

Even in our grief, Iowans are resilient. These tornadoes are a tragic reminder that we need to use every tool available to keep our communities safe.

I am glad that two of my bills are part of this package. My bills help ensure that our weather radar can better detect serious storms, especially low-hanging tornadoes, and the National Weather Service can disseminate information more quickly.

These reforms will save lives, keep Iowans informed, and deliver accurate and timely updates during storms.

When it comes to severe weather, seconds can make the difference between life and death. That is why I urge my colleagues to support this legislation so that we can protect our families and our communities.

Mr. LUCAS. Mr. Speaker, how much time do I have remaining.

The SPEAKER pro tempore. The gentleman from Oklahoma has 5½ minutes remaining.

Mr. LUCAS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. OBERNOLTE) to speak on the bill.

Mr. OBERNOLTE. Mr. Speaker, I rise in strong support of the reauthorization of the Weather Act.

This bill includes, in section 115, my legislation to also reauthorize the National Landslide Hazards Reduction Program. This is a critically important program for reducing landslide hazards in the United States that will, absent reauthorization, expire at the end of this year.

It is a little-known fact that landslides cause over a billion dollars in property damage every year in the United States, as well as costing countless lives. This is particularly true in my district in southern California.

My district has experienced substantial wildfire damage in the last several years, and last August, we experienced the first tropical storm in 83 years in California. This resulted in the liquefaction of the soil beneath the burn scars in the San Bernardino Mountains. The resulting landslides erased an entire community. Houses were uprooted and displaced, and many residents were trapped and had to be lifted by helicopter to safety.

Mr. Speaker, the National Landslide Hazards Reduction Program is a critical program for identifying hazards that exist with landslides and improving coordination with local emergency responders and agencies to make sure that those hazards are addressed.

Mr. Speaker, I thank Chairman LUCAS and my colleagues on the Science, Space, and Technology and the Natural Resources Committees for including my legislation in the Weather Act Reauthorization Act, and I urge its adoption.

Ms. LEE of Pennsylvania. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to recognize the Democratic staff who were the driving

force behind this bill: Kristi Parrott, Noah Hunt, and Dahlia Sokolov. I thank them for their work on this legislation.

Mr. Speaker, I urge my colleagues to vote “yes” on H.R. 6093, and I yield back the balance of my time.

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

Again, I express my sincere thanks to Ranking Member LOFGREN for her willingness to work together on this critical issue. I also thank the 29 bipartisan cosponsors, along with the 63 Members who contributed language found in this bill.

Mr. Speaker, I urge my colleagues to join us in supporting the Weather Act Reauthorization Act, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. LUCAS) that the House suspend the rules and pass the bill, H.R. 6093, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

CONGRESSIONAL BUDGET OFFICE DATA SHARING ACT

Mr. YAKYM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7032) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide the Congressional Budget Office with necessary authorities to expedite the sharing of data from executive branch agencies, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7032

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 “Congressional Budget Office Data Sharing Act”.

SEC. 2. REQUESTS BY CBO OF INFORMATION FROM EXECUTIVE AGENCIES.

(a) IN GENERAL.—Section 201(d) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 601(d)) is amended—

(1) by striking “The Director is authorized” and inserting “(1) The Director is authorized”;

(2) by striking “(other than material the disclosure of which would be a violation of law)” and inserting “(with or without written agreement) provided that the Director maintains the level of confidentiality required by law of the department, agency, establishment, or regulatory agency or commission from which it is obtained in accordance with section 203(e)”; and

(3) by adding at the end the following:

“(2) No provision of law enacted after the date of the enactment of the Congressional Budget Office Data Sharing Act shall be con-

strued to supersede, limit, or otherwise modify the authority of the Director to obtain any material under this subsection unless such provision specifically provides, by specific reference to this paragraph, that such authority is to be superseded, limited, or otherwise modified.”.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Director of the Congressional Budget Office shall submit, to the chairs of the Committees on the Budget of the House of Representatives and the Senate, a report listing any request for information pursuant to a written agreement under section 201(d) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 601(d)), as amended by subsection (a) of this Act, made to any department, agency, or establishment of the executive branch of Government or any regulatory agency or commission of the Government and any challenges faced accessing information under such section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. YAKYM) and the gentleman from Pennsylvania (Mr. BOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. YAKYM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 7032.

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

There was no objection.

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

Mr. Speaker, I rise today in support of the Congressional Budget Office Data Sharing Act.

First, I thank my colleague and friend, the ranking member of the Budget Committee, Mr. BOYLE of Pennsylvania, for working with me on this commonsense, bipartisan reform. I also thank our Budget Committee chairman, JOEY ARRINGTON, for his leadership and work on this effort, as well.

As a Congress, there is one thing we can all agree on: The current budgetary process is not working for the American people.

Congress has adopted a budget resolution by its statutorily required April 15 deadline only four times in the last four decades.

We have to find ways to address this brokenness so we can serve and steward the American people's hard-earned tax dollars. A key part of this is process reform.

To me, process is a set of incentives that drive behavior, and we must change the current behavior that is failing this country, especially our children and grandchildren.

Right now, the CBO encounters ongoing challenges in obtaining necessary data from executive branch agencies in a timely manner without restrictions. CBO's recent interactions with the Social Security Administration reveal a systemic issue that extends beyond a single agency. The process of renewing

data agreements, which are vital for the CBO's analyses, has been met with significant delays.

For example, a particular Social Security agreement with the Social Security Administration, critical for ongoing access to essential data, required over a year of negotiations before it was finalized and renewed. This consumed significant resources and time and deprived Congress of valuable information.

It is clear that the current framework is broken. There are many interpretations of various legislative mandates that bring inefficiencies and obstacles to data access. These challenges impact how quickly CBO can provide vital information to Congress and hinder Members' ability to make fully informed decisions regarding the budgetary impact of proposed legislation.

Our bill will put an end to this troubling dynamic.

The Congressional Budget Office Data Sharing Act would ensure the CBO has the tools it needs to deliver for us, their customer, timely and accurate information. It assists CBO in providing Congress with cost estimates for legislation and other fiscal reports that are critical for bringing accountability and transparency.

We streamline the CBO's ability to obtain necessary data, enabling timely completion of its work. We also strengthen and clarify the CBO's ability to request and receive data from executive branch agencies.

This doesn't threaten the confidentiality of sensitive information. Rather, the CBO would be required to maintain confidentiality in a way similar to the executive branch agency that is providing it.

This bill also ensures that future laws will not limit or modify this enhanced authority unless explicitly stated.

Finally, the bill provides increased transparency by requiring the CBO to report to the House and Senate Budget Committees on the requests it makes to agencies and any challenges encountered in retrieving necessary information.

I am proud to support this measure that will give CBO some of the tools it needs to provide timely, accurate, and complete information to Congress.

This legislation is smart, bipartisan, and a step in the right direction to improving the way that we budget Americans' hard-earned tax dollars.

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

□ 1800

Mr. BOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am proud to rise today as the author of H.R. 7032, the Congressional Budget Office Data Sharing Act.

Mr. Speaker, 50 years ago, almost to the day, Congress passed the Congressional Budget Act of 1974, which cre-

ated the modern Congressional budget process as well as the Senate and House Budget Committees, and finally, the Congressional Budget Office.

With 270 dedicated, nonpartisan staff led by Director Dr. Phillip Swagel, CBO is critical to our work on behalf of the American people.

CBO issues hundreds of cost estimates on proposed legislation annually, provides technical assistance in crafting legislation, and keeps the public informed about the costs and impacts of legislation, as well as the overall fiscal health of our Nation.

The Budget Committee has direct oversight of CBO, and as the ranking member, helping CBO to do a better job of serving our institution is one of my top priorities.

Just a few months ago, the CBO director testified before our committee on the issues that CBO faces when requesting data from executive branch agencies.

In many cases, even when agencies want to cooperate with the CBO, they sometimes have concerns about their legal authority to provide data that creates delays.

In just one example that Dr. Swagel gave, CBO faced delays receiving data from FEMA regarding important analysis on flood insurance because FEMA was unsure of their legal authority to provide the data that was requested.

In cases like this, CBO is often forced to rely on less detailed, publicly available information in order to complete their reports on time.

My bill remedies this by clarifying CBO's authority to request data from executive agencies and grant CBO better and timely information so CBO can provide this analysis to Congress.

It accomplishes that while maintaining that CBO protects data to the same standards as the Federal agency providing it.

The security of sensitive data is important to agencies, CBO, and Congress, and this legislation ensures that CBO will continue to follow the procedures of the providing agency when it comes to protecting that data.

Mr. Speaker, as you heard just a few moments ago, this bill is a common-sense solution to an issue that has plagued CBO both through Republican and Democratic administrations, and I am proud that it had unanimous bipartisan support in the Budget Committee.

I thank the lead cosponsor of this legislation, Chairman JODEY ARRINGTON, who has been a crucial partner in advancing this bill.

I thank my friend as well from the South Bend, Indiana, area who has spoken so positively about this bipartisan legislation.

Mr. Speaker, 50 years ago after the enactment of the Budget Act, Congress clearly still has work to do when it comes to improving our budget and appropriations process and ensuring we deliver for the American people on time. This bill is the first step to improving our budget process.

Mr. Speaker, I urge all my colleagues to support this bill, and I reserve the balance of my time.

Mr. YAKYM. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in strong support of H.R. 7032, the Congressional Budget Office Data Sharing Act, led by Ranking Member BOYLE and Chairman ARRINGTON.

When we in Congress make decisions on legislation and programs, we often look to CBO, the Congressional Budget Office, for their estimates on how it will affect our economy and our Federal budget.

With Federal debt reaching new heights every hour, it is of the utmost importance that the fine people at CBO have access to all the data they need when doing their analysis.

All this bill does is to clarify and strengthen CBO's access to executive branch data, and that is extremely important.

The vital data we need when making decisions regarding the future of our country is the data that we need in order to make these types of decisions, and that is why the CBO needs access to that data, and in turn, we get access to that data.

Mr. Speaker, I urge my colleagues to support this bipartisan piece of legislation.

Mr. BOYLE of Pennsylvania. Mr. Speaker, I am prepared to close, and I yield myself such time as I may consume.

Mr. Speaker, I include in the RECORD a letter from the Congressional Budget Office on how this bill would clarify and strengthen the agency's general authority for accessing data from executive branch agencies, as well as a letter from the Bipartisan Policy Center in support of this bill.

CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 12, 2024.

Hon. JODEY ARRINGTON,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.
Hon. BRENDAN F. BOYLE,
Ranking Member, Committee on the Budget,
House of Representatives, Washington, DC.
Re H.R. 7032, Congressional Budget Office
Data Sharing Act

DEAR CHAIRMAN ARRINGTON AND RANKING MEMBER BOYLE: You have asked how enacting H.R. 7032, the Congressional Budget Office Data Sharing Act, would improve CBO's access to data. The bill would amend the Congressional Budget Act of 1974 to clarify and strengthen the agency's general authority for accessing data from executive branch agencies.

The Congressional Budget Act provides CBO general authority to access data from a variety of sources. CBO works collaboratively with the executive branch to obtain data through formal and informal means. CBO also accesses data by using specific authority and by collaborating with other agencies.

CBO currently has more than 20 active data-use agreements with federal agencies. However, the shifting legal and regulatory frameworks at federal agencies can delay,

weaken, or block access to information. The time necessary to negotiate and renew agreements can be unpredictable and is widely variable, taking from a couple of weeks to more than a year.

H.R. 7032 would amend section 201(d) of the Congressional Budget Act, which governs CBO's access to executive branch data, by striking a parenthetical statement in that section, "(other than material the disclosure of which would be a violation of law)." That condition is unnecessary when another statute more specifically governs CBO's access to certain data. It also can hamper access to data by requiring CBO to enter into additional discussions with agencies, thus impairing the timeliness of CBO's work.

Enacting the bill would remove the caveat and, instead, provide CBO access to executive branch data unless that access is specifically disallowed by a future law. H.R. 7032 also includes a reference to section 203(e) of the Congressional Budget Act to highlight CBO's obligation to protect the restricted information it receives.

Better and more timely access to data enhances the precision of CBO's work, and it gives the Congress better—and more timely—information to make informed decisions about policy. Such access also helps to ensure equal footing with the executive branch.

I hope this information is useful to you. Please contact me if you have further questions.

Sincerely,

PHILLIP L. SWAGEL,
Director.

BIPARTISAN POLICY CENTER
April 15, 2024.

Hon. JODEY ARRINGTON,
Chairman, House Budget Committee,
Washington, DC.

Hon. BRENDAN BOYLE,
Ranking Member, House Budget Committee,
Washington, DC.

DEAR CHAIRMAN ARRINGTON AND RANKING MEMBER BOYLE: On behalf of the Bipartisan Policy Center, I write to commend you and your colleagues on the House Budget Committee for your work in advancing H.R. 7032, the Congressional Budget Office Data Sharing Act. This thoughtful, bipartisan legislation would enhance the working relationships between the Congressional Budget Office (CBO) and federal departments and agencies, and would enable CBO to collect better data in the course of serving lawmakers and their staff.

As you know, CBO faces challenges in gaining access to agency-level data, even with willing executive branch partners. These challenges delay or even prevent CBO from working hand in hand with departments and agencies, which in turn hinders CBO's ability to respond to congressional requests in a timely manner.

Your legislation would address these challenges head on, enhancing CBO's ability to work with federal agencies while retaining confidentiality protections that are essential to any entity making use of potentially sensitive government data. We were glad to see widespread, bipartisan support for H.R. 7032 in the House Budget Committee in February of this year.

With the 50th anniversary of the Congressional Budget and Impoundment Control Act approaching, now is the perfect time for lawmakers to be considering reforms large and small that would improve upon this law and update it for the budgetary challenges lawmakers face in the 21st century. BPC looks forward to working with you and the members of the House Budget Committee on this and other proposals to reform and improve the congressional budget process.

We thank you for your work on H.R. 7032 and for your commitment to bipartisan, bicameral budget process reform.

Sincerely,

G. WILLIAM HOAGLAND,
Senior Vice President, BPC.

Mr. BOYLE of Pennsylvania. Mr. Speaker, this is a commonsense bipartisan bill that gives CBO the tools it needs to do its job to serve this institution better.

This is really about strengthening the institution of Congress, in addition to ensuring CBO is better able to deliver a product.

Helping CBO provide more timely and accurate information to Congress will help us as a body make better and more informed decisions on behalf of the people who sent us here.

I urge all of my colleagues to support the CBO Data Sharing Act, and I once again thank Director Swagel and all the dedicated staff at CBO for their hard work.

I, again, thank Chairman ARRINGTON for his friendship and his support, as well as all of my colleagues on the Budget Committee, including the gentleman from Indiana, who unanimously supported this legislation.

As always, a heartfelt thank you to the staff in my office, as well as both the Democratic and Republican staffs of the Budget Committee for their hard work to make this legislation possible.

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

Mr. YAKYM. Mr. Speaker, I am ready to close, and I yield myself such time as I may consume.

Mr. Speaker, I ask to include in the RECORD letters in statement of support from various organizations and individuals as part of H.R. 7032.

These include from the Congressional Budget Office, several former directors of the Congressional Budget Office, including: Dan Crippen, Doug Elmendorf, and Doug Holtz-Eakin; Sandy Davis who served as the Congressional Budget Office's Associate Director for Legislative Affairs from 2003–2015, and the Economic Policy Innovation Center.

I will include in the RECORD the Bipartisan Policy Center, the Cato Institute, the Committee for a Responsible Federal Budget, and the National Taxpayers Union Foundation.

DAN CRIPPEN, FORMER CBO DIRECTOR

I applaud the House Budget Committee for its legislation allowing CBO more access to data from federal agencies. I urge the House to pass the bill in time for the Senate to act expeditiously as well.

Having once served as Director, I can report first-hand that agencies collect data valuable to CBO analysis of legislation and important issues to the Congress. Unfortunately, many of those agencies are reluctant to share the data for any number of reasons, including:

privacy;
enabling statutes; and,
the inherent power of "owning" the data (often unspoken).

The bill the House plans to consider will help clarify the ability of agencies to overcome any legislative restrictions that might impose concern about the legality of trans-

fers. Other concerns can be mitigated using an MOU.

Privacy has often been the reason given for not sharing data. Various deidentification techniques can protect privacy. I was often told that I could identify Bill Gates tax return without any identifying information . . . of course, with more taxpayers at his level of income, it would be more difficult now. Nonetheless, it is possible to eliminate entirely a few cells that would be identifiable without severe masking of all data, destroying the statistical properties of the information.

With the help of Chairman Moynihan, CBO gained access to IRS data, but under all the same laws and rules of the IRS itself . . . including go-to-jail provisions for leaking. Some analysts at CBO were initially chagrined at the new exposure, but subsequently understood the security measures we needed to take to successfully comply. This legislation would do the same for all agencies.

The Census Bureau often claimed that its charter made any census data available only to the Census Bureau . . . to help improve its data collection. I once encouraged the House Appropriations Committee to include CBO access to Census Bureau data, which they did, only to have the Bureau launch a large and successful campaign against it. The Bureau claimed leaks by CBO would discourage people from returning the census survey when, at least at that point, the only agency to leak data was the Bureau itself. This bill would make it clear that it is appropriate and legal for agencies to allow CBO to use data collected by the government.

No matter what the reason, nor how good the motives, withholding data from CBO deprives the Congress of better estimates and analysis. This legislation will make it more straightforward and less ambiguous, without jeopardizing existing privacy. The folks at CBO, along with other fine qualities, are not a leaky lot . . . as shown by their history.

HARVARD, KENNEDY SCHOOL,
Cambridge, MA, April 12, 2024.

Hon. JODEY ARRINGTON,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

Hon. BRENDAN BOYLE,
Ranking Member, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR CHAIRMAN ARRINGTON AND RANKING MEMBER BOYLE: As a former director of the Congressional Budget Office—serving from 2009 to 2015—I take considerable interest in CBO's ability to obtain the information it needs to effectively serve the Budget Committees and the Congress as a whole. From that perspective, I strongly support H.R. 7032, the Congressional Budget Office Data Sharing Act.

Many officials around the U.S. Government understand the value of CBO's analysis in the legislative process, the importance of that analysis being based on comprehensive and up-to-date data, and the care with which CBO handles the data that it receives. At the same time, those officials are understandably concerned about not violating confidentiality protections that apply to the data they collect. The result in some cases is that legal ambiguity about CBO's authority to access confidential data hinders CBO's ability to gather needed information in a timely and efficient manner, and thereby constrains CBO's ability to serve the Congress appropriately.

H.R. 7032 would resolve such ambiguity, allowing CBO to obtain data from executive branch agencies without obstacles as long as CBO maintains the required degree of confidentiality. This clarification of CBO's ability to access agency data would streamline CBO's work process and help CBO to deliver

the timely, rigorous, fact-based analysis on which the Congress depends.

Sincerely,

DOUGLAS W. ELMENDORF,
Professor of Public Policy.

AMERICAN ACTION FORUM,
April 15, 2024.

Hon. JODEY ARRINGTON,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.
Hon. BRENDAN F. BOYLE,
Ranking Member, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR CHAIRMAN ARRINGTON AND RANKING MEMBER BOYLE: I am writing to support passage of H.R. 7032, the Congressional Budget Office Data Sharing Act. I served as director of the Congressional Budget Office (CBO) from 2003 through 2005. In my opinion, H.R. 7032 would improve CBO's access, and especially the timeliness of access, to executive agencies' data essential to fulfilling its mission.

At present, CBO receives data under the authority provided by the Congressional Budget Act. These are largely cooperative arrangements, at times augmented by formal data sharing agreements. While this process has generally worked well, it would be useful to clarify and strengthen CBO's access to agencies' data.

As noted in CBO's letter to you:

H.R. 7032 would amend section 201(d) of the Congressional Budget Act, which governs CBO's access to executive branch data, by striking a parenthetical statement in that section, "(other than material the disclosure of which would be a violation of law)." That condition is unnecessary when another statute more specifically governs CBO's access to certain data. It also can hamper access to data by requiring CBO to enter into additional discussions with agencies, thus impairing the timeliness of CBO's work.

Enacting the bill would remove the caveat and, instead, provide CBO access to executive branch data unless that access is specifically disallowed by a future law. H.R. 7032 also includes a reference to section 203(e) of the Congressional Budget Act to highlight CBO's obligation to protect the restricted information it receives.

This relatively modest clarification of CBO's authority to request and receive data will strengthen CBO's ability to provide Congress with timely cost estimates, more detailed reports, and other information supporting Congress' deliberations.

I congratulate you on the successful vote in the Budget Committee and hope to see H.R. 7032 enacted into law.

Sincerely,

DOUGLAS HOLTZ-EAKIN,
President.

[From Sandy Davis, Associate Director for Legislative Affairs, Congressional Budget Office (2003–2015), Apr. 12, 2024]

STATEMENT OF SUPPORT FOR H.R. 7032—THE CONGRESSIONAL BUDGET OFFICE DATA SHARING ACT

It is my pleasure to submit this statement supporting the adoption of H.R. 7032, the Congressional Budget Office Data Sharing Act. I worked at the Congressional Budget Office (CBO) for nearly 20 years, the last dozen or so serving as CBO's principal liaison to Congress. In that capacity, I witnessed the periodic struggles CBO analysts faced in their efforts to acquire timely data and information from Executive Branch agencies to prepare cost estimates and other critical budgetary analyses for Congress. H.R. 7032 would reaffirm Congress' original directive under the Congressional Budget Act of 1974 giving CBO access to Executive Branch data

and would clarify and enhance CBO's statutory authority to acquire such data to carry out its duties under the Budget Act in support of the Budget Committees and the broader Congressional budget process.

It is also important to note that the House Budget Committee reported H.R. 7032 by a unanimous vote of 30–0. In my view, that vote strongly suggests that the Committee views this measure as a buttress for Congress' institutional capacity to protect its power of the purse under Article I of the Constitution. That is reminiscent of the strong bipartisan support that led to the enactment of the Congressional Budget Act and other institutional reforms in the early 1970s to reassert Congress' constitutional prerogatives. As we approach the 50th anniversary of the enactment of that landmark measure, H.R. 7032 represents an important restatement of and enhancement to that critical law.

ECONOMIC POLICY
INNOVATION CENTER,
April 25, 2024.

Hon. JODEY ARRINGTON,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.
Hon. BRENDAN F. BOYLE,
Ranking Member, Committee on the Budget,
House of Representatives, Washington, DC.

CHAIRMAN ARRINGTON AND RANKING MEMBER BOYLE: Congress relies on the Congressional Budget Office (CBO) to serve as its non-partisan official scorekeeper. Accurate cost estimates and budgetary and economic projections require high-quality and up-to-date data inputs.

The CBO was established to provide information to lawmakers without being solely reliant on the Executive Branch's analysis of legislation. However, the Executive Branch agencies that administer the laws will often have access to records and statistics which are vital to understanding the fiscal and economic impacts of programs and policy proposals. That is why the Congressional Budget Act authorized the Director of the CBO to "to secure information, data, estimates, and statistics directly from the various departments, agencies, and establishments of the executive branch of Government and the regulatory agencies and commissions of the Government." Indeed, the heart of the Foundations for Evidence-Based Policy Making Act (2018) was to require government-wide data sharing (subject to privacy laws) with the goal of better policy evaluation and formation.

Unfortunately, the CBO has reported difficulty and delays in accessing data from agencies. H.R. 7032, the Congressional Budget Office Data Sharing Act, would improve CBO's ability to access data from the Executive Branch while requiring CBO to maintain "the level of confidentiality required by law" to protect any sensitive information. The bill also includes a new requirement for CBO to report to Congress on CBO's requests for data from the Executive Branch.

Access to accurate and timely information is important for lawmakers to do their work for the American people, and we applaud your bipartisan efforts in this regard.

Sincerely,

BRITTANY MADNI,
Executive Vice President, Economic Policy Innovation Center (EPIC).

WILLIAM W. BEACH, D.
PHIL.,
Senior Fellow in Economics, Economic Policy Innovation Center (EPIC).

Mr. YAKYM. Mr. Speaker, I also include in the RECORD letters and statements of support

from various organizations and individuals as part of H.R. 7032. These include statements of support from the National Taxpayers Union, the CATO Institute, and the Committee for a Responsible Federal Budget.

ROMINA BOCCIA, CATO

Strengthen budget data sharing. The Congressional Budget Office (CBO) plays a critical role in informing Congress about the fiscal state of the nation as well as in providing forward-looking guidance for how policy changes will affect the budgetary picture. At times, CBO has encountered difficulties accessing necessary data from other government agencies which complicates the production of objective, impartial, and timely analyses of legislative proposals. The Congressional Budget Office Data Sharing Act (H.R. 7032) empowers CBO to get the data it needs to get the job done, ensuring legislators can make informed budgetary decisions. Improving fiscal reporting should be a non-partisan priority and it's encouraging to see that this is the case for H.R. 7032, which was reported out of the House Budget Committee with unanimous support.

COMMITTEE FOR A RESPONSIBLE FEDERAL
BUDGET

Maya MacGuineas, president of the Committee for a Responsible Federal Budget, said, "The Congressional Budget Office (CBO) needs timely access to government data to provide information to lawmakers as they make decisions affecting our country's fiscal path. The Congressional Budget Office Data Sharing Act would streamline the process for CBO to obtain such data and thus contribute to improved and more timely information for lawmakers. Policymakers should pass this bill."

NATIONAL TAXPAYERS UNION FOUNDATION

The Congressional Budget Office Data Sharing Act introduced by the House Budget Committee's Chairman Jodey Arrington (R-TX) and Ranking Member Brendan Boyle (D-PA) will help CBO to respond to congressional requests for legislative analyses in a timelier manner.

Under current policies, CBO can encounter roadblocks in getting information it needs from federal agencies that lead to avoidable delays. The bill would add the CBO to the same exemption to the Privacy Act of 1974 that is provided to the Government Accountability Office and both chambers of Congress. It is also important to note that CBO is obligated to protect data in the same way as other federal agencies.

The bipartisan CBO Data Sharing Act would help improve CBO's important work by streamlining its access to needed information. In turn, CBO can provide lawmakers and taxpayers with more accurate and timely cost estimates of legislative proposals.

DEMIAN BRADY,

Vice President of Research,
National Taxpayers Union Foundation.

Mr. YAKYM. Mr. Speaker, again, I express my sincere gratitude to the gentleman from Pennsylvania (Mr. BOYLE), my friend and fellow Notre Dame graduate, and the ranking member of the Budget Committee for his bipartisan work and his partnership on the CBO Data Sharing Act.

It is a testament to the spirit of bipartisanship that we have on the House Budget Committee. I, again, thank our budget chair, the gentleman from Texas (Mr. ARRINGTON) for his work and his commitment on this bill.

I also extend my deep appreciation to my fellow members of the Budget Committee for their work in support of this

legislation, as well as the Budget Committee staff, both on the Republican and Democratic side.

It is critical that the Congressional Budget Office has access to the data needed to support the budget process and ensure that we are the best stewards of Americans' hard earned tax dollars.

The CBO plays a meaningful role in the legislative process by determining the fiscal impact of important potential policy decisions that we undertake here in this House.

Too often, the CBO struggles to obtain the necessary data from executive branch agencies in a timely manner. As was mentioned earlier, this has ripple effects on its ability to deliver prompt budgetary analysis to Congress.

As we all know, this, in turn, delays the Congress in making fully informed decisions regarding the budgetary impact of legislation.

H.R. 7032 removes this hurdle and helps streamline the budget process. This bipartisan legislation will grant the CBO the authority to request and receive key data from executive branch agencies, ensuring it is able to fulfill its mission as laid out in the Congressional Budget Act of 1974.

While expanding access, however, this bill also recognizes the importance of protecting data privacy and ensures that the CBO continues to be subject to congressional oversight.

Given the critical nature of the CBO's work, we can't allow them to continue to operate in a broken budgetary system.

This bipartisan legislation supports strengthening the CBO while allowing us as lawmakers to make the most informed and forward-thinking decisions possible.

I am grateful to everyone who played a part in moving this bill, and I commend the bipartisan members of the Budget Committee who voted unanimously for this bill during committee markup.

I am proud to express my strong support for the CBO Data Sharing Act. I look forward to voting in favor of this piece of legislation. I urge my colleagues to do the same.

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 Indiana (Mr. YAKYM) that the House suspend the rules and pass the bill, H.R. 7032.

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.

REVISING EXISTING PROCEDURES ON REPORTING VIA TECHNOLOGY ACT

Ms. LEE of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (S. 474) to amend title 18, United

States Code, to strengthen reporting to the CyberTipline related to online sexual exploitation of children, to modernize liabilities for such reports, to preserve the contents of such reports for 1 year, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 474

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 "Revising Existing Procedures On Reporting via Technology Act" or the "REPORT Act".

SEC. 2. LIMITED LIABILITY MODERNIZATION.

(a) AMENDMENTS.—Section 2258B of title 18, United States Code, is amended—

(1) in the section heading, by striking "providers or domain name registrars" and inserting "the reporting, storage, and handling of certain visual depictions of apparent child pornography to the National Center for Missing & Exploited Children";

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by inserting "or charge" after "a claim"; and

(B) in paragraph (2)(C), by striking "this section,"; and

(3) by adding at the end the following:

"(d) LIMITED LIABILITY FOR NCMEC-CONTRACTED VENDORS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), a civil claim or criminal charge may not be brought in any Federal or State court against a vendor contractually retained and designated by NCMEC to support the duties of NCMEC under section 404(b)(1)(K) of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11293(b)(1)(K)).

"(2) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Paragraph (1) shall not apply to a claim or charge if the vendor—

"(A) engaged in—

"(i) intentional misconduct; or

"(ii) negligent conduct; or

"(B) acted, or failed to act—

"(i) with actual malice;

"(ii) with reckless disregard to a substantial risk of causing injury without legal justification; or

"(iii) for a purpose unrelated to the performance of any responsibility or function—

"(I) set forth in paragraph (1); or

"(II) pursuant to sections 2258A, 2258C, 2702, or 2703.

"(3) VENDOR CYBERSECURITY REQUIREMENTS.—With respect to any visual depiction provided pursuant to the duties of NCMEC under section 404(b)(1)(K) of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11293(b)(1)(K)) that is stored or transferred by a vendor contractually retained and designated by NCMEC to support such duties of NCMEC, a vendor shall—

"(A) secure such visual depiction in a manner that is consistent with the most recent version of the Cybersecurity Framework developed by the National Institute of Standards and Technology, or any successor thereto;

"(B) minimize the number of employees that may be able to obtain access to such visual depiction;

"(C) employ end-to-end encryption for data storage and transfer functions, or an equivalent technological standard;

"(D) undergo an independent annual cybersecurity audit to determine whether such visual depiction is secured as required under subparagraph (A); and

"(E) promptly address all issues identified by an audit described in subparagraph (D).

"(e) LIMITED LIABILITY FOR REPORTING APPARENT CHILD PORNOGRAPHY BY AN INDIVIDUAL DEPICTED IN THE CHILD PORNOGRAPHY AS A MINOR, OR A REPRESENTATIVE OF SUCH INDIVIDUAL.—

"(1) IN GENERAL.—Except as provided in paragraph (2), a civil claim or criminal charge may not be brought in any Federal or State court against an individual depicted in child pornography as a minor, or a representative of such individual, arising from a report to the NCMEC CyberTipline by the individual, or the representative of such individual, of information that relates to the child pornography in which the individual is depicted as a minor, including a copy of the child pornography.

"(2) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Paragraph (1) shall not apply to a claim or charge if the individual, or the representative of such individual—

"(A) engaged in—

"(i) intentional misconduct;

"(ii) negligent conduct; or

"(iii) any activity which constitutes a violation of section 2251; or

"(B) acted, or failed to act—

"(i) with actual malice; or

"(ii) with reckless disregard to a substantial risk of causing injury without legal justification.

"(3) MINIMIZING ACCESS.—With respect to any child pornography reported to the NCMEC CyberTipline by an individual depicted in the child pornography as a minor, or a representative of such individual, NCMEC shall minimize access to the child pornography and ensure the appropriate deletion of the child pornography, as set forth in section 2258D.

"(4) DEFINITION.—For purposes of this subsection, the term "representative", with respect to an individual depicted in child pornography—

"(A) means—

"(i) the parent or legal guardian of the individual, if the individual is under 18 years of age;

"(ii) the legal guardian or other person appointed by a court to represent the individual;

"(iii) a legal representative retained by the individual;

"(iv) a representative of the estate of the individual; or

"(v) a person who is a mandated reporter under section 226(a)(1) of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20341(a)(1)); and

"(B) does not include a person who engaged in any activity which constitutes a violation of section 2251."

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to a civil claim or criminal charge that is filed on or after the date of enactment of this Act.

(c) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 110 of title 18, United States Code, is amended by striking the item relating to section 2258B and inserting the following:

"2258B. Limited liability for the reporting, storage, and handling of certain visual depictions of apparent child pornography to the National Center for Missing & Exploited Children."

SEC. 3. PRESERVATION OF REPORTS TO CYBERTIPLINE RELATED TO ONLINE SEXUAL EXPLOITATION OF CHILDREN.

Section 2258A(h) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking "90 days" and inserting "1 year"; and

(2) by adding at the end the following:

"(5) EXTENSION OF PRESERVATION.—A provider of a report to the CyberTipline under