

Mr. Speaker, somewhere across America, right now or later tonight, a tone is going to go off. That tone is going to go off, and a husband or a wife, a son or a daughter is going to respond. They are going to get out of their beds. They are going to get out of their workplaces. They are going to respond.

They are going to go to a place of danger, a place to help, a place, from their heart, to do something they want to do.

I remember that tone, for I used to answer that tone at Hollingsworth Volunteer Fire Department in Banks County. When you hear the tone go off, you go out not knowing what you may face or whether you will come home or not.

I am so pleased to stand in support, Mr. Speaker, of H.R. 3979, sponsored by Congressman BARLETTA, because it takes at least part of the uncertainty out of other things in life, when all these men and women want to do is to serve the community.

By taking this uncertainty out and not counting them as full-time employees, it gives those volunteer personnel and their chiefs less to worry about. Instead, they are able to spend more time making sure they are doing what all these great Americans want to be doing, and that is to serve their communities.

The West Jackson Fire Department in my district is really frightfully scared of this rule because it is going to cost them more than they can afford.

So all I ask is for the bipartisanship that has been shown here today. And, for those watching, when the tone goes off, the brave men and women of our country respond. What they don't need is to have a tone go off from Washington that puts them in further jeopardy.

Mr. LEVIN. I reserve the balance of my time.

Mr. BRADY of Texas. At this time, I yield 1 minute to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Mr. Speaker, today, the House has the chance to more permanently establish in law a provision that firefighters across Kentucky's 6th District have told me is vital to their ability to continue protecting our communities.

The Protecting Volunteer Firefighters and Emergency Responders Act will simply ensure, once and for all, that these departments will not fall victim to the costly employer mandate in ObamaCare.

Over 90 percent of Kentucky's fire departments are either fully or mostly volunteer. Fire chiefs have told me that they do not have the resources to provide the health benefits mandated by ObamaCare's employer mandates to these brave and selfless volunteers who have no expectation of receiving such benefits or receive their benefits through other lines of work.

I remain committed to replacing ObamaCare with reforms that will ac-

tually lower the cost of health care without jeopardizing the safety of our communities. As an original cosponsor, I am pleased to help introduce this critical legislation.

I commend Congressman BARLETTA for introducing it, and I urge my colleagues to vote in favor of this critical legislation.

Mr. LEVIN. I reserve the balance of my time.

Mr. BRADY of Texas. I am pleased to yield 1 minute to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I thank my colleague LOU BARLETTA from Pennsylvania for introducing this commonsense piece of legislation.

□ 1730

As we see, this is another unintended consequence of ObamaCare. I have received a letter from one of my volunteer fire departments just a few months ago that talked about this bill, and it said that the provision that is hurting our firefighters could be devastating to fire departments. Many volunteer fire departments rely upon local donations and fundraisers to fund their basic operations. The addition of a requirement to provide health insurance would present a serious financial challenge to them. Some departments have taken steps to reduce staffing levels and shifts in order to fall under the 50 FTE and 30-hours-worked threshold, which reduces the fire department's baseline emergency response capabilities.

I would like to thank Staunton, Illinois' fire chief for the fire protection district in Staunton, Rick Haase, for sending me this letter, and I would urge my colleagues to support this piece of legislation.

Mr. LEVIN. I just want to close by stating—it can be done very briefly—the importance of this legislation. I think we have heard eloquent testimony to it, and I hope we can proceed on a bipartisan basis, as has been true before.

I yield back the balance of my time.

Mr. BRADY of Texas. In closing, I would like to reference the title of this bill, Protecting Volunteer Firefighters and Emergency Responders. Democrats and Republicans coming together today are here to make sure that is the law of the land. We are protecting our volunteer firefighters and emergency responders. This bill deserves our support, and I urge its passage.

I yield back the balance of my time.

Ms. ESTY. Mr. Speaker, I thank my good friend, Mr. LARSON, for being such a champion for our volunteer firefighters and first responders.

Mr. Speaker, I rise today in strong support of the Protecting Volunteer Firefighters and Emergency Responders Act.

I'm proud to cosponsor this bipartisan bill with Mr. BARLETTA.

This bill makes a sensible fix to the Affordable Care Act that protects volunteer firefighters and first responders in Connecticut and across the country.

I heard concerns from fire chiefs in my district—including Chief Jack Casner from my hometown of Cheshire—that the IRS may incorrectly count volunteers as employees.

We rely on hundreds of volunteer firefighters to keep our community safe.

These men and women are proud to volunteer—and do a terrific job.

And so, with my colleagues, I immediately expressed their concerns to the Obama Administration.

This bipartisan bill codifies important clarifications. . .

and shows that we can work together—as Democrats and Republicans—to make the Affordable Care Act work better for the American people.

I urge my colleagues to join us in supporting H.R. 3979.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 3979, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

COMMUNICATION FROM THE HONORABLE CHAKA FATTAH, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable CHAKA FATTAH, Member of Congress:

MARCH 10, 2014.

Hon. JOHN BOEHNER,
Speaker,
Washington, DC.

MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the United States District Court for the Eastern District of Pennsylvania, for certain documents from my Congressional Offices.

After consultation with the Office of General Counsel, I have determined under Rule VIII that the subpoena seeks some information that is not material and relevant, and that is not "consistent with the privileges and rights of the House." Accordingly, I intend to move to quash the subpoena to that extent, but to otherwise comply with the subpoena to the extent that it is material and relevant, and to the extent that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

CHAKA FATTAH,
Member of Congress.

FEDERAL COMMUNICATIONS COMMISSION PROCESS REFORM ACT OF 2013

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 3675) to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3675

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Communications Commission Process Reform Act of 2013”.

SEC. 2. FCC PROCESS REFORM.

(a) IN GENERAL.—Title I of the Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by inserting after section 12 the following new section:

“SEC. 13. TRANSPARENCY AND EFFICIENCY.

“(a) INITIAL RULEMAKING AND INQUIRY.—

“(1) RULEMAKING.—Not later than 1 year after the date of the enactment of the Federal Communications Commission Process Reform Act of 2013, the Commission shall complete a rulemaking proceeding and adopt procedural changes to its rules to maximize opportunities for public participation and efficient decisionmaking.

“(2) REQUIREMENTS FOR RULEMAKING.—The rules adopted under paragraph (1) shall—

“(A) set minimum comment periods for comment and reply comment, subject to a determination by the Commission that good cause exists for departing from such minimum comment periods, for—

“(i) significant regulatory actions, as defined in Executive Order 12866; and

“(ii) all other rulemaking proceedings;

“(B) establish policies concerning the submission of extensive new comments, data, or reports towards the end of the comment period;

“(C) establish policies regarding treatment of comments, ex parte communications, and data or reports (including statistical reports and reports to Congress) submitted after the comment period to ensure that the public has adequate notice of and opportunity to respond to such submissions before the Commission relies on such submissions in any order, decision, report, or action;

“(D) establish procedures for publishing the status of open rulemaking proceedings and proposed orders, decisions, reports, or actions on circulation for review by the Commissioners, including which Commissioners have not cast a vote on an order, decision, report, or action that has been on circulation for more than 60 days;

“(E) establish deadlines (relative to the date of filing) for—

“(i) in the case of a petition for a declaratory ruling under section 1.2 of title 47, Code of Federal Regulations, issuing a public notice of such petition;

“(ii) in the case of a petition for rulemaking under section 1.401 of such title, issuing a public notice of such petition; and

“(iii) in the case of a petition for reconsideration under section 1.106 or 1.429 of such title or an application for review under section 1.115 of such title, issuing a public notice of a decision on the petition or application by the Commission or under delegated authority (as the case may be);

“(F) establish guidelines (relative to the date of filing) for the disposition of petitions filed under section 1.2 of such title;

“(G) establish procedures for the inclusion of the specific language of the proposed rule or the proposed amendment of an existing rule in a notice of proposed rulemaking; and

“(H) require notices of proposed rulemaking and orders adopting a rule or amending an existing rule that—

“(i) create (or propose to create) a program activity to contain performance measures for evaluating the effectiveness of the program activity; and

“(ii) substantially change (or propose to substantially change) a program activity to contain—

“(I) performance measures for evaluating the effectiveness of the program activity as changed (or proposed to be changed); or

“(II) a finding that existing performance measures will effectively evaluate the program activity as changed (or proposed to be changed).

“(3) INQUIRY.—Not later than 1 year after the date of the enactment of the Federal Communications Commission Process Reform Act of 2013, the Commission shall complete an inquiry to seek public comment on whether and how the Commission should—

“(A) establish procedures for allowing a bipartisan majority of Commissioners to place an order, decision, report, or action on the agenda of an open meeting;

“(B) establish procedures for informing all Commissioners of a reasonable number of options available to the Commission for resolving a petition, complaint, application, rulemaking, or other proceeding;

“(C) establish procedures for ensuring that all Commissioners have adequate time, prior to being required to decide a petition, complaint, application, rulemaking, or other proceeding (including at a meeting held pursuant to section 5(d)), to review the proposed Commission decision document, including the specific language of any proposed rule or any proposed amendment of an existing rule;

“(D) establish procedures for publishing the text of agenda items to be voted on at an open meeting in advance of such meeting so that the public has the opportunity to read the text before a vote is taken;

“(E) establish deadlines (relative to the date of filing) for disposition of applications for a license under section 1.913 of title 47, Code of Federal Regulations;

“(F) assign resources needed in order to meet the deadlines described in subparagraph (E), including whether the Commission's ability to meet such deadlines would be enhanced by assessing a fee from applicants for such a license; and

“(G) publish each order, decision, report, or action not later than 30 days after the date of the adoption of such order, decision, report, or action.

“(4) DATA FOR PERFORMANCE MEASURES.—The Commission shall develop a performance measure or proposed performance measure required by this subsection to rely, where possible, on data already collected by the Commission.

“(b) PERIODIC REVIEW.—On the date that is 5 years after the completion of the rulemaking proceeding under subsection (a)(1), and every 5 years thereafter, the Commission shall initiate a new rulemaking proceeding to continue to consider such procedural changes to its rules as may be in the public interest to maximize opportunities for public participation and efficient decisionmaking.

“(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

“(1) IN GENERAL.—Notwithstanding section 552b of title 5, United States Code, a bipartisan majority of Commissioners may hold a meeting that is closed to the public to discuss official business if—

“(A) a vote or any other agency action is not taken at such meeting;

“(B) each person present at such meeting is a Commissioner, an employee of the Commission, a member of a joint board or conference established under section 410, or a person on the staff of such a joint board or conference or of a member of such a joint board or conference; and

“(C) an attorney from the Office of General Counsel of the Commission is present at such meeting.

“(2) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Not later than 2 business days after the conclusion of a meeting held under paragraph (1), the Commission shall publish a disclosure of such meeting, including—

“(A) a list of the persons who attended such meeting; and

“(B) a summary of the matters discussed at such meeting, except for such matters as the Commission determines may be withheld under section 552b(c) of title 5, United States Code.

“(3) PRESERVATION OF OPEN MEETINGS REQUIREMENTS FOR AGENCY ACTION.—Nothing in this subsection shall limit the applicability of section 552b of title 5, United States Code, with respect to a meeting of Commissioners other than that described in paragraph (1).

“(d) ACCESS TO CERTAIN INFORMATION ON COMMISSION'S WEBSITE.—The Commission shall provide direct access from the homepage of its website to—

“(1) detailed information regarding—

“(A) the budget of the Commission for the current fiscal year;

“(B) the appropriations for the Commission for such fiscal year; and

“(C) the total number of full-time equivalent employees of the Commission; and

“(2) the performance plan most recently made available by the Commission under section 1115(b) of title 31, United States Code.

“(e) FEDERAL REGISTER PUBLICATION.—

“(1) IN GENERAL.—In the case of any document adopted by the Commission that the Commission is required, under any provision of law, to publish in the Federal Register, the Commission shall, not later than the date described in paragraph (2), complete all Commission actions necessary for such document to be so published.

“(2) DATE DESCRIBED.—The date described in this paragraph is the earlier of—

“(A) the day that is 45 days after the date of the release of the document; or

“(B) the day by which such actions must be completed to comply with any deadline under any other provision of law.

“(3) NO EFFECT ON DEADLINES FOR PUBLICATION IN OTHER FORM.—In the case of a deadline that does not specify that the form of publication is publication in the Federal Register, the Commission may comply with such deadline by publishing the document in another form. Such other form of publication does not relieve the Commission of any Federal Register publication requirement applicable to such document, including the requirement of paragraph (1).

“(f) CONSUMER COMPLAINT DATABASE.—

“(1) IN GENERAL.—In evaluating and processing consumer complaints, the Commission shall present information about such complaints in a publicly available, searchable database on its website that—

“(A) facilitates easy use by consumers; and

“(B) to the extent practicable, is sortable and accessible by—

“(i) the date of the filing of the complaint;

“(ii) the topic of the complaint;

“(iii) the party complained of; and

“(iv) other elements that the Commission considers in the public interest.

“(2) DUPLICATIVE COMPLAINTS.—In the case of multiple complaints arising from the same alleged misconduct, the Commission shall be required to include only information concerning one such complaint in the database described in paragraph (1).

“(g) FORM OF PUBLICATION.—

“(1) IN GENERAL.—In complying with a requirement of this section to publish a document, the Commission shall publish such

document on its website, in addition to publishing such document in any other form that the Commission is required to use or is permitted to and chooses to use.

“(2) EXCEPTION.—The Commission shall by rule establish procedures for redacting documents required to be published by this section so that the published versions of such documents do not contain—

“(A) information the publication of which would be detrimental to national security, homeland security, law enforcement, or public safety; or

“(B) information that is proprietary or confidential.

“(h) TRANSPARENCY RELATING TO PERFORMANCE IN MEETING FOIA REQUIREMENTS.—The Commission shall take additional steps to inform the public about its performance and efficiency in meeting the disclosure and other requirements of section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), including by doing the following:

“(1) Publishing on the Commission's website the Commission's logs for tracking, responding to, and managing requests submitted under such section, including the Commission's fee estimates, fee categories, and fee request determinations.

“(2) Releasing to the public all decisions made by the Commission (including decisions made by the Commission's Bureaus and Offices) granting or denying requests filed under such section, including any such decisions pertaining to the estimate and application of fees assessed under such section.

“(3) Publishing on the Commission's website electronic copies of documents released under such section.

“(4) Presenting information about the Commission's handling of requests under such section in the Commission's annual budget estimates submitted to Congress and the Commission's annual performance and financial reports. Such information shall include the number of requests under such section the Commission received in the most recent fiscal year, the number of such requests granted and denied, a comparison of the Commission's processing of such requests over at least the previous 3 fiscal years, and a comparison of the Commission's results with the most recent average for the United States Government as published on www.foia.gov.

“(i) PROMPT RELEASE OF STATISTICAL REPORTS AND REPORTS TO CONGRESS.—Not later than January 15th of each year, the Commission shall identify, catalog, and publish an anticipated release schedule for all statistical reports and reports to Congress that are regularly or intermittently released by the Commission and will be released during such year.

“(j) ANNUAL SCORECARD REPORTS.—

“(1) IN GENERAL.—For the 1-year period beginning on January 1st of each year, the Commission shall prepare a report on the performance of the Commission in conducting its proceedings and meeting the deadlines established under subsection (a)(2)(E) and the guidelines established under subsection (a)(2)(F).

“(2) CONTENTS.—Each report required by paragraph (1) shall contain detailed statistics on such performance, including, with respect to each Bureau of the Commission—

“(A) with respect to each type of filing specified in subsection (a)(2)(E) or (a)(2)(F)—

“(i) the number of filings that were pending on the last day of the period covered by such report;

“(ii) the number of filings described in clause (i) for which each applicable deadline or guideline established under such subsection was not met and the average length of time such filings have been pending; and

“(iii) for filings that were resolved during such period, the average time between initiation and resolution and the percentage for which each applicable deadline or guideline established under such subsection was met;

“(B) with respect to proceedings before an administrative law judge—

“(i) the number of such proceedings completed during such period; and

“(ii) the number of such proceedings pending on the last day of such period; and

“(C) the number of independent studies or analyses published by the Commission during such period.

“(3) PUBLICATION AND SUBMISSION.—The Commission shall publish and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate each report required by paragraph (1) not later than the date that is 30 days after the last day of the period covered by such report.

“(k) DEFINITIONS.—In this section:

“(1) AMENDMENT.—The term ‘amendment’ includes, when used with respect to an existing rule, the deletion of such rule.

“(2) BIPARTISAN MAJORITY.—The term ‘bipartisan majority’ means, when used with respect to a group of Commissioners, that such group—

“(A) is a group of 3 or more Commissioners; and

“(B) includes, for each political party of which any Commissioner is a member, at least 1 Commissioner who is a member of such political party, and, if any Commissioner has no political party affiliation, at least one unaffiliated Commissioner.

“(3) PERFORMANCE MEASURE.—The term ‘performance measure’ means an objective and quantifiable outcome measure or output measure (as such terms are defined in section 1115 of title 31, United States Code).

“(4) PROGRAM ACTIVITY.—The term ‘program activity’ has the meaning given such term in section 1115 of title 31, United States Code, except that such term also includes any annual collection or distribution or related series of collections or distributions by the Commission of an amount that is greater than or equal to \$100,000,000.

“(5) OTHER DEFINITIONS.—The terms ‘agency action’, ‘ex parte communication’, and ‘rule’ have the meanings given such terms in section 551 of title 5, United States Code.”.

(b) EFFECTIVE DATES AND IMPLEMENTING RULES.—

(1) EFFECTIVE DATES.—

(A) NONPUBLIC COLLABORATIVE DISCUSSIONS.—Subsection (c) of section 13 of the Communications Act of 1934, as added by subsection (a), shall apply beginning on the first date on which all of the procedural changes to the rules of the Federal Communications Commission required by subsection (a)(1) of such section have taken effect.

(B) SCHEDULES AND REPORTS.—Subsections (i) and (j) of such section 13 shall apply with respect to 2014 and any year thereafter.

(2) RULES.—Except as otherwise provided in such section 13, the Federal Communications Commission shall promulgate any rules necessary to carry out such section not later than 1 year after the date of the enactment of this Act.

SEC. 3. CATEGORIZATION OF TCPA INQUIRIES AND COMPLAINTS IN QUARTERLY REPORT.

In compiling its quarterly report with respect to informal consumer inquiries and complaints, the Federal Communications Commission may not categorize an inquiry or complaint with respect to section 227 of the Communications Act of 1934 (47 U.S.C. 227) as being a wireline inquiry or complaint or a wireless inquiry or complaint unless the party whose conduct is the subject of the in-

quiry or complaint is a wireline carrier or a wireless carrier, respectively.

SEC. 4. EFFECT ON OTHER LAWS.

Nothing in this Act or the amendments made by this Act shall relieve the Federal Communications Commission from any obligations under title 5, United States Code, except where otherwise expressly provided.

SEC. 5. APPLICATION OF ANTIDEFICIENCY ACT TO UNIVERSAL SERVICE PROGRAM.

Section 302 of Public Law 108–494 (118 Stat. 3998) is amended by striking “December 31, 2015” each place it appears and inserting “December 31, 2020”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from Pennsylvania (Mr. DOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, the communications sector is one of the most innovative, competitive, and robust sectors of our economy. But for innovation and investment in communications to continue, we must not weigh industry down with needless red tape and delay.

Now, despite the lackluster overall economy, the communications and technology market continues to grow at a very rapid pace. In fact, in 2012, Mr. Speaker, the industry invested \$68 billion in broadband infrastructure alone. That totals \$1.2 trillion invested in upgrading broadband infrastructure networks since just 1996—\$1.2 trillion.

Communications and technology companies, as well as the consumers that enjoy their products and benefit from their services, deserve a transparent and responsive government agency. While agency process has improved under recent chairmen, this legislation will ensure that reforms remain in place from one administration to the next.

Even with the positive changes at the Commission, recent examples of bad processes have resulted in what I would say are dangerous outcomes at the Commission. To wit, late last year, the Federal Communications Commission issued a notice for a study that would call into question the editorial decisions of journalists in their own newsrooms, which I think threatens their First Amendment rights. Somehow, an item as controversial as this study made it all the way through the FCC without so much as a Commission vote. Americans deserve greater accountability and transparency from their government.

So this bill is the result of a multiyear process, ending with bipartisan agreement that takes important

steps towards improving this very important agency. This legislation will produce a joint effort where the Commission establishes procedures to achieve the goals established by Congress.

The Commission is charged with setting its own deadlines and timelines. While the legislation allows the Commission a good deal of flexibility in meeting the goals we have set, the bill includes backstops to ensure accountability. The annual scorecard we call for in the bill requires the Federal Communications Commission to report to Congress on the agency's success in meeting its own self-imposed metrics.

The bill requires the FCC to undertake two separate proceedings, Mr. Speaker. The first requires a notice and comment rulemaking, resulting in the FCC's adopting rules to address several different reforms. Setting a minimum time period for comments in an FCC rulemaking will allow for certainty for those who wish to comment—the public.

In addition, adopted rules must address issues like data dumps at the end of a comment period, transparency as to items pending before the Commissioners, and publication of the language of proposed rules. All those are very important parts of a more open and transparent government and a process that taxpayers can rely upon.

The rulemaking also requires the Federal Communications Commission to adopt deadlines for action on several types of filings before the agency. As I know all too well from my own experience, having been regulated by the Federal Communications Commission when my wife and I were in the radio industry, items can sit at the agencies for literally years without any action, and then they are acted upon and the person bringing the action may have 30 days on something that sat there for 10 years.

Now, the second proceeding is an inquiry that deals with more complex issues, giving the Federal Communications Commission flexibility in deciding whether and how to implement those reforms. Now, by giving the FCC flexibility when setting procedures and deadlines, we are not constraining the agency; rather, we are providing them with goals to meet and allowing them, the professionals there at the FCC, to determine the best way to meet those goals.

Now, many of the reforms in the bill are things that the Commission itself already has the authority to do under existing law; however, the bill also changes the existing Sunshine Act to allow for greater collaboration among the Commissioners themselves. I think that will bring about better government—all of these reforms combined will.

The FCC has started its own review of agency processes, and in a report released earlier this year, many of the areas the agency itself found needing reform mirror provisions of our legislation, H.R. 3675.

The American public expects and deserves a transparent and accountable Federal Government no matter who is in charge in the White House. So let's start this reform with this agency that oversees one of our most innovative and robust sectors of the economy.

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

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

Mr. Speaker, I rise today, along with my friend and colleague Mr. WALDEN, in support of H.R. 3675, the FCC Process Reform Act of 2013.

The Federal Communications Commission is charged with overseeing industries that make up one-sixth of our national economy. The communications and technology sectors are driving economic growth across the Nation, connecting businesses to markets large and small and delivering innovative, new products and services to consumers. Perhaps more importantly, communications networks are part of the very fabric of our democracy, providing the news and information that makes us informed citizens and voters.

With a mission this critical, both Democrats and Republicans believe that the FCC must be efficient, transparent, and accountable.

We started this debate in the Energy and Commerce Committee with different perspectives about how to achieve these goals. Last Congress, our work on this issue, unfortunately, devolved into a partisan process and a vote on a bill that was dead on arrival in the Senate. But this Congress, thanks to Chairman WALDEN's leadership and consultation with Ranking Members WAXMAN and ESHOO, we were able to come to an agreement on a set of bipartisan reform proposals that were unanimously supported by the committee.

I want to highlight several key provisions in this bill that we believe will improve the functioning of the FCC.

The first reform is the Sunshine Act, to allow FCC Commissioners to collaborate more closely while preserving the transparency of agency decision-making. I introduced this legislation along with Representatives ESHOO and SHIMKUS, and I am pleased to see it incorporated in the bill we are considering today.

The second area that I am particularly pleased with is the incorporation of a provision to provide an exemption to the Antideficiency Act for the Universal Service Fund. Today, the FCC relies on temporary exemptions from the Antideficiency Act to be able to administer the Universal Service program that supports connectivity to schools and libraries, known as E-Rate.

The bill we reported out of the Energy and Commerce Committee would have permanently exempted the Universal Service Fund from the Antideficiency Act, but, unfortunately, we were unable to reach agreement with CBO about the impact of this provision.

I want to thank my colleagues in the majority for working with us to come up with an alternative that provides a longer—if not permanent—exemption. I believe it demonstrates our committee's bipartisan support for providing the FCC with the flexibility it needs to administer the E-Rate program.

I also want to compliment FCC Chairman Wheeler for his actions to address transparency and efficiency of FCC decisionmaking. From his very first day at the helm of the agency, he has focused on remedying the concerns identified in the bill that we are considering today.

I urge the FCC to continue to move forward on reforms they can make under their own initiative while we continue to work on this legislation.

Finally, I want to close by saying that I think the manner in which the FCC Process Reform Act was developed should be a model for the entire House going forward. Working together, members of the Energy and Commerce Committee crafted legislation that addressed the concerns from both sides of the aisle. I am proud to have been a part of this effort.

I want to thank my colleague, Chairman WALDEN, for his work. I urge all my colleagues to support this important legislation to make the FCC more efficient, transparent, and accountable. I look forward to working with our colleagues in the Senate and continuing to help this bill become law.

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

Mr. WALDEN. I thank the gentleman for his kind comments and his diligent work on this effort and that of his colleagues on the Democratic side of the aisle.

I think when it comes to reforming the FCC and getting something that really worked for the public, we are joined at the hip. So I appreciate their input and the work we did together. Our subcommittee has actually done quite a bit of bipartisan work over the last couple of years moving forward with an incentive auction program to free up more spectrum for all of these new wireless devices that are out there and new technology and innovation. We are really at the center of the ability of the country to grow, innovate, and produce really good-paying jobs. So I appreciate Mr. DOYLE's comments.

I now yield such time as he may consume to the gentleman from Ohio (Mr. LATTA), the vice chair of the Subcommittee on Communications and Technology, who has been an extraordinary member of our team in working on this and other major communications policy going forward. He will play a key role tomorrow when we have our hearing on the reauthorization of the Satellite Viewer Act.

Mr. LATTA. I appreciate the hard work that you have done on this legislation.

Mr. Speaker, I rise today in support of H.R. 3675, the Federal Communications Commission Process Reform Act of 2013.

The communications industry represents a promising sector of our economy that has fostered widespread investment, innovation, job creation, and greater consumer choice. As the industry evolves and makes unprecedented technological advancements, the possibilities for future innovation and modernization are endless. As Members of Congress, we have to ensure that businesses and entrepreneurs are equipped with the opportunity and flexibility to continue making that sustained progress.

□ 1745

The FCC Process Reform Act would facilitate this effort.

This legislation would initiate much-needed regulatory reforms to the Federal Communications Commission and bring additional transparency and accountability to the agency. I applaud Chairman WALDEN for his efforts and leadership in developing this bipartisan piece of legislation, and I look forward to working with him and other members of the subcommittee as we work forward on this important piece of legislation.

Mr. DOYLE. Mr. Speaker, we have no other speakers, and so I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I conclude by again thanking my colleagues on the Democratic side of the aisle for their good work on this legislation, and their partnership on this. This is good government. This is how we get things done on the Energy and Commerce Committee, and it is how we are going to improve the activities and procedures of these agencies to restore a little confidence in at least this sector of government.

The Federal Communications Commission has a lot of work to do. It is very important work for the future of our country.

Tomorrow, as I said, our committee will take up draft legislation to make sure that those who watch television over satellite will be able to continue that process, and we will do some other reforms along the way. Throughout this year, Mr. Speaker, our Subcommittee on Communications and Technology plans to solicit all kinds of information from individuals around the country on how to update the antiquated Telecommunications Act that dates back to either 1934 or 1992 or 1996, depending upon which law. So we have a lot of work to do, Mr. Speaker, and this bill moves an important piece forward. I urge my colleagues to support this legislation.

I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise today in support of H.R. 3675, the Federal Communications Commission Process Reform Act of 2013, a bipartisan bill aimed at giving the FCC flexibility while promoting openness, transparency and accountability.

Two years ago, the House of Representatives considered a very different version of the legislation, one which I opposed and that passed largely on partisan lines. I support the

bill before us today because it gives the FCC flexibility to evaluate and adopt procedural changes to its rules, rather than putting rigid requirements in statute. The bill enhances transparency by establishing a publicly available, searchable consumer complaint database and provides the Universal Service Fund (USF) with a short term exemption from the Antideficiency Act.

I'm also pleased that the bill includes the FCC Collaboration Act of 2013, a bipartisan bill I introduced last year with Reps. SHIMKUS and DOYLE. For years, current and former FCC Commissioners have called on Congress to pass 'sunshine reform,' so that three or more Commissioners can hold non-public collaborative discussions, as long as no agency action is taken. While I'm disappointed that this provision will not take effect immediately upon enactment, I'm hopeful that the Senate will modify this provision before passing similar legislation. A delay in implementation is the unnecessary delay of a much needed reform.

I thank Chairman WALDEN for working with me and my staff to put forward a bipartisan bill and I urge my colleagues to support H.R. 3675.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 3675, as amended.

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

The title of the bill was amended so as to read: "A bill to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes."

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 47 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order: H.R. 3474, H.R. 3979, and H. Res. 499, in each case by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

HIRE MORE HEROES ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3474) to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BRADY) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 406, nays 1, not voting 23, as follows:

[Roll No. 115]

YEAS—406

Aderholt	Connolly	Gowdy
Amash	Conyers	Granger
Bachmann	Cook	Graves (GA)
Barber	Cooper	Graves (MO)
Barletta	Cotton	Grayson
Barr	Courtney	Green, Al
Barrow (GA)	Cramer	Green, Gene
Barton	Crawford	Griffin (AR)
Bass	Crenshaw	Griffith (VA)
Beatty	Crowley	Grijalva
Benishek	Cuellar	Grimm
Bentivolio	Culberson	Guthrie
Bera (CA)	Cummings	Hahn
Billrakis	Daines	Hall
Bishop (GA)	Davis (CA)	Hanabusa
Bishop (NY)	Davis, Danny	Hanna
Bishop (UT)	Davis, Rodney	Harper
Black	DeFazio	Harris
Blackburn	DeGette	Hartzler
Blumenauer	Delaney	Hastings (FL)
Bonamici	DeLauro	Hastings (WA)
Boustany	DelBene	Heck (NV)
Brady (PA)	Denham	Heck (WA)
Brady (TX)	Dent	Hensarling
Braley (IA)	DeSantis	Herrera Beutler
Bridenstine	DesJarlais	Higgins
Brooks (AL)	Deutch	Himes
Brooks (IN)	Diaz-Balart	Hinojosa
Broun (GA)	Doggett	Holding
Brown (FL)	Doyle	Holt
Brownley (CA)	Duckworth	Honda
Buchanan	Duffy	Horsford
Bucshon	Duncan (SC)	Hudson
Burgess	Duncan (TN)	Huelskamp
Bustos	Edwards	Huffman
Byrne	Ellison	Huizenga (MI)
Calvert	Ellmers	Hultgren
Camp	Enyart	Hunter
Campbell	Eshoo	Hurt
Cantor	Esty	Israel
Capito	Farenthold	Issa
Capps	Farr	Jackson Lee
Capuano	Fincher	Jeffries
Cárdenas	Fitzpatrick	Jenkins
Carney	Fleischmann	Johnson (GA)
Carson (IN)	Fleming	Johnson (OH)
Carter	Flores	Johnson, E. B.
Cartwright	Forbes	Johnson, Sam
Cassidy	Fortenberry	Jones
Castor (FL)	Foster	Jordan
Castro (TX)	Fox	Joyce
Chabot	Frankel (FL)	Kaptur
Chaffetz	Franks (AZ)	Keating
Chu	Frelinghuysen	Kelly (IL)
Cicilline	Fudge	Kelly (PA)
Clark (MA)	Gabbard	Kennedy
Clarke (NY)	Gallago	Kildee
Clay	Garamendi	Kilmer
Cleaver	Garcia	Kind
Clyburn	Gardner	King (IA)
Coble	Garrett	King (NY)
Coffman	Gerlach	Kingston
Cohen	Gibbs	Kinzinger (IL)
Cole	Gibson	Kirkpatrick
Collins (GA)	Gingrey (GA)	Kline
Collins (NY)	Gohmert	Kuster
Conaway	Goodlatte	Labrador