

rural communities and how H.R. 1 can help resolve many of these challenges.

In order to truly unleash American potential, we must reform our permitting processes and we will continue to advocate for commonsense policies that will do just that.

As the preeminent voice for rural America on Capitol Hill, we have an expansive membership who have been on the front lines of the crafting of H.R. 1, our top legislative priority. We will continue to highlight the need for permitting reform to get more energy projects online and lower the cost to battle the inflation caused by the Biden administration's reckless agenda. This evening, many of our members of the Western Caucus will be here participating.

I ask the Speaker's indulgence that Mr. STAUBER from Minnesota actually manage the time for our Special Order tonight.

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

URGENT NEED FOR PERMITTING REFORM TO SECURE AMERICA'S ENERGY FUTURE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 9, 2023, the gentleman from Minnesota (Mr. STAUBER) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. STAUBER. Mr. Speaker, I rise today to discuss the urgent need for permitting reform to secure America's energy future.

H.R. 1, the Lower Energy Costs Act, will modernize our outdated permitting process for projects and allow us to unlock the full potential of America's energy and mineral resources.

I want to discuss the mining provisions of H.R. 1, which includes my Permitting for Mining Needs Act. The district that I represent in northern Minnesota, Minnesota's Eighth Congressional District, has 95 percent of America's nickel reserve, almost 90 percent of America's cobalt reserve, 75 percent of our platinum group metals, and more than a third of our copper—all of which are minerals needed for our energy security and mineral supply chains.

It is unconscionable that a mining project in my district for these minerals is on year 20 of permitting and litigation.

We have the resources and the workforce here in the United States, we just need the will, the political will, to mine here. Whether it be mining oil and gas, wind or solar energy, we support all of the above and all of the best energy, but you can't have all of the above and all of the best without permitting reform.

We also need permitting reform to build transmission lines, roads, bridges, and more. Take Dairyland Power's Cardinal-Hickory Creek transmission line project in Wisconsin, for example. This 103-mile-long project is

designed to put more wind power on the grid, but is currently locked in year 7 of permitting because just 1.3 miles of it is unlucky enough to touch Federal land.

This is simply unacceptable, and we can and must do better. If we want to establish American mineral independence and dominance and end our current reliance on the Chinese Communist Party, we must pass H.R. 1.

Mr. Speaker, I yield to the gentlewoman from West Virginia (Mrs. MILLER).

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Mrs. MILLER of West Virginia. Mr. Speaker, today, I rise in support of H.R. 1.

H.R. 1, the Lower Energy Costs Act, is about increasing domestic production, permitting reform, reversing President Biden's anti-energy agenda, and streamlining energy exports.

To be perfectly frank, the Biden administration has been putting out anti-energy policies since his first week in office. He shut down the Keystone pipeline and halted permits for domestic energy production that we desperately needed.

He drained our Strategic Petroleum Reserve to try to stop the pain from his terrible policies instead of coming up with real solutions.

Just last night, he tweeted that electric cars are the future.

I have never seen an administration so out of touch with the American people, which is exactly why these same people affected by anti-energy policies elected a Republican majority in the House of Representatives.

In the majority, our first priority is to bring down energy costs and increase energy production. The Lower Energy Costs Act is just the first of many crucial energy policies I am looking forward to seeing over the next 2 years.

One of the pieces of legislation that I am looking forward to seeing is the completion of the Mountain Valley pipeline. The Mountain Valley pipeline is a great example of why permitting works and exactly why we need more of it.

In this project's case, the administration isn't the problem. It is the left-wing courts—which are more radical than Joe Biden, which should really tell you something—that are holding up this important pipeline.

When the pipeline is completed, it will be delivering natural gas within months, meaning lower energy prices for Americans as supply will dramatically increase.

There is no time to waste. Remember that energy security is national security.

Mr. STAUBER. Mr. Speaker, I thank the gentlewoman for those comments. She is spot on.

Mr. Speaker, I yield to the gentleman from California (Mr. LAMALFA), the executive vice chair of the Western Caucus.

Mr. LAMALFA. Mr. Speaker, I thank the gentleman for hosting tonight and for his great work on mining in this country that we need so desperately, especially with some of the ideas that are being pushed forward in the name of climate change.

I appreciate Chairman NEWHOUSE, as well, for organizing this.

What do we know about H.R. 1, the bill that was discussed here all afternoon, known as the Lower Energy Costs Act? It will reform the permitting process across industries, cut down on needless red tape, and help drive down energy costs for Americans.

We heard all afternoon, though, that it is going to be a handout to oil and gas companies—no, it is not; it is going to strip away environmental laws—no, it is not; it will give companies free rein to poison rivers and streams—yes, that is really what we are about here—no, it doesn't do that either.

It is a monumental win for any American who wants to produce energy, use energy, have their costs lowered, have a secure energy supply long term instead of importing it from OPEC, China, or Russia.

The legislation we are talking about, the Clean Air Act, the Clean Water Act, these were signed in the early 1970s by a Republican, Richard Nixon. Republicans know how to do things ecologically soundly, as well. You wouldn't know it from the other side of the aisle, or even the press, but, yes, we are interested in doing things correctly.

Also, there is the reality that people need things. People need energy. People need to stay warm. We need to produce crops in this country instead of importing everything and exporting environmental problems, if they are that, to other countries that do things much dirtier than we ever thought about doing—to the Pacific Rim, China, where have you.

Our natural gas that we produce in this country is extracted during a cleaner process that is even cleaner fuel than what comes out of Russia. That is why it is good if we were partners with Western Europe, exporting natural gas to them instead of them getting it from a pipeline from the Russian bear.

Despite this critical need for an increase in energy supply—the need for the world is going to continue to go up. You may have seen the chart earlier we were using where it keeps going higher and higher. Oil and gas in the rest of the world are going to be part of that.

They are trying to clamp it down in this country. We are the only ones that are going to be economically disadvantaged, compared to other countries around the world, by doing so.

They yell at us about NEPA being untouchable and what we are talking about in H.R. 1 being a heyday for polluters. It is not that at all.

What it does point out is it takes more than a decade to permit a mine, more than a decade to get a new mine

going in America, for all these batteries they are going to want, for all this electrical they are going to want. Canada and Australia can do one in less than 3 years, and they are not ecologically unsound.

These delays and litigation make domestic energy production unprofitable and time consuming, and it is just not going to happen here, okay?

Critical minerals found in our mines are essential for renewable energy infrastructure. Solar panels, vehicle batteries, and charging stations are built with the minerals that are going to have to be either mined in China or, with the help of Mr. STAUBER, maybe they can be mined in this country.

America always has some of the strongest environmental standards. We are not going to shake those. We are just going to make a NEPA process that is cleaner and smoother.

I haven't even got to talk about our forests in California and the West yet. You have to have a NEPA to do the smallest thing, to have access to the forests so you can tend to them, thin them, make them safe, make them long-term healthy, or be able to get at them when fires do start, which they will.

The current process is so cumbersome that it is a barrier to proper management. That is why the smoke plumes that start in my State on a million-acre fire end up on the East Coast, where people have to have health days where they can't go outdoors.

We saw that million-acre Dixie fire in my district. We have seen 70,000 wildfires per year. NEPA does not help the process of thinning timber or even putting a culvert in a forest road without having to do this long study that doesn't tell anybody anything, other than a way to stall things.

I am encouraging my colleagues on both sides of the aisle to break away from the status quo. Don't buy into all these scare tactics that it is going to poison the river, the air, and everything else. It doesn't do that.

The regulations are still in place. It just streamlines the process so you can reasonably get something done still with oversight from the Federal agencies, as well as the industries themselves that understand that, these days, it is a really bad idea to go polluting like we did 150 years ago.

I appreciate the time here tonight and the effort everybody is making on H.R. 1.

Mr. STAUBER. Mr. Speaker, I thank Mr. LAMALFA for his very spot-on comments, as well.

Mr. Speaker, I yield to the gentleman from Indiana (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I thank my colleague from Minnesota for yielding and the opportunity to spend some time on this program.

Mr. Speaker, today, the gap between rural and urban America has never been wider. As our Nation advances and urban communities flourish, far

too often our rural communities, which are the backbone of this country, get left behind.

Collectively, Hoosiers contribute nearly \$200 billion to the U.S. economy through our agricultural exports, in spite of the onerous and outdated regulations that limit their growth potential.

Across west central Indiana, our farmers and growers continue to express the same sentiment: We need to cut the red tape that limits our producers and get the Federal Government out of the way.

On average, it takes new solar projects a little over 2 years to receive the necessary Federal permits, over 3 years for electricity transmission projects, and over 4 years for new major road projects.

Based on that timeline, Democrats' goal to reduce emissions by 50 percent by 2030 is totally unrealistic and unobtainable. Their own onerous regulations and broken permitting process will be a death knell for their radical climate goals.

The reality is that the current permitting process is limiting our potential and stifling American energy production.

This shouldn't be a partisan issue. We all stand to benefit when we empower rural America to reach their full potential, and who better than the United States to be the world leader in energy?

Until we get out of our own way, we will continue to cede control to countries like China, which lack any semblance of environmental standards or ethical energy processes.

Passing H.R. 1 is a critical step to achieving our goal of unleashing American energy, and until we take substantive action to cut this red tape, the millions of tax dollars Congress dedicates to improving our country's infrastructure will be squandered.

America's energy independence and rural America's success hinge on our ability to create an efficient and modernized permitting process. It is time for us to get the Federal Government out of the way and give rural America the tools they need to continue feeding and fueling this Nation and the world to the very best of their ability.

Mr. STAUBER. Mr. Speaker, I thank the gentleman for his comments that rural America matters. Their voice should be heard in our Nation's Capitol.

Mr. Speaker, I yield to the gentleman from California (Mr. KILEY).

Mr. KILEY. Mr. Speaker, I rise today in support of H.R. 1, the Lower Energy Costs Act, which does something a little unusual for a piece of legislation. It actually does what it says it is going to do, the Lower Energy Costs Act.

It is going to lower costs for Americans and, in particular, my State of California, where we pay the highest energy costs in the country. It will do that by lowering utility bills, by reducing gas prices, and by reducing the cost

of everyday goods by reducing the cost of transport.

It will do this by making our country more energy independent, enhancing our capacity for domestic energy production.

There are a number of other benefits to this, by the way. It will create jobs here in the United States. It will enhance our national security. It is much better for the environment than energy produced elsewhere.

It is the affordability facet that I really want to focus on because my top priority as a member of this new House majority is focusing like a laser on reducing the cost of living for Americans who have been crushed under the weight of runaway inflation.

As background, the first thing that we did in this new Congress was we voted to repeal the 87,000 IRS agents who were hired by the last Congress. This is going to spare countless Americans, middle-class Americans, from highly intrusive audits.

The next month, in February, I managed to secure an opinion from the IRS. This was specific to California taxpayers. This reversed guidance given by the California tax authority saying that you needed to pay taxes on those tax refunds that you got in the mail last year or early this year.

We managed to secure an opinion from the IRS saying you don't have to pay taxes on that, saving Californians several hundred dollars with that step alone.

It is H.R. 1, this bill, the Lower Energy Costs Act, that is the most important step yet to lower the cost of living for people in California and across the country. Here is exactly how the bill did this.

Number one, it is going to reduce your utility bills by repealing \$6.4 billion in taxes on natural gas. This was part of the Biden administration's energy program last year, which, of course, caused gas prices to go over \$7 a gallon in many places. Also part of that was a major tax that was placed on natural gas.

The nonpartisan Congressional Budget Office has found that this tax is ultimately paid for by Americans through higher home heating costs and utility bills.

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H.R. 1 repeals this tax, and consumers will pocket those savings through lower utility bills.

The second effect of this legislation will be to reduce gas prices, and that is primarily done through reforming our broken permitting process. Now, this might sound like sort of an arcane issue, but it is fundamental to the high, out-of-control cost of gas that we have been dealing with in this country, where we have a broken permitting process that blocks projects for months, for years, often indefinitely, through never-ending Federal reviews, not to mention frivolous litigation.

This bill will streamline the permitting and review process by capping reviews at 1 year for environmental assessments and 2 years for environmental impact statements, more than enough time. There is also going to be a 120-day deadline implemented on filing a lawsuit on final agency actions concerning energy projects.

The bill also requires the Department of the Interior to resume quarterly sales of onshore oil and gas leases, among many other steps, which will unleash the American energy sector, create middle-class jobs, and increase the supply of gas available to reduce prices at the pump.

Finally, it is worth mentioning the other overall effect of this bill, which is to reduce the cost of everyday goods and services. By reducing the cost of gasoline, every good transported to a store, whether it is groceries, furniture, or any other everyday necessities are going to be cheaper to transport, and those savings as well will be passed on to consumers.

I am proud to stand with my colleagues in the new majority in supporting this legislation, in fighting to reduce inflation, and to making the American Dream accessible to more people.

Mr. STAUBER. Mr. Speaker, I thank Mr. KILEY for those spot-on words. He demonstrated that H.R. 1 will save the American people money so they have more money in their pockets, so they can take care of their families. He is absolutely right. Higher energy costs for oil and gas equal the rising cost in food prices.

The next speaker is my colleague and friend from the neighboring State of Wisconsin and one of the vice chairs of the Western Caucus.

Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. TIFFANY) for the purpose of a colloquy.

Mr. TIFFANY. Mr. Speaker, H.R. 1, we heard that bill today. I had a chance to speak on it, the Lowering Energy Costs Act. This is one of the steps that we can take as this Congress to get the permitting process under control, save money for Americans that seek to go through this process, and have a healthier economy and environment.

In fact, I would ask my colleague from Minnesota: Aren't we all environmentalists these days?

Mr. STAUBER. Mr. Speaker, I am the father of 6 children and Mr. TIFFANY is the father of 3. Nobody controls that term "environmentalists." We are all environmentalists. He is right.

Mr. TIFFANY. Mr. Speaker, we all care about the environment. It isn't like 50, 60 years ago. In fact, we live in regions where I think about our paper mills from decades ago where there was sludge that went down those rivers. In fact, I ran our dinner and excursion boat on one of those rivers, the Wisconsin River. People were so surprised when they came on our boat and said: Wow, this used to be covered with

sludge. We didn't see eagles and loons and wildlife like that back in our day, but we do see it now.

The same thing has happened in north Minnesota, hasn't it?

Mr. STAUBER. Absolutely.

Mr. TIFFANY. Mr. Speaker, we just heard a statement from the President that was read just before we came here as the Western Caucus, and he talked about the infrastructure bill and other pieces of legislation that are doing these wonders for Americans.

I would just point out a few flaws with what he is saying. If you go to Vilas County in the Seventh Congressional District in Wisconsin, right near where I live, and there is a small town that is attempting to get a road project done via Federal funding with the infrastructure bill. The quote that they have gotten, as a result of having to go through Federal permitting, is \$1.5 million. I think it is to fix 2.6 miles of road.

I went to a local road contractor and asked them: How much would it cost if you didn't have to go through the Federal process?

Half of that, \$750,000.

We are not going to get the bang for our buck and get more projects done, including ones that could benefit the environment, as a result of having to pay far more for that Federal permitting process.

Also, the President talked extensively about the Green New Deal and this great thing that is going to happen to the United States of America. Wisconsin was just warned this last year for the first time that we may be subject to blackouts this summer.

Why is that? Because we are going to intermittent sources of power. We are not replacing our baseload power.

The gentleman next to me from Minnesota knows all about a project that is going on in a community right across from his hometown of Duluth, Minnesota, in Superior, Wisconsin, the Nemadji Trail Project.

You are very familiar with that, aren't you?

Mr. STAUBER. I am.

Mr. TIFFANY. The Nemadji Trail Project is a natural gas project to produce electricity to be able to provide that baseload power, especially if we are going to go to more intermittent sources of power.

Guess what the Biden EPA is doing?

They have brought the hammer down on that project and said: We are going to make you go through this permitting process even longer, which has already been for 5 years. This is nearly a billion-dollar investment to provide reliable, affordable, clean electricity for people that live in the northland of the upper Midwest of Minnesota and Wisconsin. Here, the Biden administration is trying to stop that project. That is what is happening.

I say we can have both a clean environment and a growing economy. In fact, I would say if we don't have a growing economy, we will not have a clean environment.

What funds those environmental projects?

I saw it as a State legislator. What funds that is when we have a robust economy.

I just think about when we had our business, Wilderness Cruises, my wife and I, for 20 years.

When did we do well?

We did well when the industrial economy was doing well, when the paper mills and the various industrial plants were doing well. When they were doing well, we were doing well. When they didn't, we didn't do well.

It is not mutually exclusive, the environment and the economy. Having a healthy environment and a healthy economy go together.

It is time to reform NEPA. These are really modest changes that we are making in the Lowering Energy Costs Act. We are not changing environmental standards. We believe in high environmental standards, but we need to do it in a more expeditious manner.

The gentleman from Minnesota, what did you say, 20 years for the mining project?

Is that the Twin Metals project?

Mr. STAUBER. It is the PolyMet project, NewRange. Twenty years in the permitting process.

Mr. TIFFANY. The Biden administration brought the hammer down on that one also, didn't they?

Mr. STAUBER. And the Twin Metals one, correct.

Mr. TIFFANY. Mr. Speaker, how are we going to have transition to this electrified economy? How are we going to do that if we do not have the metals to do it?

We can't. There is no doubt about it.

But let's be really clear. I thought the Speaker did a terrific job today of laying out what the choice is.

Are you on the side of China and Russia, or are you on the side of the United States of America?

That is really the choice. Because we are deciding at this point. With bills like this, we are deciding: Is the 21st century going to be an American century, or is it going to be a communist Chinese century?

The communist Chinese Government has made it very clear, they seek world dominance, they seek to be the country of the 21st century that everyone will turn to, just like America was in the 20th century.

The choice is before us. Is this going to be an American century, the 21st century, just like the 20th century, or not?

If you are on the side of America, you will be voting for the Lowering Energy Costs Act.

Mr. STAUBER. Mr. Speaker, I thank Mr. TIFFANY.

Again, this is about modernizing our permitting process without reducing any environmental standards, as he so clearly stated. We appreciate those comments.

Mr. Speaker, as you can see, my Western Caucus colleagues have made

it very clear: we need permitting reform.

I thank them for their comments tonight, and I yield back the balance of my time.

ADJOURNMENT

Mr. STAUBER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 24 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 29, 2023, at 10 a.m. for morning-hour debate.

NOTICE OF ADOPTION OF REGULATIONS AND TRANSMITTAL FOR CONGRESSIONAL APPROVAL

U.S. CONGRESS, OFFICE OF
CONGRESSIONAL WORKPLACE RIGHTS,
Washington, DC, March 28, 2023.

Hon. KEVIN MCCARTHY,
Speaker of the U.S. House of Representatives,
The United States Capitol,
Washington, DC.

DEAR MR. SPEAKER: Section 304(b)(3) of the Congressional Accountability Act (CAA), 2 U.S.C. §1384(b)(3), requires that, with regard to substantive regulations under the CAA, after the Board of Directors ("Board") of the Office of Congressional Workplace Rights ("OCWR") has published a general notice of proposed rulemaking as required by subsection (b)(1), and received comments as required by subsection (b)(2), "the Board shall adopt regulations and shall transmit notice of such action together with a copy of such regulations to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal."

The OCWR Board has adopted the regulations in the Notice of Adoption of Substantive Regulations and Transmittal for Congressional Approval, which accompany this transmittal letter. The Board requests that the accompanying Notice be published in both the House and Senate versions of the Congressional Record on the first day on which both Houses are in session following receipt of this transmittal. The Board has adopted the same regulations for the Senate, the House of Representatives, and the other covered entities and facilities, and therefore recommends that the adopted regulations be approved by concurrent resolution of the Congress.

Any inquiries regarding this notice should be addressed to Patrick Findlay, Executive Director of the Office of Congressional Workplace Rights, Room LA-200, 110 2nd Street, S.E., Washington, D.C. 20540; 202-724-9250.

Sincerely,
BARBARA CHILDS WALLACE,
Chair of the Board of Directors, Office of
Congressional Workplace Rights.

Attachment.

FROM THE BOARD OF DIRECTORS OF
THE OFFICE OF CONGRESSIONAL
WORKPLACE RIGHTS

NOTICE OF ADOPTION OF REGULATIONS
AND TRANSMITTAL FOR CONGRES-
SIONAL APPROVAL

Modification of Regulations Extending Rights and Protections Under the Americans with Disabilities Act Relating to Public Services and Accommodations, Notice of Adoption of Regulations and Submission for Approval as Required by 2 U.S.C. §1331, Congressional Accountability Act of 1995, as Amended.

**Procedural Summary:
Issuance of the Board's Initial Notice of Proposed Rulemaking.**

On or about July 26, 2022, the Board of Directors ("the Board") of the Office of Congressional Workplace Rights ("OCWR") published a Notice of Proposed Rulemaking ("NPRM") in the Congressional Record. 168 Cong. Rec. H7158-H7163, S3700-3705 (daily ed. July 26, 2022). The Board, after considering comments to the NPRM, has adopted, and is submitting for approval by the Congress, final modified regulations implementing section 210 of the CAA. As set forth in detail below, the OCWR Board previously adopted regulations implementing section 210 of the CAA in 2016. 162 Cong. Rec. H557-565, S624-632 (daily ed. February 3, 2016). Because Congress has not acted on the Board's request for approval of its 2016 amendments, the Board now resubmits them for congressional approval.

Why did the Board propose these new Regulations?

The Congressional Accountability Act of 1995, PL 104-1 ("CAA"), was enacted into law on January 23, 1995. The CAA, as amended, applies the rights and protections of fourteen federal labor and employment statutes to covered employees and employing offices within the legislative branch of the federal government. Section 210(b) of the CAA provides that the rights and protections against discrimination in the provision of public services and accommodations established by the provisions of Titles II and III (sections 201 through 230, 302, 303, and 309) of the Americans with Disabilities Act of 1990, 42 U.S.C. §§12131-12150, 12182, 12183, and 12189 ("ADA") shall apply to legislative branch entities covered by the CAA. The above provisions of section 210 became effective on January 1, 1997. 2 U.S.C. §1331(h). Title II of the ADA prohibits discrimination on the basis of disability in the provision of services, programs, or activities by any "public entity." Section 210(b)(2) of the CAA defines the term "public entity" for Title II purposes as any of the listed legislative branch offices that provide public services, programs, or activities. 2 U.S.C. §1331(b)(2). Title III of the ADA prohibits discrimination on the basis of disability by public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with the accessibility standards.

Section 210(e) of the CAA requires the OCWR Board to issue regulations implementing Section 210. 2 U.S.C. §1331(e). Section 210(e) further states that such regulations "shall be the same as substantive regulations promulgated by the Attorney General and the Secretary of Transportation to implement the statutory provisions referred to in subsection (b) of this section except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section." Id. Section 210(e)

further provides that the regulations shall include a method of identifying, for purposes of this section and for different categories of violations of subsection (b), the entity responsible for correction of a particular violation. 2 U.S.C. §1331(e)(3).

What procedure followed the Board's initial Notice of Proposed Rulemaking?

The July 26, 2022 Notice of Proposed Rulemaking included a thirty day comment period, which began on July 26, 2022. The OCWR received two sets of written comments to the proposed substantive regulations from stakeholders. The Board of Directors has reviewed these comments, has made certain changes to the proposed substantive regulations in response to the comments, has adopted the amended regulations, and is submitting these final regulations for approval by Congress.

What is the effect of the Board's adoption of these substantive regulations?

Adoption of these substantive regulations by the Board does not complete the promulgation process. Pursuant to section 304 of the CAA, 2 U.S.C. §1384, following the Board's adoption of the regulations, it must transmit notice of such action together with the regulations and a recommendation regarding the method for Congressional approval of the regulations to the Speaker of the House and President pro tempore of the Senate for publication in the Congressional Record. This Notice of Adoption of Substantive Regulations and Submission for Congressional Approval completes this step.

What are the next steps in the process of promulgation of these regulations?

Pursuant to section 304(b)(4) of the CAA, 2 U.S.C. §1384(b)(4), the Board of Directors is required to "include a recommendation in the general notice of proposed rulemaking and in the regulations as to whether the regulations should be approved by resolution of the Senate, by resolution of the House of Representatives, by concurrent resolution, or by joint resolution." The Board has adopted the same regulations for the Senate, the House of Representatives, and the other covered entities and facilities, and therefore recommends that the adopted regulations be approved by concurrent resolution of the Congress.

Has the Board previously adopted regulations implementing section 210 of the CAA?

Yes. The first ADA regulations implementing section 210 of the CAA were adopted by the Board and published on January 7, 1997, 142 Cong. Rec. H10676-10711, S10984-11019 (daily ed. September 19, 1996) and 143 Cong. Rec. S30-61 (daily ed. January 7, 1997), after providing notice, and receiving and considering comments in accordance with section 304 of the CAA. No congressional action was taken and thus the 1997 regulations were not issued. Revised regulations were adopted by the Board and published on February 3, 2016, after providing notice, and receiving and considering comments in accordance with section 304 of the CAA. 160 Cong. Rec. H7363 & 160 Cong. Rec. S5437 (daily ed., Sept. 9, 2014), 162 Cong. Rec. H557-565, S624-632 (daily ed. February 3, 2016). No congressional action was taken and thus the regulations were not issued. Because Congress has not acted on the Board's request for approval of its 2016 amendments, the Board now resubmits them for congressional approval.

The Board's Responses to Comments:

A. Commenters' incorporation of 2014 comments

Both commenters incorporated by reference comments submitted in response to the Board's 2014 ADA NPRM. In the 2022