

views of all other committees of jurisdiction were also considered. A similar process occurred in the Senate.

H.R. 4194, as amended, would eliminate the statutory requirements to prepare reports that are produced by 17 different Federal agencies. Implementing H.R. 4194 would reduce the administrative costs of these agencies by reducing the number of reports that must be prepared and printed. The Congressional Budget Office has estimated that implementing the bill would save about \$1 million over the next 5 years. H.R. 4194 provides for greater efficiency and a more effective Federal Government.

Mr. Speaker, I strongly urge my colleagues to join me in supporting this bill, and I reserve the balance of my time.

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

Mr. Speaker, this is a good bill. It is worth the time we have put into discussing it. I thank Majority Leader KEVIN MCCARTHY for his support on this bill, and I think this is a special opportunity to thank Congressmen WOODALL and CONNOLLY for their support as original cosponsors on this bill.

It is amazing to me that you can have dozens and dozens of reports senselessly coming back from the administration that are not being read, not needed, are obsolete, and when you point it out, there is no objection whatsoever to eliminating them. I think that is exactly the situation we have here.

I look forward to working with the majority and minority leaders' offices to make sure that this is an annual event until we reach a point where there are zero pieces of reports coming to the Congress that are unread, unused, or unnecessary.

With that, I urge passage of this bill, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume, and I just wanted to join the chairman in his remarks about this bill. This bill is the quintessential efficiency bill. We have been doing the same thing over and over again until the chairman got the bright idea that maybe we should start doing this. I think we are in for more efficiency as more Federal agencies go through the same process.

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

Mr. ISSA. Mr. Speaker, once again, I urge support for the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 4194.

The question was taken.

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

Mr. ISSA. 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.

PRESIDENTIAL AND FEDERAL RECORDS ACT AMENDMENTS OF 2014

Mr. ISSA. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1233) to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

(1) On page 5, line 7, strike [of] and insert on.
(2) On page 10 from line 8 through page 11 line 1, strike all and insert:

(a) *IN GENERAL.—The President, the Vice President, or a covered employee may not create or send a Presidential or Vice Presidential record using a non-official electronic message account unless the President, Vice President, or covered employee—*

(1) *copies an official electronic messaging account of the President, Vice President, or covered employee in the original creation or transmission of the Presidential record or Vice Presidential record; or*

(2) *forwards a complete copy of the Presidential or Vice Presidential record to an official electronic messaging account of the President, Vice President, or covered employee not later than 20 days after the original creation or transmission of the Presidential or Vice Presidential record.*

(b) *ADVERSE ACTIONS.—The intentional violation of subsection (a) by a covered employee (including any rules, regulations, or other implementing guidelines), as determined by the appropriate supervisor, shall be a basis for disciplinary action in accordance with subchapter I, II, or V of chapter 75 of title 5, as the case may be.*

(c) *DEFINITIONS.—In this section:*

(1) *COVERED EMPLOYEE.—The term “covered employee” means—*

(A) *the immediate staff of the President;*

(B) *the immediate staff of the Vice President;*

(C) *a unit or individual of the Executive Office of the President whose function is to advise and assist the President; and*

(D) *a unit or individual of the Office of the Vice President whose function is to advise and assist the Vice President.*

(3) On page 11, line 2, strike [1] and insert 2.

(4) On page 11, line 6, strike [2] and insert 3.

(5) On page 11, line 9 through line 11, strike everything up to the first period.

(6) On page 31, line 8, strike [within five days] and insert *not later than 20 days.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. 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 the bill under consideration.

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

There was no objection.

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

Mr. Speaker, we are here today to consider the Senate amendment to H.R. 1233, the Presidential and Federal Records Act Amendments of 2014. This bill was introduced by the ranking member, who I see is here today, and was first passed by the House on January 14 of this year. It was passed by a vote of 420-0. Let not a unanimous vote belie the fact that the ranking member worked hard to find consensus within the House and to make sure that this was a well-reasoned and, in fact, tailored piece of legislation.

The Senate, as it often does, did make some changes, but ultimately this bill, H.R. 1233, which would codify existing executive order and allows former Presidents to appeal to incumbent Presidents to keep certain Presidential documents privileged under the Presidential Records Act, is the good work of Mr. CUMMINGS.

This bill would lock into statute a process established by President Reagan in 1989. In 2009, President Obama restored this by executive order. However, like anything that the Congress has observed for a long time that is being done by executive order, the question is: Should it be on the whim of the next President, or should it, in fact, be something which statutorily is part of the Presidential Records Act, which was a statute created by Congress?

I think particularly important is the fact that Mr. CUMMINGS recognizes that past Presidents, including President Clinton and, of course, President George W. Bush, do, in fact, have a number of things that occurred on their watch which remain sensitive today.

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Allowing the standing of these individuals and the oversight of the current President is a good middle ground, and it is one that balances the needs of the public, something that Mr. CUMMINGS and I feel strongly about, that transparency and freedom of information and access is important.

At the same time, we recognize that there are times when a secret must remain a secret, an action must remain an action. It doesn't change the fact that Congress may have an interest or the American people might prevail.

This bill does, rightfully so and on a unanimous basis now in the House and the Senate, codify historic Federal recordkeeping. We believe it is good.

I want to take a moment to thank Mr. CUMMINGS personally for his hard work. He not only championed the bill, but he worked well in the Senate to make sure it came back to us today.

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

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

Mr. Speaker, I introduced the bill we are considering today, the Presidential and Federal Records Act Amendments, to give the American people access to records Presidents create while they are in office.

I appreciate, first of all, the kind words of the chairman, and I appreciate the support this bill has received from him, Chairman ISSA, as well as the Homeland Security and Governmental Affairs Committee Chairman TOM CARPER.

The House passed this legislation in January by a vote of 420-0. This bill also passed the Senate with no opposition. There are not many bills that make it through both House and Senate without even a hint of opposition, but this is one of them.

When the Senate passed the House bill, it made technical changes that require us to pass the bill again. I hope my colleagues will join me in supporting this bill again, so that we can send it to the President for his signature.

The bill will amend the Presidential Records Act by adding procedures to ensure that the records of Presidents and their senior advisers are released to the public in a timely manner.

Under current law, Presidents can restrict access to their records for up to 12 years after they leave office. After that time, Presidents may continue to restrict access to their records by asserting that they are protected by executive privilege.

Under this bill, the records of current and former Presidents will continue to be protected for 12 years after they leave office. After that period, however, the bill would create a presumption of disclosure, and Presidents would have up to 90 days to object or those records would be automatically released.

In other words, when records are requested more than 12 years after a President leaves office, this bill would place the burden on the President to review those records and either assert executive privilege or allow them to be publicly disclosed.

This legislation would not impact the ability of Presidents to review their records before they are released. The legislation also would not impact the ability of Presidents to protect records because of national security concerns.

The bill has also been amended to address an issue raised by the White House. In the original version of this bill, Presidents would have had 40 days to review records. Based on bipartisan, bicameral negotiations, the current version of the bill now extends that review period to 90 days.

The Presidential and Federal Records Act Amendments would also require that any assertion of a privilege by a former President be affirmed by the incumbent President or through a court order for the record to be withheld from the public. This will provide an important check to ensure that Presidents cannot keep their records secret without accountability.

The bill also includes language based on an amendment that Chairman DARRELL ISSA proposed during the committee markup of the bill to address the use of personal email by Federal employees, and that amendment makes the bill even better.

This bill would continue to allow employees to use their personal email account for official business when necessary, but it would require employees to copy their official email account or forward their email to their official account.

The Presidential and Federal Records Act Amendments updates the Federal Records Act to modernize the definition of what constitutes a record and to allow agencies to use digital reproductions when they are required to indefinitely maintain copies of documents.

Finally, this bill is an important step forward in protecting our historical record. I urge my colleagues to support H.R. 1233 and send it on to the President's desk.

Again, I want to thank the chairman of the committee for your cooperation working with me over a good bit of time to bring this to the floor. I really appreciate it.

I urge all of our Members to vote in favor of this bill. I think it is a good bill. It has been made better because we had the input of both sides of the aisle and not only both sides of the aisle, but also the Senate.

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

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

In closing, I just want to hit two points that I think are noteworthy.

Historically, agencies kept their records for 30 years, the presumption they would keep them for 30 years before turning them over to the National Archives.

With the ranking member's assistance, this piece of legislation also eliminates that presumption. We, as a committee, felt very strongly that the sooner an agency turns over its records to the Archivist, the sooner they are broadly available and the better off it is.

In an electronic era, where it is a push of one button to transfer data, this piece of legislation not only eliminates that presumption, but highly encourages data be transferred, rather than mountains of paper or what is called a PDF, a print to file, if you will.

This is a significant improvement and something that minority and majority were able to work on together, along with the Archivist who was personally involved in this.

Lastly, I owe a debt of gratitude to the ranking member. In this bill, the amendment he mentioned is included, but the ranking member also signed on to a letter asking that H.R. 5170 be taken up by the Senate, a more explicit attempt to change the recordkeeping outside of official use within the government.

This has been an area in which multiple different Cabinet positions under multiple Presidents have found themselves with some very embarrassing failure to store and maintain the data.

At the end of the day, I am confident that our committee, under the ranking member and under the chairman that will likely replace me, will continue this effort, make sure that the American people know that if a covered individual is required to keep a record of his or her transactions and emails, that it will, in fact, be in the record and available, not just for Congress, but eventually for the American people to see. We believe that this is an important part of government transparency.

Again, I want to thank the ranking member who personally signed on and will continue, on behalf of the committee, to make sure that the American people get the full benefit of all records that are, in fact, created under any administration.

Mr. Speaker, with that, I urge support for this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1233.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

NATIONAL ESTUARY PROGRAMS REAUTHORIZATION

Mr. LOBIONDO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5266) to reauthorize the National Estuary Programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5266

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

SECTION 1. COMPETITIVE AWARDS.

Section 320(g) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)) is amended by adding at the end the following:

“(4) COMPETITIVE AWARDS.—

“(A) IN GENERAL.—Of the amount made available under subsection (i)(2)(B), the Administrator shall make competitive awards under this paragraph.

“(B) APPLICATION FOR AWARDS.—The Administrator shall solicit applications for awards under this paragraph from State, interstate, and regional water pollution control agencies and entities, State coastal zone management agencies, interstate agencies, other public or non-profit private agencies, institutions, organizations, and individuals.

“(C) SELECTION OF RECIPIENTS.—In selecting award recipients under this paragraph, the Administrator shall select recipients that are best able to address urgent and challenging issues that threaten the ecological and economic well-being of coastal areas. Such issues shall include—