case. The Volks regulation only changes the window during which OSHA can issue a citation for recordkeeping paperwork violations. Employers will have the exact same obligation to record injuries as they always had, and OSHA will have the exact same opportunity to issue a citation as the statute has always permitted. The regulation is about paperwork violations and does nothing to improve worker health and safety.

NAHB urges you to support H.J. Res 83, and designates a vote in support of H.J. Res 83 as a KEY VOTE.

Sincerely,

JAMES W. TOBIN III.

U.S. CHAMBER OF COMMERCE,
Washington, DC, February 28, 2017.

Re Key Vote Alert!

TO THE MEMBERS OF THE UNITED STATES CONGRESS: The U.S. Chamber of Commerce supports H.J. Res. 83, which would invalidate the regulation issued by the Occupational Safety and Health Administration (OSHA) entitled ''Clarification of an Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness,'' and will consider including votes related to it in our 2017 How They Voted scorecard.

The rule would have the effect of extending to five years the statute of limitations on recordkeeping violations that the Occupational Safety and Health Act sets at six months. It was OSHA's attempt to negate a 2012 decision from the D.C. Circuit Court of Appeals involving a construction company known as Volks Constructors. The decision blocked OSHA from sustaining citations for recordkeeping violations that occurred beyond the six month statute of limitations specified in the Occupational Safety and Health Act. The court's unanimous 3–0 ruling included Judge Merrick Garland.

The court unequivocally rebuked OSHA, expressing particular concern on the agency's overstepping its authority: ''We do not believe Congress expressly established a statute of limitations only to implicitly encourage the Secretary to ignore it . . . The Act clearly renders the citations untimely, and the Secretary's argument to the contrary relies on an interpretation that is neither natural nor consistent with our precedents.'' The Volks decision has since been endorsed by the Fifth Circuit in the Delek decision, issued in December 2016, where the court found ''its reasoning persuasive.''

OSHA's Volks Rule will improperly subject millions of American businesses to citations for paperwork violations, while doing nothing to improve worker health and safety. It simultaneously represents a usurpation of Congress' power to write the laws and a direct rejection of the judicial branch's authority to rein in an agency when it exceeds its authority.

The Chamber urges you to vote in favor of H.J. Res. 83, to invalidate OSHA's Volks regulation and restore the statute of limitations for citations enacted by Congress.

Sincerely,

JACK HOWARD.

Mr. BYRNE. All of those groups I just mentioned support the repeal of this regulation that would come about by virtue of the bill that is before us. Why? Because we have a right to expect in this country that these regulatory agencies that Congress sets up will do their job with the significant sums of taxpayer money that they are provided by this Congress, the money that comes from the people of America to do their job in a timely fashion. And this agency comes forth and tries to act like it doesn't have the money or the authority to investigate violations and enforce the law within 6 months of a violation. That is balderdash. The American people have a right to expect more from these agencies than that.

But more to the point, the reason we are here today is really simple. We are here today to overturn a rule that is blatantly unlawful. We are here to put a stop to a rule that does nothing—I repeat nothing—to improve workplace safety. We are here to put a check on the very top of executive overreach the Congressional Review Act sought to address.

By blocking this punitive and overreaching rule, we will affirm Congress' commitment to proactive health and safety policies that help prevent injuries and illnesses before they occur. If we wait until the illness or injury has occurred, we have waited too late. OSHA has waited too late. It is time for OSHA to work with these employers, work with these people in the workplace to make the workplace safe, not show up 5 years after the fact when they don't have the authority and say: now we are going to issue a violation.

Mr. Speaker, the approach that we have demanded of OSHA for years is to proactively work in the workplace to ensure that it is safe, and we will continue to do that under this new administration. I urge my colleagues to overturn OSHA's unlawful power grab.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, the previous question is ordered on the joint resolution.

The question is on the engrossment and third reading of the joint resolution.

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

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

RECORDED VOTE

Mr. SCOTT of Virginia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

OIRA INSIGHT, REFORM, AND ACCOUNTABILITY ACT

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1009.

The SPEAKER pro tempore (Mr. MITCHELL). Is there objection to the request of the gentleman from Utah?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 156 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1009.

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

□ 1605

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 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, with Mr. JOYCE in the chair.

The Clerk read the title of the bill.

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

The gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the Virgin Islands (Ms. PLASKETT) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

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

We are here to consider H.R. 1009. This is a bill sponsored by the gentleman from Michigan (Mr. MITCHELL). It is cosponsored on the Committee on Oversight and Government Reform by the gentleman from North Carolina (Mr. MEADOWS) and the gentleman from Alabama (Mr. PALMER). We are also pleased to have the gentleman from Texas (Mr. SESSIONS), chairman of the Committee on Rules, as well as the gentleman from Michigan (Mr. WALBERG) as cosponsors.

Mr. Chairman, I rise today in support of H.R. 1009, the OIRA Insight, Reform, and Accountability Act. OIRA stands for the Office of Information and Regulatory Affairs. It has many responsibilities. It is a little known agency, but very powerful and very important. Some of its most well-known responsibilities are governed by an executive order. Executive Order 12866 was issued by President Clinton in 1993. The order was maintained under President Bush and reaffirmed by President Obama in 2009.

The OIRA Insight, Reform, and Accountability Act puts into statute the basic structure that has existed for more than two decades. The legislation also includes some minor adjustments for increased transparency and accountability. For example, agencies are required to provide OIRA with a redline of any changes the agency chooses to make during the review process. This allows the public to better understand how centralized review can improve the quality of rulemaking.

The bill clarifies the process for extending the time for OIRA to review regulations. Currently, OIRA has 90 days to review a regulation, but at the

request of the issuing agency, OIRA can extend the review indefinitely without notice to the public. Under the Obama administration, many rules were under review for more than a year with no explanation whatsoever. H.R. 1009 requires OIRA and the regulating agency to agree upon the extension and provide a written explanation to the public, including an estimated date of completion.

The government works for the people. You would think if they are going to miss deadlines and be late and go beyond the current rules, the people who are involved in the rulemaking would at least offer a little bit of a written explanation. The bill also requires OIRA to update the explanation and estimated completion date every 30 days after that moving forward.

Another significant difference from the executive order is H.R. 1009 includes independent agencies in OIRA's review of significant regulations. Independent regulatory agencies already submit their regulations to OIRA for the unified agenda and the annual regulatory plans. Under the Paperwork Reduction Act, independent agencies submit information collection requests, which is another way to say government forms, to OIRA for approval. For decades, experts across the political spectrum, including the Administrative Conference of the United States and the American Bar Association, have called for the inclusion of independent agencies in the significant regulation review process. Again, a good group there, the Administrative Conference of the United States, as well as the American Bar Association also asking for these independent agencies.

There is significant bipartisan agreement on including the independent agencies. In fact, President Obama's Jobs Council recommended including independent agencies in OIRA's regulatory review. Sally Katzen, OIRA administrator under President Clinton, said: ''For all practical purposes, the way executive branch agencies and independent agencies conduct rulemaking is the same, so they both should be expected to gather and use information on the costs and benefits of new regulatory proposals.'' She went on to suggest: ''Congress could adapt that approach for OIRA review of the analysis underlying independent agency rulemakings.'' And she goes on.

That is exactly what the bill does, which brings me to the last major difference between this bill and the executive order. This bill requires OIRA to report on what it reviewed and the results of that review. The Oversight Committee conducted an extensive investigation into the Waters of the United States rulemaking, also known as WOTUS. During the course of the investigation, it was clear OIRA was not conducting the analysis I think we should all expect. OIRA even shortchanged the interagency review process in order to meet the self-imposed arbitrary deadline.

H.R. 1009 requires OIRA to issue a report on each significant regulation it reviews so the public can see exactly what legal requirements OIRA focused on and what OIRA found. H.R. 1009 asks OIRA to consider: Did the agency technically comply with the requirement? Did it make solid effort to improve the regulation through the process? Or was the agency just going through the motions? These are very legitimate, easy, simple questions that we think can be answered.

Agencies are supposed to consider the public's comments, but what if the final rule is drafted before the comments are even reviewed? Perhaps the law does not explicitly prohibit that, but is it really an effective regulatory practice? The question is more than just whether agencies have simply complied. It is whether the agency is doing everything it can to limit the burden and make its regulations effective and easy to understand.

By requiring OIRA to make the results of its review of rulemakings available to the public, this bill will encourage agency accountability and improve the public's understanding of the rulemaking process. The Committee on Oversight and Government Reform approved this bill, without amendment, on February 14 of this year.

I again want to thank the leadership of Congressman MITCHELL for doing all that he has done to bring us to this point where we are debating this on the floor of the House. I also want to thank Katy Rother for her tireless work on this bill. She has done an awful lot of work, working with both sides of the aisle. Hats off to her as well. Again, I urge the passage of this bill.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 27, 2017.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1009, the OIRA Insight, Reform, and Accountability Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

KEITH HALL.

Enclosure.

H.R. 1009—OIRA INSIGHT, REFORM, AND ACCOUNTABILITY ACT

As ordered reported by the House Committee on Oversight and Government Reform on February 14, 2017

SUMMARY

H.R. 1009 would codify many executive orders and practices of the federal government related to the process of issuing federal regulations. The legislation also would expand the role of the Office of Information and Regulatory Affairs (OIRA) in the regulatory process and authorize OIRA to review rules proposed by certain independent federal agencies.

CBO estimates that implementing the bill would increase administrative costs to OIRA and federal agencies by a total of $20 million over the 2018–2022 period; such spending would be subject to the availability of appropriated funds. CBO estimates that enacting the bill would increase direct spending by $3 million over the 2018–2027 period and would reduce revenues by $2 million over the same period. Because the bill would affect revenues and direct spending, pay-as-you-go procedures apply.

CBO also expects that enacting H.R. 1009 could delay the issuance of some rules. However, because of the large number and variety of federal rules issued each year, CBO cannot determine whether a delay in the effective date of some rules would have a cost or savings to the federal government.

CBO estimates that enacting H.R. 1009 would not increase net direct spending or on-budget deficits by more than $5 billion in one or more of the four consecutive 10–year periods beginning in 2028.

H.R. 1009 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary effect of H.R. 1009 is shown in the following table. The costs of this legislation fall within all budget functions that include agencies that issue or review regulations.

	By fiscal year, in millions of dollars—											
	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2018–2022	2018–2027
INCREASES IN SPENDING SUBJECT TO APPROPRIATION												
Estimated Authorization Level	4	4	4	4	4	4	4	4	4	4	20	40
Estimated Outlays	4	4	4	4	4	4	4	4	4	4	20	40
INCREASES IN DIRECT SPENDING												
Estimated Budget Authority	*	*	*	*	*	*	*	*	*	*	2	3
Estimated Outlays	*	*	*	*	*	*	*	*	*	*	2	3
DECREASES IN REVENUES												
Estimated Revenues	*	*	*	*	*	*	*	*	*	*	−1	−2
NET INCREASE IN THE DEFICIT FROM CHANGES IN DIRECT SPENDING AND REVENUES												
Impact on Deficit	*	*	*	*	*	*	*	*	*	*	3	5

Note: *= between −$500,000 and $500,000.

BASIS OF ESTIMATE

For this estimate, CBO assumes that H.R. 1009 will be enacted near the end of fiscal year 2017 and that spending will follow historical patterns for these and similar activities.

CBO is not aware of any comprehensive information on current spending for regulatory activities governmentwide. However, according to the Congressional Research Service, federal agencies issue 3,000 to 4,000 final rules each year. Most are promulgated by the Departments of Transportation, Homeland Security, and Commerce, and the Environmental Protection Agency (EPA). Agencies that issue the most major rules (those with an estimated economic impact on the economy of more than $100 million per year) include the Department of Health and Human Services, the Department of Agriculture, and the EPA.

H.R. 1009 would codify certain regulatory policies and practices that are currently being implemented pursuant to several executive orders. Those instructions require agencies in the executive branch to analyze the impacts of regulations (including costs and benefits), to coordinate with OIRA during the rulemaking process, and to perform other activities and analyses related to considering the effects of proposed rules.

Spending Subject to Appropriation

On the basis of information from OIRA and several federal agencies on the cost of the rulemaking process, CBO estimates that more personnel would be needed to produce additional analyses and to perform other administrative tasks under H.R. 1009. CBO estimates that spending would increase by about $4 million annually and $20 million over the 2018–2022 period to hire and train sufficient staff. Such spending would be subject to the availability of appropriated funds.

Direct Spending

CBO estimates that some independent regulatory agencies would face an increased administrative workload under H.R. 1009 because, under current law, most independent regulatory agencies are not required to submit regulatory analyses to OIRA. Some of those agencies, primarily the Federal Deposit Insurance Corporation (FDIC) and Consumer Financial Protection Bureau (CFPB), can spend funds for such activities without further appropriation. CBO estimates that enacting H.R. 1009 would cost about $3 million over the 2018–2027 period for the FDIC and CFPB to prepare additional reports and analyses of proposed regulations for OIRA.

Revenues

H.R. 1009 would affect revenues by changing the cost of the operations of the Federal Reserve System, which remits its net earnings to the Treasury; those remittances are classified as revenues in the federal budget. The legislation would impose additional administrative expenses on the Federal Reserve to prepare reports and analyses for OIRA. Based on the cost of similar administrative work of the Federal Reserve, CBO estimates those additional administrative costs would reduce remittances by the Federal Reserve to the Treasury by $2 million over the 2018–2027 period.

PAY-AS-YOU-GO CONSIDERATIONS

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays and revenues that are subject to these pay-as-you-go procedures are shown in the following table.

CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 1009, AS ORDERED REPORTED BY THE HOUSE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM ON FEBRUARY 14, 2017

	By fiscal year, in millions of dollars—												
	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2017–2022	2017–2027
NET INCREASE IN THE DEFICIT													
Statutory Pay-As-You-Go Impact	0	0	0	0	0	0	0	0	0	0	0	3	5
Memorandum:													
Changes in Outlays	0	0	0	0	0	0	0	0	0	0	0	2	3
Changes in Revenues	0	0	0	0	0	0	0	0	0	0	0	−1	−2

INCREASE IN LONG-TERM NET DIRECT SPENDING AND DEFICITS

CBO estimates that enacting H.R. 1009 would not increase net direct spending or on-budget deficits by more than $5 billion in one or more of the four consecutive 10-year periods beginning in 2028.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 1009 contains no intergovernmental or private-sector mandates as defined in UMRA.

Estimate prepared by: Federal Costs: Nathaniel Frentz, Matthew Pickford, and Stephen Rabent; Impact on State, Local, and Tribal Governments: Zachary Byrum; Impact on the Private Sector: Paige Piper/Bach.

Estimate approved by: H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, February 16, 2017.

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

DEAR MR. CHAIRMAN: On February 14, 2017, the Committee on Oversight and Government Reform ordered reported without amendment H.R. 1009, the ''OIRA Insight, Reform, and Accountability Act'' by a vote of 23 to 16. The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on the Judiciary.

I ask that you allow the Committee on the Judiciary to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on the Judiciary represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, February 23, 2017.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: I write with respect to H.R. 1009, the ''OIRA Insight, Reform, and Accountability Act.'' As a result of your having consulted with us on provisions within H.R. 1009 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I forego any further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1009 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 998 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 1009.

Sincerely,

BOB GOODLATTE,
Chairman.

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

Mr. Chairman, I oppose this bill. My colleagues on the other side have portrayed this bill as simply a codification of an executive order President Clinton issued. That simply is not the case. This bill makes significant changes to the regulatory process. The bill would require independent agencies to submit rules to the Office of Information and Regulatory Affairs, OIRA, for review. Independent agencies do not currently have to get the approval of the White House for regulations they issue. Congress designed independent agencies to be just that, independent. This bill would change that.

In February of 2015, the Committee on Oversight and Government Reform Chairman JASON CHAFFETZ sent four letters to the chairman of the Federal Communications Commission alleging that the White House had ''an improper influence'' on the FCC's net neutrality plan and that the FCC ''failed to establish the appearance that this rulemaking is independent, fair, and transparent.''

The bill we are considering would enshrine in law that very allegation my esteemed colleague Chairman

CHAFFETZ had concerns about, political interference by the White House with the FCC and other independent agencies. The Congressional Budget Office estimates that this bill would increase direct spending by $3 million and reduce revenues by $2 million. These direct spending and revenue effects are caused by the fact that the bill covers independent agencies. CBO has also estimated that the bill would cost Federal agencies an additional $20 million in administrative costs. Imagine. I am fighting to keep the budget down in this matter.

The bill does not include offsets for any additional spending. The bill also omits critical phrases from Executive Order 12866 that ensures that OIRA reviews do not contradict existing law. For example, the executive order requires agencies to provide the cost and benefits of alternatives to a proposed rule ''unless prohibited by law.'' The bill does not include this exception, and my colleagues on the other side have still not explained why it does not include this language.

□ 1615

It is unclear how the bill would impact laws that prohibit agencies from considering costs when setting public health standards.

The Coalition for Sensible Safeguards—an alliance over 150 labor, scientific, good government, health, and environmental groups—sent a letter to the House Members yesterday opposing this bill. That letter said in part:

''Particularly concerning, H.R. 1009 would in effect rewrite dozens of public interest laws containing congressional mandates that require agencies to prioritize public health and safety and the preservation of the environment, clean air, and clean water over concerns for industry profits. This consequence flows from another key difference between H.R. 1009 and the Executive Orders it purports codify: Whereas the Orders impose their requirements only to the extent consistent with applicable laws, H.R. 1009 recognizes no such limitations.''

Mr. Chairman, this bill would also give OIRA the ability to hold up rulemaking indefinitely.

Under Executive Order 12866, the administrator over OIRA has 90 days to review a rule, and that period can be extended one time for 30 days. This bill would allow OIRA to extend its review ''for any number of additional 30-day periods upon written request by the administrator or the head of the agency.''

The bill also gives the rulemaking agencies the ability to object to an extension of OIRA review period, but it is not realistic to think that an agency would refuse a request for an extension from the White House.

The Union of Concerned Scientists also sent a letter to House Members opposing this bill. That letter said:

> Of particular concern is the fact that H.R. 1009 aims to codify some of the most burdensome requirements of previous executive orders while gutting the much-needed flexibility that the orders provide to Federal agencies in charge of ensuring science-based protections for the public. Congress should increase protections for our constituents rather than preventing agencies from issuing science-based protections.

I urge my colleagues to oppose this bill.

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

Mr. CHAFFETZ. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. MITCHELL), the sponsor of the bill.

Mr. MITCHELL. Mr. Chairman, I thank the gentleman from Utah for yielding.

Last night, President Trump stood feet from here and spoke about the need and his commitment to regulatory reform.

I would like to echo those comments. One of the chief reasons the voters sent most of us here is because they know that Federal regulation is killing our economy and placing a heavy burden on families. I am proud to deliver on a promise I made during the campaign, and to have done so in the first 100 days. The OIRA Insight, Reform, and Accountability Act codifies the Office of Information and Regulatory Affairs, known as OIRA. OIRA serves as the regulatory gatekeeper, a safety valve, providing a process and review to hold back the floodgates of unnecessary burdensome and duplicative regulations.

OIRA is a bipartisan office within the executive branch that was originally created during the Reagan administration and further outlined by President Clinton in an executive order. President Clinton put it well when he said:

''The American people deserve a regulatory system that works for them, not against them: a regulatory system that protects and improves their health, safety, environment, and well-being and improves the performance of the economy without imposing unacceptable or unreasonable costs on society; regulatory policies that recognize that the private sector and private markets are the best engine for economic growth; regulatory approaches that respect the role of State, local, and tribal governments; and regulations that are effective, consistent, sensible, and understandable.''

I agree with President Clinton's words in 1993. This is about making sure government solves problems, rather than creates them. And create them, it has.

In recent years, the regulatory state has grown to impressive levels. Between 2006 and 2015, agencies published over 36,000 final rules, of which 555 were considered economically significant. That is, they anticipated an economic effect of $100 million or more.

Many of these regulations have been imposed without thorough cost-benefit analysis, placing huge burdens on families and businesses. What is worse, Americans have had little, if any, influence on regulations that impact their lives as unelected bureaucrats regularly have exceeded their authority while imposing regulations that negatively impact them. It is our responsibility as the people's representatives to protect them from this ever-expanding regulatory state.

This bill is simple and plain. The bill locks into place existing transparency requirements like the unified agenda and the annual regulatory plan.

The bill also requires OIRA to tell us more about what they are currently doing.

After OIRA conducts a review of significant regulations, H.R. 1009 requires OIRA to give us a readout. Imagine that, we want them to tell us what they are doing. How did the agency do? Is the regulation well drafted? Did the agency meet the requirements of the law? That is a novel approach. Did the agency pick the best way to regulate? OIRA is already required to conduct this review under Executive Order 12886.

The bill asks OIRA to tell us the results. I am surprised and disappointed that even on this bill we have seen significant opposition.

My minority counterparts have made complaints based on strained legal arguments, but they haven't offered an amendment to fix the alleged problem. Why? Because they don't like the basic concepts of the bill. These are not partisan concepts. We have heard their concerns in committee. We obviously disagree at this point. And as the chairman said, this is passed by committee without amendment. We look forward to support, and I ask my colleagues to support the bill.

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

We are opposed to the bill because we have received letters and concerns from a cross section of Americans, a cross section of organizations, who recognize that this is not really a codification of an executive order, but this is overreach on the part of the majority of Congress at this time. They feel that they are able to do it, and so they are going to ram this through.

H.R. 1009 would add another layer of bureaucracy to an already slow rulemaking process. The Consumer Federation of America says:

> The bill creates a regulatory working group to provide input to agencies about how to improve their regulatory process, including an evaluation of risk assessment techniques.

It appears like this is what we are going to be doing throughout Oversight and Government Reform, is creating new task forces and new groups to review rulemaking and review regulations at the cost of the taxpayer.

H.R. 1009 would jeopardize the independence of agencies like the Consumer Product Safety Commission, the Securities and Exchange Commission, the Commodities Futures Trading Commission, the Federal Communications Commission, as well as other independent agencies because it will give the Office of Information and Regulatory Affairs, OIRA, the ability to

review significant rules which are outside of their scope now. That is why these agencies are called independent, because Congress wanted them to be independent. We are now giving OIRA overreach into independent agencies.

The Consumer Federation of America goes on to say:

Authorizing OIRA to conduct its own analysis would not only add pressure from the executive branch and add time and expense to the already slow regulatory process, but would also give the special interests seeking to quash a safety measure yet another avenue to prevent a rule from being promulgated.

Significantly, independent agencies were created by Congress to prioritize public health and safety, ensure a fair financial marketplace, and consumer privacy. This bill would undermine the authorizing statutes and the missions of these independent agencies by allowing those agencies to be in some way touched by the White House.

Again, we have the Natural Resources Defense Council. Their letter to all of the Members said:

The bill would also revive legislative language that Congress repealed elsewhere because it made it impossible to protect the public.

Specifically, in H.R. 1009, OIRA was charged with ensuring that the regulation imposes the least burden on society. Congress removed such language when it updated TSCA because the phrase had made it impossible for chemical safety regulations to pass judicial muster, even when the chemical was asbestos, well known to be a potential carcinogen.

No one wants to impose unnecessary burdens on society, but the phrase ''least burdensome'' has been interpreted to put an agency in an impossible position of providing that there is no other conceivable way to accomplish its goal of having to cost out every theoretical option.

The reason we are opposed to this bill is because it makes it more difficult for independent agencies to remain independent and not be moved by the White House by political machinations that this Congress is now trying to impose on them.

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

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

Let me mention that the bill does not require any of these agencies to provide new analysis. And I haven't really heard an example or a reason why something would be prohibited in an agency from sharing existing cost-benefit analysis.

What could the agencies have that they should not share with OIRA?

It just seems reasonable that if they have this information, they should share it. Ultimately, we do work for the American people, and the American people should be able to see this information as it goes to OIRA.

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

Ms. PLASKETT. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. MAXINE WATERS).

Ms. MAXINE WATERS of California. Mr. Chairman, I thank Ms. PLASKETT for yielding to me.

H.R. 1009 would empower Trump's White House to block all of the independent financial agencies' proposed actions to protect our economy. And, worse, the bill empowers President Trump's advisers to influence monetary policy, including interest rates that affect America's mortgages, credit cards and IRAs.

Independent agencies, like the Consumer Financial Protection Bureau, would have to first receive the okay from Trump's administration, packed with Wall Street insiders, before they could protect the American public. For example, the administration could block the Consumer Financial Protection Bureau's recent proposal to stop payday lender debt traps. These agencies would be directed to write rules favorable to industry, subjecting individuals once again to predatory practices.

I am so deeply troubled that H.R. 1009 gives the Trump administration a say in the Federal Reserve's monetary policy decisions. The importance of Fed independence is well established and results in objective, nonpolitical policymaking, and a high degree of credibility with financial markets.

However, today's bill threatens the integrity of these decisions. Given that the Fed's actions can move stock markets by hundreds of points, we should absolutely reject the Trump White House and Republicans' desire to use the Fed for partisan gain.

An administration that believes bad polls are ''fake news,'' goes to great lengths to inflate the number of attendees at the inauguration, and misrepresents the Nation's debt level should not be allowed to meddle with the interest rate decisions or marketplace guardrails critical to our economy's health.

I urge Members to oppose this bill.

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

Ms. PLASKETT. Mr. Chairman, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank my good friend from the Virgin Islands (Ms. PLASKETT) for yielding to me.

I had to come down as I saw this attempt to use our jurisdiction to undermine our independent agencies. And I want to put an emphasis on independent agencies because they have always been treated differently.

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Executive Order 12866 has long subjected agency rulemakings to some review by the Office of Information and Regulatory Affairs, but independent agencies have been treated differently. Congress deliberately created them as independent to exempt them from political review for their regulatory actions by the White House.

The agencies we are talking about are very often agencies that deal with our economy. They are almost always agencies whose subject matter is controversial, like the National Labor Relations Board, which deals with labor management matters, or the FTC, whose role is to prevent anticompetitive business practices, not to mention the Fed.

Now, the executive order provides OIRA with the ability to do cost-benefit analysis ''unless prohibited by law.'' Those words are our congressional words, ''unless prohibited by law.''

Now, that language is not in this executive order. Does it mean that it is erased so that, with respect to environment and public safety rules for example, ''prohibited by law'' no longer obtains and cost benefit can be done so that you can weigh the cost or the benefit of rules? The benefit would be clear, but the cost of rules that are so protective of the public that we have exempted them in the past—the silence is deafening.

Agencies also have always been able to indicate, because they have the only real knowledge, whether or not their rulemakings are significant. How could we give this exclusive authority now to OIRA? The politicization of independent agencies, making them subject to White House oversight, is very dangerous. It robs them of what is perhaps the most important part of their independence. This bill goes many steps too far.

Mr. CHAFFETZ. Mr. Chair, I would just point out that these independent agencies need oversight as much as any other agency; and, ultimately, what we are trying to do is provide more transparency, more information to the public. Whether or not they think they are independent or not, they still work for the American people, and the people that are footing the bills and that have to live under these regulations should have the right to see this information and have this information provided to them through the process.

We are never going to apologize for trying to increase the transparency and the process. That is what this bill does.

I reserve the balance of my time.

Ms. PLASKETT. Mr. Chair, we would say that this bill is not necessarily about transparency so much as it is about the executive branch, and specifically the White House, being able to reach into these independent agencies. There are already mechanisms in place for the transparency that my colleague is speaking about. What we are doing now is creating another level of oversight over the committees, over these independent agencies, so that this Congress can then have reach into them as well.

At this time, I yield 5 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentlewoman for yielding.

Mr. Chair, I rise in opposition to H.R. 1009, the OIRA Insight, Reform, and Accountability Act, yet another radical bill, part of a corporate agenda designed to eviscerate public protections under the Clean Water Act and other laws designed to ensure the safety of American families.

As the ranking member of the House Judiciary Subcommittee on Regulatory Reform, I have several serious concerns with this measure.

First, H.R. 1009 would eviscerate the independence of agencies that are critical to holding corporations accountable and protecting consumers, such as the Consumer Financial Protection Bureau, the Federal Trade Commission, and the Securities and Exchange Commission. Congress established these expert agencies with the express purpose of exercising independence from the policy whims of the White House.

Section 3423 of H.R. 1009, however, would task the White House Office of Information and Regulatory Affairs, OIRA, with a governmentwide review of significant regulatory actions, effectively placing this obscure entity as the gatekeeper of the rulemaking system.

Currently, OIRA only reviews a small portion of significant regulatory actions, allowing it to effectively allocate its finite resources to review the most pressing rules. But by substantially expanding OIRA's mandate to include every significant regulatory action, this legislation would simultaneously water down agency oversight while also subjecting independent agencies to the influence of the Trump administration, facilitating political interference in the rulemaking process.

One of the overriding goals of OIRA review is to ensure that the President's policies are reflected in agency rules. Greater Presidential control over rulemaking, particularly in this administration's hands, could have devastating consequences in terms of public health and safety. It would not only provide special interests with an additional tool for regulatory capture, but it would also allow the White House to substitute its own policy preferences for those of Congress.

As Senator RON JOHNSON, the Republican chair of the Senate committee with jurisdiction over administrative law, observed in a report last year: ''Limits on the President's power over independent agencies—like the Federal Communications Commission—demonstrate the importance of maintaining the agency's independence.''

Furthermore, because President Trump has made the outrageous and unprecedented choice not to divest his business holdings, I am also very concerned that H.R. 1009 would only serve to convert the regulatory system into his own personal investment account.

Robert Weissman, the president of Public Citizen, recently noted: ''The Nation's golfer-in-chief'' owns or brands businesses across the country that would be affected by protections promulgated under the Clean Water Act. Increasing the White House's role in the rulemaking system will only serve to undermine what little transparency exists into the President's regulatory conflicts of interest.

The Government Accountability Office has reported in multiple studies that OIRA has not addressed transparency concerns that GAO has raised, and for this reason I offered an amendment.

I was pleased to hear my friend from Utah talk about the transparency benefits, but I offered an amendment to H.R. 1009 that was designed to ferret out crony capitalism by requiring that OIRA reports whether a significant regulatory action would financially benefit the President or his senior advisers. That seems like a really sensible idea if you really want to get at the issue of transparency.

Very disappointingly, my Republican colleagues refused to make my amendment in order, really tacitly acknowledging their concerns with what this type of transparency might mean for the Trump administration.

Finally, while supporters of this proposal argue that it merely codifies executive orders that were issued under Democratic administrations, the reality is that H.R. 1009 was drafted without Democratic input, contains several poison pill provisions designed to ensure its partisan and unworkable nature, and would only have been vetoed by the Obama administration.

As the Obama administration noted in the context of a veto threat of another antiregulatory bill, agencies already adhere to the robust and well-understood procedural and analytical requirements of the Administrative Procedure Act, the Regulatory Flexibility Act, the Unfunded Mandates Reform Act, the Paperwork Reduction Act, and the Congressional Review Act.

Passage of antiregulatory legislation to ''replace this established framework with layers of additional procedural requirements,'' the Obama administration cautioned, ''would undermine the ability of agencies to execute their statutory mandates.'' Because H.R. 1009 does this very thing, I urge my colleagues to oppose this legislation.

I thank the gentlewoman for yielding.

Ms. PLASKETT. Mr. Chair, I yield myself the balance of my time to close.

There are many organizations that oppose this bill, including consumer protection groups such as The Center for Popular Democracy's Fed Up Coalition. The Fed Up Coalition sent a letter to House Members today that said:

> The Fed Up Coalition exists to ensure that policymaking at the Federal Reserve reflects the concerns of working families and communities of color. By encroaching on the Fed's ability to pursue sound regulation and extending the hand of the executive branch in the Federal Reserve decisionmaking, H.R. 1009 undermines the Feds's ability to keep our financial system safe and protect working families and taxpayers that our coalition represents.

I strongly urge Members to vote ''no'' on H.R. 1009, and I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield myself the balance of my time.

I just want to simply point out that the bill does extend OIRA to review independent agencies. I also would point out, as I did earlier, the Administrative Conference of the United States recommended OIRA review be extended to independent agencies back in 1988.

In fact, the American Bar Association recommended OIRA review be extended to independent agencies in 1990 and reaffirmed the need again in 2016. They said: ''We strongly urge you to bring the independent regulatory commissions within the requirements for cost-benefit analysis''—I am going to just inject my own words here in the middle.

Cost-benefit analysis, isn't that something reasonable that we should all look at? That is not asking an agency too much, especially if they already have the information.

They went on to say: ''OMB review, and retrospective review of rules currently reflected in Executive Order 12866. . . . ''

Those are not overly burdensome requests. In fact, in 2011, Sally Katzen, the OIRA Administrator under President Clinton, urged Congress to support extending OIRA review to independent agencies, when she wrote: ''Our concern is that independent agencies are not typically engaging in the analysis that has come to be expected as a form of governmental best practice for regulatory agencies.''

It seems like a reasonable expectation to employ best practices. And all that bill does is—again, it does not interfere with independent agencies' rulemaking process or their policy decision. It simply requires OIRA to review the regulations to ensure these agencies are complying with legal requirements just the same as any other agency.

That is a reasonable request. That is why we urge its passage.

I yield back the balance of my time.

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

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

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–4. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1009

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''OIRA Insight, Reform, and Accountability Act''.

SEC. 2. OFFICE OF INFORMATION AND REGULATORY AFFAIRS.

(a) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, is amended by adding at the end the following new sections:

''§ 3522. Office of Information and Regulatory Affairs Regulatory Working Group; regulatory plan; Unified Agenda

''(a) REGULATORY WORKING GROUP.—

''(1) ESTABLISHMENT; MEMBERS.—The Administrator of the Office of Information and Regulatory Affairs shall convene a working group to be known as the Regulatory Working Group, whose members shall consist of the following:

''(A) The Administrator.

''(B) Representatives selected by the head of each agency that the Administrator determines to have significant domestic regulatory responsibility.

''(C) Other executive branch officials as designated by the Administrator.

''(2) CHAIR.—The Chair of the Regulatory Working Group shall be the Administrator, who shall periodically advise Congress on the activities of the Regulatory Working Group.

''(3) PURPOSE.—The Regulatory Working Group shall serve as a forum to assist agencies in identifying and analyzing important regulatory issues, including, at a minimum—

''(A) the development of innovative regulatory techniques;

''(B) the methods, efficacy, and utility of comparative risk assessment in regulatory decisionmaking; and

''(C) the development of streamlined regulatory approaches for small businesses and other entities.

''(4) MEETINGS.—The Regulatory Working Group shall meet not less than quarterly and may meet as a whole or in subgroups of members with an interest in particular issues or subject areas.

''(5) ANALYTICAL STUDIES.—To inform the discussion of the Regulatory Working Group, the Regulatory Working Group may request analytical studies and reports by the Office of Information and Regulatory Affairs, the Administrative Conference of the United States, or any other agency.

''(b) REGULATORY PLAN.—

''(1) IN GENERAL.—

''(A) DEADLINE FOR AND DESCRIPTION OF REGULATORY PLAN.—Not later than June 1 of each year, the head of each agency shall approve and submit to the Administrator a regulatory plan that includes each significant regulatory action that the agency reasonably expects to issue in proposed or final form in the following fiscal year or thereafter and the retrospective review described in paragraph (2). The regulatory plan shall also contain, at a minimum, the following:

''(i) A statement of the regulatory objectives and priorities of the agency.

''(ii) A summary of each planned significant regulatory action including, to the extent possible, alternatives to be considered and preliminary estimates of the anticipated costs and benefits of such action.

''(iii) A summary of the legal basis for each such action, including whether any aspect of the action is required by statute or court order.

''(iv) A statement of the need for each such action and, if applicable, how the action will reduce risk to public health, safety, or the environment, as well as how the magnitude of the risk addressed by the action relates to any other risk within the jurisdiction of the agency.

''(v) The schedule for each such action, including a statement of any applicable statutory or judicial deadline.

''(vi) The name, email address, and telephone number of a knowledgeable agency employee the public may contact for additional information about each such action.

''(B) CIRCULATION OF REGULATORY PLAN.—Not later than 10 days after receiving the regulatory plan under subparagraph (A), the Administrator shall circulate the regulatory plan to any other agency the Administrator determines may be affected by the plan.

''(C) AGENCY NOTIFICATION TO OIRA OF CONFLICTING SIGNIFICANT REGULATORY ACTIONS.—The head of an agency shall promptly notify the Administrator in writing if any planned significant regulatory action in the regulatory plan of another agency may conflict with the policy or action taken or planned by that agency. The Administrator shall forward any notification received under this subparagraph to the other agency involved.

''(D) NOTIFICATION OF CONFLICTING SIGNIFICANT REGULATORY ACTIONS.—The Administrator shall notify the head of an agency in writing if any planned significant regulatory action conflicts with any policy or action taken or planned by another agency.

''(E) REQUIREMENT TO PUBLISH IN UNIFIED AGENDA.—Each regulatory plan submitted by the head of an agency under subparagraph (A) shall be included in the October publication of the Unified Agenda described under subsection (c).

''(2) RETROSPECTIVE REVIEW.—

''(A) LIST OF OUTDATED REGULATIONS.—The head of each agency shall include in the regulatory plan submitted under paragraph (1)(A) a list of regulations that have been identified by the agency (including any comments submitted to the agency) as unjustified, unnecessary, duplicative of other regulations or laws, inappropriately burdensome, or otherwise recommended for removal.

''(B) DESCRIPTION OF RETROSPECTIVE REVIEW.—The head of each agency shall include in the regulatory plan submitted under paragraph (1)(A) a description of any program or other effort to review existing regulations to determine whether any such regulations should be modified or eliminated in order to increase the effectiveness in achieving the regulatory objectives of the agency or to reduce the burden of regulations. The agency shall include any statutory requirements that require the agency to promulgate or continue to impose regulations that the agency believes are unnecessary or outdated by reason of changed circumstances.

''(C) OIRA COORDINATED REVIEW.—The Administrator shall work with interested entities and agencies, including through the processes established under subsection (d), to review the list of regulations identified under subparagraph (A) and such entities may assist OIRA and the agencies with identifying regulations or groups of regulations that—

''(i) impose significant or unique burdens on governmental entities and that are no longer justified; or

''(ii) affect a particular group, industry, or sector of the economy.

''(c) UNIFIED AGENDA.—

''(1) SUBMISSION OF REGULATIONS UNDER DEVELOPMENT OR REVIEW.—Not later than April 1 and October 1 of each year, the head of each agency shall submit to the Administrator an agenda of each regulation under development or review in accordance with any guidance issued under this section. Each agenda shall include, to the extent practicable, the following:

''(A) For each regulation—

''(i) a regulation identifier number;

''(ii) a brief summary of the regulation;

''(iii) a citation to the legal authority to issue the regulation;

''(iv) any legal deadline for the issuance of the regulation;

''(v) the name and phone number for a knowledgeable agency employee; and

''(vi) the stage of review for issuing the regulation.

''(B) For each regulation expected to be promulgated within the following 18 months—

''(i) a determination of whether the regulation is expected to be a significant regulatory action or an economically significant regulatory action; and

''(ii) any available analysis or quantification of the expected costs or benefits.

''(C) For any regulation included in the immediately previous agenda, an explanation of why the regulation is no longer included.

''(2) PUBLICATION OF UNIFIED AGENDA REQUIRED.—Not later than April 15 and October 15 of each year, the Administrator shall compile and publish online each agenda received under paragraph (1) (to be known as the Unified Agenda).

''(3) GUIDANCE.—

''(A) IN GENERAL.—The Administrator shall issue guidance for agencies on the manner of submission under this subsection and on meeting the requirements of this subsection, including a standard definition for each stage of review and any other definition that would assist the public in understanding the different terms used by agencies to submit the agenda required under paragraph (1).

''(B) UPDATES.—The Administrator shall periodically review compliance with this section and issue guidance or recommendations to assist agencies in complying with this section.

''(d) COORDINATION WITH STATE, LOCAL, AND TRIBAL GOVERNMENTS AND THE PUBLIC.—

''(1) STATE, LOCAL, AND TRIBAL GOVERNMENTS.—The Administrator shall meet not less than quarterly with representatives of State, local, and tribal governments to identify both existing and proposed regulations that may uniquely or significantly affect those government entities.

''(2) PUBLIC.—The Administrator shall periodically convene conferences with representatives of businesses, nongovernmental organizations, and the public to discuss regulatory issues of common concern.

''(e) BEST PRACTICES.—The Administrator shall, in consultation with the Regulatory Working Group and the entities described in subsection (d), periodically develop advice and guidance for agencies on best practices of the development of regulations.

''§ 3523. OIRA coordinated review of significant regulatory actions

''(a) OIRA REVIEW.—

''(1) IN GENERAL.—The Administrator shall conduct a Governmentwide coordinated review of significant regulatory actions to ensure that such regulations are consistent with applicable law and that a regulatory action by one agency does not conflict with a policy or action taken or planned by another agency.

''(2) PERIODIC AGENCY SUBMISSION OF PLANNED REGULATORY ACTIONS.—The head of each agency shall provide to the Administrator, at such time and in such a manner as determined by the Administrator, a list of each planned regulatory action with an identification of whether each such regulatory action is a significant regulatory action.

''(3) REVIEW OF SIGNIFICANT REGULATORY ACTION REQUIRED.—

''(A) IN GENERAL.—The Administrator shall make a determination of whether any planned regulatory action submitted under this section is a significant regulatory action and shall review each such significant regulatory action in accordance with this section.

''(B) NOT SUBJECT TO REVIEW.—Any planned regulatory action determined by the Administrator not to be a significant regulatory action is not subject to review under this section.

''(C) NOTIFICATION REQUIRED.—Not later than 10 days after a planned regulatory action has been determined to be a significant regulatory action, the Administrator shall notify the head of the relevant agency of such determination.

''(4) WAIVER OF REVIEW FOR SIGNIFICANT REGULATORY ACTION.—The Administrator—

''(A) may waive review of any planned regulatory action designated as a significant regulatory action; and

''(B) shall publish online a detailed written explanation of any such waiver.

''(b) AGENCY CONSULTATION WITH OIRA.—

''(1) IN GENERAL.—An agency may consult with OIRA at any time on any regulatory action.

''(2) REGULATION IDENTIFIER NUMBER.—The head of an agency shall make every effort to obtain a regulation identifier number for the regulatory action that is the subject of the consultation before consulting with OIRA.

''(3) CONSULTATION INFORMATION REQUIRED.—If the head of an agency is unable to obtain the regulation identifier number as described in paragraph (2), the head of the agency shall provide the regulation identifier number to OIRA as soon as the number is obtained with a list of any previous interactions with OIRA relating to the regulatory action that is the subject of the consultation.

''(c) AGENCY SUBMISSION OF SIGNIFICANT REGULATORY ACTION FOR REVIEW.—Before issuing a significant regulatory action, the head of an agency shall submit the significant regulatory action to the Administrator for review and shall include the following:

''(1) The text of the significant regulatory action.

''(2) A detailed description of the need for the significant regulatory action.

''(3) An explanation of how the significant regulatory action will meet the identified need.

''(4) An assessment of potential costs and benefits of the significant regulatory action.

''(5) An explanation of the manner in which the significant regulatory action is consistent with a statutory mandate and avoids undue interference with State, local, and tribal government functions.

''(6) For an economically significant regulatory action, if any of the following was developed during the decisionmaking process of the agency:

''(A) An assessment of and quantification of costs and benefits of the significant regulatory action.

''(B) An assessment of and quantification of costs and benefits of potentially effective and feasible alternatives, including any underlying analysis.

''(C) An explanation of why the planned significant regulatory action is preferable to any identified potential alternatives.

''(d) DEADLINES FOR REVIEW.—

''(1) REVIEW COORDINATION.—To the extent practicable, the head of each agency shall work with the Administrator to establish a mutually agreeable date on which to submit a significant regulatory action for review.

''(2) EXPEDITED REVIEW.—When an agency is obligated by law to issue a significant regulatory action before complying with the provisions of this section, the head of the agency shall notify the Administrator as soon as possible. To the extent practicable, OIRA and the agency shall comply with the provisions of this section.

''(3) 10-DAY REVIEW.—In the case of a significant regulatory action that is a notice of inquiry, advance notice of proposed rulemaking, or other preliminary regulatory action prior to a notice of proposed rulemaking, within 10 business days after the date of submission of the such action to the Administrator, OIRA shall complete the review.

''(4) 90-DAY REVIEW.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), for any other significant regulatory action not described in paragraph (3), within 90 days after the date of submission of the action, OIRA shall complete the review.

''(B) EXCEPTION 45-DAY REVIEW.—If OIRA has previously reviewed the significant regulatory action described in subparagraph (A) and, since that review, there has been no material change in the facts and circumstances upon which the significant regulatory action is based, OIRA shall complete the review within 45 days after submission of the action.

''(5) EXTENSION.—Any review described under this subsection may be extended for any number of additional 30-day periods upon written request by the Administrator or the head of the agency. Such request shall be granted unless the nonrequesting party denies the request in writing within 5 days after receipt of the request for extension.

''(6) RETURN.—If the Administrator determines OIRA is unable to complete a review within the time period described under this subsection, the Administrator may return the draft of the significant regulatory action to the agency with a written explanation of why OIRA was unable to complete the review and what additional information, resources, or time OIRA would need to complete the review.

''(7) WITHDRAWAL.—An agency may withdraw the regulatory action from OIRA review at any time prior to the completion of the review.

''(e) COMPLIANCE REVIEW.—The Administrator shall review any significant regulatory action submitted under subsection (c) to determine the extent to which the agency—

''(1) identified the problem that the significant regulatory action is designed to address (including, where applicable, the failures of private markets or public institutions that warrant new agency action);

''(2) assessed the significance of the problem the regulatory action is designed to address;

''(3) examined whether existing regulations or laws have created or contributed to the problem that the regulatory action is designed to correct and whether those regulations or laws should be modified to achieve the intended goal more effectively;

''(4) identified and assessed available alternatives to direct regulation, including providing economic incentives to encourage desired behaviors, such as user fees or marketable permits, or providing information upon which choices can be made by the public;

''(5) considered, to the extent reasonable, the degree and nature of the risks posed by various substances or activities within the jurisdiction of the agency;

''(6) designed the regulatory action to be the most cost-effective manner to achieve the regulatory objective;

''(7) considered incentives for innovation, consistency, predictability, flexibility, distributive impacts, equity, and the costs of enforcement and compliance by the Government, regulated entities, and the public;

''(8) assessed costs and benefits of the regulatory action and made a reasoned determination that the benefits justify the costs;

''(9) used the best reasonably obtainable scientific, technical, economic, and other information concerning the need for and consequences of the regulatory action;

''(10) identified and assessed alternative forms of regulation and, to the extent feasible, specified performance objectives rather than behavior or manner of compliance;

''(11) sought comments and suggestions from appropriate State, local, and tribal officials on any aspect of the regulatory action that might significantly or uniquely affect those governmental entities;

''(12) assessed the effects of the regulatory action on State, local, and tribal governments, including specifically the availability of resources to carry out the regulatory action, and minimized the burdens that uniquely or significantly affect such governmental entities, consistent with achieving regulatory objectives;

''(13) harmonized the regulatory action with the regulatory and other functions of State, local, and tribal governments;

''(14) avoided conflicts with or duplication of other existing regulations;

''(15) tailored the regulatory action to impose the least burden on society, including individuals, businesses of differing sizes, and other entities (including small communities and governmental entities), consistent with obtaining the regulatory objectives, and taking into account, among other things and to the extent practicable, the costs of cumulative regulations;

''(16) drafted the regulatory action to be simple and easy to understand, and minimized the potential for uncertainty and litigation arising from such uncertainty;

''(17) met all applicable Executive order requirements;

''(18) met all applicable statutory requirements; and

''(19) complied with all applicable guidance.

''(f) QUALITY REVIEW.—For any significant regulatory action submitted under subsection (c), OIRA shall assess the extent to which the agency conducted a meaningful and complete analysis of each of the factors described in subsection (e), considering best practices, methods observed through reviewing other agencies, comments from stakeholders, and other resources that may improve the quality of the process.

''(g) INTERAGENCY CONSULTATION.—The Administrator shall identify each agency potentially affected, interested, or otherwise likely to provide valuable feedback on a significant regulatory action submitted under subsection (c) and facilitate a meaningful interagency consultation process. The Administrator shall—

''(1) provide each identified agency with a copy of the draft regulatory action;

''(2) allow each identified agency to review the draft regulatory action for a sufficient period of time, not less than 10 business days;

''(3) solicit written comments from such agency and provide those written comments to the submitting agency; and

''(4) as appropriate, facilitate conversations between agencies.

''(h) STAKEHOLDER CONSULTATION.—For all substantive communications between OIRA and individuals not employed by the executive branch regarding a regulatory action submitted to the Administrator for review under this section, the Administrator shall—

''(1) invite the issuing agency to any meeting between OIRA personnel and individuals not employed by the executive branch;

''(2) not later than 10 business days after receipt of any written communication submitted by any individual not employed by the executive branch, make such communications available to the public online; and

''(3) make available to the public online a log, which shall be updated daily, of the following information:

''(A) The status of each regulatory action.

''(B) A copy of any written communication submitted by any person not employed by the executive branch.

''(C) The dates and names of persons involved in any substantive oral communication and the subject matter discussed during such communication.

''(i) CONCLUSION OF REVIEW.—

''(1) PROVISION TO AGENCY.—Upon completion of the review, the Administrator shall provide the head of an agency with the results of the OIRA review in writing, including a list of every standard, Executive order, guidance document, and law reviewed for compliance and the results for each.

''(2) CHANGES DURING REVIEW PERIOD.—Within 24 hours after the conclusion of the OIRA review under this section, the head of the submitting agency shall provide the Administrator with a redline of any changes the agency made to the regulatory action during the review period. To the extent practicable, the agency shall identify any change made at the suggestion or recommendation of any other agency, member of the public, or other source. To the extent practicable, the agency should identify the source of any such change.

''§ 3524. Public disclosure of regulatory review

''(a) IN GENERAL.—On the earlier of 3 days after OIRA completes the review of any agency significant regulatory action under section 3523, the date on which such agency publishes the regulatory action in the Federal Register, or the date on which the agency announces a decision

not to publish the regulatory action, the Administrator shall make available to the public online—

''(1) all information submitted by an agency under section 3523;

''(2) the results of the review provided to the agency under section 3523;

''(3) the redline of any changes made by the agency during the course of the review provided under section 3523(i)(2); and

''(4) all documents exchanged between OIRA and the agency during the review.

''(b) PLAIN LANGUAGE REQUIREMENT.—All information provided to the public shall, to the extent practicable, be in plain, understandable language.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 35 of title 44, United States Code, is amended by inserting after the item relating to section 3521 the following new items:

''3522. Office of Information and Regulatory Affairs Regulatory Working Group; regulatory plan; Unified Agenda.

''3523. OIRA coordinated review of significant regulatory actions.

''3524. Public disclosure of regulatory review.''.

(c) DEFINITIONS.—Section 3502 of title 44, United States Code, is amended—

(1) in paragraph (13)(D), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(15) the term 'Administrator' means, unless otherwise indicated, the Administrator of the Office of Information and Regulatory Affairs;

''(16) the term 'economically significant regulatory action' means any regulatory action described under subparagraph (A) or (B) of paragraph (21);

''(17) the term 'OIRA' means the Office of Information and Regulatory Affairs;

''(18) the term 'regulation'—

''(A) means an agency statement of general applicability and future effect, which the agency intends to have the force and effect of law, that is designed to implement, interpret, or prescribe law or policy or to describe the procedure or practice requirements of an agency; and

''(B) does not include such a statement if—

''(i) issued in accordance with the formal rulemaking provisions of sections 556 and 557 of title 5;

''(ii) the statement pertains to a military or foreign affairs function of the United States, other than procurement regulations and regulations involving the import or export of nondefense articles and services;

''(iii) the statement is limited to an agency organization, management, or personnel matters; or

''(iv) the statement is exempted as a regulation by the Administrator;

''(19) the term 'regulation identifier number' means a unique identification code for regulations, which is designed to assist tracking regulations through the course of development;

''(20) the term 'regulatory action' means any substantive action by an agency normally published in the Federal Register that promulgates or is expected to lead to the promulgation of a final regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking;

''(21) the term 'significant regulatory action' means any regulatory action that is likely to result in a regulation that may—

''(A) have an annual effect on the economy of $100,000,000 or more;

''(B) adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

''(C) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

''(D) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients therein; or

''(E) raise novel legal or policy issues arising out of legal mandates;

''(22) the term 'small business' has the meaning given the term 'small-business concern' in section 3 of the Small Business Act (15 U.S.C. 632); and

''(23) the term 'State' means each of the several States, the District of Columbia, each territory or possession of the United States, and each federally recognized Indian tribe.''.

(d) DEADLINE FOR ISSUANCE OF GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Office of Information and Regulatory Affairs shall issue any guidance required by section 3522 of title 44, United States Code, as added by subsection (a).

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 115–21. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. MITCHELL

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 115–21.

Mr. MITCHELL. 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 7, line 2, strike ''Administrator shall work with interested'' and insert the following: ''head of each agency shall submit the program descriptions required in subparagraph (B) to the Administrator. The Administrator shall work with other interested''.

Page 7, beginning on line 16, strike ''April 1 and October 1'' and insert ''March 15 and September 15''.

Page 8, beginning on line 17, strike ''analysis or quantification'' and insert ''clear summary''.

Page 15, beginning on line 16, strike ''written request by the Administrator or the head of the agency. Such request shall be granted unless the nonrequesting party denies the request in writing within 5 days after receipt of the request for extension.'' and insert the following: ''mutual agreement of the Administrator and the head of the agency. For each 30 day extension, the Administrator shall make publicly available online a written explanation, including the reasons for the extension and an estimate of the expected conclusion date.''.

Page 15, line 22, strike ''complete'' and insert ''conclude''.

Page 19, line 14, strike ''assess'' and insert ''review''.

Page 20, line 7, strike ''and provide those written comments to the submitting agency''.

Page 21, beginning on line 20, strike ''Within 24 hours after the conclusion of the OIRA review under this section, the head of the submitting agency shall provide the Administrator with'' and insert the following: ''As soon as practicable and before publication in the Federal Register of a significant regulatory action for which OIRA concluded review under this section, the head of the submitting agency shall make available to the Administrator''.

Page 22, beginning on line 6, strike ''On the earlier of 3 days after OIRA completes the review of any agency significant regulatory action under section 3523, the date on which such agency publishes the regulatory action in the Federal Register, or the date on which the agency announces'' and insert the following: ''On the earlier of the date on which an agency publishes a significant regulatory action reviewed under section 3523 in the Federal Register, the agency otherwise makes the significant regulatory action publicly available, or the agency announces''.

Page 22, line 20, insert ''senior level officials at'' after ''between''.

Page 24, line 20, insert after ''Administrator'' the following: ''and a written explanation of the exemption, including the date of the decision and the reasons for exempting the specific statement, is made publically available online''.

Page 25, strike lines 1 through 7 and insert the following:

''(20) the term 'regulatory action' means—

''(A) any substantive action by an agency normally published in the Federal Register that promulgates or is expected to lead to the promulgation of a final regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking; or

''(B) any agency statement of general applicability and future effect, other than a substantive action described in subparagraph (A), which sets forth a policy on a statutory, regulatory, or technical issue or an interpretation of a statutory or regulatory issue;''.

Page 26, insert after line 16 the following:

(e) EFFECTIVE DATE.—Section 3524 of title 44, as added by subsection (a), shall take effect 120 days after the date of the enactment of this Act.

SEC. 3. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The Acting CHAIR. Pursuant to House Resolution 156, the gentleman from Michigan (Mr. MITCHELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. MITCHELL. Mr. Chair, this amendment makes technical changes to H.R. 1009 to ensure consistency in dates and terms, require OIRA to review significant guidance, and prohibit authorization of additional funds. It allows OIRA 4 weeks to review the Unified Agenda submissions, requires a mutual agreement to extend the regulatory review beyond 90 days, and requires a written explanation of each 30 days of the extension.

That is critical. They must explain to us, to the people, any extension.

It clarifies the timing of the post-review disclosure to occur as soon as the agency makes the proposed final rule public, clarifies that disclosure of interagency communication is limited to exchanges with senior-level OIRA staff, requires a written explanation

for any exempt regulations, and expands OIRA to review the guidance document per a Bush-era executive order.

□ 1645

This amendment primarily makes technical changes to the bill that were developed in consultation with OIRA staff. We took their concerns and suggestions into account, and we incorporated most of those in this amendment. For example, this amendment clarifies the review extension process that has been the subject of some conversation here.

Our minority counterparts have claimed that OIRA has 90 days, plus a 30-day extension to review under current executive order. That is clearly not true under the executive order or in practice. Under the Obama administration, OIRA review, at times, exceeded 2 years without explanation. This limitless extension is permissible under the governing executive order, which allows an automatic 30-day extension at the request of OIRA and a limitless extension at the request of the agency.

We have heard that when OIRA needs that additional time, they simply call up an agency and ask for an extension. So this bill requires transparency in the review process, puts limits on that, and requires the disclosure of that.

OIRA has suggested the term is a mutual agreement between the agencies so that, in fact, we could put limits on the review and extension process.

Another important addition to this amendment is that we are extending OIRA's review to guidance documents. This is not a new practice. In 2007, President Bush issued Executive Order 13422, which extended OIRA's review to guidance documents.

While President Obama rescinded that executive order, OIRA Administrator Shelanski affirmed to the Oversight and Government Reform Committee in the past Congress that OIRA should continue the practice of reviewing significant guidance documents.

These guidance documents will only rise to the level of OIRA review if they meet the significant standard.

I urge my colleagues to support this amendment.

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

Ms. PLASKETT. Mr. Chair, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from the Virgin Islands is recognized for 5 minutes.

Ms. PLASKETT. Mr. Chair, this manager's amendment does not fix the flaws in the bill we are considering.

One of the major flaws in the bill is the authority it gives to the Office of Information and Regulatory Affairs to hold up rules indefinitely. This amendment attempts to address that concern by requiring that any extension be agreed to by both the White House and the agency issuing the rule.

It is just not realistic to believe that an agency whose top official is appointed by the President would tell the White House it cannot have an extension if the White House asks. This amendment also does nothing to address the concern that the bill could interfere with other laws.

The Natural Resources Defense Council sent a letter to House Members opposing H.R. 1009. That letter states:

''The bill would also revive legislative language that Congress repealed elsewhere because it made it impossible to protect the public. Specifically, in H.R. 1009, OIRA is charged with ensuring that a regulation imposes the least burden on society. Congress removed such language when it updated the Toxic Substances Control Act because the phase had made it impossible for chemical safety regulations to pass judicial muster, even when the chemical was asbestos, well known to be a potent carcinogen.''

This amendment also includes language that says that no funds shall be authorized to carry out the bill. This does not change the fact that the CBO estimates that the bill will result in $3 million in direct spending. That is money that Congress has not appropriated that independent agencies like the Federal Deposit Insurance Corporation and the Consumer Financial Protection Bureau would have to spend.

CBO also estimates that the bill would change the operations of the Federal Reserve, which would result in $2 million in reduced revenues.

CBO also estimates that agencies would have to spend $4 million in appropriated funds each year to comply with the requirements of this bill. Making agencies comply with additional requirements without giving them more money means that agencies will have to choose between which requirements they comply with and which they ignore.

I oppose this amendment.

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

Mr. MITCHELL. Mr. Chair, one brief comment, which is we are perfectly comfortable with the cost of $20 million, given the billions of dollars that the regulatory system currently costs businesses and taxpayers. We think it is a small investment to, in fact, have regulations make sense, not duplicate, not be overburdensome; and we suggest that it is a small cost given the overall cost to running the Federal Government to actually get regulation dialed back to some controllable level.

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

Ms. PLASKETT. Mr. Chairman, I am just so grateful that my colleague is interested in making investments, monetary investments, with taxpayers' dollars. I will be looking to him and his other cosponsors and supporters when we are looking for investing in working class Americans and working people and protecting health care and other benefits when we have the budget discussions.

I have no further statements at this time.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. BUCK

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 115–21.

Mr. BUCK. 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 2, line 19, strike ''and''.

Page 2, line 22, strike ''entities.'' and insert ''entities; and''.

Page 2, after line 22, insert the follow new subparagraph:

''(D) the methods used to ensure agencies coordinate with State, local, and Tribal governments.''.

Page 4, after line 14, insert the following new clause (and redesignate subsequent clauses accordingly):

''(v) A summary of the agency's plan to coordinate with State, local, and Tribal governments throughout the regulatory process.''.

Page 8, line 16, strike ''and''.

Page 8, line 18, strike ''benefits.'' and insert ''benefits; and''.

Page 8, after line 18, insert the following new clause:

''(iii) efforts to coordinate with State, local, and Tribal governments.''.

Page 9, line 23, insert ''and policies'' after regulations.

Page 13, after line 14, insert the following new paragraph (and redesignate subsequent paragraphs accordingly):

''(6) An explanation of agency efforts to coordinate with State, local, and Tribal governments throughout the regulatory process.''.

Page 18, line 4, strike ''appropriate'' and insert ''impacted''.

The Acting CHAIR. Pursuant to House Resolution 156, the gentleman from Colorado (Mr. BUCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chairman, this amendment empowers State, local, and tribal governments by ensuring they have a say in the regulatory process.

H.R. 1009 already codifies and improves upon the practices of the Office of Information and Regulatory Affairs. My amendment strengthens the language even further, requiring OIRA to hold Federal agencies accountable for coordinating and consulting with State, local, and tribal governments before issuing new regulations. In other words, we are giving governors, local officials, and tribal leaders a say in the regulations that affect them. These local officials know what their communities need much better than the bureaucrats in Washington.

Unfortunately, our Federal agencies have a habit of issuing regulations and policies without consulting local and State governments. For example, we just need to look at the EPA waters of the United States rule.

Historically, States have had significant authority over water management. Governors have worked with local and tribal leaders to set up their own laws and regulations to ensure that water is properly allocated, that water meets certain quality standards, and that water in their State is protected from misuse.

The EPA's WOTUS rule is excessive and burdensome because they disregarded the role of the States in crafting waterway regulations. The agency held no substantive consultation with State governments prior to issuing the rule, despite States' historical roles in regulating their water supplies, despite the State-level experts who could have helped the EPA craft a better regulation, despite President Clinton's Executive Order 13132 ensuring that Federal agencies consult with State, local, and tribal officials before issuing a rule.

Federal officials never gave State, local, and tribal officials the opportunity to explain how their States were currently handling the situation and how this rule could negatively impact their jurisdictions. Since the EPA bureaucrats barreled ahead without State, local, or tribal input, they proposed an overreaching rule.

This amendment would require the EPA and other Federal agencies to account for how proposed rules will affect impacted States, localities, and tribes.

The amendment under consideration simply requires Washington to listen to and learn from local governments because local governments are closer to the people. And the people of this Nation should have a say in the rules and regulations that are affecting their livelihoods.

In closing, this amendment is simple. It ensures that regulatory agencies talk with State, local, and tribal leaders throughout the regulatory process.

I urge my colleagues in the House to support this.

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

Ms. PLASKETT. Mr. Chairman, I claim the time in opposition, but I do not oppose this amendment.

The Acting CHAIR. Without objection, the gentlewoman from the Virgin Islands is recognized for 5 minutes.

There was no objection.

Ms. PLASKETT. Mr. Chair, this amendment would require agencies to report on their efforts to coordinate with State, local, and tribal governments throughout the regulatory process. I agree that it is important that State, local, and tribal governments are properly included in the regulatory process. The amendment, however, simply adds new requirements without addressing the flaws in the underlying bill.

The amendment fails to address the fact that this bill does not exclude independent agencies from its coverage. Congress designed independent agencies to be just that, independent.

The amendment fails to include an offset for the additional $20 million in administrative costs that this bill will likely cost Federal agencies.

The amendment also fails to insert a provision into the bill to ensure that OIRA reviews do not contradict existing laws. The amendment also fails to mandate a specific timeframe within which OIRA must complete its review.

The amendment simply does nothing to improve the numerous deficiencies in this bill.

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

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

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

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. YOUNG OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 115–21.

Mr. YOUNG of Iowa. 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 4, after line 14, insert the following new clause (and redesignate the subsequent clauses accordingly):

''(v) A description of any action taken by the agency to ensure that each planned significant regulatory action is not duplicative or conflicting with any other existing or planned regulatory action.''.

Page 22, after line 21, insert the following new subsection (and redesignate the subsequent subsection accordingly):

''(b) AGENCY DISCLOSURE.—Each agency that submits a significant regulatory actions to OIRA under section 3522 or 3523 shall maintain on the website of the agency the following:

''(1) A list of each active regulatory action, including the status of the regulatory action or a link to each entry on the unified agenda.

''(2) The most recent regulatory plan of the agency.

''(3) A link to each record disclosed under subsection (a).''.

The Acting CHAIR. Pursuant to House Resolution 156, the gentleman from Iowa (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. YOUNG of Iowa. Mr. Chair, my amendment seeks to strengthen the underlying bill in two ways. First, my amendment requires agencies to proactively consider whether their actions are duplicative or conflicting. As Iowans and all Americans know too well, the maze of the Federal bureaucracy can too often be confusing and contradicting.

This long overdue provision holds the agency proposing the regulation accountable to prevent the growing red tape strangling our economy and jobs engine.

The Federal regulatory environment over the past few decades has allowed agencies to operate unchecked, leading to overlapping and conflicting rules which come at a riveting cost to the economy, the taxpayer, and to jobs.

So by requiring agencies to proactively consider duplication as part of their regulatory plans, credibility rears itself. We don't need duplicity. We don't need to waste resources and time in the Federal Government.

Secondly, my amendment works to increase regulatory transparency by improving the public's access to information. By requiring each agency to maintain a list of every active regulatory action submitted to the Office of Information and Regulatory Affairs on its website, we can shine the light on agencies' rules and regulations, which, as we know, have the full effect of law. This would include a list of all active regulatory actions, the agency's most recent regulatory plan, and a link to all records submitted to the Office of Information and Regulatory Affairs for review.

In closing, many of our constituents may be unfamiliar with the Office of Information and Regulatory Affairs and its role and may not know where to find important information on regulatory actions. So simply creating a link on an agency website or websites to the records of OIRA, the Office of Information and Regulatory Affairs, making this available online is a simple change and low burden for a considerable benefit. It is all about transparency. It is all about the taxpayers' access to information.

I appreciate the leadership of the chairman and the author of this bill, and I urge my colleagues to support my amendment and the underlying bill.

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

Ms. PLASKETT. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from the Virgin Islands is recognized for 5 minutes.

Ms. PLASKETT. Mr. Chairman, I cannot support this amendment because it is duplicative of requirements already in place and will waste limited agency resources through additional burdensome requirements.

On January 18, 2011, President Obama issued Executive Order 13563 requiring each agency to implement plans for reviewing existing rules. Section 6 of that executive order requires each agency to ''periodically review its existing significant regulations to determine whether any such regulations should be modified, streamlined, expanded, or repealed so as to make the agency's regulatory program more effective or less burdensome in achieving the regulatory objectives.''

□ 1700

There can be no real doubt that this executive order covers the review and elimination of duplicative and conflicting regulatory actions. Frankly, the elimination of regulations that are duplicative or conflicting is one of the most efficient actions an agency can take to make its regulatory program more effective and less burdensome.

Forcing agencies to spend time and resources to describe what they are already doing is wasteful and unduly burdensome. Agencies already keep the public apprised of their regulatory activities through the easily-accessible websites reginfo.gov and regulations.gov, both of which are managed by the Office of Information and Regulatory Affairs. Through these websites, the public can search for rules, comments, adjudications, and supporting documents. The public can also access each agency's unified agenda, which contains the regulatory agenda for each agency.

The public can also access a list of pending agency rules. Each of these rules has easily accessible links that can allow the public to obtain further information about the rule, including its status and Executive Order 12866 meetings about the rule.

This amendment does nothing to improve the deficiencies in H.R. 1009, and will force agencies to waste their time and limited resources on work that is already being done. I urge Members to oppose this amendment.

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

Mr. YOUNG of Iowa. Mr. Chairman, I appreciate the spirit of this debate with my colleague across the aisle. This adds extra bite to what may already be in place, oversight and accountability, and Congress has a role in this.

So while I appreciate the spirit of what my colleague said, and what has been done in the past, we want to give it extra teeth. Also, transparency and access to taxpayer information is so crucial. So I urge the adoption of this amendment.

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

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

The Acting CHAIR (Mr. MCCLINTOCK). The question is on the amendment offered by the gentleman from Iowa (Mr. YOUNG).

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

Ms. PLASKETT. 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 Iowa will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. MEADOWS

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 115–21.

Mr. MEADOWS. 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 12, line 8, insert after ''action.'' the following: ''OIRA shall maintain a log of each agency consultation with OIRA before submitting the significant regulatory action for review under this section, including the date of the consultation, the name of each agency official involved with the consultation, and a description of the purpose of the consultation.''.

Page 22, line 19, strike ''and''.

Page 22, line 21, strike the period and insert ''; and''.

Page 22, after line 21, insert the following new paragraph:

''(5) a list of each consultation described under section 3523(b).''.

The Acting CHAIR. Pursuant to House Resolution 156, the gentleman from North Carolina (Mr. MEADOWS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MEADOWS. Mr. Chairman, I appreciate the leadership of the chairman of the full committee on matters of transparency and accountability. I can tell you that there is no one who has a greater definitive desire to make sure that we hold our government accountable and certainly accountable to the American people.

So, it is with that goal in mind that I rise to ask my colleagues to support an amendment that we are offering that would actually just keep a log of any of the pre-review consultations with agencies that OIRA actually has and conducts, and to publish that list upon completion of review.

Dating back to some 2003, the Government Accountability Office had made the recommendation about increasing this transparency at the Office of Information and Regulatory Affairs. GAO actually made one recommendation targeted at what they call informal review, Mr. Chairman, that OIRA conducts before an agency actually formally submits a rule for review.

Indeed, the GAO recommended that the Director of the Office of Management and Budget should define a transparency requirement that would be applicable to agencies and OIRA, in Section 6 of Executive Order 12866, in such a way that would not include not only the formal review, but it would also include the informal review period when OIRA says that it has sometimes, considering some of the most important facts as it relates to new rules.

This recommendation remains unimplemented today, and I can tell you, Mr. Chairman, we have had a number of hearings where we have had this particular group in. I know my colleagues, the gentleman opposite from Virginia, and I believe that OIRA plays a critical role. And yet, at the same time, some of these meetings were going on without the knowledge, and even after the fact, when they went into effect, and we had really no understanding of some of the deliberation that went on.

So this is just a great transparency, commonsense amendment, and I would urge my colleagues to support it.

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

Ms. PLASKETT. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from the Virgin Islands is recognized for 5 minutes.

Ms. PLASKETT. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, I oppose this amendment, and it is unfortunate because we believe that this amendment, on its own, is something that would draw bipartisan support. Unfortunately, this amendment is attached to H.R. 1009, because the amendment would make the role of OIRA in the rulemaking process more transparent.

The Government Accountability Office has consistently found that OIRA is not transparent about its involvement in shaping rules. The GAO testified to the Oversight and Government Reform Committee, in March of 2016, that it has made 25 recommendations to OMB to improve its process, but OMB has only implemented six of those recommendations.

This amendment would be a step in the right direction. And as usual, my colleague, the esteemed gentleman from North Carolina, always comes up with rational, well-reasoned amendments and ideas that can be supported across the aisle; and for that, you know, we believe and we are hopeful that Mr. MEADOWS will work with the committee on a bipartisan basis to pursue these types of productive transparency reforms.

It, unfortunately, does not fix the problems with the underlying bill and is rather packaged with a partisan bill the House is considering today. For this reason, I am in opposition to the amendment.

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

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

I thank the gentlewoman from the Virgin Islands, and, as a gifted orator, and certainly a gifted attorney, I appreciate her compliments. And although not all might agree with her assessment of the reasonable fashion of which I craft particular amendments, I do appreciate the fact that she recognizes it in this case.

She also knows that, in doing this, working in a bipartisan way, is something that, on this particular committee, Oversight and Government Reform, Mr. Chairman, we have had just a wonderful history of being able to work in a real way. And so she certainly has my commitment to continue to try to perfect the language in making sure that transparency is held paramount.

That being said, I don't intend to withdraw the amendment because there are two ways things get done here in Washington, D.C., slow and never. And if we just remember that, this particular day, hopefully we will put this in place.

But the esteemed gentlewoman from the Virgin Islands has my commitment to work with her in a bipartisan way to perfect any language in legislation

that may come up after this particular bill.

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

Ms. PLASKETT. Mr. Chairman, the fact that the esteemed gentleman of North Carolina is willing to work with me means that it has been a wonderful day for me, and I am just so glad because I understand, although I don't always agree with everything that he says, and I know that the gentleman from North Carolina's heart is in the right place; that he is working towards resolutions of issues; that he is principled in his beliefs.

Mr. Chairman, I yield 1 minute to the esteemed gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Chair, I just want to associate myself with the underlying intent of my friend from North Carolina. He is right. At our hearings, we did discover flaws in OIRA's process. And I think that his amendment is designed to try to address that and to inject some very needed transparency.

Unfortunately, because of the underlying bill, I am not going to oppose my friend's amendment, but I do share the concern of my friend, the Delegate from the Virgin Islands, and will be opposing the underlying bill.

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

Mr. MEADOWS. Mr. Chairman, I thank the two colleagues opposite for their gracious remarks and understand their reluctance to support it based on their concerns with the underlying bill. I, again, reaffirm my commitment to work in a bipartisan way to make sure that transparency is the key for the day.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MEADOWS).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. CHAFFETZ

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 115–21.

Mr. CHAFFETZ. 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 22, line 5, strike ''**Public disclosure**'' and insert ''**Disclosure**''.

Page 22, after line 24, insert the following new subsection:

''(c) RECORDKEEPING.—The Administrator shall ensure any record associated with a significant regulatory action submitted to OIRA under section 3522 or 3523 is easily accessible for a period of time consistent with approved records disposition schedules for the agency, in a manner that all records associated with a significant regulatory action can be promptly submitted to Congress upon request.''.

Page 23, after line 4, strike the item relating to section 3524 and insert the following new item:

''3524. Disclosure of regulatory review.''.

The Acting CHAIR. Pursuant to House Resolution 156, the gentleman from Utah (Mr. CHAFFETZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. CHAFFETZ. Mr. Chairman, this amendment requires OIRA to maintain records on each significant regulatory action reviewed such that it is easily accessible and transferrable when responding to congressional requests.

Unfortunately, in the last Congress, Mr. Chairman, the committee asked for the Office of Information and Regulatory Affairs, OIRA—asked Administrator Shelanski for records relating to the review of the Waters of the United States, often known as WOTUS, and that rulemaking process. The administrator repeatedly failed to take the requests seriously, which led me, as the chairman of the Oversight and Government Reform Committee, to issue a subpoena in July of 2015.

Even upon issuance of a subpoena, OIRA resisted responding to the request, blowing past deadlines and being totally nonresponsive. We held multiple hearings. We conducted transcribed interviews. We had lengthy staff-to-staff conversations, but still OIRA did not seem to take the request seriously. I don't know how much money they wasted in time and effort to slow this process down and resist our being able to get the information that they said they had in order to make this decision.

It was not until the committee, myself, as the chairman, getting on the phone with the head of OMB, when I told him that I had every intention to hold Mr. Shelanski in contempt and issue a contempt report, that we actually received a full set of documents. This was well past a year since the initial request. You should not have to go through those gyrations whatsoever.

I will think the resistance was largely a political maneuvering—this is my own opinion—by the administration that did not want us to see how rushed, incomplete, and politically involved this regulatory review was. That is my own personal opinion.

But for those who are here and the future generations, it seems reasonable that they have to have their act in order if they are actually going to issue a rule. And if Congress asks for the underlying information, as Representatives of the people, that should be easily transferrable to Congress upon request.

That is what this amendment does. This is why it should pass, and that is what this amendment is intended to do.

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

Ms. PLASKETT. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentlewoman from the Virgin Islands is recognized for 5 minutes.

Ms. PLASKETT. Mr. Chairman, I do not oppose this amendment. However, like the manager's amendment, it does nothing to improve the bill. This amendment, in fact, really does not move the needle at all.

Agencies, including the Office of Management and Budget, are required to preserve records according to the records schedules under the Federal Records Act and regulations issued by the National Archives and Records Administration.

This amendment says that OIRA must do what it is already required to do. This amendment provides a platform to express frustration with OIRA's response to a subpoena issued by the chairman during the Obama administration, as demonstrated by his statements just a few moments ago.

I look forward to him expressing the same outrage if the current administration does not provide documents that the Members on this side of the aisle, the Democratic members of the committee, request.

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

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

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

The amendment was agreed to.

□ 1715

AMENDMENT NO. 6 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 115–21.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 26, after line 16, insert the following new subsection:

(e) EXEMPTION FOR INDEPENDENT REGULATORY AGENCIES.—The provisions of sections 3522, 3523, and 3524 of title 44, United States Code, as added by subsection (a), do not apply to an independent establishment as defined in section 104 of title 5, United States Code.

The Acting CHAIR. Pursuant to House Resolution 156, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, first, I would like to note I do oppose the underlying bill. This bill would require independent agencies, for the first time, to submit their rules to OIRA for review.

The Congressional Budget Office estimates the bill would increase direct spending by $3 million and reduce revenues by $2 million. CBO also estimates that the bill would cost Federal agencies an additional $20 million in administrative costs for compliance.

The reason the bill costs money is because it does not simply codify an executive order as its proponents suggest. The bill would require independent agencies, for the first time, to submit

their rules to OIRA for review. Independent agencies such as the FCC, SEC, and CFPB do not currently have to get the approval of the White House for regulations they issue.

Congress designed independent agencies to be just that—independent. This bill would enshrine in law the ability for the White House to engage in political interference with those agencies.

The Consumer Federation of America sent a letter to House Members today opposing this bill. The letter said, inter alia:

H.R. 1009 will jeopardize independence of agencies like the Consumer Product Safety Commission, the Securities and Exchange Commission, the Commodity Futures Trading Commission, the Federal Communications Commission, as well as other independent agencies because it will give the Office of Information and Regulatory Affairs the ability to review significant rules. Authorizing OIRA to conduct its own analysis would not only add pressure from the executive branch and add time and expense to that process, but would also give special interests seeking to quash a safety measure, for example, yet another avenue to prevent a rule from ever being promulgated.

Indeed, one suspects that is the intent of the bill.

A 2013 editorial in The New York Times warned of the dangers of subjecting independent agencies to OIRA review. The editorial foresaw what we are now dealing with 4 years later: ''Subjecting independent agencies to executive regulatory review would not improve the rule-making process, but it would ensure that ostensibly regulated industries are as unregulated and deregulated as possible.''

It also said: ''There is no question that making independent agencies less independent is a bad idea.''

My amendment would take care of that by repealing that portion of this bill. I urge all Members to support the amendment.

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

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

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

Mr. CHAFFETZ. Mr. Chairman, I do appreciate working with my colleagues on the Oversight and Government Reform Committee. We disagree on many things, but we have good debates, and I do appreciate the spirit in which Mr. CONNOLLY brings this amendment forward. I enjoy working with the gentlewoman from the Virgin Islands (Ms. PLASKETT), and certainly our ranking member, Mr. CUMMINGS.

I try to accept and work with the minority on all things, but certainly amendments that they would like to see move forward. Unfortunately, I am going to have to oppose this one. I am trying to maximize transparency.

I think what Mr. MITCHELL is bringing forward in this bill is the right policy in opening up this transparency.

I see this going in the wrong direction. It would remove existing requirements for agencies, such as the EPA or the Consumer Financial Protection Bureau, to give notice about upcoming regulations. It removes existing requirements, for instance, for the EPA to submit its rules to OIRA for review.

In a March 2015 hearing, in fact, it was Mr. CONNOLLY of Virginia who said: ''OIRA boasts an incredibly hardworking, and dedicated corps of career staff that is first-rate when it comes to conducting quantitative analysis that weighs complex economic costs against potential benefits.''

I happen to agree with Mr. CONNOLLY. I think there are good, hardworking, and dedicated people who are committed to this country, and they work hard. That is why I think this hardworking, dedicated corps of people who work as career staff should offer first-rate, as we call it, analysis for all regulations, not just some of them. Let's do it for all of them. I think that is fair.

We want to know that the regulations will be effective in achieving their goals. We have to always keep sight, Mr. Chairman, that all of us in the Federal Government work for the American people. They pay the bills and they have to live under these regulations. We should maximize that transparency, whether they are, quote, unquote, independent or part of the executive agency.

If you are affected by a rule, you are affected by a rule, and people who are affected by those have every right to see what helped create that. So I don't think there should be an exemption that is carved out under this bill, and that is why I stand in opposition to this amendment.

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

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

The Acting CHAIR. The gentleman from Virginia has 2 minutes remaining.

Mr. CONNOLLY. Mr. Chairman, I thank my friend from Utah.

I also enjoy working with him in finding common ground; however, I find it amusing to have myself quoted on the floor by the distinguished chairman because, just a few minutes ago, he was talking about how difficult it was to get compliance from OIRA to provide documents requested on a bipartisan basis by the committee. Just a little bit before that, my friend from North Carolina and I agreed on some real problems in terms of the process OIRA uses in the process of its mission. So it is hardly like our committee found or I found that OIRA is without problem.

I believe the bottom line here, however, is independent means independent. We created these agencies for a reason and to be independent of White House political interference for a reason. I would submit, respectfully, now, more than ever, we want to preserve the independence of those organizations.

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

Mr. CHAFFETZ. Mr. Chairman, I urge a ''no'' vote on this particular amendment. I think it takes us in the wrong direction. We need to maximize transparency, and this will help us achieve that.

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

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

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

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

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

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 115–21 on which further proceedings were postponed, in the following order:

Amendment No. 3 by Mr. YOUNG of Iowa.

Amendment No. 6 by Mr. CONNOLLY of Virginia.

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

AMENDMENT NO. 3 OFFERED BY MR. YOUNG OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. YOUNG) on which further proceedings were postponed and on which the ayes 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 265, noes 158, not voting 6, as follows:

[Roll No. 117]

AYES—265

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

Franks (AZ)
Frelinghuysen
Gabbard
Gaetz
Gallagher
Gallego
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Himes
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
Kihuen
Kind
King (IA)
King (NY)
Kinzinger
Knight
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
Lamborn
Lance
Latta
Lewis (MN)
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Newhouse
Noem
Nunes
O'Halleran
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Russell
Rutherford
Sanford
Scalise
Schneider
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Suozzi
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—158

Adams
Barragán
Bass
Beatty
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Connolly
Conyers
Correa
Costa
Courtney
Crist
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Garamendi
Gonzalez (TX)
Green, Al
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Krishnamoorthi
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Rosen
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Swalwell (CA)
Takano
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—6

Hudson
Hurd
LaMalfa
Nadler
Richmond
Walden

□ 1748

Mr. GONZALEZ of Texas and Ms. MOORE changed their vote from ''aye'' to ''no.''

Messrs. GROTHMAN, AMODEI, COHEN, DELANEY, THOMPSON of California, Ms. MATSUI, Messrs. KIND, MOULTON, BEYER, DUNCAN of South Carolina, and MARCHANT changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. CONNOLLY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 234, not voting 7, as follows:

[Roll No. 118]

AYES—188

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
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
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
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
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Halleran
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
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)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
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—234

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
Cooper
Costello (PA)
Cramer
Crawford
Culberson
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
Foxx
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
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)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Reed
Reichert
Renacci

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

NOT VOTING—7

Doggett	Hurd	Ratcliffe
Gonzalez (TX)	Nadler	
Hudson	O'Rourke	

□ 1753

Ms. MAXINE WATERS of California changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. ROS-LEHTINEN) having assumed the chair, Mr. MCCLINTOCK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 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, and, pursuant to House Resolution 156, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was 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.

MOTION TO RECOMMIT

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

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

Mr. CARTWRIGHT. I am opposed to it in its current form.

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

The Clerk read as follows:

Mr. Cartwright moves to recommit the bill H.R. 1009 to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith with the following amendment:

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

(e) EXEMPTION FOR THE OFFICE OF GOVERNMENT ETHICS.—The provisions of sections 3522, 3523, and 3524 of title 44, United States Code, as added by subsection (a), do not apply to the Office of Government Ethics.

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

Mr. CARTWRIGHT. Madam 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 immediately proceed to final passage, as amended. This motion to recommit is to defend ethical conduct throughout our government.

In response to the Watergate scandal, Congress created the Office of Government Ethics to protect against unethical behavior in the executive branch. In 1988, President Ronald Reagan signed into law a bill to strengthen the Office of Government Ethics by removing it from the Office of Personnel Management and giving it greater independence from the White House.

□ 1800

Now Congress is attempting to undo this vision of a strong, independent Office of Government Ethics at a time when we need it more than ever. This bill would put the Office of Government Ethics right back under the control of the White House, and that is why this motion to recommit simply excludes OGE from this bill.

We appreciate the need for strong ethical guidelines most strongly when people act unethically. Every day we witness this White House struggle with honesty and credibility. We heard the promises last night, the ones we have been hearing all along.

When you promise to create family-sustaining jobs by revitalizing American infrastructure and then we find out he means to do it with tax breaks to huge corporations and none of the regular guarantees that the people actually doing the work will be treated right and paid fairly, that is when you have a credibility problem.

When you promote yourself as a man of the people but then we find out you have stuffed your Cabinet with out-of-touch billionaire friends, that is when you have a credibility problem.

When you promise to fix America's education system but then we see you appoint Betsy DeVos to head the Department of Education, someone with no education experience, someone who wants to gut public education, that is when you have a credibility problem.

When you address Congress and promise to repeal and replace the Affordable Care Act in a way that guarantees increased access, coverage of preexisting conditions, and that costs will go down but no one in America knows how you plan to pay for that, that is when you have a credibility problem.

We don't need a White House with a credibility problem. We need these promises the President has made to come true. We need a stronger economy full of family-sustaining jobs. We need Social Security, Medicaid, and Medicare to be protected. We need to have an executive branch we can trust. This is our future, and we need to be smart about it. I believe that smart people trust, but they verify.

The problem is we do seem to have a President whose relationship with the truth is, at best, a nodding acquaintance. This is why we need a strong Office of Government Ethics more than ever.

Ronald Reagan was right; it needs to be an office independent of control by the White House.

We need it to keep our leaders from enriching themselves in public office, to keep our leaders honest, to help us trust, but verify that our elected officials do what is best for the American people and not their own pocketbooks.

We need it to ensure that our President is acting in our best interest with nations around the world. We have already seen this President and his staff repeatedly lie and refuse to answer questions about their business and political ties with dealings in Russia. We have seen, at a minimum, improper and potentially far worse collusion over rigging an election, and we have seen the administration attempt to influence investigations into their dealings with Russia.

We need an Office of Government Ethics to be independent of the White House because this President has used diplomatic relations to promote his businesses abroad at the expense of the American taxpayer. He promised to drain the swamp and immediately started appointing his billionaire buddies to Cabinet positions and rush their hearings through before they could even complete the ethics process.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

The Chair reminds Members to refrain from engaging in personalities toward the President.

Mr. MITCHELL. Madam Speaker, I rise in opposition to the motion to recommit by my colleague.

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

Mr. MITCHELL. Madam Speaker, I thank my colleagues on both sides of the aisle for the robust process by which we considered this bill.

The bill came to the floor through regular order in the Committee on Oversight and Government Reform. We had a full markup which allowed for Members on both sides of the aisle to offer amendments and insight. We had healthy debate on a number of amendments, and we just voted on some of them.

This bill codifies existing policy with changes only to include independent agencies and improve government transparency.

I oppose the motion to recommit. I urge my colleagues to oppose the motion and vote ''yes'' on final passage.

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. CARTWRIGHT. Madam 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, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 1009, if ordered, and passage of H.J. Res. 83.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 234, not voting 2, as follows:

[Roll No. 119]

AYES—193

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
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
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
Espaillat
Esty
Evans
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
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
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)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
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—234

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)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
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
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
Moolenaar
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)
Roby
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)
Young (IA)
Zeldin

NOT VOTING—2

Hudson
Nadler

□ 1811

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.

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 241, nays 184, not voting 4, as follows:

[Roll No. 120]

YEAS—241

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
Cooper
Costa
Costello (PA)
Cramer
Crawford
Culberson
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
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
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
Moolenaar
Mooney (WV)
Mullin
Murphy (FL)
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Suozzi
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Gaetz

Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—184

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Correa
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
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
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
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
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)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
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

NOT VOTING—4

Carson (IN)
Hudson
Nadler
Rutherford

□ 1818

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DISAPPROVING THE RULE SUBMITTED BY THE DEPARTMENT OF LABOR RELATING TO ''CLARIFICATION OF EMPLOYER'S CONTINUING OBLIGATION TO MAKE AND MAINTAIN AN ACCURATE RECORD OF EACH RECORDABLE INJURY AND ILLNESS''

The SPEAKER pro tempore. The unfinished business is the vote on passage of the joint resolution (H.J. Res. 83) disapproving the rule submitted by the Department of Labor relating to ''Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness'', on which a recorded vote was ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 191, not voting 7, as follows:

[Roll No. 121]

AYES—231

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
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
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)
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
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Zeldin

NOES—191

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
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
Costa
Courtney
Crist
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Donovan
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (NY)
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)

NOT VOTING—7

Blumenauer
Costello (PA)
Delaney
Gutiérrez
Hudson
Nadler
Pittenger

□ 1825

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mr. DUNN). Is there objection to the request of the gentleman from Alabama?

There was no objection.