

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, January 4, 2017.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR MR. CHAIRMAN: On January 3, 2017, H.R. 72, the GAO Access and Oversight Act of 2017, was introduced by Rep. Earl L. "Buddy" Carter (R-GA-1). The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on Ways and Means.

I ask that you allow the Ways and Means Committee 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 Ways and Means 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.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, January 4, 2017.

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

DEAR CHAIRMAN CHAFFETZ, I am writing concerning H.R. 72, the "GAO Access and Oversight Act of 2017." This bill amends access to the National Directory of New Hires (42 U.S.C. 653(I)) which is within the jurisdiction of the Committee on Ways and Means. As a result of your having consulted with me concerning the provision of the bill that falls within our Rule X jurisdiction, I agree not to seek a sequential referral so that the bill may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that, by forgoing consideration of H.R. 72 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and we will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee on Ways and Means also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

KEVIN BRADY,
Chairman.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. CARTER), the original cosponsor of the bill. I want to thank the gentleman for his championing this bill through.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 72,

the GAO Access and Oversight Act of 2017.

The GAO is one of the most important tools taxpayers and Congress have to keep the Federal Government accountable. Without complete information, GAO is limited in their ability to prevent waste, fraud, abuse, and mismanagement.

This bill clarifies that GAO has access to data, such as the National Directory of New Hires, which will better equip GAO to audit key Federal programs on behalf of taxpayers. Every day, GAO handles the government's most sensitive information in a responsible manner, and GAO provides trusted recommendations for improving the Federal Government's operations.

The Federal Government reported \$137 billion in improper payments in fiscal year 2015, the largest ever reported. Total improper payments for the Federal Government over the past 10 years exceeds \$1 trillion. This bill will increase the effectiveness of GAO to help reduce improper payments, dollars that could be used to better fund the programs that ultimately serve the people. This bill takes an important step forward by providing GAO with an additional tool to ensure GAO's effectiveness in preventing fraud, waste, and abuse.

I urge my colleagues to support this bipartisan legislation.

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

GAO provides an invaluable aid to Congress in conducting our constitutional duty to oversee and evaluate the executive branch. To do its job effectively, GAO needs timely access to agency documents, materials, and other information.

The bill before us would ensure GAO's access to the National Directory of New Hires, a valuable database of wage and employment information. Access to this database would assist GAO in its improper payment and fraud work, as well as its evaluation of programs in which eligibility is means tested. The bill would also explicitly provide GAO with standing to pursue litigation if an entity in the executive branch improperly denies the GAO access to information.

Mr. Speaker, similar bills have passed the House by wide margins in a number of previous Congresses. These are needed reforms. I urge my colleagues to support this bill.

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

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

Mr. Speaker, I rise in support of H.R. 72, the GAO Access and Oversight Act of 2017, and its chief sponsor, Mr. BUDDY CARTER of Georgia.

We have a duty to ensure that taxpayer money is spent efficiently and effectively. One of the key ways we carry out this duty is through the key watchdog of the government, the Government Accountability Office. The GAO has a proven track record of excel-

lence, and we rely heavily on this group, thousands of professionals who pour their heart and soul into diving deep into organizations and understanding how they function. But as this bill states, we need some more openness and transparency.

In the past 6 years alone, it has identified more than 200 areas of duplication, overlap, and fragmentation. They have made recommendations on 600 actions to make our government more effective and efficient. We need to listen to them and understand them. We also, I would argue, Mr. Speaker, have a duty and an obligation to give them the tools and access that they need in order to do their jobs even better. We must put GAO in the best position possible to rout out and deter waste, fraud, and abuse.

Today, we have an opportunity to better arm the GAO by clarifying its right to access data contained in the National Directory of New Hires. This gives GAO access to the most up-to-date data to ensure Federal program dollars go to the folks Congress intended to receive them. Doing so, we will help GAO better investigate potential fraud and improper payments, including those overextended disability insurance programs. The GAO's objectives are hindered without access to the data, and taxpayer dollars are not as well protected.

This bill has previously received overwhelming support in the House, and it is time for us to finish the job and pass the bill to the Senate and get it to the President's desk.

On September 16, the House approved this important bill by a vote of 404-0. The language in this bill was also included in bipartisan legislation that was approved unanimously by the full House in the 113th Congress. Again, it is time to send this bill to the President.

I would like to thank my colleagues, and Representative BUDDY CARTER in particular, for sponsoring this legislation and believing in it so wholeheartedly. I would also like to thank Senator BEN SASSE of Nebraska as the lead sponsor in the United States Senate.

I urge passage of this bill. I have no additional speakers.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 72.

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

A motion to reconsider was laid on the table.

THOROUGHLY INVESTIGATING RETALIATION AGAINST WHISTLE-BLOWERS ACT

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

(H.R. 69) to reauthorize the Office of Special Counsel, to amend title 5, United States Code, to provide modifications to authorities relating to the Office of Special Counsel, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 69

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 “Thoroughly Investigating Retaliation Against Whistleblowers Act”.

SEC. 2. REAUTHORIZATION OF THE OFFICE OF SPECIAL COUNSEL.

(a) IN GENERAL.—Section 8(a)(2) of the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note) is amended to read as follows:

“(2) \$24,119,000 for fiscal year 2017 and \$25,735,000 for each of fiscal years 2018, 2019, 2020, and 2021 to carry out subchapter II of chapter 12 of title 5, United States Code (as amended by this Act).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be deemed to apply beginning on October 1, 2016.

SEC. 3. ACCESS TO AGENCY INFORMATION.

Section 1212(b) of title 5, United States Code, is amended by adding at the end the following:

“(5)(A) In carrying out this subchapter, the Special Counsel is authorized to—

“(i) have access to any record or other information (including a report, audit, review, document, recommendation, or other material) of any agency under the jurisdiction of the Office of Special Counsel, consistent with the requirements of subparagraph (C); and

“(ii) require any employee of such an agency to provide to the Office any record or other information during an investigation, review, or inquiry of any agency under the jurisdiction of the Office.

“(B) With respect to any record or other information made available by an agency under this subchapter, the Office shall apply a level of confidentiality to such record or information at the level of confidentiality applied to the record by the agency.

“(C) With respect to any record or other information described under subparagraph (A), the Attorney General or an Inspector General may withhold access to any such record or other information if the disclosure could reasonably be expected to interfere with an ongoing criminal investigation or prosecution, but only if the Attorney General or applicable agency head submits a written report to the Office of Special Counsel describing the record or other information withheld and the reason for the withholding.”.

SEC. 4. WHISTLEBLOWER PROVISIONS.

Section 1213 of title 5, United States Code, is amended—

(1) in subsection (b), by striking “15 days” and inserting “45 days”;

(2) in subsection (d)—

(A) in paragraph (4), by striking “and” at the end;

(B) in paragraph (5)—

(i) in the matter before subparagraph (A), by striking “such as” and inserting “including”; and

(ii) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(6) if any disclosure referred to an agency head under subsection (c) is substantiated in whole or in part by the agency head, a de-

tailed explanation of the failure to take any action described under paragraph (5).”; and

(3) in subsection (e), by adding at the end the following:

“(5) If an agency head submits a report to the Special Counsel under subsection (d) that includes a description of any agency action proposed to be taken as a result of the investigation, the agency head shall, not later than 180 days after the date of such submission, submit a supplemental report to the Special Counsel stating whether any proposed action has been taken, and if the action has not been taken, the reason why it has not been taken.”.

SEC. 5. TERMINATION OF CERTAIN OSC INVESTIGATIONS.

(a) IN GENERAL.—Section 1214(a) of title 5, United States Code, is amended by adding at the end the following:

“(6)(A) Within 30 days of receiving an allegation from a person under paragraph (1), the Special Counsel may terminate an investigation under such paragraph with respect to the allegation, without further inquiry or an opportunity for the person to respond, if the Special Counsel determines that—

“(i) the same allegation, based on the same set of facts and circumstances—

“(I) had previously been made by the person and previously investigated by the Special Counsel; or

“(II) had previously been filed by the person with the Merit Systems Protection Board;

“(ii) the Office of Special Counsel does not have jurisdiction to investigate the allegation; or

“(iii) the person knew or should have known of the alleged prohibited personnel practice earlier than the date that is 3 years before the date Special Counsel received the allegation.

“(B) If the Special Counsel terminates an investigation under subparagraph (A), not later than 30 days after the date of such termination the Special Counsel shall provide a written notification stating the basis for the termination to the person who made the allegation. Paragraph (1)(D) shall not apply to any termination under such subparagraph.”.

(b) CONFORMING AMENDMENTS.—Section 1214 of title 5, United States Code, is amended—

(1) in subsection (a)(1)(A), by striking “The Special Counsel” and inserting “Except as provided in paragraph (6), the Special Counsel”; and

(2) in subsection (a)(1)(C), in the matter before clause (i), by inserting “or paragraph (6)” after “paragraph (2)”.

SEC. 6. REPORTING REQUIREMENTS.

(a) OSC ANNUAL REPORT TO CONGRESS.—Section 1218 of title 5, United States Code, is amended to read as follows:

“§ 1218. Annual report

“(a) The Special Counsel shall submit an annual report to Congress on the activities of the Special Counsel. Any such report shall include—

“(1) the number, types, and disposition of allegations of prohibited personnel practices filed with the Special Counsel, and the cost of allegations so disposed of;

“(2) the number of investigations conducted by the Special Counsel;

“(3) the number of stays or disciplinary actions negotiated by the Special Counsel with agencies;

“(4) the number of cases in which the Special Counsel did not make a determination whether there are reasonable grounds to believe that a prohibited personnel practice has occurred, exists, or is to be taken within the 240-day period specified in section 1214(b)(2)(A)(i);

“(5) a description of the recommendations and reports made by the Special Counsel to

other agencies pursuant to this subchapter, and the actions taken by the agencies as a result of the reports or recommendations;

“(6) the number of—

“(A) actions initiated before the Merit Systems Protection Board, including the number of corrective action petitions and disciplinary action complaints so initiated; and

“(B) stays and stay extensions obtained from the Board; and

“(7) the number of prohibited personnel practice complaints that result in—

“(A) a favorable action for the complainant, categorized by actions with respect to whistleblower reprisal cases and all other cases; and

“(B) a favorable outcome for the complainant, categorized by outcomes with respect to whistleblower reprisal cases and all other cases.

“(b) The report required by subsection (a) shall include whatever recommendations for legislation or other action by Congress the Special Counsel may consider appropriate.”.

(b) OSC PUBLIC INFORMATION.—Section 1219(a)(1) of title 5, United States Code, is amended to read as follows:

“(1) a list of any noncriminal matter referred to an agency head under section 1213(c), together with—

“(A) the applicable transmittal of the matter to the agency head under section 1213(c)(1);

“(B) any report from agency head under section 1213(c)(1)(B) relating to such matter;

“(C) if appropriate, not otherwise prohibited by law, and with the consent of the complainant, any comments from the complainant under section 1213(e)(1) relating to the matter; and

“(D) the Special Counsel’s comments or recommendations under section 1213(e)(3) or (4) relating to the matter;”.

SEC. 7. ESTABLISHMENT OF SURVEY PILOT PROGRAM.

(a) IN GENERAL.—The Office of Special Counsel shall design and establish a survey pilot program under which the Office shall conduct, with respect to fiscal years 2018 and 2019, a survey of individuals who have filed a complaint or disclosure with the Office. The survey shall be designed to gather responses from the individuals for the purpose of collecting information and improving customer service at various stages of the review or investigative process. The results of the survey shall be published in the annual report of the Office.

(b) SUSPENSION OF OTHER SURVEYS.—During fiscal years 2018 and 2019, section 13 of Public Law 103-424 shall have no force or effect.

SEC. 8. PENALTIES UNDER THE HATCH ACT.

(a) IN GENERAL.—Section 7326 of title 5, United States Code, is amended to read as follows:

“§ 7326. Penalties

“An employee or individual who violates section 7323 or 7324 shall be subject to—

“(1) disciplinary action consisting of removal, reduction in grade, debarment from Federal employment for a period not to exceed 5 years, suspension, or reprimand;

“(2) an assessment of a civil penalty not to exceed \$1,000; or

“(3) any combination of the penalties described in paragraph (1) or (2).”.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to any violation of section 7323 or 7324 of title 5, United States Code, occurring after the date of enactment of this Act.

SEC. 9. REGULATIONS.

Not later than 2 years after the date of enactment of this Act, the Special Counsel shall prescribe such regulations as may be necessary to perform the functions of the

Special Counsel under subchapter II of chapter 12 of title 5, United States Code, including regulations necessary to carry out sections 1213, 1214, and 1215 of such title, and any functions required due to the amendments made by this Act. Such regulations shall be published in the Federal Register.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. BLUM), the lead sponsor of this legislation.

Mr. BLUM. Mr. Speaker, I am proud to speak today on behalf of our legislation to reauthorize the Office of Special Counsel for an additional 5-year period to protect whistleblowers, Federal employees who have the courage to come forward to expose waste, fraud, and abuse in the Federal Government and who are so important to our oversight responsibilities here in Congress.

The Office of Special Counsel performs a variety of important responsibilities. Chief amongst them is investigating retaliation against whistleblowers from the executive branch agencies, as well as other prohibited personnel practices. Once again, this is vitally important to the work we perform in the Government Reform and Oversight Committee and ensures greater accountability from the executive branch to Congress.

We are proud of the support this bipartisan bill has received from the whistleblower community and from those who care deeply about our efforts to perform effective oversight in our Federal Government.

Since the last authorization expired in 2007, there are a number of necessary reforms for the OSC as the role of the Office continues to grow and evolve. By enacting this legislation, we can ensure the Office of Special Counsel will have access to Federal agency records that are absolutely necessary to perform their duty of protecting Federal employees who had the courage to speak up about malpractice, mismanagement, and fraud in the Federal Government.

I think we can all agree how unfortunate it is that some executive agencies continue to stonewall the Office of Special Counsel in order to prevent them from investigating retaliatory actions against whistleblowers, even going so far as to invoke executive privilege when dealing with the OSC. Common

sense tells us that this is unacceptable. If the Office of Special Counsel isn't granted the access to the information it needs, there is no way it can properly conduct the duties authorized by Congress.

This bill also takes important steps to increase the efficiency and effectiveness of the Office of Special Counsel, such as allowing OSC to use a simplified process to reduce duplicative complaints to better focus their limited resources on allegations and investigations, and instituting a common-sense 3-year statute of limitations after which document recovery and witness recollections can be difficult to obtain.

Mr. Speaker, before concluding my remarks, I would like to specifically highlight the important work the Office of Special Counsel performed recently in their exposure of the mismanagement and abuse of our veterans at the Department of Veterans Affairs.

Two whistleblowers at the VA hospital in Phoenix, Arizona, recently came forward with information regarding inadequate mental health treatment in employee training at their facility. They were later retaliated against by management. OSC was able to ensure that they received a new job at a nearby facility under different management. Just last month, the VA issued a report in response to OSC's investigation detailing the changes they had made to improve mental health care at that VA facility.

Incidents like these serve as a great reminder that hardworking taxpayers are tired of corruption in the Federal Government.

I would also like to note the excellent work of the current special counsel, Carolyn Lerner, who is a breath of fresh air in this role.

Mr. Speaker, the bottom line is this committee, the Committee on Oversight and Government Reform, needs more whistleblowers in the Federal Government, not less; and the best way to ensure government employees come forward to expose waste, fraud, and abuse is to ensure that they will be protected. This legislation will enable OSC to do exactly that on behalf of all hardworking American taxpayers.

I urge my colleagues on both sides of the aisle to support this legislation.

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

I rise in support of this bipartisan bill which reauthorizes the Office of Special Counsel. The OSC serves as a safe harbor for Federal whistleblowers to disclose wrongdoing. OSC also works to protect Federal employees and applicants for Federal employment from prohibited personnel practices.

The bill would make clear that OSC is entitled to access agency information in its investigations. This bill would also allow OSC to hold agencies more accountable from whistleblower retaliation. Under this bill, if any agency substantiates a whistleblower disclosure from OSC but fails to take a

recommended corrective action, the agency must explain why it failed to take the action.

This legislation would strengthen the tools available to OSC for addressing and correcting retaliation and discrimination in the Federal workplace. It is more important than ever for the Office of Special Counsel to have the tools it needs to protect the Federal workforce.

I urge my colleagues to support this bill.

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

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

First, let me note in the last Congress this legislation passed out of committee by regular order and passed the House on January 11, 2016.

The Office of Special Counsel is tasked with protecting Federal employees from prohibited personnel practices, including reprisals on whistleblowers. Whistleblowers are an indispensable part of helping Congress identify waste, fraud, and abuse at Federal agencies. Information provided by these brave folks can result in investigations and legislation that changes the way we conduct ourselves in government.

As the agency tasked with protecting whistleblowers, the OSC is vital to make sure these individuals feel comfortable coming forward and that they are offered protections. The agency has been busy. From 2013 to 2015, OSC's caseload increased from 4,500 cases open to more than 6,100. That increase coincided with multiple scandals within the Veterans Administration, as Mr. BLUM of Iowa has highlighted.

In fiscal year 2016, OSC projected nearly 2,500 cases from just the VA—2,500 cases at just the Veterans Administration. This reauthorization will ensure the OSC has adequate funding to continue protecting whistleblowers in the VA and other agencies as well. The majority of the OSC funding goes directly to hiring employees who work to protect whistleblowers.

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The bill also makes substantive improvements to current law to ensure the OSC can carry out its mission more effectively. Those reforms cover a few areas, ensuring agencies cooperate with the OSC, clarifying OSC's investigative procedures and making sure Congress receives clear information on whistleblower reprisal throughout the Federal Government.

With this bill, the OSC has clear authority to access agency records and to conduct its investigations. For its part, the OSC must treat those records in the same manner of confidentiality as the agency would, alleviating concerns about disclosure of sensitive information.

The bill also gives OSC needed flexibility to focus on claims that deserve our attention. It will allow the agency to terminate duplicative claims already being pursued by the Merit Systems Protection Board and claims that

exceed statutory timeframes. Agencies will also be required to submit reports detailing what actions they take as a result of these OSC investigations—something in Congress that we should be paying attention to. This reporting provision requires agencies to admit any failures in holding people accountable and gives Congress much-needed transparency.

Finally, the bill codifies OSC's practice under the current special counsel of disclosing to Congress results and statistics. Codifying this transparency ensures the practice will continue and allow for easier oversight of these activities.

In order to help protect the whistleblowers and reform the Federal agencies, I would urge our colleagues to vote "yes" on H.R. 69.

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

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), who is the ranking member of the Government Operations Subcommittee.

Mr. CONNOLLY. Mr. Speaker, again, I thank my friend, Mr. CLAY, for his leadership and for his kindness.

Mr. Speaker, I rise today in support of the Thoroughly Investigating Retaliation Against Whistleblowers Act—a mouthful, but it captures what we are trying to do.

I certainly appreciate Mr. BLUM's efforts to advance legislation that authorizes the Office of Special Counsel and protects whistleblowers in the Federal Government, an effort the Oversight and Government Reform Committee strives to promote when we are at our best on a bipartisan basis, and I am proud to be an original cosponsor of the bill.

I welcome consideration of this bill which would reaffirm Congress' commitment to whistleblowers, upholding the Oversight and Government Reform Committee's obligation to protect those whistleblowers that help identify mismanagement, waste, and fraud at Federal agencies and to support the oversight work of Congress. That is Congress at its best.

With the enactment of the Whistleblower Protection Act of 1989, OSC became an independent agency within the executive branch. Its mission is to safeguard the merit system of protecting Federal employees from prohibitive personnel practices, especially reprisal from whistleblowing. OSC provides employees a mechanism for disclosing wrongdoing in government agencies and provides advice on the Hatch Act, which restricts political activity by government employees generally.

OSC enforces employment rights under the Uniformed Services Employment and Reemployment Rights Act of 1994 for Federal employees who serve or have served in the uniformed services. Congress last reauthorized OSC for the period 2003 to 2007. Due in part to Congress' emphasis on transparency in government, OSC has experienced sig-

nificant growth in its caseload since its last reauthorization. In the past 5 years, that caseload has increased, Mr. Speaker, by 58 percent.

This bill reauthorizes the agency from 2016 through 2020 and makes several important changes to assist OSC in carrying out its vital mission. The bill codifies OSC's current practice of providing important performance metrics in its annual reports to the Congress and requires additional metrics to support congressional oversight of its effectiveness.

Last Congress, this bill was successfully passed out of our committee on, I believe, a unanimous basis. I urge my colleagues to continue Congress' longstanding tradition of support for oversight, accountability, whistleblower protection, and transparency, and vote in the affirmative for the Thoroughly Investigating Retaliation Against Whistleblowers Act.

Mr. CLAY. Mr. Speaker, I have no further speakers, and I would just urge the body to adopt the legislation.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I urge the passage of this bill, H.R. 69. We have had four good champions led by Mr. BLUM of Iowa in our committee who have helped put this together: Mr. MEADOWS of North Carolina, Mr. CONNOLLY of Virginia, and Mr. CUMMINGS, the ranking member out of Maryland. All four have come together as original cosponsors here in the 115th Congress.

Mr. Speaker, I urge its passage, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 69.

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

A motion to reconsider was laid on the table.

MIDNIGHT RULES RELIEF ACT OF 2017

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 21.

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

There was no objection.

Mr. GOODLATTE. Mr. Speaker, pursuant to section 5(b) of House Resolution 5, I call up the bill (H.R. 21) to amend chapter 8 of title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for "midnight rules", and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to section 5(b) of House Resolution 5, the bill is considered read.

The text of the bill is as follows:

H.R. 21

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 "Midnight Rules Relief Act of 2017".

SEC. 2. EN BLOC CONSIDERATION OF RESOLUTIONS OF DISAPPROVAL PERTAINING TO "MIDNIGHT RULES".

(a) IN GENERAL.—Section 801(d) of title 5, United States Code, is amended by adding at the end the following:

"(4) In applying section 802 to rules described under paragraph (1), a joint resolution of disapproval may contain one or more such rules if the report under subsection (a)(1)(A) for each such rule was submitted during the final year of a President's term."

(b) TEXT OF RESOLVING CLAUSE.—Section 802(a) of title 5, United States Code, is amended—

(1) by inserting after "resolving clause of which is" the following: "(except as otherwise provided in this subsection)"; and

(2) by adding at the end the following: "In the case of a joint resolution under section 801(d)(4), the matter after the resolving clause of such resolution shall be as follows: 'That Congress disapproves the following rules: the rule submitted by the ___ relating to ___; and the rule submitted by the ___ relating to ___. Such rules shall have no force or effect.' (The blank spaces being appropriately filled in and additional clauses describing additional rules to be included as necessary)".

The SPEAKER pro tempore. The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

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

Mr. Speaker, Federal bureaucrats are continuously creating new and more complicated and costly burdens on hardworking Americans in the form of unnecessarily burdensome regulations. Clearly, some regulation is necessary to protect public safety, set general rules of the road, and accomplish other important goals.

However, despite the fact that these goals can often be accomplished with relatively simple guidance, Washington bureaucrats seem more determined than ever to create the most complicated puzzles they can imagine, regardless of the compliance costs for small businesses or the new and innovative products entrepreneurs are forced to shelve in order to comply with these overly complicated regulations.

Bureaucrats also don't seem to care that American families face higher prices for goods and have fewer job opportunities when employers are unnecessarily forced to factor wasteful costs of complying with overly burdensome regulations into their bottom lines.

That is why, at the very beginning of the 115th Congress, we are prioritizing legislation to remove unnecessary regulatory burdens. Doing so is one of the fundamental steps we can take to make America more competitive again