

we would want that government, that agency to be able to operate with the confidence of the American people. And that means that they are not there for their own purposes, or special interests, or for them to skew facts or information that might be provided to the American people, but, in fact, were opinions as opposed to something that was reasonably gained as a result of a scientific fact or information that was based on facts of the case.

Mr. Speaker, the regulatory state in this country has grown exponentially and, really, to unprecedented levels. Unelected bureaucrats have exceeded their authority, they are creating regulations, they are negatively impacting the marketplace, which causes a problem for me back home, and Members of Congress back home, as businesses talk about following rules and regulations rather than the marketplace, and trying to add employees and to turn the cash register.

Accordingly, the American Action Forum, when totaling all available regulatory costs reported by executive agencies, the Obama administration imposed more than \$600 billion in regulatory costs from 2009 to 2014. That is \$600 billion worth of regulatory costs imposed on the American people by unelected bureaucrats that have increasingly become unaccountable, not only to economic growth, but also to the American people, and I believe to Congress.

Other studies have produced the same conclusion and it is this: that runaway regulations have a disastrous effect on the United States economy, impacting not only job creation, but also the effective opportunity for the free enterprise system to exist.

Federal agencies should exist to serve the American people. And as such, they should heed and respect their views and comments, while staying within the parameters of laws passed by lawmakers or ensuring the rulemaking process is transparent and free of propaganda.

Mr. Speaker, we appreciate you allowing us time to debate this on behalf of the American people today. This rule and the underlying legislation will provide an important check on the regulatory state that we find exists today in the United States, and to return transparency, responsiveness, and, I believe, honest dignity to the American people that we serve, for this overreaching process. I urge my colleagues to support this rule and the underlying legislation.

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

AN AMENDMENT TO H. RES. 156 OFFERED BY
MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 356) to establish the National Commission on Foreign Inter-

ference in the 2016 Election. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 356.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amend-

ment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

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

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

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

The yeas and nays were ordered.

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

SEARCHING FOR AND CUTTING
REGULATIONS THAT ARE UN-
NECESSARILY BURDENSOME ACT

The SPEAKER pro tempore (Mr. NEWHOUSE). Pursuant to House Resolution 150 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 998.

Will the gentleman from Kentucky (Mr. ROGERS) kindly take the chair.

□ 1309

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 further consideration of the bill (H.R. 998) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, with Mr. ROGERS of Kentucky (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, February 28, 2017, amendment No. 7 printed in House Report 115-20 offered by the gentleman from Illinois (Mr. KRISHNAMOORTHY) had been disposed of.

AMENDMENT NO. 8 OFFERED BY MS. BONAMICI

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 115-20.

Ms. BONAMICI. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, after line 24, add the following new title (and update the table of contents accordingly):

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION RELATING TO CONSUMER PROTECTIONS FOR STUDENT LOAN BORROWERS.

The provisions of this Act do not apply to any rule or set of rules prescribed by the Secretary of Education with respect to providing consumer protections for student loan borrowers.

The Acting CHAIR. Pursuant to House Resolution 150, the gentlewoman from Oregon (Ms. BONAMICI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. BONAMICI. Mr. Chair, I rise today in support of the amendment to protect student loan borrowers from the dangerous provisions of the SCRUB Act.

More than 40 million Americans have student loan debt. Roughly one-quarter of these borrowers are behind on their payments either in delinquency or default. The Federal Government has a responsibility to protect these borrowers and American taxpayers from unscrupulous institutions that saddle students with exorbitant debt in exchange for an education of dubious value.

Hardworking students, like those who attended Corinthian Colleges or ITT Tech, could be harmed if Congress passes a law that potentially strips them of a clear process for having their debt forgiven after institutions fabricate job placement figures or close unexpectedly.

This bill could allow institutions like Corinthian Colleges to require pre-dispute arbitration clauses, and prohibit class-action lawsuits—making it much less likely that students will get the justice they deserve when a school misrepresents the quality of its programs.

Millions of borrowers who rely on popular income-driven repayment plans could be left without options for keeping their payments affordable.

Active-Duty servicemembers could lose access to deferment benefits.

Rules banning incentive pay could be undone, exposing student veterans and others to aggressive marketing.

This bill could weaken Federal protections for millions of student loan borrowers when, instead, Congress should be working together to make college more affordable.

I encourage my colleagues to vote “yes” on this amendment, and I reserve the balance of my time.

Mr. ROSS. Mr. Chair, I claim the time in opposition.

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

Mr. ROSS. Mr. Chairman, as we pointed out yesterday, the SCRUB Act requires the commission to identify

regulations that should be repealed. The commission focuses on rules and regulations that are out of date, no longer useful, and otherwise unnecessary or obsolete.

As I stated yesterday, no regulations should be exempt from this bill. Not all consumer protection regulations are created equal. If the regulation is important, effective and still relevant, then let it stand. If the regulation is not effective, no longer valuable and unnecessary, then why keep it around?

This amendment is just another wrong-headed carve-out that will end up hurting student loan borrowers more than it could possibly help them.

And for those reasons, Mr. Chairman, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Ms. BONAMICI. Mr. Chair, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS), the ranking member of the Subcommittee on Higher Education and Workforce Development.

Mrs. DAVIS of California. Mr. Chairman, I rise to protect student loan borrowers. Protecting our young people should be a priority for every single Member of this Chamber. A major way that we are able to defend our students is through the safeguards that are at stake today.

These protections, like provisions which ensure students are able to find gainful employment or have recourse if a school misleads them, have been integral in the wake of unethical practices by certain schools. We have seen the damage that schools like ITT Tech and Ashford University have done in districts like mine. And as a military town, the students in San Diego are particularly vulnerable to bad actors in the for-profit education industry.

I can tell you, Mr. Chair, I have heard from students who can't get the degrees they need to provide a better life for their families; veterans who write to me imploring us to protect the men and women who would have spent their lives protecting us; students who write to me frustrated by this Chamber's insistence on deregulation for deregulation's sake; and many more who write letters saying, education is important to us. And we believe it should be important to you as well.

Let's prove them right, Mr. Chair. Let's show that education is important to us, and let's commit to keeping key provisions for students intact.

□ 1315

Mr. ROSS. Mr. Chairman, everybody wants to see gainful employment for our students, our college students especially.

Those institutions that have preyed on these students also are as a result of a regulatory environment that has allowed that to happen. That same regulatory environment would be under review, under oversight by the SCRUB Act. For those reasons particularly, we need to make sure that we do not have

this amendment, but, more importantly, that we do allow for the underlying bill.

For those reasons, again, I urge opposition to this amendment by my colleague.

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

Ms. BONAMICI. Mr. Chair, I yield 1 minute to the gentleman from Colorado (Mr. POLIS), the ranking member of the Subcommittee on Early Childhood, Elementary, and Secondary Education.

Mr. POLIS. Mr. Chair, I rise in strong support of Congresswoman BONAMICI's amendment.

Today, our country owes over \$1.3 trillion in student debt. In Colorado, the average student loan borrower owes \$26,000.

Why would we want to risk abolishing consumer protections for our borrowers?

These are very personal numbers. The stories I hear, the burden of student loan debt affects people's ability to own a home or buy a car.

A recent report from the Consumer Financial Protection Bureau found that the number of student loan borrowers over the age of 60 has quadrupled. People haven't even paid off their loans as they enter retirement age.

Now, the Obama administration did take important steps to protect and support student loan borrowers. They made it easier for them to pay back their loans and ensured they were treated fairly by student loan services. Rolling back these protections would have far-reaching negative effects for our borrowers.

I strongly support Congresswoman BONAMICI's amendment, exempting Federal protections that support consumer protections for student loan borrowers from the SCRUB Act. The last thing we need to scrub away is protections for people to take out student loans.

I urge my colleagues to vote “yes.”

Ms. BONAMICI. Mr. Chairman, the SCRUB Act is completely unnecessary. Agencies can already review and repeal regulations that are no longer needed. The only thing this bill does for people with student loan debt is give them less certainty that their investment will be worth it.

At a time when a college degree or credential is a critical tool for securing a family-wage job, it makes no sense to threaten to rescind rules that shield Americans from career programs that leave students with large debts and low wages.

I encourage all of my colleagues to adopt this amendment to safeguard consumer protections for student loan borrowers.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI).

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

Ms. BONAMICI. Mr. Chair, I demand a recorded vote.

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

AMENDMENT NO. 9 OFFERED BY MS. BONAMICI

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 115–20.

Ms. BONAMICI. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, after line 24, add the following new title (and update the table of contents accordingly):

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION RELATING TO ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.

The provisions of this Act do not apply to any rule or set of rules relating to title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

The Acting CHAIR. Pursuant to House Resolution 150, the gentlewoman from Oregon (Ms. BONAMICI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. BONAMICI. Mr. Chairman, I rise in support of the amendment to exempt rules related to title I of the Elementary and Secondary Education Act from the misguided provisions of the SCRUB Act.

Title I is the core feature of the Elementary and Secondary Education Act, a critical civil rights law that holds States accountable for helping all students succeed.

The SCRUB Act threatens rules for implementing title I, which, in turn, threatens students. For example, title I rules clarify important accountability requirements that we passed into law just last session with strong bipartisan support.

Clear rulemaking is necessary to give education leaders certainty so they can benefit from the law's new flexibility and innovate on behalf of students.

Title I rules also include important details about the use of assessments in schools. These rules were negotiated with broad consensus. Would the SCRUB Act repeal them and deny States clarification about reducing the burden of testing?

My colleagues across the aisle may argue that no rule should be exempt from the SCRUB Act and that somehow the unelected commission in the bill will identify only bad rules. I am not so sure. The commission in the bill could create any methodology for targeting rules and, without knowing the commission's method, it is disingenuous to say that essential rules, good rules, wouldn't be affected.

Additionally, rules are rarely black and white as the majority suggests. Title I accountability rules, for exam-

ple, sometimes push States to report on how they are serving each subgroup of students. But where some local officials may complain, these rules make sure that low-income and minority families are being counted.

Will the commission hear the concerns of those families?

I ask my colleagues to protect vulnerable students across the country by supporting this amendment.

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

Mr. ROSS. Mr. Chair, I claim the time in opposition.

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

Mr. ROSS. Mr. Chair, this amendment would exclude from the commission's review regulations under title I, part A of the Elementary and Secondary Education Act, as amended.

ESEA provides financial assistance to local educational agencies and schools with high numbers or high percentages of children from low-income families to help ensure that all children meet challenging State academic standards.

No regulation should be exempt from the review process, especially those regulations that impact low-income students across the country. It is imperative that we have smart, targeted, cost-effective regulations that actually help the people that need the help.

Imposing ineffective regulations on schools and educational agencies cost taxpayers money—this must be given the opportunity for oversight, as is given under the SCRUB Act—and overburden our already exhausted educators, and can cause more harm rather than good.

Why not take a look at these regulations and just consider whether they are working? And, if they are, then let's leave them alone. But if not, then, let's change them there.

There is no reason why we should create, again, a special carve-out from the commission's consideration. For those reasons, Mr. Chairman, I urge my colleagues to oppose this amendment.

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

Ms. BONAMICI. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. POLIS), the ranking member of the Subcommittee on Early Childhood, Elementary, and Secondary Education.

Mr. POLIS. Mr. Chairman, I rise in strong support of Congresswoman BONAMICI's amendment, which I am also proud to cosponsor.

When ESEA, or the Elementary and Secondary Education Act, was first passed in 1965, it truly was a landmark and important piece of civil rights legislation. It is written with the intent that every student—no matter their race, their economic background, their ZIP Code—deserves a great education in our country.

Title I of ESEA gets at the heart of the civil rights spirit for providing ad-

ditional funding for schools with significant populations of high-needs and at-risk students. Now, title I also provides important performance and equity parameters for States and districts and gives some direction about how States can comply with these requirements to support our most struggling schools.

Of course, the text of the law doesn't do everything, which is why we rely on the protections that have been put in place through rule.

The SCRUB Act would allow an unelected panel to carelessly do away with important civil rights protections and transparency, the opposite of the legislative intent in the ESEA.

The Department of Education regularly goes through an extensive process for finalizing regulations, and to do away with these protections on a whim by an unelected, all-powerful panel may somehow score political points, but it is at the expense of students across our country.

I strongly support Representative BONAMICI's amendment that would exempt title I from this harmful bill, and I urge its passage.

Mr. ROSS. Mr. Chairman, since 1965, when the ESEA was passed, we have gone from chalkboards to iPads. Things have changed. The regulatory environment has changed.

May I remind my colleagues that, under the SCRUB Act, the bipartisan review committee would make these recommendations for changes in the regulatory scheme to Congress, who would have the final say as to whether any regulations need to be changed.

Again, for those reasons, Mr. Chairman, I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

Ms. BONAMICI. Mr. Chair, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS), the ranking member of the Subcommittee on Higher Education and Workforce Development.

Mrs. DAVIS of California. Mr. Chairman, I rise to suppose the ESEA title I protection amendment.

We all know education, at its core, is a civil rights issue. We have a responsibility to ensure that every student has access to a world-class education, and this is especially true for children who come from families with limited means.

For our working class families, a quality education can be—and actually is—the ladder which raises an entire family's prospects. The protections that we are debating today ensure that these students and their schools are not shortchanged from the resources they need in order to be successful. These are resources that they are entitled to by law.

Last year's Every Student Succeeds Act was a very successful bipartisan compromise, so let's not gut the protections that are crucial for its effective implementation before it is even given a chance.

A student's ZIP Code should not determine the quality of his or her education. A family's income should not determine their child's career prospects, and a school's location should not determine its resources.

Let's come together to protect our most vulnerable students because, as we all know, today's investments in education will determine our future.

Ms. BONAMICI. Mr. Chair, may I inquire to the remaining time, please?

The Acting CHAIR. The gentlewoman from California has 1 minute remaining.

Ms. BONAMICI. Mr. Chair, title I of the Elementary and Secondary Education Act is a key Federal law for advancing equity in our Nation's classrooms. The rules implementing title I provide important details that make sure historically underserved students have access to an equal public education. These rules are too important to entrust to a mysterious commission.

I am very proud of the work I did in the State legislature repealing unnecessary education rules and statutes. We did it in a very collaborative, bipartisan manner through existing processes. That is what we should be doing, not going through this SCRUB Act.

I urge my colleagues to protect title I rules, stand up for educational equity, and support the amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI).

The amendment was rejected.

AMENDMENT NO. 10 OFFERED BY MR. RASKIN

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 115-20.

Mr. RASKIN. 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 31, after line 24, add the following new title (and update the table of contents accordingly):

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION RELATING TO CLEAN AIR ACT.

The provisions of this Act do not apply to any rule or set of rules relating to the enforcement of the Clean Air Act (Public Law 88-206; 42 U.S.C. 7401 et seq.).

The Acting CHAIR. Pursuant to House Resolution 150, the gentleman from Maryland (Mr. RASKIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. RASKIN. Mr. Chairman, my amendment would protect all rules relating to the enforcement of the Clean Air Act, which are in danger now under H.R. 998, the SCRUB Act, which seeks to authorize a brand new \$30 million Presidential commission of unelected and unaccountable bureaucrats to wipe out agency rules across the whole field of government.

Mr. Chairman, last night in this Chamber, the President of the United States came and articulated policy areas where he said his administration "wants to work with Members of both parties." One of these was to promote clean air and clean water. I was happy to hear it because earlier in the day he signed an executive order to clear the way for weakening safe drinking water standards through redefinition of which small bodies of water are covered under the Clean Water Act.

Now, the amendment I propose provides a chance for all of us to start fresh in demonstrating our seriousness about this new bipartisan commitment to protect the water we drink and the air that we breathe.

The SCRUB Act proposes to create a commission to do what Federal agencies and commissions already do, which is to review and update their rules. That is why a lot of us are deeply skeptical about spending \$30 million to create a new roving commission to hack away at rules protecting the public interest.

This commission would be made up of five members appointed directly by the President at his discretion and four members by the President from congressional nomination, too, from each party.

The advocates for this legislation say it is not about dismantling the rules that protect the water that our children drink or the air that our children and our grandparents breathe or the food that all of us eat. It is just about getting rid of unnecessary and obsolete and profligate regulations. And I take them at their word that that is what it is about.

□ 1330

So let's all agree that the new super-commission that you seek to establish under the SCRUB Act will not touch, in any way, the rules adopted under the Clean Air Act. If that is not the purpose of this legislation, to undermine the Clean Air Act regime, as its advocates repeatedly insist, then there should be no problem having us formalize this commitment on a bipartisan basis.

Right now, the SCRUB Act does not explicitly protect clean air—or clean water, for that matter—from the prospects of a roving bureaucratic attack. Thus, it exposes all of us to unnecessary harm, threatening to scrub away the rules that protect the air we breathe.

What will that mean for 17 million Americans with asthma, for the millions of people with lung cancer and other respiratory diseases, for more than 30,000 people struggling with cystic fibrosis? All of these people are potentially in danger simply because of an overblown ideological attack on regulations, which are just the rules that we adopt as a constitutional democracy to protect ourselves from harm.

In answer to objections about the bill, the majority says that Congress

will still have its say; but if you read it carefully, you see that congressional authority has actually been placed in a straitjacket. The bill requires an up-or-down vote on the commission's recommendations as a complete omnibus package rather than voting on each proposal individually.

So if you agreed with loosening some regulations, for example, in the Title X Family Planning program, which has a lot of rules, but you don't want to eviscerate the regulatory infrastructure under the Clean Air Act or the Clean Water Act, you would have to vote on the entire package at once. This makes Congress into an embarrassing rubber stamp for a nine-person body effectively controlled by the executive branch.

Dear colleagues, let's not play games with the health and safety of our constituents. If this bill passes as is, rules that govern the very air we breathe would be subject to the SCRUB Act's unelected, unaccountable, and unbounded practitioners. My amendment closes a gaping and dangerous hole in the legislation. I ask my colleagues to think about public health and safety first, and not the magical thinking and scientifically ungrounded cost-benefit analysis promised by the SCRUB Act.

I reserve the balance of my time.

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

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

Mr. ROSS. Mr. Chairman, this bill, again, requires the commission to identify regulations which should be repealed. The commission focuses on rules and regulations that are, again, out-of-date, no longer necessary, no longer useful, or otherwise obsolete.

Regulations promulgated under the Clean Air Act need to be examined and updated just as much as any other regulations. Reviewing and revisiting regulations promulgated decades ago allows the opportunity to improve upon existing standards.

According to the Competitive Enterprise Institute, the Environmental Protection Agency regulations cost the public \$353 billion a year. Given the high costs associated with EPA regulations, excluding these regulations from this review process just doesn't make any sense. \$353 billion—more than one-third of a trillion dollars—needs review.

Importantly, this bill has several significant procedural hurdles to pass before any regulation would be repealed: the commission must determine the regulation is no longer necessary; the commission must recommend repealing the regulation; and, most significantly, Congress would need to vote to get rid of the regulation. No regulation would be repealed without a vote by Congress.

This is reinstating the authority that this body has, and for these foregoing reasons, Mr. Chairman, I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield such time as he may consume to my colleague from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I support this amendment to exempt rules under the Clean Air Act from this bill.

According to a 2011 study by the Environmental Protection Agency, the central benefits of the Clean Air Act exceed costs by a factor of more than 30 to 1, and the high benefits exceed costs by 90 times. Cleaner air provides exceptional economic benefits because it results in the improved health and productivity of Americans and reduces medical expenses for air pollution-related health problems.

The Clean Air Act will prevent thousands of early deaths; and its air quality and health benefits, including the prevention of heart attacks and the reduction of pulmonary diseases like chronic bronchitis, will grow over time.

Representative RASKIN's amendment, which would exempt all rules that relate to the Clean Air Act, is based on common sense. Cleaner air benefits every man, woman, and child in the country. If the Environmental Protection Agency is prevented or delayed from promulgating new regulations relating to the Clean Water Act because of cost, the children of this country will pay a very heavy price.

I hope that all Members will understand the need for exempting rules that result in cleaner air for our children and support this amendment.

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

Mr. ROSS. Mr. Chairman, this bill, when passed, does nothing to remove any regulation. What it does is exactly what we were elected to do: provide transparency and oversight over existing regulations to determine whether they are necessary or not. For those reasons, Mr. Chairman, I would again urge opposition to 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. RASKIN).

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

Mr. RASKIN. 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. 11 OFFERED BY MS. MOORE

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 115-20.

Ms. MOORE. 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 31, after line 24, add the following new title (and update the table of contents accordingly):

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION RELATING TO TRIBAL GOVERNMENTS.

The provisions of this Act do not apply to any rule or set of rules—

(1) relating to any obligation of the Federal Government with respect to a Tribal government; or

(2) supporting Tribal sovereignty and self-determination.

The Acting CHAIR. Pursuant to House Resolution 150, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Chairman, my amendment is very simple. It just says that the provisions of the SCRUB Act will not apply to any rule or set of rules relating to any obligation of the Federal Government with respect to tribal government or supporting tribal sovereignty and self-determination.

Mr. Chair, the United States has a unique legal and political relationship with Indian tribal governments, as outlined in the Constitution, treaties, statutes, executive orders, and judicial decisions. However, too often they have been overlooked when it comes to Federal policies that will have a direct impact on that relationship and that sovereignty.

My concern is that, without explicit language, H.R. 998 would simply continue this mistake, which has had devastating consequences for our Native American brothers and sisters. It has been a decades-long policy of the Federal Government to engage Native American tribes in a government-to-government relationship that respects their right to self-government and self-determination, and my amendment seeks to ensure that nothing in this bill will undermine those efforts.

My amendment would exempt rules that will have an impact on this government-to-government relationship from the bill's requirements. This will, of course, require agencies and this commission to examine the impact on this special relationship in each rule that they bring to the chopping block. It makes clear that protecting the sovereignty and promoting the economic, political, and social self-determination for the Native American community remains a pressing priority.

Now, just 2 days ago, Mr. Chairman, the House considered and passed a bill, H.R. 228, the Indian Employment, Training and Related Services Consolidation Act, to make permanent a program that allows tribes to combine up to 13 different Federal, employment, childcare, and job training funding sources.

Of course, the sponsor of this legislation, Representative DON YOUNG, a true champion for Native Americans, described it well. He said: "This program is what tribal self-determination is all about. Tribes understand their members best and know how to use these tools for creating expanding job opportunities in their communities."

The same thing with NAHASDA, which has a lot of innovations, and I have worked with Congressman STEVE PEARCE and Representative COLE and others. Once NAHASDA reauthorization becomes law, it, too, might fall short because of this particular bill. I fear that the SCRUB Act's reckless rush to repeal rules based primarily only on one consideration, cost to the economy, will adversely affect Native Americans.

How will members of this commission be experts on the sovereignty and government-to-government relationship with tribes? There is no appointee for Native American communities on this commission, on the needs of native communities, on efforts by Congress to promote self-determination. The bill requires zero such knowledge and participation.

Additionally, simply requiring agencies to blindly—blindly—cut regulations is just nonsensical by itself.

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

Mr. ROSS. Mr. Chair, I rise in opposition to the amendment.

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

Mr. ROSS. Mr. Chairman, this amendment is the prime example of why we need the SCRUB Act. "Federal Management of Programs that Serve Tribes" was added to the Government Accountability Office biannual high-risk report released earlier this month. The GAO reported: "For nearly a decade, we, along with inspectors general, special commissions, and others, have reported that federal agencies have ineffectively administered Indian education and health care programs and inefficiently fulfilled their responsibilities for managing the development of Indian energy resources."

Look, the GAO found numerous challenges, including poor conditions at schools, inadequate healthcare oversight, and mismanagement of energy resources that limit the ability of tribes to create economic benefits and improve the well-being of their communities.

Clearly, the Federal Government is not getting this right, and we need to exercise our oversight. We need more attention to this issue, not less.

Exempting regulations relating to tribal governments is simply wrong. It keeps in place outdated and ineffective regulations that are burdening our tribal governments. For these reasons, Mr. Chairman, I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Ms. MOORE. Mr. Chairman, this is precisely why the Members should adopt my amendment: because this is an unelected commission, and the relationship between Native American tribes is a government-to-government relationship.

If the gentleman is correct that we need to review regulations and change them, then that is something that

needs to happen with Native Americans seated at the table. As my good friend LINDA SÁNCHEZ often points out, when you are not at the table, you are definitely on the menu.

History has shown that failure by the Federal Government to consider the impact on tribal communities and to include their voices in Federal decisions has often left undesirable and devastating policy. Such consideration is disrespectful of their sovereignty and disrespectful of our Constitution. Such consideration is a critical need for us to create and maintain a strong and productive Federal-tribal relationship. I urge my colleagues to support my amendment.

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

Mr. ROSS. Mr. Chairman, the regulations that we are talking about in the GAO report that are so ineffective, that have been a failure, are those regulations that have been imposed by unelectable bureaucrats in the bureaucracy that we are trying to reach back and gain not only oversight, but transparency as well. The SCRUB Act needs to be there for that particular purpose, and, for those reasons, this amendment should be opposed.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

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

Ms. MOORE. 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 Wisconsin will be postponed.

□ 1345

AMENDMENT NO. 12 OFFERED BY MR. CUMMINGS

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 115-20.

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:

Page 31, after line 24, add the following new title (and update the table of contents accordingly):

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION RELATING TO PROTECTIONS FOR WHISTLEBLOWERS.

The provisions of this Act do not apply to any rule or set of rules relating to—

- (1) protections for whistleblowers; or
- (2) penalties for retaliation against whistleblowers.

The Acting CHAIR. Pursuant to House Resolution 150, 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, my amendment would exempt from this

bill any rule that protects whistleblowers or that imposes penalties on individuals who retaliate against whistleblowers. This bill would jeopardize all agency rulemakings—no matter how important—even rules that protect whistleblowers.

The Department of Energy issued a ruling in December that would authorize the department to impose civil penalties on Federal nuclear contractors who retaliate against whistleblowers who report information concerning nuclear safety. On January 31, 2017, DOE put a moratorium on that rule in response to President Trump's mandated freeze on rulemakings.

This is exactly the kind of rule that could become a casualty of this bill. We must ensure that agencies can issue rules that protect individuals who blow the whistle on waste, fraud, and abuse, as well as safety issues that can be a matter of life and death.

Mr. Chairman, I include in the RECORD a letter from the Project on Government Oversight supporting my amendment. That letter states: "Whistleblowers are the first and best line of defense against significant problems on federal projects and must be protected from retribution for the act of reporting wrongdoing. Regulations to protect those whistleblowers should be exempt from the SCRUB Act 2017."

PROJECT ON
GOVERNMENT OVERSIGHT,
Washington, DC, February 28, 2017.

Hon. PAUL RYAN,
Speaker of the House, House of Representatives,
Washington DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington DC.

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI: On behalf of the Project On Government Oversight (POGO), I would like to voice my support for the whistleblower protection amendment to the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2017 (SCRUB Act) introduced by Ranking Member ELIJAH CUMMINGS of the House Oversight and Government Reform Committee.

POGO is an independent nonprofit that has, for 35 years, investigated and exposed corruption and misconduct in order to achieve a more accountable federal government. As such, our organization is deeply committed to protecting whistleblowers within the federal government and its contractors. This amendment will explicitly protect any agency-promulgated regulations that protect whistleblowers or that lay out penalties for those who retaliate against whistleblowers from being targeted as "unnecessarily burdensome" under the SCRUB Act.

These regulations, like a Department of Energy (DOE) rule that would have allowed the Department to impose civil penalties against contractors who retaliate against whistleblowers, are already being disrupted by the current regulatory freeze. Whistleblowers are the first and best line of defense against significant problems on federal projects and must be protected from retribution for the act of reporting wrongdoing. Regulations to protect those whistleblowers should be exempt from the SCRUB Act of 2017.

We are happy to champion this amendment and hope it will receive the bipartisan support it deserves.

Sincerely,

DANIELLE BRIAN,
Executive Director.

Mr. CUMMINGS. Let me say that whistleblowers have played a very significant role in our committee, the Oversight and Government Reform Committee. As a matter of fact, many of the reforms that have come have come because people were bold enough to stand up and come forward and provide information that we would not have gotten. One of the things, Mr. Chairman, that we have said over and over again on a bipartisan basis is that we will protect whistleblowers.

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

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

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

Mr. ROSS. Mr. Chairman, let me begin by saying that my colleague from Maryland, the ranking member of the full committee, has been and continues to be probably one of the strongest advocates for whistleblower protections, and I thank him and laud him for that. But I must disagree with him in regard to this amendment.

No one regulation is the perfect and ideal regulation that will last into perpetuity. All regulations need to be reviewed, and that is what this rule does. The commission focuses on rules and regulations that are out of date, no longer useful, and are otherwise unnecessary or obsolete.

Regulations that were promulgated with the original intent of protecting whistleblowers need updating and consideration as much as any other regulation does. Reviewing and revisiting regulations promulgated decades ago creates the opportunity to improve upon existing standards.

Excluding whistleblower regulations from this exercise means that whistleblowers would lose out on the chance to streamline regulations and reduce burdens that might be harming whistleblowers. In fact, this process could actually help protect whistleblowers in its oversight and transparency.

Importantly, this bill has several significant procedural hurdles to pass before any regulation would be repealed. The commission must determine that the regulation is no longer necessary; the commission would then recommend repealing the regulation; and, again, most significantly, Congress would need to vote on the regulation in order to get rid of it.

Again, for these reasons, I urge my colleagues to oppose this amendment.

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

Mr. CUMMINGS. Mr. Chairman, may I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from Maryland has 2½ minutes remaining.

Mr. CUMMINGS. Let me say this, Mr. Chairman, I have, as the ranking member of our committee, had many opportunities to sit and listen to whistleblowers who were shaking in their shoes. They were worried. But there was something that they wanted to do that was far more important to them than just that moment. They were trying to make sure that they did the right thing, and they brought it to the attention of people that they thought would listen to them and would do something about their concerns when they felt they had got to the point where, in many instances, they felt that they had nobody to go to.

This administration has been very interesting. If there is any time that we need to be protecting whistleblowers, it is right now because there are so many people in our government who feel that they are under threat. They see things changing, and many of them are in fear.

I appreciate what the gentleman said, but I don't care how you look at this. If somebody has the nerve to come up and say, I want my government to be better—some people have told me, I want to preserve my democracy. I want it to be a democracy for my children so they can have the democracy that I had when I was born—and they have the nerve to come up, then we have to do everything in our power. We have to send that message, and the message needs to come from here. It may not come from the White House, but it has got to come from here.

That is why this concerns me so much. Any message other than that says to those people that they have got to keep hiding, they have got to keep shaking in their boots, and they have got to keep silent when, deep in their souls, they want to make a difference.

We are better than that.

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

Mr. ROSS. Mr. Chairman, again, nothing in the SCRUB Act does anything to remove any of the protections that already exist for whistleblowers. This essentially makes it open for review, but, more importantly, as I agree with my colleague from Maryland, we need to protect the whistleblowers. And if it be the focus of Congress to do just that, then we must, irrespective of the SCRUB Act, focus on strengthening those laws that protect our whistleblowers to make our government run more transparently, more effectively, and more efficiently.

Again, I urge my colleagues to oppose this amendment.

Mr. Chairman, 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.

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 115-20 on which further proceedings were postponed, in the following order:

Amendment No. 8 by Ms. BONAMICI of Oregon.

Amendment No. 10 by Mr. RASKIN of Maryland.

Amendment No. 11 by Ms. MOORE of Wisconsin.

Amendment No. 12 by Mr. CUMMINGS of Maryland.

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

AMENDMENT NO. 8 OFFERED BY MS. BONAMICI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Ms. BONAMICI) 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 191, noes 235, not voting 3, as follows:

[Roll No. 109]

AYES—191

Adams	Cummings	Jayapal
Aguilar	Davis (CA)	Jeffries
Barragán	Davis, Danny	Johnson (GA)
Bass	DeFazio	Johnson, E. B.
Beatty	DeGette	Kaptur
Bera	Delaney	Keating
Beyer	DeLauro	Kelly (IL)
Bishop (GA)	DeBene	Kennedy
Blumenauer	Demings	Khanna
Blunt Rochester	DeSaulnier	Kihuen
Bonamici	Deutch	Kildee
Boyle, Brendan	Dingell	Kilmer
F.	Doggett	Kind
Brady (PA)	Doyle, Michael	Krishnamoorthi
Brown (MD)	F.	Kuster (NH)
Brownley (CA)	Ellison	Langevin
Bustos	Engel	Larsen (WA)
Butterfield	Eshoo	Larson (CT)
Capuano	Españillat	Lawrence
Carbajal	Esty	Lawson (FL)
Cárdenas	Evans	Lee
Carson (IN)	Foster	Levin
Cartwright	Frankel (FL)	Lewis (GA)
Castor (FL)	Fudge	Lieu, Ted
Castro (TX)	Gabbard	Lipinski
Chu, Judy	Galleo	Loeb
Ciçilline	Garamendi	Lofgren
Clark (MA)	Gonzalez (TX)	Lowenthal
Clarke (NY)	Gottheimer	Lowey
Clay	Green, Al	Lujan Grisham,
Cleaver	Green, Gene	M.
Clyburn	Grijalva	Luján, Ben Ray
Cohen	Gutiérrez	Lynch
Connolly	Hanabusa	Maloney,
Conyers	Hastings	Carolyn B.
Cooper	Heck	Maloney, Sean
Correa	Higgins (NY)	Matsui
Courtney	Himes	McCollum
Crist	Hoyer	McEachin
Crowley	Huffman	McGovern
Cuellar	Jackson Lee	Meeks
		Meng
		Moore
		Moulton
		Murphy (FL)
		Nadler
		Napolitano
		Neal
		Nolan
		Norcross
		O'Halleran
		O'Rourke
		Pallone
		Panetta
		Pascarell
		Payne
		Pelosi
		Perlmutter
		Peters
		Peterson
		Pingree
		Pocan
		Polis
		Price (NC)
		Quigley
		Raskin
		Rice (NY)
		Richmond
		Rosen
		Roybal-Allard
		Ruiz
		Ruppersberger
		Schiff
		Schneider
		Schrader
		Scott (VA)
		Scott, David
		Serrano
		Sewell (AL)
		Shea-Porter
		Sherman
		Sinema
		Sires
		Slaughter
		Smith (WA)
		Soto
		Speier
		Suozi
		Swalwell (CA)
		Takano
		Thompson (CA)
		Thompson (MS)
		Titus
		Tonko
		Torres
		Tsongas
		Vargas
		Veasey
		Vela
		Velázquez
		Visclosky
		Walz
		Wasserman
		Schultz
		Waters, Maxine
		Watson Coleman
		Welch
		Wilson (FL)
		Yarmuth

NOES—235

Abraham	Franks (AZ)	McMorris
Aderholt	Frelinghuysen	Rodgers
Allen	Gaetz	McSally
Amash	Gallagher	Meadows
Arrington	Garrett	Meehan
Babin	Gibbs	Messer
Bacon	Gohmert	Mitchell
Banks (IN)	Goodlatte	Moolenaar
Barletta	Gosar	Mooney (WV)
Barr	Gowdy	Mullin
Barton	Granger	Murphy (PA)
Bergman	Graves (GA)	Newhouse
Biggs	Graves (LA)	Noem
Bilirakis	Graves (MO)	Nunes
Bishop (MI)	Griffith	Olson
Bishop (UT)	Grothman	Palazzo
Black	Guthrie	Palmer
Blackburn	Harper	Paulsen
Blum	Harris	Pearce
Bost	Hartzler	Perry
Brady (TX)	Hensarling	Pittenger
Brat	Herrera Beutler	Poe (TX)
Bridenstine	Hice, Jody B.	Poliquin
Brooks (AL)	Higgins (LA)	Posey
Brooks (IN)	Hill	Ratcliffe
Buchanan	Holding	Reed
Buck	Hollingsworth	Reichert
Bucshon	Huizenga	Renacci
Budd	Hultgren	Rice (SC)
Burgess	Hunter	Roby
Byrne	Hurd	Roe (TN)
Calvert	Issa	Rogers (AL)
Carter (GA)	Jenkins (KS)	Rogers (KY)
Carter (TX)	Jenkins (WV)	Rohrabacher
Chabot	Johnson (LA)	Rokita
Chaffetz	Johnson (OH)	Rooney, Francis
Cheney	Johnson, Sam	Rooney, Thomas
Coffman	Jones	J.
Cole	Jordan	Ros-Lehtinen
Collins (GA)	Joyce (OH)	Roskam
Collins (NY)	Katko	Ross
Comer	Kelly (MS)	Rothfus
Comstock	Kelly (PA)	Rouzer
Conaway	King (IA)	Royce (CA)
Cook	King (NY)	Russell
Costa	Kinzinger	Rutherford
Costello (PA)	Knight	Sanford
Cramer	Kustoff (TN)	Scalise
Crawford	Labrador	Schweikert
Culberson	LaHood	Scott, Austin
Curbelo (FL)	LaMalfa	Sensenbrenner
Davidson	Lamborn	Sessions
Davis, Rodney	Lance	Shimkus
Denham	Latta	Shuster
Dent	Lewis (MN)	Simpson
DeSantis	LoBiondo	Smith (MO)
DesJarlais	Long	Smith (NE)
Diaz-Balart	Loudermilk	Smith (NJ)
Donovan	Love	Smith (TX)
Duffy	Lucas	Smucker
Duncan (SC)	Luetkemeyer	Stefanik
Duncan (TN)	MacArthur	Stewart
Dunn	Marchant	Stivers
Emmer	Marino	Taylor
Farenthold	Marshall	Tenney
Faso	Massie	Thompson (PA)
Ferguson	Mast	Thornberry
Fitzpatrick	McCarthy	Tiberi
Fleischmann	McCaul	Tipton
Flores	McClintock	Trott
Fortenberry	McHenry	Turner
Fox	McKinley	Upton

Valadao Weber (TX) Womack
Wagner Webster (FL) Woodall
Walberg Wenstrup Yoder
Walden Westernman Yoho
Walker Williams Young (AK)
Walorski Wilson (SC) Young (IA)
Walters, Mimi Wittman Zeldin

NOT VOTING—3

Amodei Hudson McNeerney

□ 1419

Messrs. FERGUSON, PAULSEN, YOUNG of Iowa, MARSHALL, POE of Texas, BILIRAKIS, JENKINS of West Virginia, MULLIN, THOMPSON of Pennsylvania, RODNEY DAVIS of Illinois, and DUFFY changed their vote from “aye” to “no.”

Messrs. PETERS, GALLEG0, and SUOZZI changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. RASKIN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. RASKIN) 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 will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 231, not voting 9, as follows:

[Roll No. 110]

AYES—189

Adams Crowley Hoyer
Aguilar Cummings Huffman
Barragán Davis (CA) Jackson Lee
Bass Davis, Danny Jayapal
Beatty DeFazio Jeffries
Bera DeGette Johnson (GA)
Beyer Delaney Johnson, E. B.
Bishop (GA) DeLauro Kaptur
Blumenauer DelBene Keating
Blunt Rochester Demings Kelly (IL)
Bonamici DeSaulnier Kennedy
Boyle, Brendan Deutch Khanna
F. Dingell Kihuen
Brady (PA) Doggett Kildee
Brown (MD) Doyle, Michael Kilmer
Brownley (CA) F. Kind
Bustos Ellison Krishnamoorthi
Butterfield Engel Kuster (NH)
Capuano Eshoo Langevin
Carbajal Espallat Larsen (WA)
Cárdenas Esty Larson (CT)
Carson (IN) Evans Lawrence
Cartwright Foster Lawton (FL)
Castor (FL) Frankel (FL) Lee
Castro (TX) Fudge Levin
Chu, Judy Gabbard Lewis (GA)
Cicilline Gallego Lieu, Ted
Clark (MA) Garamendi Lipinski
Clarke (NY) Gonzalez (TX) Loebsack
Clay Gottheimer Lofgren
Cleaver Green, Al Lowenthal
Clyburn Green, Gene Lowey
Cohen Grijalva Lujan Grisham,
Connolly Gutiérrez M.
Conyers Hanabusa Luján, Ben Ray
Cooper Hastings Lynch
Correa Heck Maloney,
Courtney Higgins (NY) Carolyn B.
Crist Himes Maloney, Sean

Matsui Price (NC) Smith (WA)
McCollum Quigley Soto
McEachin Raskin Speier
McGovern Rice (NY) Suozzi
McNeerney Richmond Swallow (CA)
Meeks Ros-Lehtinen Takano
Meng Rosen Thompson (CA)
Moore Roybal-Allard Thompson (MS)
Moulton Ruiz Titus
Murphy (FL) Ruppertsberger Tonko
Nadler Ryan (OH) Torres
Napolitano Sánchez Torres
Neal Sarbanes Tsongas
Nolan Schakowsky Vargas
Norcross Schiff Veasey
O'Halloran Schneider Vela
O'Rourke Schrader Velázquez
Pallone Scott (VA) Visclosky
Panetta Scott, David Walz
Pascarell Serrano Wasserman
Payne Sewell (AL) Schultz
Perlmutter Shea-Porter Waters, Maxine
Peters Sherman Watson Coleman
Pingree Sinema Welch
Pocan Sires Wilson (FL)
Polis Slaughter Yarmuth

NOES—231

Abraham Foxx McKinley
Aderholt Franks (AZ) McMorris
Allen Frelinghuysen Rodgers
Amash Gaetz McSally
Amodei Gallagher Meadows
Arrington Garrett Meehan
Babin Gibbs Messer
Bacon Gohmert Mitchell
Banks (IN) Goodlatte Moolenaar
Barletta Gosar Mooney (WV)
Barr Gowdy Mullin
Barton Granger Murphy (PA)
Bergman Graves (GA) Newhouse
Biggs Graves (LA) Noem
Bilirakis Graves (MO) Nunes
Bishop (MI) Griffith Olson
Bishop (UT) Grothman Palazzo
Black Guthrie Palmer
Blackburn Harper Paulsen
Blum Harris Pearce
Bost Hartzler Perry
Brady (TX) Hensarling Peterson
Brat Herrera Beutler Pittenger
Bridenstine Hice, Jody B. Poe (TX)
Brooks (AL) Higgins (LA) Poliquin
Brooks (IN) Hill Posey
Buchanan Holding Ratcliffe
Buck Hollingsworth Reed
Bucshon Huizenga Reichert
Budd Hultgren Renacci
Burgess Hunter Rice (SC)
Byrne Hurd Roby
Calvert Issa Roe (TN)
Carter (GA) Jenkins (KS) Rogers (AL)
Carter (TX) Jenkins (WV) Rogers (KY)
Chabot Johnson (LA) Rohrabacher
Chaffetz Johnson (OH) Rokita
Cheney Johnson, Sam Rooney, Francis
Coffman Jones Rooney, Thomas
Cole Jordan J.
Collins (GA) Joyce (OH) Roskam
Comer Katko Ross
Comstock Kelly (MS) Rothfus
Conaway Kelly (PA) Rouzer
Cook King (IA) Royce (CA)
Costa King (NY) Russell
Costello (PA) Kinzinger Rutherford
Cramer Knight Sanford
Crawford Kustoff (TN) Scalise
Culberson Labrador Schweikert
Curbelo (FL) LaHood Scott, Austin
Davidson LaMalfa Sensenbrenner
Davis, Rodney Lamborn Sessions
Denham Lance Shimkus
Dent Latta Shuster
DeSantis Lewis (MN) Simpson
DesJarlais LoBiondo Smith (MO)
Diaz-Balart Long Smith (NE)
Donovan Loudermilk Smith (NJ)
Duffy Love Smith (TX)
Duncan (SC) Lucas Smucker
Duncan (TN) Luetkemeyer Stefanik
Dunn MacArthur Stewart
Emmer Marchant Taylor
Farenthold Marino Tenney
Faso Marshall Thompson (PA)
Ferguson Massie Thornberry
Fitzpatrick Mast Tipton
Fleischmann McCarthy Turner
Flores McCarthy Upton
Fortenberry McClintock Valadao

Wagner Webster (FL) Woodall
Walberg Wenstrup Yoder
Walden Westernman Yoho
Walker Williams Young (AK)
Walorski Wilson (SC) Young (IA)
Walters, Mimi Wittman Zeldin
Weber (TX) Womack

NOT VOTING—9

Collins (NY) McCaul Stivers
Cuellar Pelosi Tiberi
Hudson Rush Trott

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1427

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MS. MOORE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE) 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 will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 197, noes 229, not voting 3, as follows:

[Roll No. 111]

AYES—197

Adams DeFazio Kelly (IL)
Aguilar DeGette Kennedy
Barragán Delaney Khanna
Bass DeLauro Kihuen
Beatty DelBene Kildee
Bera Demings Kilmer
Beyer DeSaulnier Kind
Bishop (GA) Deutch Krishnamoorthi
Blumenauer Dingell Kuster (NH)
Blunt Rochester Doggett Langevin
Bonamici Doyle, Michael Larsen (WA)
Boyle, Brendan F. Larson (CT)
F. Ellison Lawrence
Brady (PA) Engel Lawson (FL)
Brown (MD) Eshoo Lee
Brownley (CA) Espallat Levin
Bustos Esty Lewis (GA)
Butterfield Evans Lieu, Ted
Capuano Foster Lipinski
Carbajal Frankel (FL) Loebsack
Cárdenas Fudge Lofgren
Carson (IN) Gabbard Lowenthal
Cartwright Gallego Lowey
Castor (FL) Garamendi Lucas
Castro (TX) Gonzalez (TX) Lujan Grisham,
Chu, Judy Gottheimer M.
Cicilline Green, Al Luján, Ben Ray
Clark (MA) Green, Gene Lynch
Clarke (NY) Grijalva Maloney,
Clay Gutiérrez Carolyn B.
Cleaver Hanabusa Maloney, Sean
Clyburn Hastings Matsui
Cohen Heck McCollum
Cole Higgins (NY) McEachin
Connolly Himes McGovern
Conyers Hoyer McNeerney
Cooper Huffman Meeks
Correa Hurd Meng
Costa Jackson Lee Moore
Courtney Jayapal Moulton
Crist Jeffries Mullin
Crowley Johnson (GA) Murphy (FL)
Cuellar Johnson, E. B. Nadler
Cummings Jones Napolitano
Davis (CA) Kaptur Neal
Davis, Danny Keating Nolan

Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger

Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano

Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)

Womack
Woodall

Yoder
Yoho

Young (IA)
Zeldin

Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter

Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas

Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (IA)

NOT VOTING—3

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (Mr. COLLINS of Georgia) (during the vote). There is 1 minute remaining.

□ 1432

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 12 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 194, noes 231, not voting 4, as follows:

[Roll No. 112]

AYES—194

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Curberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher

NOES—229

Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Luetkemeyer
MacArthur
Marchant
Marino
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Murphy (PA)

Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownlie (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Ciocline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings

DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Españat
Esty
Evans
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)

Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Curberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert

NOES—231

Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert

Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Zeldin

NOT VOTING—4

Hudson Pelosi
Lowenthal Scott, David

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1436

So the amendment was rejected.

The result of the vote was announced
as above recorded.

The Acting CHAIR (Mr.
FLEISCHMANN). There being no further
amendments, under the rule, the Com-
mittee rises.

Accordingly, the Committee rose;
and the Speaker pro tempore (Mr. COL-
LINS of Georgia) having assumed the
chair, Mr. FLEISCHMANN, Acting Chair
of the Committee of the Whole House
on the state of the Union, reported that
that Committee, having had under con-
sideration the bill (H.R. 998) to provide
for the establishment of a process for
the review of rules and sets of rules,
and for other purposes, and, pursuant
to House Resolution 150, he reported
the bill back to the House with sundry
amendments adopted in the Committee
of the Whole.

The SPEAKER pro tempore. Under
the rule, the previous question is or-
dered.

Is a separate vote demanded on any
amendment reported from the Com-
mittee of the Whole? If not, the Chair
will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. 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 and adopted.

MOTION TO RECOMMIT

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

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

Mr. RASKIN. I am, indeed.

The SPEAKER pro tempore. The
Clerk will report the motion to recom-
mit.

The Clerk read as follows:

Mr. Raskin moves to recommit the bill
H.R. 998 to the Committee on Oversight and
Government Reform with instructions to re-
port the same back to the House forthwith
with the following amendment:

At the end of the bill, add the following
new title (and update the table of contents
accordingly):

TITLE VI—EXEMPTIONS**SEC. 601. EXEMPTION FOR CERTAIN RULES OR SETS OF RULES.**

The provisions of this Act do not apply to
any rule or set of rules relating to—

(1) any law governing a potential conflict
of interest of an employee or officer of the
executive branch;

(2) any law governing the financial disclo-
sures of an employee or officer of the execu-
tive branch; and

(3) bribery.

The SPEAKER pro tempore. The gen-
tleman from Maryland is recognized
for 5 minutes.

Mr. RASKIN. Mr. Speaker, this is the
final amendment to the bill, which will

not kill the bill or send it back to the
committee. If adopted, the bill will im-
mediately proceed to final passage, as
amended.

The purpose of this amendment is
simply to carve out from the provisions
of the legislation any rules that we
have adopted in order to prevent con-
flicts of interest and in order to pro-
mote financial transparency and dis-
closure by executive branch employees.

Mr. Speaker, since I became a Mem-
ber of the House in January and joined
the Judiciary Committee, we have been
subjected to an onslaught of bills seek-
ing to free corporate polluters, lead
paint and asbestos manufacturers, and
other abusers of the rights of con-
sumers and citizens from having to
face the people they injure in court and
having to comply with the rules that
have been worked out over the decades
to protect our air, our water, our land,
our people, our health, and our work-
places.

In most cases, we don't even get
hearings on these bills. In the Judi-
ciary Committee, I have not seen a vic-
tim of toxic torts or lead poisoning or
medical malpractice testify, but their
rights are being flattened every single
day by the legislative bulldozer that is
running amuck.

These bills are flying at us with
lightning speed—no hearings, no real
debate, no time to study the measures,
no time to do the proper information
gathering for our constituents.

Now the SCRUB Act would establish
an unelected roving commission with
unlimited subpoena power. It would be
controlled by the President who gets to
appoint a clean majority—five mem-
bers at his own discretion; and four
more, two Republicans and two Demo-
crats. So when they say it is bipar-
tisan, remember what that means:
Seven spots for majority appointees
and two spots for minority appointees.
More importantly, this roving commis-
sion can be lobbied behind closed doors
by the special interests that want to
splice and dice the regulations that we
have worked out over the decades to
protect the public against harm.

In all of the rules that our democracy
has put in place—not just old rules, not
just obsolete rules, not just silly
rules—all of them are going to be in
the crosshairs of this roving commis-
sion—no exceptions, no firewalls, no
protections for rules governing public
health and safety—like the Clean
Water Act or like the Clean Air Act.
They just rejected the amendment to
carve that out. There are no protec-
tions, significantly, and this is what
the amendment is about, for rules
guaranteeing transparency in govern-
ment and integrity in government.

My motion to recommit, Mr. Speak-
er, would incorporate into the under-
lying legislation an amendment that I
advanced in committee that goes to
the heart of the crisis of confidence in
Washington, in America today. I think
every Member of this body can support
it without betraying any of their prin-

ciples or their party. On the contrary,
I think it strengthens all of our prin-
ciples and it strengthens our parties by
building public confidence in the polit-
ical system as a whole. It makes sure
we can keep draining the swamp, as the
President of the United States said in
this Chamber last night.

My amendment states very simply
that the Commission may not target
for destruction any rules relating to
any law governing a potential conflict
of interest of an employee or officer of
the executive branch, or any law gov-
erning the financial disclosures of ex-
ecutive branch employees, and bribery.

Right now, we know there is a dan-
gerous crisis in popular confidence in
the national government. This admin-
istration has brought to Washington a
web of complicated conflicts of inter-
est, real or potential, attendant to a
global business empire that engages in
business with foreign governments, for-
eign and domestic corporations, and a
huge host of regulated entities.

Just a mile from where we sit today,
for example, the Trump Hotel is rent-
ing out guest rooms, ballrooms, meet-
ing rooms, and whole floors to foreign
governments, embassies, and large cor-
porations in flagrant violation of the
Emoluments Clause, article 1, section
9, which requires the President to come
ask us—Congress—for permission to re-
ceive payments from foreign govern-
ments.

□ 1445

They even have a director of diplo-
matic sales now. Furthermore, the
standard lease that the Trump Hotel
has with the General Services Adminis-
tration forbids any elected official of
the United States Government or the
District of Columbia from deriving any
profit or value from the lease. Clearly,
there is a breach in this lease right
now. The problem is that the President
is not only the tenant, he is, for all in-
tents and purposes, the landlord too be-
cause he controls the GSA and ap-
points its director. So President-land-
lord Donald Trump would have to go to
court to sue tenant businessman Don-
ald Trump for breaching the lease by
collecting money under it as a public
official. This just scratches the surface
of a welter of ethical conflicts.

Mr. Speaker, this is the final amendment to
the bill which will not kill the bill or send it
back to committee. If adopted, the bill will im-
mediately proceed to final passage as amend-
ed.

Since I became a member of this House in
January, my Freshman colleagues and I have
been engaged in two activities. First, we've
been sitting in hearings and trying to make
sense of bills that fundamentally change the
legal and regulatory structure of America—and
we've done so without hearing from witnesses,
without time to study measures, and without
time to do the proper information gathering
that I believe is necessary to serve our various
constituencies. Second, we've come to the
floor at the end of each day to cast votes on
deregulation. This house has been in the busi-
ness of loosening rules on everything. We've

made it easier to pollute, easier to harm consumers—all in the name of cutting regulatory costs. And so it's no surprise that a bill like this sailed through the Committee on Oversight and Government Reform to the floor.

This bill would establish an unelected commission with unlimited subpoena power and partisan majority to chop through the Federal Register with a chain saw. There are no exceptions, no firewalls, no protections for rules and regulations governing health and safety and there are no protections for rules guaranteeing transparency in government.

My motion to recommit would incorporate into the underlying legislation, an amendment I offered in committee. It's straightforward and unburdensome. In fact, when I offered it in committee one of my colleagues on the other side indicated that the priority of this bill is "major rules with massive costs."

If passed, this MTR would make certain that no provision of the SCRUB Act could be used to eliminate rules relating to laws that govern conflicts of interest of executive branch officers or employees. That's it—it reinforces existing law and clarifies provisions of this bill.

Surely, we can agree that rules designed to help maintain the public trust in those representing them in the Executive Branch are sacred enough to be explicitly protected. And if anyone should ask why it's so important, we don't have to look too far. This administration is a walking, talking billboard for the need to protect laws that protect the public trust.

I urge my colleagues to support this common sense measure.

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

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

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

Mr. ROSS. Mr. Speaker, it is interesting because creatively my friend from Maryland is trying to do unsuccessfully what they have done all along unsuccessfully, and that is just create a carve-out of regulations for review by the SCRUB Act.

Now, what regulation is so perfect it should never be reviewed again? None. And that is why the SCRUB Act is so important. You see, this bill went through regular order.

In the Oversight and Government Reform Committee, we went through a markup, and my friends across the aisle had an opportunity to make their amendments. We came to the floor. They had an opportunity to make their amendments. Two were accepted—made it a bipartisan bill.

But, more importantly, let's take the impact of this bill and what it does to our economy. The Small Business Administration says that annually each business must pay \$20,000 a year in compliance costs because of our regulatory environment. The Competitive Enterprise Institute says that that is \$15,000 per household.

Members, we were elected to be accountable to those who elected us; not to allow some unaccountable, unelectable bureaucracy to make rules and regulations that have filled up 178,000 pages of the Code of Federal Regulations.

Let us do what we were elected to do, and reach back and take that authority that we have given to these regulatory agencies. Let us pass this SCRUB Act so that we will have the opportunity to not only review, but eliminate those regulations that are no longer necessary, inefficient, and ineffective.

Members, I ask for you to oppose this motion and vote for the underlying SCRUB Act and let us regain the authority that the people have given us.

I yield back the balance of my time.

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, the 5-minute vote on the motion to recommit will be followed by 5-minute votes on the passage of the bill, if ordered; ordering the previous question on House Resolution 156; and adoption of the resolution, if ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 235, not voting 4, as follows:

[Roll No. 113]

AYES—190

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette

Delaney
DeLauro
DeBene
Demings
DeSaunier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Español
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
McGovern
McNerney
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen

Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebbeck
Loftgren
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarella

Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez

Sarbanes
Schakowsky
Schiff
Schneider
Schradner
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano

Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—235

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foss
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs

Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moonenar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse

Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Rohy
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack

Woodall Yoho Young (IA)
Yoder Young (AK) Zeldin

NOT VOTING—4

Capuano Pelosi
Hudson Scott, David

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1500

Messrs. COFFMAN, DESJARLAIS, and Mrs. COMSTOCK changed their vote from “aye” to “no.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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. RASKIN. 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 240, noes 185, not voting 4, as follows:

[Roll No. 114]

AYES—240

Abraham	Denham	Johnson, Sam
Aderholt	Dent	Jordan
Allen	DeSantis	Joyce (OH)
Amash	DesJarlais	Katko
Amodei	Diaz-Balart	Kelly (MS)
Arrington	Donovan	Kelly (PA)
Babin	Duffy	King (IA)
Bacon	Duncan (SC)	King (NY)
Banks (IN)	Duncan (TN)	Kinzinger
Barletta	Dunn	Knight
Barr	Emmer	Kustoff (TN)
Barton	Farenthold	Labrador
Bergman	Faso	LaHood
Bilirakis	Ferguson	LaMalfa
Bishop (MI)	Fitzpatrick	Lamborn
Bishop (UT)	Fleischmann	Lance
Black	Flores	Latta
Blackburn	Fortenberry	Lewis (MN)
Blum	Fox	LoBiondo
Bost	Franks (AZ)	Long
Brady (TX)	Frelinghuysen	Loudermilk
Brat	Gallagher	Love
Bridenstine	Garrett	Lucas
Brooks (AL)	Gibbs	Luetkemeyer
Brooks (IN)	Goodlatte	MacArthur
Buchanan	Gosar	Marchant
Buck	Gottheimer	Marino
Bucshon	Gowdy	Marshall
Budd	Granger	Mast
Burgess	Graves (GA)	McCarthy
Byrne	Graves (LA)	McCaul
Calvert	Graves (MO)	McClintock
Carter (GA)	Griffith	McHenry
Carter (TX)	Grothman	McKinley
Chabot	Guthrie	McMorris
Chaffetz	Harper	Rodgers
Cheney	Harris	McSally
Coffman	Hartzler	Meadows
Cole	Hensarling	Meehan
Collins (GA)	Herrera Beutler	Messer
Collins (NY)	Hice, Jody B.	Mitchell
Comer	Higgins (LA)	Moolenaar
Comstock	Hill	Mooney (WV)
Conaway	Holding	Mullin
Cook	Hollingsworth	Murphy (FL)
Costa	Huizenga	Murphy (PA)
Costello (PA)	Hultgren	Newhouse
Cramer	Hunter	Noem
Crawford	Hurd	Nunes
Cuellar	Issa	O'Halleran
Culberson	Jenkins (KS)	Olson
Curbelo (FL)	Jenkins (WV)	Palazzo
Davidson	Johnson (LA)	Palmer
Davis, Rodney	Johnson (OH)	Paulsen

Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)

NOES—185

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Biggs
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crist
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Demings
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Españalat
Esty
Evans
Foster
Frankel (FL)

NOT VOTING—4

Hudson Rogers (KY)
Pelosi Scott, David

Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

□ 1507

Ms. BLUNT ROCHESTER changed her 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.

PROVIDING FOR CONSIDERATION OF H.R. 1004, REGULATORY INTEGRITY ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 1009, OIRA INSIGHT, REFORM, AND ACCOUNTABILITY ACT

The SPEAKER pro tempore (Mr. SIMPSON). The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 156) providing for consideration of the bill (H.R. 1004) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes, and providing for consideration of the bill (H.R. 1009) to amend title 44, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to review regulations, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 233, nays 189, not voting 7, as follows:

[Roll No. 115]

YEAS—233

Abraham	Collins (GA)	Gowdy
Aderholt	Collins (NY)	Granger
Allen	Comer	Graves (GA)
Amash	Comstock	Graves (LA)
Amodei	Conaway	Graves (MO)
Arrington	Cook	Griffith
Babin	Costello (PA)	Grothman
Bacon	Cramer	Guthrie
Banks (IN)	Crawford	Harper
Barletta	Culberson	Harris
Barr	Curbelo (FL)	Hartzler
Barton	Davidson	Hensarling
Bergman	Davis, Rodney	Herrera Beutler
Biggs	Denham	Hice, Jody B.
Bilirakis	Dent	Higgins (LA)
Bishop (MI)	DeSantis	Hill
Bishop (UT)	DesJarlais	Holding
Black	Diaz-Balart	Hollingsworth
Blackburn	Donovan	Huizenga
Blum	Duffy	Hultgren
Bost	Duncan (SC)	Hunter
Brady (TX)	Dunn	Hurd
Brat	Emmer	Issa
Bridenstine	Farenthold	Jenkins (KS)
Brooks (AL)	Faso	Jenkins (WV)
Brooks (IN)	Ferguson	Johnson (LA)
Buchanan	Fitzpatrick	Johnson (OH)
Buck	Fleischmann	Johnson, Sam
Bucshon	Flores	Jones
Budd	Fortenberry	Jordan
Burgess	Fox	Joyce (OH)
Byrne	Franks (AZ)	Katko
Calvert	Frelinghuysen	Kelly (MS)
Carter (GA)	Gaetz	Kelly (PA)
Carter (TX)	Gallagher	King (IA)
Chabot	Garrett	King (NY)
Chaffetz	Gibbs	Kinzinger
Cheney	Gohmert	Knight
Coffman	Goodlatte	Kustoff (TN)
Cole	Gosar	Labrador