenges that this institution can rise to do.

I am very proud of the many, many hearings that have been held, the many, many hours of effort that have been invested, and I am pleased to support this legislation on the floor here today, Mr. Chairman.

Mr. CUMMINGS. Mr. Chairman, may I inquire as to how much time each side has remaining?

The CHAIR. The gentleman from Maryland has 18 minutes remaining. The gentleman from Oklahoma has 15 minutes remaining.

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

Mr. Chairman, one of the most problematic provisions of this bill is the section that expands judicial review under the Unfunded Mandates Reform Act, also known as UMRA. UMRA currently allows a party to challenge in court whether an agency performed the written statement required under UMRA describing the agency's analysis. A court may require the agency to prepare the written statement if the agency fails to do so. The law explicitly provides, however, that a court cannot use the inadequacy of an agency's UMRA statement or an agency's failure to prepare a written statement as a basis to hold up a rule.

Here is what the statute says:

> The inadequacy or failure to prepare such a statement, including the inadequacy or failure to prepare any estimate, analysis, statement, or description or written plan shall not be used as a basis for staying, enjoining, invalidating, or otherwise affecting such agency rule.

The bill would change the statute to allow courts to review the adequacy of an agency's analysis under UMRA and to allow rules to be delayed or invalidated based on the inadequacy of an agency's statement. This clearly contradicts the intent of the original statute.

The administration issued a Statement of Administration Policy just yesterday saying that, if H.R. 899 were presented to the President in its current form, he would veto the legislation.

The statement said:

> H.R. 899 would unnecessarily add to the already robust analytical and procedural requirements of the rulemaking process. In particular, H.R. 899 would create needless grounds for judicial review, unduly slowing the regulatory process, and, in addition, it would add layers of procedural steps that would interfere with the agency's priority setting and compliance with statutory mandates.

There is another allegation that has been made that I want to address, and that is the allegation that there has been a tsunami of rules issued under President Obama. This is simply inaccurate. President Bush issued 14,387 rules in his first 4 years in office. President Obama issued 13,238 in his first term. That is over 1,000 fewer rules than President Bush issued in the same period of time.

According to the Government Accountability Office, agencies published the lowest numbers of rules in 2012 since GAO began keeping data in 1997. GAO found that the first half of 2013 was also on pace to be another record low year. The Office of Management and Budget in its draft 2013 report to Congress on benefits and costs of Federal regulations compared rulemakings across the 4 years of the Clinton, Bush, and Obama presidencies. Rules issued in the first 4 years of President Obama's administration had a net benefit of approximately $159 billion. ''Net benefit'' means the benefits of the rule minus the cost. Rules issued in the first term of President Bush's administration had a net benefit of $60 billion, and rules under President Clinton's first term had a net benefit of $30 billion. That means that the rules under President Obama had a bigger net benefit than the Bush administration and the Clinton administration combined.

With that, Mr. Chairman, I will continue to reserve the balance of my time.

Mr. LANKFORD. Mr. Chairman, I want to make a few brief comments. I yield myself as much time as I may consume.

Mr. Chairman, I wanted to have the opportunity to be able to just dialogue a little bit about some of the things we

just heard about, things like judicial review.

It is a belief of many people on this side of the aisle and the other side of the aisle that agencies are not infallible. They do make mistakes at times, and there are times that an agency will make an estimate on a cost, and it is, let's say, $90 million, just under the $100 million threshold. And someone wants to challenge it and says, how did you do the math on that that you ended up just under the major rule threshold?

There is a reason to be able to go back and evaluate some of these things and to have the opportunity to go through a judicial review so in a moment of judicial review there can be a conversation to say, let's check the math before these decisions are made to be able to evaluate, because there has been a large increase in major rules. And while I understand that around election time there was a slowdown of regulations that came up, if you look at the first 5 years of this administration, of their 13,000 rules that were promulgated, 330 of them are classified as major rules—330 of those, major rules—defined as having an estimated annual economic impact of $100 million or more.

It is a very serious issue to be able to put that many new rules with that large of an impact. It does have a change. And while I understand that some would say this benefits to the economy, what has happened is, year after year for the last several years, CBO comes back and looks at our long-term economic forecast and gives a slower forecast.

In 2014 again, they have come out and said that, in this current economy with what is happening, it is another slowdown and another over $1 trillion loss in our economy that CBO has estimated over the next 10 years because the economy continues to slow down. We are just asking the question, is it possible? Because so many major regulations are coming out and no one has had a check on that.

With that, Mr. Chairman, I yield 3 minutes to my colleague from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. Mr. Chairman, I thank the gentleman from Oklahoma for his leadership and for his passion.

This is one of those areas, quite frankly, as we look at unfunded mandates, that is taking the power from Washington, D.C., and giving it back to the elected officials in our States, our county governments, and our cities.

The gentleman from Virginia, from the other side, earlier said that certainly he supported this when he was a local official elected there in Virginia, and rightly so. Because I can share a personal story, Mr. Chairman, from a senator, Jim Davis, from my home State who was a county commissioner and now a State senator. I asked him, why do you have such a hard time balancing the budget here in the State? And he gave me two words: unfunded mandates.

Why is that? Because we continue to pass regulation after regulation after regulation, send them down to the States and ask the States to deal with them. The States say, well, we don't have money to implement this. They send it even further, to the county governments. So what happens is that property taxes go up at the local level, State income taxes go up there, all because we believe that we know what is best here in Washington, D.C., on how to implement rules and regulations.

Mr. Chairman, I would suggest that during the first term of the Obama administration we saw a 10 percent increase in regulatory budgets. Now, that is a 10 percent increase in regulatory budgets when the average American hardworking taxpayer saw their budgets go down.

There is something wrong with this, Mr. Chairman. And as we start to look at this, there was a study in 2011—a study in 2011—that said, with each 5 percent reduction in regulatory process, you can create 1.2 million jobs. Well, Mr. Chairman, we have a problem with creating jobs here, and this is a commonsense solution to rein in what is happening here in Washington, D.C., and allow that control to go back to the States and local government.

So the bottom line, Mr. Chairman, is this: to vote against this is a vote that says that we know better how to do business here in Washington, D.C., than the elected officials in State, county, and local governments. I can tell you that the best decisions are made at those local and State levels. I think it is high time that we come back and roll it back in this simple process to make sure that these regulatory reforms and the unfunded mandates that accompany them truly are not a burden on those hardworking American taxpayers.

Mr. CUMMINGS. I would like to inquire as to whether the other side has additional speakers.

Mr. LANKFORD. We do not, sir. We are prepared to close.

Mr. CUMMINGS. So, therefore, Mr. Chairman, I will close. I yield myself such time as I may consume.

Mr. Chairman, in closing, I want to go back to the legislative history of the Unfunded Mandates Reform Act of 1995, the law that would be amended by this bill today. The Senate report on the bill that was signed into law said:

> The primary purpose of S. 1, the Unfunded Mandate Reform Act of 1995, is to start the process of redefining the relationship between the Federal Government and State, local, and tribal governments. In addition, the bill would require an assessment of legislative and regulatory proposals on the private sector. The bill accomplishes this purpose by ensuring that the impact of legislative and regulatory proposals on those governments and the private sector are given full consideration in Congress and the executive branch before they are acted upon.

The bill we are considering today goes far beyond the purposes of the original law. This bill goes beyond simply ensuring that the Federal Government considers the potential impact of a regulation on State and local governments or the private sector. Instead, the bill would put the interests of corporations ahead of the interests of our own constituents. Something is wrong with that picture.

Members should vote against this bill, Mr. Chairman, and I yield back the balance of my time.

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

I encourage my colleagues on both sides of the aisle to support this bill. It is a simple, straightforward bill that asks a couple of quick questions: Do the people of America work for the Federal Government, or does the Federal Government work for the people of America? It is a straightforward question. This bill requires that the Federal Government and every agency have a conversation with the people they regulate to make sure that they actually understand what they are doing when they regulate.

I understand full well, there are plenty of well-meaning people here in Washington, D.C., who are serving our Nation faithfully, but they do not know every State in the country. They don't know every business in the country. That is not what they do full time. They manage here for the Federal Government full time, but they are given the responsibility to be able to promulgate rules and regulations that they may or may not have any idea even how that will be accomplished when they get there, or the real cost of that. The estimates that occasionally come up for the different costs we find out later are much, much higher than were ever estimated by a Federal agency.

So this bill does a few things.

In 1995, we said we are not going to put unfunded mandates on cities, States, and counties or tribes unless there is a compelling reason to do so, and then we could override and do that. This bill says that should be true of the American people as a whole, that we should not pour out some unfunded mandates across the entire economy unless there is some compelling reason to do so, and then Congress still has the authority to do that at that point, if needed.

This also says there should be some sort of judicial review so if someone in some agency makes a mistake, which we all as humans do, there is an opportunity to be able to respond to that, and an outlet where they can go to get justification for that, rather than having to go back to the agency that created the rule to say, Would you please change it? They say, No, but you can appeal it to the person in the cubicle next to me, appeal it to them. They says let's go to an outside entity. That seems to be an American system, that when you have a difference of opinion, you have an opportunity to be able to resolve that with someone outside the system.

This is an opportunity to reconnect the Federal Government back to the people that we are sent to represent and to say it is essential that we close the loopholes that exempt out some agencies, that we close the loopholes that allow agencies to move forward on putting down major regulations without evaluating those things, and we allow a distinct opportunity for the American people and their own government to have dialogue again and to say if we are going to resolve our differences on this and we are going to provide safety and security for people across the Nation, let's do it together in the least costly, least burdensome way possible.

I support this bill, and I encourage my colleagues to stand with me to provide greater transparency and greater conversation to the American people and their own government.

I yield back the balance of my time.

The Acting CHAIR (Mr. WOMACK). All time for general debate has expired.

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

The text of the bill is as follows:

H.R. 899

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Unfunded Mandates Information and Transparency Act of 2013''.

SEC. 2. PURPOSE.

The purpose of this Act is—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 8. REGULATORY PROCESS AND PRINCIPLES.

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

''SEC. 201. REGULATORY PROCESS AND PRINCIPLES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

''(2) An assessment of the potential costs and benefits of the proposed rulemaking or final rule, including an explanation of the manner in which the proposed rulemaking or final rule is consistent with a statutory requirement and avoids undue interference

with State, local, and tribal governments in the exercise of their governmental functions.

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

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

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

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

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

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

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

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

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

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

SEC. 10. ENHANCED STAKEHOLDER CONSULTATION.

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

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

(2) in subsection (a)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 12. RETROSPECTIVE ANALYSIS OF EXISTING FEDERAL REGULATIONS.

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 13. EXPANSION OF JUDICIAL REVIEW.

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

(1) in paragraphs (1) and (2)(A)—

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

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

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

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

The Acting CHAIR. No amendment to the bill is in order except those printed in House Report 113–362. Each such amendment may be offered only in the order printed in the report, may be offered by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. CUMMINGS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113–362.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 5.

The Acting CHAIR. Pursuant to House Resolution 492, the gentleman from Maryland (Mr. CUMMINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. CUMMINGS. Mr. Chairman, I am offering this amendment to strike section 5 of H.R. 899. My amendment would preserve the integrity of independent agencies.

The Unfunded Mandates Reform Act currently exempts independent agencies. The bill we are considering would remove that exemption. That would mean that these agencies would have to submit their rules to the Office of Management and Budget for review.

Congress creates independent agencies to be just that, independent. Requiring these agencies to submit their rules for review by the White House, no matter who is President, would be inappropriate.

Some of the agencies that would be impacted by this provision include the Consumer Product Safety Commission, the Securities and Exchange Commission, the Federal Trade Commission, the Consumer Financial Protection Bureau, and the Federal Communications Commission.

This amendment simply maintains the exemption for independent agencies that is current in law. I urge every Member of this body to support my amendment.

I reserve the balance of my time.

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

The CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LANKFORD. Mr. Chairman, independent regulatory agencies impose significant costs on our economy and often impose Federal mandates on State and local governments and the private sector. The Securities and Exchange Commission, the National Labor Relations Board, and the Federal Communications Commission are just a few examples of agencies that impose regulations without consideration of the actual cost or impact on the public.

Now, this bill does not prevent agencies from creating regulations. The amendment gives the impression that this will be a wild West, and all of these agencies will be limited. It only asks them to consider the cost and the impact of those regulations and to have some conversation with people on how it could be done less burdensome or less expensive.

According to a 2011 Administrative Law Review article:

> Analysis conducted by independent regulatory agencies is generally the minimum required by statute. In many instances, the independent regulatory agencies appear to be issuing major regulations without reporting any quantitative information on benefits and costs.

OMB's 2013 draft report to Congress on the benefits and costs of Federal regulations and unfunded mandates provides a limited view of the cost-benefit analyses conducted by a limited number of independent regulatory agencies. For major rules issued by agencies included in the report, more than 35 percent were issued without any cost-benefit analysis at all.

CRS reports that from fiscal year 2010 through fiscal year 2012, 57 major rules were issued by nine independent agencies, but none of those rules included monetized cost-benefit analyses, and less than 50 percent provided any estimate as to costs at all.

The cost-benefit analyses under UMRA are essential for a transparent and accountable regulatory system. Reporting on the analyses does nothing to compromise the independence of these agencies, and we know this because OMB already reports on whether or not several independent agencies are conducting the analyses—including the Federal Trade Commission, the Federal Reserve, and the Commodity Futures Trading Commission.

Requiring that these agencies are covered by UMRA does not require that OMB review or approve of the analyses, only that the agencies are accountable for considering the costs and the benefits of imposing unfunded mandates on State and local governments and the private sector.

With that, I reserve the balance of my time.

Mr. CUMMINGS. As I close, let me say this, Mr. Chairman. Again, these are independent agencies. Independent agencies could be required to do cost-benefit analysis without requiring rules to go through OMB. This bill allows the administrator of OIRA to hold up a rule if he or she determines the agency didn't comply. I would urge Members to vote in favor of my amendment.

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

Mr. LANKFORD. Mr. Chairman, as I have stated before, it is entirely appropriate for independent agencies to have to also review the cost in the actual context of what they are accomplishing and the economy itself. That is an appropriate thing for every agency to do. We should count the costs before regulations are actually imposed on our economy. So I oppose this amendment. I have great respect for my colleague, but I have to oppose this amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 2 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113–362.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 13, line 6, strike ''and''.

Page 14, line 16, strike the period at the end and insert ''; and''.

Page 14, after line 16, insert the following:

(4) by adding at the end the following new subsection:

''(d) TREATMENT OF OTHER IMPACTED PARTIES.—Any opportunity for consultation afforded to impacted parties within the private sector under this section shall be afforded to representatives of all other impacted parties.''.

The Acting CHAIR. Pursuant to House Resolution 492, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, I am proud to offer this amendment on behalf of myself and my good friend, the gentlewoman from Illinois (Ms. DUCKWORTH).

H.R. 899 boasts an Orwellian title that attempts to deceive the public into believing that the Unfunded Mandates Information and Transparency Act is simply an innocuous attempt to enhance transparency—rather than the subversive legislative assault on public health, safety, and environmental protections that it truly is.

H.R. 899 is simply an effort to throw a wrench into the rulemaking process, ensuring that private industry is provided privileges and rights far above any other stakeholder in the regulatory process.

In many respects, H.R. 899 represents the Mitt Romney principle on steroids, for it appears that in the minds of our friends on the other side of the aisle, not only is it a fact that ''corporations are people, my friend,'' but under this measure, Republicans appear to be embracing an ethos that treats corporations better than people.

Regrettably, this bill provides private corporations with an unfair consultation advantage over every other stakeholder in the regulatory process. That is indefensible.

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

There is no justification for enacting an irrational statutory framework that requires the Federal Government to consult with private firms, such as a large agribusiness firm, prior to imposing a rule that will impact that company, yet does not require consultation with public health experts, or everyday Americans who will be forced to live with the consequences of a given regulation.

I cannot defend a regulatory framework that would provide big oil companies, for example, a guaranteed right to

weigh in before any drilling regulation is promulgated, but would not require equal consultation with public interest organizations, such as entities committed to protecting and preserving our Nation's environment and natural resources, or the communities that could be directly impacted by such activities.

To be clear, I strongly support the rights of industry to have an opportunity to provide comments on proposed rules. It fosters more informed, quality rulemaking, and benefits both businesses and our broader society. Indeed, that is why our current administrative procedures mandate that a public comment process be conducted to allow any individual or corporation to participate and provide input and feedback in an equal, fair, and open process. That is current law.

The amendment that Congresswoman DUCKWORTH and I are proposing today would simply ensure that all participants in the rulemaking process be provided equal consultation rights with agencies. For example, as Ranking Member CUMMINGS noted earlier, if the U.S. Department of Agriculture were to propose a public health rule affecting agribusiness in an effort to protect the health of everyday Americans, our amendment would ensure that not only the agribusinesses, but also food safety experts, children's health organizations, medical associations, and scientific entities would also be provided an opportunity to consult with USDA prior to the issuance of the proposed rule.

I strongly urge all Members to support our commonsense amendment.

I reserve the balance of my time.

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

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

Mr. LANKFORD. Mr. Chair, it may be a good moment to shine some facts into this debate. I agree that expanding the consultation requirements for the impacted parties is important. Those parties directed affected by the regulation should have an opportunity to be able to voice concerns about feasibility and offer sensible corrections from people with expertise from years of experience. That is a large part of what this bill does; when a regulation comes down, impacted individuals should be able to come to the table to be able to discuss what is the impact of this.

This particular amendment is completely redundant. It requires that any opportunity for consultation afforded to impacted parties within the private sector under the section shall be afforded to representatives of all other impacted parties.

Well, UMRA already defines the private sector as individuals, partnerships, associations, corporations, educational and nonprofit institutions, but it shall not include State, local, and tribal governments since State, local, and tribal governments are already covered in the Unfunded Mandates Reform Act, the original one. So I have to ask the question: Who is left? If it already covers individuals, partnerships, associations, corporations, educational and nonprofit institutions, State, local, and tribal governments, it covers everyone already.

If you are impacted by legislation and by regulation, you should have the opportunity to respond to that. We completely agree.

□ 1015

It is important to note this is not the only opportunity to offer suggestions and critiques though. Those not directly regulated by the rule have an opportunity for input during the comment period as required by the Administrative Procedures Act in the executive order.

This perception that somehow people are being locked out of the process is incorrect. It is the people that are impacted, though, that should have the first voice. That would be people impacted in the community, that would be people impacted in business, or any kind of government.

For example, under current law, taxpayers and public workers are not required to be consulted prior to an agency proposing a rule that will put a Federal mandate on the States and local governments, a mandate that could require public entities to ship resources that could affect hiring decisions or a reduction in public services.

Taxpayers, public workers, consumer groups, and anyone else who is interested—but not directly impacted—have that opportunity to provide input at notice and comment stage; but this amendment, however, appears to repeat the consultation requirement that H.R. 899 seeks to provide.

Those Members who want impacted parties to have an early voice in development of regulations that impose burdensome mandates on the private sector ought to just vote for the bill. Adding a repetitive requirement creates ambiguity about the intent of Congress, and for that reason, I oppose this amendment.

I reserve the balance of my time.

Mr. CONNOLLY. Mr. Chairman, may I inquire as to how much time is remaining?

The Acting CHAIR. The gentleman from Virginia has 90 seconds remaining.

Mr. CONNOLLY. Mr. Chairman, I don't quite understand the opposition of my friend from Oklahoma; if it is duplicative, then it is harmless. I think clarification to make sure that citizens have the same rights as special interests and corporations is actually a good thing to clarify. I don't think it adds ambiguity; I think it adds clarity, which may be why my good friend opposes it.

I would also ask, at this time, a statement to every Member of Congress endorsing this amendment from the Coalition for Sensible Safeguards be entered into the RECORD.

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

COALITION FOR SENSIBLE SAFEGUARDS,
February 26, 2014.

DEAR REPRESENTATIVE, The Coalition for Sensible Safeguards (CSS), which includes more than 150 labor, environmental, public health, scientific, consumer, financial reform, and public interest groups, strongly opposes H.R. 899, the dangerous and harmful ''Unfunded Mandates Information and Transparency Act of 2013.'' This proposal would undermine our nation's ability to set health, safety and environmental standards as well as new financial protections. Given that we have experienced multiple health and safety disasters in communities and workplaces across the country in recent years, it is the wrong time to thwart the progress of necessary public protections.

While CSS strongly urges members to vote no on H.R. 899, CSS encourages members to support the amendments offered below:

Amendment #1 sponsored by Congressman Cummings (MD): This amendment strikes section 5 of the bill, which would eliminate the current exemption from the Unfunded Mandate Reform Act for certain independent agencies. This crucial amendment would ensure that agencies that Congress designated to be independent of the Executive Branch remain so. Further, the amendment would ensure that the important regulations of these agencies, including the Consumer Product Safety Commission and the Consumer Financial Protection Bureau, are not subject to this legislation's wasteful, unnecessary, and unfunded requirements and can be adopted in a timely and efficient manner.

Amendment #4 sponsored by Congresswoman Jackson-Lee (TX): This amendment adds Section 14 to the bill to clarify that the requirements of UMRA as amended by this Act do not apply if a cost-benefit analysis demonstrates that the benefits of the regulatory action exceed its costs. This commonsense amendment makes clear that regulations whose benefits to public health and safety exceed the costs to regulated industries, thereby making them good public investments, are not legislation's wasteful, unnecessary, and unfunded requirements and can be adopted in a timely and efficient manner.

Amendment #5 sponsored by Congressman Connolly (VA): This amendment ensures that other impacted entities, such as public interest organizations, are provided any opportunity for consultation afforded to the private sector under the Act. This commonsense amendment levels the playing field to allow public interest organizations the same privilege and access that the legislation only affords to the business community and ensures that the regulatory process is fair and open to all stakeholders in an equal manner.

Sincerely,

KATHERINE MCFATE,
President and CEO, Center for Effective Government; Co-chair, Coalition for Sensible Safeguards.

ROBERT WEISSMAN,
Persident, Public Citizen; Co-chair, Coalition for Sensible Safeguards.

Mr. LANKFORD. Mr. Chairman, there are a lot of things that I oppose in government. Duplication is one of those. Clarity is best done when it is clear and it is said one time and it is consistent.

It is already very clear. Individuals, partnerships, associations, corporations, and educational and nonprofit

institutions are included in this. All those who are impacted can step up in front of an agency and say: we will be impacted.

You are a person; you are a citizen; you are an individual. You have an opportunity to be able to come and join into that conversation.

We believe strongly that you should have the opportunity, if you are impacted, to get your voice heard. Again, the Federal Government works for people; people don't work for the Federal Government. So when you are impacted, you should also have a voice as well.

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

Ms. DUCKWORTH. Mr. Chair, I strongly support efforts to make sure that government regulations are not overly burdensome and do not needlessly harm business growth.

In fact the very first piece of legislation I introduced—the Small Business Paperwork Relief Act—sought to help small businesses lower the costs of complying with federal regulations.

But I am very concerned that H.R. 899 goes beyond well intentioned efforts to make the regulatory process more accessible to stakeholders, and instead seeks to give big businesses a voice so loud that it drowns out American consumers.

In particular, Section 10 of the bill, which would allow the private sector exclusive early access to the rulemaking process, will give just one stakeholder unnecessary and unfair influence.

Increasing stakeholder input in the rulemaking process is a worthy goal, and businesses should certainly be a part of that, but we can't govern only on behalf of one stakeholder.

Our government should work for all Americans, not just some.

And we have a responsibility to balance the priorities of our society as a whole with the interests of business.

When we're talking about a rule that governs whether moms and dads in Illinois can have peace of mind that the food their children eat won't make them sick, or that a worker at a manufacturing facility in my district doesn't have to choose between a paycheck and their workplace safety—the stakes could not be higher.

The concerns of these Americans should not matter less than those of corporations seeking to maximize their profits. They deserve a seat at the table as well.

This amendment seeks to level the playing field and improve transparency for all Americans.

It would simply give individuals the same rights provided to corporations under this bill.

I urge my colleagues to vote yes on this common sense, good government amendment that will stand up for the rights of all Americans.

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

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

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

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

AMENDMENT NO. 3 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113–362.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 14. INAPPLICABILITY OF UNFUNDED MANDATES REFORM ACT IF COST-BENEFIT ANALYSIS SHOWS BENEFITS OF REGULATORY ACTION EXCEED COSTS.

The Unfunded Mandates Reform Act of 1995 (Public Law 104–4; 2 U.S.C. 1511 et seq.), as amended by this Act, shall not apply to a regulatory action if a cost-benefit analysis demonstrates the benefits of the regulatory action exceed the costs of the regulatory action.

The Acting CHAIR. Pursuant to House Resolution 492, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, let me thank the chairman for the time and to the two managers of this particular legislation on the floor, particularly to the ranking member for his leadership, and simply ask the question: For those of us who have served in this body the time when the unfunded mandate's original legislation was passed, what possible addition this particular amendment can have?

Let me first start off by saying that I appreciate the good intentions of work that is brought to the floor of the House; but I want to remind my colleagues that, as we speak, the growing numbers of the uninsured continue to rise, and the emergency unemployment insurance has not been passed by this body.

In fact, not passing unemployment insurance is an unfunded mandate. For what we do is we say to the States that 1.3–1.5 million-plus, including family members, of individuals who have worked and who are out every day looking for work are no longer the responsibility of anyone here in the Federal Government.

After the States have maxed out on their 26 weeks, we simply throw these people into the streets. I would imagine that States and nonprofits may have to address their needs through homeless shelters, through food banks, soup kitchens, and other municipality resources that they can scramble together.

It is interesting that we are here discussing an unfunded mandate. As we speak, millions of Americans are suffering because we have refused to address an important issue.

In addition, the minimum wage has thrown throngs of individuals into the claws of desperation on the lack of raising it, of which I have signed a petition—a discharge petition to do so.

As I rise, I want to acknowledge my amendment, which specifically indicates that, if the benefits exceed the costs, then this industry or the industries or this particular provision would not be covering. It clarifies that the provisions of the bill do not apply if a cost-benefit analysis demonstrates that the benefits of a regulatory action exceed its costs.

My amendment improves the bill by ensuring that regulatory actions needed to protect the public health, safety, and environment can be promulgated and implemented and not be stymied by dilatory tactics.

The Jackson Lee amendment is strongly supported by the Coalition for Sensible Safeguards, an organization comprised of more than 150 public health, scientific, consumer, environmental, labor, financial, and public interest groups.

Let me say something that I think my colleagues need to know that is distinctive about this amendment. There is a requirement that Federal agencies consult with private corporations.

I heard my good friend say that the Federal Government is for the people, not the other way around. But guess what? There is no requirement for consultation with stakeholders or the public before proposing any new rules. How hypocritical is that? I must consult with private corporations—many of us represent them. We appreciate the work they create—but none of the stakeholders need to be consulted with.

So I ask my colleagues to support the Jackson Lee amendment, and I reserve the balance of my time.

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

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

Mr. LANKFORD. Mr. Chairman, I can tell you I am all for a cost-benefit analysis, but the challenge of doing a cost-benefit analysis comes down to who is doing the cost-benefit analysis and what are they putting into it.

There have been multiple times that we have had conversations about a cost-benefit analysis, and there has been a push back to say: well, let's go back and check the math on that later and see if we actually got the benefit that was proposed that we will receive for that benefit.

A benefit analysis, in particular, is kind of under scrutiny by academics, even under the Obama administration. As an example, the EPA issued a new standard for mercury emissions and reported that benefits of the rule were up to $90 billion a year, far above their $10 billion a year cost.

Less than .01 of that $90 billion in benefits was attributable to actual reduction in mercury, though; instead, nearly all the benefits came from reductions in fine particles, a pollutant that was not even the purposed target of the regulation itself. Fine particle cobenefits accounted for two-thirds of the benefits of the economically significant rules in 2010.

This administration has padded the benefit analysis with private benefits. In the fuel economy standards, for instance, for cars and light trucks, nearly 90 percent of the $338 billion in lifetime benefits were benefits to consumers, such as reduced fuel consumption, and—how about this one—shorter refueling times.

Private benefits account for 92 percent of the benefits in energy efficiency standards for washing machines and 70 percent of the benefits in energy efficiency standards for refrigerators.

Essentially, the private benefit accounting is a claim that depriving consumers of preferred choices will make them better off because benefits like fuel savings are worth more to consumers than consumers actually realized.

To exclude regulations from an UMRA analysis, based on faulty and misleading benefits analysis, would only encourage distortion. Further, the point of UMRA is to identify burdensome new mandates for the parties that have to bear the burden.

You see, that company bears the burden. That cost gets passed on directly to consumers. So this ''private benefits''—that you are going to get more benefit than you thought you would ever get or will ever see—doesn't offset the cost they do see coming out of their paycheck when gasoline is more expensive, groceries are more expensive, and electricity if more expensive.

Often, parties who pay the cost of these regulations are not the same parties that actually enjoy the benefits. Even if a rule is predicted to have a net benefit, impacted entities should be made aware of sizable new burdens imposed by Federal mandates.

For this reason, I do oppose this amendment, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, may I inquire as to how much time is remaining?

The Acting CHAIR. The gentlewoman from Texas has 90 seconds remaining.

Ms. JACKSON LEE. Mr. Chairman, let me quickly say that, in the previous bill, it was well noted that there were exemptions dealing with constitutional issues and civil rights issues; so my amendment is in track, on line with the original bill that gave exemptions.

With that, I reserve the balance of my time.

Mr. LANKFORD. Mr. Chairman, I want us to be able to move forward on this bill. I want the American people to know that their government serves them and that individuals are able to be able to speak back to their own government when their government is imposing a regulation on them.

I think that is entirely reasonable for any affected party to be able to engage in conversation with their own government. I think it is entirely appropriate.

This is long overdue. The 1995 UMRA bill was written with large loopholes that exempted out agencies, exempted out different entities. It created an environment where it is beneficial to the agency to distort the cost. Let's clear that.

Let's just get back to doing what we should do, not people trying to sneak in rules, not people trying to sneak in a different cost-benefit analysis. Let's just have conversation again between the American people and the government that they are in charge of.

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

Ms. JACKSON LEE. Mr. Chairman, I thank the gentleman for his analysis; but let me offer to him that, first of all, this particular legislation will be subject to a veto threat because, as the President has noted, there is already a robust, analytical, and procedural requirement. I agree there should be that, and we already have it.

The Coalition for Sensible Safeguards has indicated that the Jackson Lee amendment is a commonsense amendment that makes clear that regulations whose benefits to public health safety exceed the cost of regulated industries are good public investments.

This amendment is a necessary amendment. The Jackson Lee amendment says if it is a good public investment, and it helps in order to clarify some of the untoward provisions of this legislation that will require an interaction with a private corporation, but never talking to the public.

Mr. Chairman, if we are for the people, they should at least be there to be inquired of: What do you think?

And finally, let us end the unfunded mandate of not passing unemployment insurance extension and not lifting the minimum wage. That is an unfunded mandate.

I would ask my colleagues to support the Jackson Lee amendment because it clarifies and it puts the people first. I join with my colleague. This is a place for people. We are the ones—the people who run this government. Give them an opportunity to consult under this legislation. Support the Jackson Lee amendment.

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

My amendment is simple and straightforward.

The Jackson Lee amendment improves the bill by clarifying that the provisions of the bill do not apply if a cost-benefit analysis demonstrates that the benefits of a regulatory action exceed its costs.

My amendment improves the bill by ensuring that regulatory actions needed to protect the public health, safety, and environment can be promulgated and implemented and not be stymied by dilatory tactics and unnecessary delays.

That is why the Jackson Lee amendment is strongly supported by the Coalition on Sensible Safeguards, an organization comprised of more than 150 public health, scientific, consumer, environmental, labor, financial reform, and public interest groups.

Mr. Chair, H.R. 899, the ''Unfunded Mandates Reform Act'' (UMRA), would erect new barriers to slow down the regulatory process and would give corporations an unfair advantage in the regulatory process.

Section 5 of the bill would repeal language that excludes independent regulatory agencies from the reporting requirements of the Unfunded Mandates Reform Act (UMRA), with the exception of the Board of Governors of the Federal Reserve and the Federal Open Market Committee. The Office of Management and Budget (OMB) is responsible for overseeing the UMRA process.

Since the independent agencies would be under the direction of OMB for purposes of UMRA compliance, this could compromise the independence of those agencies.

Section 7 of H.R. 899 would create a new point of order in the House of Representatives for legislation containing an unfunded mandate, making it more difficult to enact legislation.

Section 8 would incorporate a cost-benefit requirement from Executive Order 12866, but it would not include language from the same Executive Order directing agencies to perform these assessments ''to the extent feasible.''

Section 10 would require agencies to provide impacted parties in the private sector—but not other stakeholders—with advance notice and opportunity to provide input on proposed regulations.

Section 10 also requires agencies to conduct consultations with private sector businesses ''as early as possible, before the issuance of a notice of proposed rulemaking.''

Expanding this consultation requirement only to the private sector gives corporations an unfair advantage over other stakeholders in the development of regulatory proposals.

During consideration of this bill by the Committee, Representatives GERRY CONNOLLY and TAMMY DUCKWORTH offered an amendment that would have evened the playing field by requiring that: ''Any opportunities or rights afforded to a corporation under this section shall also be afforded to any interested individual.''

The Connolly-Duckworth amendment was rejected.

Section 11 would codify the role of the Office of Information and Regulatory Affairs (OIRA) in reviewing agency regulations and require that if the OIRA Administrator finds that an agency did not comply with UMRA's requirements, the Administrator must request that the agency comply before the regulation is finalized.

Section 12 would require that, ''at the request of the chairman or ranking minority member of a standing or select committee of the House of Representatives or Senate, an agency shall conduct a retrospective analysis of an existing Federal regulation issued by an agency.''

This provision would require agencies to divert resources toward conducting these analyses and away from fulfilling their missions.

Mr. Chair, as the Coalition on Sensible Safeguards says of the Jackson Lee amendment:

This common-sense amendment makes clear that regulations whose benefits to the public health and safety exceed the costs to regulated industries, thereby making them good public investments, are not legislation that is wasteful or unnecessary[.]

I urge all Members to support the Jackson Lee amendment.

COALITION FOR SENSIBLE SAFEGUARDS

February 26, 2014

DEAR REPRESENTATIVE, The Coalition for Sensible Safeguards (CSS), which includes more than 150 labor, environmental, public health, scientific, consumer, financial reform, and public interest groups, strongly opposes H.R. 899, the dangerous and harmful ''Unfunded Mandates Information and Transparency Act of 2013.'' This proposal would undermine our nation's ability to set health, safety and environmental standards as well as new financial protections. Given that we have experienced multiple health and safety disasters in communities and workplaces across the country in recent years, it is the wrong time to thwart the progress of necessary public protections.

While CSS strongly urges members to vote no on H.R. 899, CSS encourages members to support the amendments offered below:

Amendment #1 sponsored by Congressman Cummings (MD): This amendment strikes section 5 of the bill, which would eliminate the current exemption from the Unfunded Mandate Reform Act for certain independent agencies. This crucial amendment would ensure that agencies that Congress designated to be independent of the Executive Branch remain so. Further, the amendment would ensure that the important regulations of these agencies, including the Consumer Product Safety Commission and the Consumer Financial Protection Bureau, are not subject to this legislation's wasteful, unnecessary, and unfunded requirements and can be adopted in a timely and efficient manner.

Amendment #4 sponsored by Congresswoman Jackson Lee (TX): This amendment adds Section 14 to the bill to clarify that the requirements of UMRA as amended by this Act do not apply if a cost-benefit analysis demonstrates that the benefits of the regulatory action exceed its costs. This commonsense amendment makes clear that regulations whose benefits to public health and safety exceed the costs to regulated industries, thereby making them good public investments, are not legislation's wasteful, unnecessary, and unfunded requirements and can be adopted in a timely and efficient manner.

Amendment #5 sponsored by Congressman Connolly (VA): This amendment ensures that other impacted entities, such as public interest organizations, are provided any opportunity for consultation afforded to the private sector under the Act. This commonsense amendment levels the playing field to allow public interest organizations the same privilege and access that the legislation only affords to the business community and ensures that the regulatory process is fair and open to all stakeholders in an equal manner.

Sincerely,

KATHERINE MCFATE,
President and CEO, Center for Effective Government, Co-chair, Coalition for Sensible Safeguards.

ROBERT WEISSMAN,
President, Public Citizen
Co-chair, Coalition for Sensible Safeguards.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE. Mr. Chairman, I demand a recorded vote.

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

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 113–362 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. CUMMINGS of Maryland.

Amendment No. 2 by Mr. CONNOLLY of Virginia.

Amendment No. 3 by Ms. JACKSON LEE of Texas.

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

AMENDMENT NO. 1 OFFERED BY MR. CUMMINGS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 224, not voting 21, as follows:

[Roll No. 86]

AYES—185

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

NOES—224

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

Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—21

Bishop (UT)
Black
Calvert
Cramer
Fortenberry
Gosar
Hinojosa
Huizenga (MI)
Hurt
Maloney, Sean
McCarthy (NY)
Pastor (AZ)
Runyan
Rush
Schwartz
Scott, Austin
Smith (WA)
Stockman
Upton
Walden
Westmoreland

□ 1055

Messrs. MULLIN, HUDSON, KING of New York, OLSON, RIBBLE, MCKEON, and Ms. LORETTA SANCHEZ of California changed their vote from ''aye'' to ''no.''

Messrs. ELLISON, MAFFEI, and GARAMENDI changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HINOJOSA. Mr. Chair, on rollcall No. 86, had I been present, I would have voted "yes."

Stated against:

Mr. HURT. Mr. Chair, I was not present for rollcall vote No. 86. Had I been present, I would have voted "no."

AMENDMENT NO. 2 OFFERED BY MR. CONNOLLY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 194, noes 216, not voting 20, as follows:

[Roll No. 87]

AYES—194

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

NOES—216

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

NOT VOTING—20

Bishop (UT)
Black
Calvert
Cramer
Fortenberry
Gosar
Hinojosa
McCarthy (NY)
Pastor (AZ)
Peters (MI)
Runyan
Rush
Schwartz
Scott, Austin
Smith (WA)
Stivers
Stockman
Upton
Walden
Westmoreland

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1059

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 232, not voting 18, as follows:

[Roll No. 88]

AYES—180

Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack

Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—232

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

NOT VOTING—18

Bishop (UT)
Black
Calvert
Cramer
Fortenberry
Gosar
Marchant
McCarthy (NY)
Pastor (AZ)
Runyan
Rush
Schwartz
Scott, Austin
Smith (WA)
Stockman
Upton
Walden
Westmoreland

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1104

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. YODER). There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. YODER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 899) to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes, and, pursuant to House Resolution 492, he reported the bill back to the House.

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

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

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

MOTION TO RECOMMIT

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

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

Mr. GARCIA. I am opposed.

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

The Clerk read as follows:

Mr. Garcia moves to recommit the bill H.R. 899 to the Committee on Oversight and Government Reform, with instructions to report the same back to the House forthwith with the following amendment:

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

SEC. 14. EXCEPTION FOR REGULATORY ACTIONS AFFECTING VETERANS, SENIORS, CONSUMERS, AND COMMUNITIES AFFECTED BY NATURAL DISASTERS.

The amendments made by this Act shall not apply to regulatory actions if they have the effect of—

(1) providing hiring preferences and jobs for veterans;

(2) protecting patient safety in hospitals and nursing homes;

(3) lowering the overall cost of health care, including out-of-pocket costs for consumers; or

(4) protecting communities from natural disasters and helping them rebuild in the event of a natural disaster.

Mr. LANKFORD (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the bill.

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

There was no objection.

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

Mr. GARCIA. Mr. Speaker, this is a final amendment to the bill. This will not delay the bill. This will not kill the bill. This will not send it back to committee. If adopted, the bill will proceed immediately to final passage, as amended.

Mr. Speaker, we should all be able to agree that just as it is absurd to say that all regulations are good, it is absurd to say that all regulations are bad. Unfortunately, this bill does just that.

It assumes that all regulations are bad; it weakens or delays them. Even those that advance important bipartisan priorities are going to be hurt. That is why my amendment is so important. It will ensure that this bill does not create unnecessary hurdles in several important areas, including those that help veterans find jobs, keep health care safe and affordable, and rebuild communities after natural disasters.

Mr. Speaker, there is probably no issue where there is more bipartisan support than in the need to support our Nation's veterans. Those who have risked and sacrificed more than anyone else deserve for us to help keep them safe: veterans, veterans like my constituent George Martinez, who found a job through the program for Vocational Rehabilitation and Employment, an important program overseen by the VA.

This bill will unfortunately weaken or delay regulations that help veterans like George find jobs when they leave the service. It would have delayed an important regulation that was finalized last year, a regulation that requires contractors to set goals for hiring veterans and list job openings so that veterans can apply for them.

According to estimates, this regulation could ultimately find additional employment for 200,000 veterans. With unemployment for veterans from Iraq and Afghanistan being at almost 10 percent, we should not be delaying this kind of regulation.

Mr. Speaker, my amendment would also keep the bill from creating unnecessary hurdles on regulations that protect patient safety. This bill would unnecessarily create hurdles for regulations that protect patient safety in hospitals and nursing homes, and lower out-of-pocket costs of health care.

These are especially important issues in my home State of Florida where 70,000 nursing home residents live, more than almost any other State in the country. These are our parents, they are our loved ones who should receive the best care possible in their latter years. That is why we must ensure that nursing homes remain a safe place of rest and care for our seniors and remain an affordable option for those

who need them. That is exactly what my amendment will do.

Finally, this amendment will ensure that the bill does not create unnecessary obstacles for regulations that help protect and rebuild communities after natural disasters. In south Florida, we are all too familiar with the devastating effects of hurricanes and natural disasters when they strike. Rebuilding communities in their aftermath can take years, as my constituents in Homestead know all too well. That is why we need to move forward with my amendment. We need to have an amendment that ensures this bill does not weaken or delay regulations that facilitate the recovery and rebuilding efforts.

Mr. Speaker, at a time when we face so many important issues, we here in Congress need to come together and do what is right. I urge my colleagues to vote ''yes'' to ensure that we support unemployed veterans, keep health care safe and affordable, and protect our communities from natural disasters.

I yield back the balance of my time.

Mr. LANKFORD. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized 5 minutes.

Mr. LANKFORD. Mr. Speaker, this bill assumes one simple thing: that regulators are not infallible, they are just people. We believe that the Nation will not fall apart if Washington doesn't have more and more growing power. We believe that this Nation became strong because the Federal Government had limited power. You see, I believe and we believe the American people aren't looking for much from us; they just want the unfunded mandates to stop. Someone in Washington decides they have a good idea and suddenly everyone has to pay for their new good idea.

It seems obvious that before a major rule is put into place, the regulators should actually have a consultation with the people that will be affected to see if there is a better way to do the same thing.

It was 3 years ago that I walked into this Chamber. Many people know I don't come from a political background. I have served in churches, where, of course, there are no politics. I can tell you that the American people do not want this city to tell them what to do. They want this city to protect their rights and leave them alone.

As a new Representative, I was surprised that the vast majority of businesses that I interacted with didn't come to me asking for something; they came and said, how can you make this stop? Thousands of small regulations are coming every day. In fact, I am sure everyone read the Federal Register today. There is a new regulation that came out today that decreases the size of an orange. You cannot be an orange in America unless the Department of Agriculture tells you that you are an orange, and there is a new regulation today defining an orange.

There are also 330 major rules that have come out in the last few years that increase and have an impact on the economy of over $100 million each. The American people are fed up with Washington, not because we can get nothing done, but because we are already doing too much.

□ 1115

Every day, people wake up to a new regulation. They can't wait to read the Federal Register to see what happened to their business and their life last night.

The opposition to this bill seems to be a fear that it will make the government work harder. Our fear is that the government is already making the American people's work harder every single day. People are worried about how to be able to pay for things, and it is slowing down the economy.

Every mandate that is passed, the economy slows down even more. In fact, the CBO once again this year, just weeks ago, laid out their forecast for the next 10 years, that the economy is going to continue to slow down even more.

Listen, the prevailing attitude in this town that Washington knows best has to stop. It is the responsibility of the States and the Nation to carry out their own wishes. It is not the responsibility of the States and the people to carry out the wishes of Washington, DC.

A lot of people all over this Nation can make good decisions, and this perception that Washington is smarter than everyone else is absolutely not true.

I come from a place that many in this town call flyover country. It may surprise you that planes actually land in flyover country. And when you get off the plane, do you know what you find? You find smart people. People who balance their budgets, serve their neighbors, and love their kids.

They are not helpless. Right when they finally get their budget to balance or get their family back in place, Washington has a new plan for their budget.

When the President said in his State of the Union that, ''The shift to a cleaner energy economy won't happen overnight, and it will require tough choices along the way,'' many people didn't realize that those tough choices would be on their own budgets.

In my State, electricity prices are going up. One of the electricity producers faces new compliance costs of over $1,500 per meter—per meter—simply because of a new aesthetic air quality regulation. It is not dealing with health. It is just dealing with aesthetic air quality regulations by this administration.

When families try to figure out their paycheck and why it is not going as far anymore, they should ask the question: Why does gas cost more? Why does electricity cost more? Why does corn cost more? Why does beef cost more? Why does health care cost more? Why are local taxes going up? And why is insurance costing more?

It is not the evil capitalists on Wall Street. It is the oceans of new regulations that are taking every spare dime from Americans' budgets because someone here in Washington thinks they know better.

Listen, whether it is a farm or whether it is on an energy platform or whether it is this Chamber that passed a bill 2 years ago straight down a party-line vote that told every American that they could not pick the health care they wanted, they had to pick the one Washington approved; they couldn't have the same doctor, they had to pick one that Washington approved; they couldn't pay what they chose to because they have to go to the hospital that Washington chose—by the way, the costs are going to go up as well because Washington put a new tax on medical devices, like a dental crown, a knee replacement, or a pacemaker, so right when they are getting hit with medical bills, they are also going to get hit with a new tax as well. What a great idea.

The problem is this government has grown and grown over decades. It is time to turn this around. Now is the moment to give the American people back what they need back, that is, freedom from the ongoing regulations.

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

There was no objection.

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

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

RECORDED VOTE

Mr. GARCIA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 192, noes 218, not voting 20, as follows:

[Roll No. 89]

AYES—192

Barber	Castor (FL)	Delaney
Barrow (GA)	Castro (TX)	DeLauro
Bass	Chu	DelBene
Beatty	Cicilline	Dingell
Becerra	Clark (MA)	Doggett
Bera (CA)	Clarke (NY)	Doyle
Bishop (GA)	Clay	Duckworth
Bishop (NY)	Cleaver	Edwards
Blumenauer	Clyburn	Ellison
Bonamici	Cohen	Engel
Brady (PA)	Connolly	Enyart
Braley (IA)	Conyers	Eshoo
Brown (FL)	Cooper	Esty
Brownley (CA)	Costa	Farr
Bustos	Courtney	Fattah
Butterfield	Crowley	Foster
Capps	Cuellar	Frankel (FL)
Capuano	Cummings	Fudge
Cárdenas	Davis (CA)	Gabbard
Carney	Davis, Danny	Gallego
Carson (IN)	DeFazio	Garamendi
Cartwright	DeGette	Garcia

Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—218

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

NOT VOTING—20

Bishop (UT)
Black
Calvert
Cramer
Deutch
Fortenberry
Gosar
Johnson (GA)
McCarthy (NY)
McDermott
Pastor (AZ)
Runyan
Rush
Schwartz
Scott, Austin
Smith (WA)
Stockman
Upton
Walden
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1124

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. McDERMOTT. Mr. Speaker, on rollcall No. 89 I was delayed getting to the vote. Had I been present, I would have voted "yes."

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 176, not voting 20, as follows:

[Roll No. 90]

AYES—234

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

NOES—176

Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)

Sánchez, Linda T.	Sires	Veasey
Sarbanes	Slaughter	Vela
Schakowsky	Speier	Velázquez
Schiff	Swalwell (CA)	Visclosky
Schneider	Takano	Walz
Schrader	Thompson (CA)	Wasserman Schultz
Scott (VA)	Thompson (MS)	Waters
Scott, David	Tierney	Waxman
Serrano	Titus	Welch
Sewell (AL)	Tonko	Wilson (FL)
Shea-Porter	Tsongas	Yarmuth
Sherman	Van Hollen	
	Vargas	

NOT VOTING—20

Bachus	Gosar	Scott, Austin
Bishop (UT)	McCarthy (NY)	Smith (WA)
Black	Pastor (AZ)	Stockman
Calvert	Rigell	Upton
Cramer	Runyan	Walden
Deutch	Rush	Westmoreland
Fortenberry	Schwartz	

□ 1131

Mr. CÁRDENAS changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. UPTON. Mr. Speaker, on rollcall No. 86 on the Cummings amendment on H.R. 899, I am not recorded because I was absent due to illness. Had I been present, I would have voted ''nay.''

On rollcall No. 87 on the Connolly amendment on H.R. 899, I am not recorded because I was absent due to illness. Had I been present, I would have voted ''nay.''

On rollcall No. 88 on the Jackson Lee amendment on H.R. 899, I am not recorded because I was absent due to illness. Had I been present, I would have voted ''nay.''

On rollcall No. 89 on the Motion to Recommit with Instructions on H.R. 899, I am not recorded because I was absent due to illness. Had I been present, I would have voted ''nay.''

On rollcall No. 90 on passage of H.R. 899, I am not recorded because I was absent due to illness. Had I been present, I would have voted ''aye.''

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I rise for the purpose of inquiring of the majority leader the schedule for the week to come, and I yield to my friend, the majority leader, Mr. CANTOR.

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Monday, the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Tuesday and Wednesday, the House will meet at 10 a.m. for morning-hour and noon for legislative business. On Thursday, the House will meet at 9 a.m. for legislative business. The last votes of the week are expected no later than 3 p.m. On Friday, no votes are expected.

Mr. Speaker, the House will consider a few suspensions next week, a complete list of which will be announced by the close of business today. Of note, I expect one of those suspensions to be the bipartisan flood insurance bill.

In addition, the House will consider a number of bills to address the middle class squeeze brought on by the increase in home heating costs. This winter has been one of the coldest in recent memory, and people are running their heaters longer to keep their families warm. Last fall, the Energy Information Administration predicted that 90 percent of U.S. households would see higher home heating costs this year, and low-income families already spend 12 percent of their household budget on energy costs.

America does not work if middle class families are taking home less. To lower the cost of heating a home, to increase paychecks for middle class Americans, and to build an America that works, the House will consider the following bills:

H.R. 4076, the HHEATT Act, authored by Chairman BILL SHUSTER, to make it easier to transport propane to areas with shortages;

H.R. 2641, the RAPID Act, sponsored by Representative TOM MARINO, to expedite Federal permitting for energy construction projects;

H.R. 2824, Preventing Government Waste and Protecting Coal Mining Jobs in America, authored by Representative BILL JOHNSON, to protect coal mining from excessive and unnecessary Federal regulation; and

H.R. 3826, the Electricity Security and Affordability Act, sponsored by Representative ED WHITFIELD, to protect electric utility plants from excessive and overly burdensome EPA regulation.

Finally, Mr. Speaker, given all the problems Americans are facing with the rollout of ObamaCare, the House will consider the Simple Fairness Act. This bill will provide relief and fairness to individuals, just as the administration has done for business, by making the individual mandate penalty zero dollars for the remainder of the year.

Mr. HOYER. I thank the gentleman for the information he has given to me.

I want to comment on one of the statements he made, with which I agree, in which, Mr. Speaker, you just told us—again, I agree—America doesn't work if middle class families are taking home less. I would urge him, consistent with that statement, in recognition of the fact that America works better when working families are making better wages, that we would hope the minimum wage could be brought to the floor.

As the gentleman I am sure knows, in 2013 dollars, the minimum wage would now be $10.57 if it were at the same level it was over 40 years ago in 1968. The minimum wage has eroded very substantially in its purchasing power and its ability to give middle class families, as you say, and America a decent take-home pay. We believe both the minimum wage and unemployment insurance extension for the 1.8 to 2 million people who have lost that safety net is both hurting the economy and obviously hurting families. So we agree very strongly with the gentleman's statement.

Obviously, the bills he refers to he believes will also have an effect on this issue, but I would hope that you would seriously consider bringing the minimum wage and unemployment insurance to the floor. We believe—although, frankly, I don't have a precise count on your side of the aisle, which I am sure does not shock you—that both of those bills would have the votes on this floor, as the Speaker has indicated, to work its will and to pass those pieces of legislation. So I would hope the gentleman would consider that.

Secondly, Mr. Leader, we are pleased that flood insurance is moving ahead, we hope, and we want to thank you for your efforts that you have made on behalf of this. I know that Ms. WATERS from the Financial Services Committee has been working very hard on our side. We very much want to see the relief extended to those who have been confronted with these extraordinary increases in premiums which are unsustainable, particularly for middle class families, but for almost everybody; and we appreciate the work that you have done with Ms. WATERS to try to make sure that the protections that are extended are sufficient, certainly in the short term, but hopefully also in the long term, to meet both the objective of making it sustainable for families, but also, over the long term, fiscally sustainable for the Nation.

So I want to thank you for that. We look forward to considering that next week and hope that will be on the floor next week.

If the gentleman wants to comment further, I yield to him.

Mr. CANTOR. I thank the gentleman for his comments about the issue of flood insurance and the need to sustain the effort to return to actuarial soundness in that program, at the same time to have affordable and sustainable increases in premiums, which is important for the actuarial soundness of the program. So I appreciate that and look forward to the bipartisan effort next week on the floor with that.

As to the gentleman's comments, Mr. Speaker, about the minimum wage and unemployment insurance extension, it is interesting, if you look at the constituents that we need to focus on, those individuals who struggle to get through the month to pay the bills, those struggling at their job each week with wages that have not increased in real terms in a decade, we could do something on the floor of this House that would be as beneficial, if not more so, to the economy and would address the concerns that we have about decreasing wages, and that is we could roll back the 30-hour workweek rule under ObamaCare. If we were to do that and return it to the 40-hour workweek again—that is a 25 percent increase in wages—we could do that, and