

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

NOT VOTING—17

Brady (TX)	McCarthy	Smith (WA)
Comstock	Pascrell	Tipton
Crawford	Rush	Vargas
Gibbs	Shuster	Walker
Gosar	Smith (NE)	Zinke
Hudson	Smith (TX)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1418

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SMITH of Nebraska. Mr. Speaker, I was unavoidably detained because I was attending a meeting at the White House. Had I been present, I would have voted "Yea" on rollcall No. 103 and "Yea" on rollcall No. 104.

SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 998.

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

There was no objection.

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

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

□ 1421

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 998) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, with Mr. PALMER in the chair.

The Clerk read the title of the bill.

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

The gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

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

Mr. Chairman, H.R. 998, the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act, also known as the SCRUB Act, was introduced by our colleague JASON SMITH. I happen to be a cosponsor of this bill, as well as the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Committee on the Judiciary, and the gentleman from Texas (Mr. SESSIONS), the chairman of the Committee on Rules. We rise in support of this bill, the SCRUB Act.

Regulatory accumulation is a significant problem for the Federal Government. Year after year, Federal agencies add regulation after regulation, piling on to an already very complex and crowded regulatory system. The Code of Federal Regulations, also known as the CFR, has some 178,000 pages. These are the regulations that you are supposed to understand if you are in a business—small business, big business, medium-sized business. It contains more than 1 million regulatory restrictions. Every year the Federal Government adds, on average, nearly 12,000 new regulations on top of those.

The regulatory accumulation has considerable impact upon our economy. According to the Competitive Enterprise Institute, regulatory compliance hurts economic growth by pulling nearly \$1.8 trillion out of the economy. Regulations are particularly hard on small businesses that don't have the legal resources and the wherewithal to understand all of the complexities. Many small- and medium-sized businesses will be doing things that they

don't necessarily even know or understand could be problematic.

There is room for regulation, don't get me wrong. I am not suggesting there should be no regulation, but we are trying to clean up some of this regulation and weed out the good from the bad. The SCRUB Act will enable the government to do so, and that is why I appreciate our colleague JASON SMITH for championing and bringing this bill to the floor again.

The SCRUB Act establishes a bipartisan—and I can't say that enough, a bipartisan—Retrospective Regulatory Review Commission to conduct a comprehensive review of Federal regulation. The commission's goal is to reduce regulatory costs to the economy by at least 15 percent.

The act charges the commission with identifying outdated, obsolete, and unnecessary regulations in need of repeal or amendment. The commission gives priority to those regulations that are 15 years old and older. I think that is an appropriate direction that they should go.

The commission will consist of regulatory experts chosen on a bipartisan basis and confirmed by the United States Senate. They will take a governmentwide look at the regulatory system, allowing for impartial and wide-ranging review of outdated and unnecessary regulations.

This is not a new or a partisan concept. In fact, in 1978, President Jimmy Carter issued an executive order requiring agencies to "periodically review their existing regulations to determine whether they are achieving the policy goals." In addition, every President since has required some level of retrospective regulatory self-review by those agencies themselves. In fact, it was President Obama who issued three executive orders on regulatory review. He required agencies to develop retrospective review plans and to set priorities for implementing that review.

The commission is tasked with identifying regulations that ought to be repealed or amended. The commission will use commonsense criteria to determine whether regulations are overlaps, duplicates, or just flat-out conflicts with existing regulations. After expedited congressional approval, agencies are required to repeal some regulations based on the commission's recommendations. So you have people who are selected, they are Senate confirmed, then they bring forward a package that is allowed to be viewed by Congress.

Some have said, well, you know, this is excusing Congress from its duties. Quite to the contrary. The committees, Members, everybody should be paying attention to this, but to have a bipartisan group go out and look and make a recommendation, then it is up to Congress whether or not to accept it. We need to go through the House, the Senate, and be signed on by the President in a bipartisan way because there

will be Members from both sides of the aisle who will be able to appoint members.

Other regulations would be subject to innovative, regulatory CutGo procedures. The CutGo process gives agencies flexibility on how to prioritize regulatory elimination. It allows agencies to choose which regulations to repeal or amend and at what time. However, new regulations may not be promulgated until equally costly regulations are repealed.

The SCRUB Act gives agencies the direction and momentum needed to implement the regulatory reform our economy needs. We all know that regulations can improve health and safety; but sometimes, with the best intention, these outdated and excessive regulations hurt our economy and put other people in jeopardy. The accumulation over decades is something that should just simply be reviewed. I think it is pretty hard to argue that a review process is unwarranted or unneeded, given the amazing and impactful status that it puts upon those things that are damaging our economy.

I again want to thank JASON SMITH for his leadership on this issue. I also want to thank Chairman BOB GOODLATTE and the Judiciary staff for their dedicated work on this, as well as Chairman PETE SESSIONS for his good work on this. A lot of good people have worked on this. I do support it.

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

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, February 16, 2017.

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

DEAR MR. CHAIRMAN: On February 14, 2017, the Committee on Oversight and Government Reform ordered reported without amendment H.R. 998, the "Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2017" (SCRUB Act) by a vote of 22 to 17. The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on the Judiciary.

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

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, February 21, 2017.

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

DEAR CHAIRMAN CHAFFETZ: I write with respect to H.R. 998, the "Searching for and Cutting Regulations that are Unnecessarily Burdensome Act." As a result of your having consulted with us on provisions within H.R. 998 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I forego any further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 998 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

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

Sincerely,

BOB GOODLATTE,
Chairman.

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

Mr. Chairman, I rise in strong opposition to this legislation. The SCRUB Act would establish a \$30 million commission of unelected—and I emphasize that, unelected—bureaucrats to duplicate work that agencies are already supposed to be doing. The bill would focus on the costs of regulations while disregarding their benefits and protecting the most vulnerable populations in our country, like the children in Flint, Michigan.

□ 1430

If there is any doubt about this, one need look no further than the so-called CutGo provision in this bill. That provision would require that, when an agency makes a new rule, it must offset the cost of that new rule for the repeal of an existing rule. This applies even if the new rule is in response to an imminent health or safety threat.

Agency compliance with this CutGo provision would also be subject to judicial review, which prolongs the process even more. This would inevitably result in lengthy delays, as both industry and nonprofit groups routinely file challenges to agency decisions.

President Obama has already issued two executive orders to eliminate unnecessary regulations. On January 18, 2011, he issued Executive Order 13563, requiring each agency to implement plans for reviewing existing rules. That executive order requires each agency to: "periodically review its existing significant regulations to determine

whether any such regulations should be modified, streamlined, expanded, or repealed."

In addition, President Obama issued Executive Order No. 13610 on May 10, 2012, requiring agencies to report twice a year to the Office of Information and Regulatory Affairs on the status of their review efforts. In November 2014, a report prepared for the Administrative Conference of the United States highlighted the impact of these mandated reviews, concluding: "Implementing President Obama's executive orders on retrospective review of regulations, agencies identified tens of billions of dollars of cost savings and tens of millions of hours of reduced paperwork and reporting requirements through modifications of existing regulations."

Congress has the authority and certainly the responsibility to conduct oversight to review existing agency rules and to recommend or mandate reforms, yet this bill would create a new commission, a new commission that would cost taxpayers \$30 million to do what agencies and Congress are already supposed to be doing.

In addition, the commission's report to Congress on the rules it recommends repealing would be subject to an up-or-down vote by the Congress. Congress would not be allowed to vote on each regulation individually, and this would usurp the authority of Congress.

One of the most troubling aspects of this bill is that it would entrust this unelected commission with extraordinary and virtually unlimited authority to subpoena witnesses or documents. Section 101(c) of the bill states: "The commission may issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence relating to the duties of the commission. The attendance of witnesses and the production of evidence may be required from any place within the United States at any designated place of hearing within the United States."

Most agency inspectors general do not have such broad authority to compel witness testimony. Yet this unelected commission would have this authority. This means that it could compel an individual to testify on any subject. For example, a schoolteacher could be compelled to testify about education rules or a senior citizen could be compelled to testify about Medicare or Social Security rules. This extraordinary subpoena power is especially troubling because the commission's jurisdiction is limitless.

There is no restriction on what regulations the commission can review. Three prominent law professors with the Center for Progressive Reform sent a letter opposing an identical bill in the last Congress. The letter said this proposal would: "create a convoluted,

complex, and potentially very expensive new bureaucracy to review existing agency rules and make recommendations for the repeal or weakening of those rules with little meaningful oversight, transparency, or public accountability to ensure that these recommendations do not subvert the public interest.”

In addition, Citizens for Sensible Safeguards, a coalition of more than 150 consumer, labor, and good-government groups, also oppose the bill.

This bill could have dangerous consequences for the health and safety of the American public; therefore, I strongly urge every Member to oppose it.

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

Mr. CHAFFETZ. Mr. Chairman, I yield the balance of my time to the gentleman from Florida (Mr. ROSS).

Mr. ROSS. Mr. Chairman, I thank the chairman for allowing me this opportunity.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington (Mrs. MCMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, America is home to some of the most creative, innovative, inspirational people imaginable. When empowered, Americans design and build in ways that change the world, and change it for the better.

But far too often, our innovators are bogged down by red tape, thanks to a government that thinks it knows better how to think, how to believe, how to run their businesses, and how to live their lives. It is not only making life more difficult. It costs us nearly \$2 trillion a year. That is about \$15,000 a family. So we are rolling back these regulations and offering much-needed relief to families and businesses across the country.

Thanks to my good friend, Representative JASON SMITH's leadership, the SCRUB Act provides another powerful tool that gives control back to the American people through their Representatives. This bill creates a long, overdue process to identify ineffective, outdated, and duplicative regulations for repeal, with priority being given to the older, major, more expensive rules.

We made a promise to the American people. Their voice matters in our government. We are going to do whatever we can to restore that voice and put it at the center of every decision we make.

I am proud of Representative SMITH's work to rein in government. I am proud to support this bill, and I urge my colleagues to do the same.

Mr. CUMMINGS. Mr. Chairman, I yield 3½ minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN), a very distinguished member of our committee.

Mrs. WATSON COLEMAN. Mr. Chairman, I thank the ranking member.

Mr. Chairman, there are many troubling aspects of this bill, but most pressing is that this legislation, without clear policy rationale, caters to demands of my Republican colleagues to slash existing regulations and muddy the process of passing new ones.

Congress already has a responsibility of reviewing existing rules and mandating reform. Why delegate that to those not elected to do so?

This unsettling bill spends millions of taxpayer dollars to create a hand-picked commission to do the job of Congress without accountability. No, thank you.

This unelected and unaccountable commission, appointed by the President and Congress, would submit regulatory changes without the opportunity to amend the measure, taking regulatory review out of the hands of the agency experts. This is counterproductive and an insult to the democratic process.

To add insult to injury, this bill makes the regulatory process transactional.

By forcing agencies to repeal regulations in order to adopt a new one, we risk public health and safety.

Why have they prioritized costs over benefit? Why are American lives on the chopping block?

I urge my colleagues to vote no against this bill.

Mr. ROSS. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri (Mr. SMITH).

Mr. SMITH of Missouri. Mr. Chairman, on January 20, America witnessed the end of the most regulation-happy Presidency in American history. Under the Obama administration, the pages of the Code of Federal Regulations reached the highest level in the history of our country.

The Obama administration issued 3,037 finalized regulations, which means almost two new regulations were added each and every day on American farmers, families, and small-business owners. Regulations from the last administration alone cost taxpayers \$873 billion. That is a burden of over \$12 million an hour added by the Obama White House on the American taxpayer. Back home in Missouri alone, the cost of complying with regulations just added by the Obama administration totaled \$19 billion, which is equal to over \$9,000 in costs per person. Regulations written by unelected bureaucrats in Washington are suffocating the very farmers and small-business owners who we need to hire and expand in order to get full workforce participation.

Today, we are considering a solution to this problem with the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act, otherwise known as the SCRUB Act. The SCRUB Act's objective is to reduce the overall cost of regulations by at least 15 percent.

With the passage of the SCRUB Act today, we are simply putting the tools

in place to support what President Trump has already started. During his first full week in office, President Trump authored an executive order for the purpose of reducing regulation and controlling regulatory costs. The order is simple. For every new proposed regulation, two existing ones must be taken off the books. This order will help prioritize regulations truly in the best interest of the American people and remove ones that are outdated, burdensome, and costly.

And just last week, the President began a regulatory review task force to review existing regulations. The SCRUB Act mirrors and supports the President's actions, ensuring that our regulatory burdens never again reach the heights that they are today.

The SCRUB Act makes sure that farmers, small-business owners, and families impacted by Washington regulators have a seat at the table in prioritizing which ones the Trump White House should remove. We must help the President put an end to the Washington-knows-best mentality that has polluted our Nation's Capital and plagued the American people for the past 8 years.

Many of you voted in favor of this legislation last Congress. However, with this new administration, the American people are calling for us to change the way things are done in Washington. So it is my hope that you will join me once again in helping put an end to the Washington regulatory machine.

I also call on my colleagues on the other side of the Capitol, who seem lately more bent on obstruction, to re-evaluate why their districts and States sent them to Washington. I am hopeful they will consider supporting the legislation, policies, laws, and nominations that will help alleviate the burden of an oversized Federal Government. With the SCRUB Act, we have a real opportunity to shrink the size of government and get Washington off the backs of the American people.

I want to thank Chairman CHAFFETZ and Chairman GOODLATTE for bringing this bill up today, and I urge my colleagues to vote "yes" on the SCRUB Act.

Mr. CUMMINGS. Mr. Chairman, I yield 3½ minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Chairman, I thank the ranking member of the Oversight and Government Reform Committee, a great leader in our Congress, and someone who I admire greatly.

The only thing clever about this bill is the title. Everything else about this bill is truly diabolical. The SCRUB Act isn't going to clean anything up. Its toxic suits will just make people sicker, our environment dirtier, and our products more dangerous.

Creating an unelected commission to oversee the entire regulatory policy of the United States is undemocratic and unimaginably damaging. Essentially, five people appointed by the President

would be able to sacrifice the health and safety of the American public to the altar of big business.

□ 1445

Say good-bye to protections from big banks, big polluters, and big pharmaceutical companies; and hello to financial ruin, environmental destruction, and unsafe food and drugs.

These Presidential pawns would also have unlimited subpoena power. Now, think about this: they are going to have more subpoena power than the inspectors general in this country.

Also, the SCRUB Act's senseless and dangerous regulatory cut-go process would force agencies to choose between maintaining existing protections and responding to new threats to our health and safety. For example, in order to clean up the air, an agency might have to allow a corporation to pollute our drinking water.

Talk about death panels—this, my friends, is a death panel. The only thing the SCRUB Act washes away is commonsense governance. This is a diabolical bill; and this, my friends, is what being drunk with power delivers.

Mr. ROSS. Madam Chair, I yield 2 minutes to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Madam Chair, you know what? We have got over 1 million pages of regulations. We have got so many laws nobody could possibly know them. I would venture to say there are very few people today who can't go a day without violating some law or some regulation. It has gotten too complex.

Nobody wants a dirty environment. Nobody wants dirty water, but we need a reasonable amount of regulation that we can understand, that we can follow, and that will protect America and create jobs.

The SCRUB Act creates a commission that comes back to Congress with recommendations of what to get rid of. You know what? I would like to do it all here in Congress, too, but we sure face a lot of obstruction in getting things done here. It doesn't move fast here.

Let's get a commission to do the basic work. Let's bring it back to Congress, and let us decide and let us get rid of regulations. Let's make the agencies pick and choose which regulations that they think are important, and they will do it.

This is commonsense legislation to get the regulatory state under control, and I urge my colleagues to support it.

Mr. CUMMINGS. Madam Chair, I yield myself the balance of my time.

The SCRUB Act poses real and significant dangers to the health and welfare of the American public. By focusing predominantly on the cost of the rules, the SCRUB Act's CutGo provision will repeal rules with little regard for how they benefit and protect the American people.

The commission's virtually unlimited authority to subpoena witnesses or

documents, combined with its uncircumscribed ability to review and recommend repeal of any current rules, is an extraordinary grant of power that could have tragic repercussions for the health and safety of the American people.

The SCRUB Act is a waste of \$30 million of hard-earned taxpayer money for work that is already being done by Federal agencies.

I strongly urge every Member to oppose this act.

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

Mr. ROSS. Madam Chair, I yield myself such time as I may consume.

You know, some time ago, when I first got involved in this political processing, I made it known that I felt that the silent killer of American business was the regulatory regime that we have in place, where over 50 years this Congress has ceded its authority to unelectable, unaccountable bureaucrats. Today we have 175,000 pages in the Code of Federal Register that is evidence of that. It is time that we, as a Congress, on behalf of our constituency, on behalf of the future well-being of this country, take back that authority with oversight and accountability through this SCRUB Act.

It has been said that there is approximately, on average, \$20,000 a year per employee of a manufacturer that is attributable just to compliance with regulation. We need to make sure that we have our manufacturers, our businesses, doing that which they do best within a reasonable regulatory scheme, and that is what this act offers: a reasonable regulatory scheme that allows Congress who has the authority—actually has the only authority—to hold accountable these unelectable bureaucrats. The SCRUB Act will allow us to do that.

It will allow due process through a discovery process. More importantly, the review board, the commission, the five bipartisan members who are appointed by the President must be confirmed by the Senate. This, in and of itself, is a sense of due process, a sense of accountability, and, more importantly, a strong sense of purpose that the American people would want to see this Congress be able to go in and take back the authority that they have delegated—at sometimes recklessly—to these bureaucratic organizations.

We talk about the \$30 million. I know the \$30 million is always big in any equation that you have, but when you allow the \$30 million to be spent over 5 years and you allow that to have the removal of certain regulations, you will pay for this \$30 million 10 times over in no time at all.

So it is with a sense of advocacy on behalf of not only congressional authority, but also a sense of advocacy on behalf of American business and the future economic growth of this country, that I ask my colleagues to wholeheartedly support the SCRUB Act.

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

Mr. JOHNSON of Georgia. Madam Chair, I rise in opposition to H.R. 998, the SCRUB Act.

This ill-advised bill would require agencies to undertake a regulatory cut-go process to repeal rules identified by the Commission, with little to no consideration of the benefits, prior to issuing any new rule.

The SCRUB Act's regulatory cut-go procedures are unsafe, dangerous, and would tie the hands of agencies responding to public health crises requiring timely regulatory responses. In fact, this bill lacks any mechanism for consideration of public health and safety, thus leaving no option for agencies to issue emergency rules to protect the public and environment from imminent harm.

The bill's proponents may claim that the title I of the H.R. 1155 would allow the Commission to consider whether the costs of the bill are not justified by the benefit to society. But as witnesses testified during the Judiciary Committee's consideration of a previous version of this bill, the catch-all language of subsection (h)(2)(l) would allow the Commission to completely disregard any benefit of regulation.

In both Republican and Democratic administrations, the benefits of our system of regulatory protections have made our country safer, stronger, healthier, and cleaner. While consideration of the costs of regulations is important, there is overwhelming consensus that the benefits of regulation vastly exceed the costs.

The Government Accountability Office has observed that these benefits "include, among other things, ensuring that workplaces, air travel, foods, and drugs are safe; that the nation's air, water and land are not polluted; and that the appropriate amount of taxes is collected."

This evidence overwhelmingly refutes the assertion that regulatory costs are burdensome, eliminate jobs, or harm our economic competitiveness. We should be empowering our agencies, not hindering them, to take the steps needed to protect our environment, consumer products, public health, and safety.

I ask my colleagues to oppose this bill. The Acting CHAIR (Ms. FOX). All time for general debate has expired.

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

The text of the bill is as follows:

H.R. 998

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 "Searching for and Cutting Regulations that are Unnecessarily Burdensome Act" or as the "SCRUB Act".

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—RETROSPECTIVE REGULATORY REVIEW COMMISSION

Sec. 101. In general.

TITLE II—REGULATORY CUT-GO

Sec. 201. Cut-go procedures.

Sec. 202. Applicability.

Sec. 203. OIRA certification of cost calculations.

TITLE III—RETROSPECTIVE REVIEW OF NEW RULES

Sec. 301. Plan for future review.

TITLE IV—JUDICIAL REVIEW

Sec. 401. Judicial review.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Definitions.

Sec. 502. Effective date.

TITLE I—RETROSPECTIVE REGULATORY REVIEW COMMISSION

SEC. 101. IN GENERAL.

(a) ESTABLISHMENT.—There is established a commission, to be known as the “Retrospective Regulatory Review Commission”, that shall review rules and sets of rules in accordance with specified criteria to determine if a rule or set of rules should be repealed to eliminate or reduce the costs of regulation to the economy. The Commission shall terminate on the date that is 5 years and 180 days after the date of enactment of this Act or 5 years after the date by which all Commission members’ terms have commenced, whichever is later.

(b) MEMBERSHIP.—

(1) NUMBER.—The Commission shall be composed of 9 members who shall be appointed by the President and confirmed by the Senate. Each member shall be appointed not later than 180 days after the date of enactment of this Act.

(2) TERM.—The term of each member shall commence upon the member’s confirmation by the Senate and shall extend to the date that is 5 years and 180 days after the date of enactment of this Act or that is 5 years after the date by which all members have been confirmed by the Senate, whichever is later.

(3) APPOINTMENT.—The members of the Commission shall be appointed as follows:

(A) CHAIR.—The President shall appoint as the Chair of the Commission an individual with expertise and experience in rulemaking, such as past Administrators of the Office of Information and Regulatory Affairs, past chairmen of the Administrative Conference of the United States, and other individuals with similar expertise and experience in rulemaking affairs and the administration of regulatory reviews.

(B) CANDIDATE LIST OF MEMBERS.—The Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the Senate, and the Minority Leader of the Senate shall each present to the President a list of candidates to be members of the Commission. Such candidates shall be individuals learned in rulemaking affairs and, preferably, administration of regulatory reviews. The President shall appoint 2 members of the Commission from each list provided under this subparagraph, subject to the provisions of subparagraph (C).

(C) RESUBMISSION OF CANDIDATE.—The President may request from the presenter of the list under subparagraph (B) a new list of one or more candidates if the President—

(i) determines that any candidate on the list presented pursuant to subparagraph (B) does not meet the qualifications specified in such subparagraph to be a member of the Commission; and

(ii) certifies that determination to the congressional officials specified in subparagraph (B).

(c) POWERS AND AUTHORITIES OF THE COMMISSION.—

(1) MEETINGS.—The Commission may meet when, where, and as often as the Commission determines appropriate, except that the Commission shall hold public meetings not less than twice each year. All meetings of the Commission shall be open to the public.

(2) HEARINGS.—In addition to meetings held under paragraph (1), the Commission may hold hearings to consider issues of fact or law relevant to the Commission’s work. Any hearing held by the Commission shall be open to the public.

(3) ACCESS TO INFORMATION.—The Commission may secure directly from any agency information and documents necessary to enable the Commission to carry out this Act. Upon request of the Chair of the Commission, the head of that agency shall furnish that information or document to the Commission as soon as possible, but not later than two weeks after the date on which the request was made.

(4) SUBPOENAS.—

(A) IN GENERAL.—The Commission may issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence relating to the duties of the Commission. The attendance of witnesses and the production of evidence may be required from any place within the United States at any designated place of hearing within the United States.

(B) FAILURE TO OBEY A SUBPOENA.—If a person refuses to obey a subpoena issued under subparagraph (A), the Commission may apply to a United States district court for an order requiring that person to appear before the Commission to give testimony, produce evidence, or both, relating to the matter under investigation. The application may be made within the judicial district where the hearing is conducted or where that person is found, resides, or transacts business. Any failure to obey the order of the court may be punished by the court as civil contempt.

(C) SERVICE OF SUBPOENAS.—The subpoenas of the Commission shall be served in the manner provided for subpoenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts.

(D) SERVICE OF PROCESS.—All process of any court to which application is made under subparagraph (B) may be served in the judicial district in which the person required to be served resides or may be found.

(d) PAY AND TRAVEL EXPENSES.—

(1) PAY.—

(A) MEMBERS.—Each member, other than the Chair of the Commission, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(B) CHAIR.—The Chair shall be paid for each day referred to in subparagraph (A) at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(2) TRAVEL EXPENSES.—Members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(e) DIRECTOR OF STAFF.—

(1) IN GENERAL.—The Commission shall appoint a Director.

(2) PAY.—The Director shall be paid at the rate of basic pay payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(f) STAFF.—

(1) IN GENERAL.—Subject to paragraph (2), the Director, with the approval of the Commission, may appoint, fix the pay of, and terminate additional personnel.

(2) LIMITATIONS ON APPOINTMENT.—The Director may make such appointments without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and any personnel so appointed may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except

that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for GS-15 of the General Schedule.

(3) AGENCY ASSISTANCE.—Following consultation with and upon request of the Chair of the Commission, the head of any agency may detail any of the personnel of that agency to the Commission to assist the Commission in carrying out the duties of the Commission under this Act.

(4) GAO AND OIRA ASSISTANCE.—The Comptroller General of the United States and the Administrator of the Office of Information and Regulatory Affairs shall provide assistance, including the detailing of employees, to the Commission in accordance with an agreement entered into with the Commission.

(5) ASSISTANCE FROM OTHER PARTIES.—Congress, the States, municipalities, federally recognized Indian tribes, and local governments may provide assistance, including the detailing of employees, to the Commission in accordance with an agreement entered into with the Commission.

(g) OTHER AUTHORITY.—

(1) EXPERTS AND CONSULTANTS.—The Commission may procure by contract, to the extent funds are available, the temporary or intermittent services of experts or consultants pursuant to section 3109 of title 5, United States Code.

(2) PROPERTY.—The Commission may lease space and acquire personal property to the extent funds are available.

(h) DUTIES OF THE COMMISSION.—

(1) IN GENERAL.—The Commission shall conduct a review of the Code of Federal Regulations to identify rules and sets of rules that collectively implement a regulatory program that should be repealed to lower the cost of regulation to the economy. The Commission shall give priority in the review to rules or sets of rules that are major rules or include major rules, have been in effect more than 15 years, impose paperwork burdens or unfunded mandates that could be reduced substantially without significantly diminishing regulatory effectiveness, impose disproportionately high costs on entities that qualify as small entities within the meaning of section 601(6) of title 5, United States Code, or could be strengthened in their effectiveness while reducing regulatory costs. The Commission shall have as a goal of the Commission to achieve a reduction of at least 15 percent in the cumulative costs of Federal regulation with a minimal reduction in the overall effectiveness of such regulation.

(2) NATURE OF REVIEW.—To identify which rules and sets of rules should be repealed to lower the cost of regulation to the economy, the Commission shall apply the following criteria:

(A) Whether the original purpose of the rule or set of rules was achieved, and the rule or set of rules could be repealed without significant recurrence of adverse effects or conduct that the rule or set of rules was intended to prevent or reduce.

(B) Whether the implementation, compliance, administration, enforcement, imposition of unfunded mandates, or other costs of the rule or set of rules to the economy are not justified by the benefits to society within the United States produced by the expenditure of those costs.

(C) Whether the rule or set of rules has been rendered unnecessary or obsolete, taking into consideration the length of time since the rule was made and the degree to which technology, economic conditions, market practices, or other relevant factors have changed in the subject area affected by the rule or set of rules.

(D) Whether the rule or set of rules is ineffective at achieving the purposes of the rule or set of rules.

(E) Whether the rule or set of rules overlaps, duplicates, or conflicts with other Federal rules, and to the extent feasible, with State and local governmental rules.

(F) Whether the rule or set of rules has excessive compliance costs, imposes unfunded mandates, or is otherwise excessively burdensome, as compared to alternatives that—

(i) specify performance objectives rather than conduct or manners of compliance;

(ii) establish economic incentives to encourage desired behavior;

(iii) provide information upon which choices can be made by the public;

(iv) incorporate other innovative alternatives rather than agency actions that specify conduct or manners of compliance; or

(v) could in other ways substantially lower costs without significantly undermining effectiveness.

(G) Whether the rule or set of rules inhibits innovation in or growth of the United States economy, such as by impeding the introduction or use of safer or equally safe technology that is newer or more efficient than technology required by or permissible under the rule or set of rules.

(H) Whether or not the rule or set of rules harms competition within the United States economy or the international economic competitiveness of enterprises or entities based in the United States.

(I) Whether or not the rule or set of rules limits or prevents an agency from applying new or emerging technologies to improve efficiency and effectiveness of government.

(J) Whether the rule or set of rules harms wage growth, including wage growth for minimum wage and part-time workers.

(K) Such other criteria as the Commission devises to identify rules and sets of rules that can be repealed to eliminate or reduce unnecessarily burdensome costs to the United States economy.

(3) **METHODOLOGY FOR REVIEW.**—The Commission shall establish a methodology for conducting the review (including an overall review and discrete reviews of portions of the Code of Federal Regulations), identifying rules and sets of rules, and classifying rules under this subsection and publish the terms of the methodology in the Federal Register and on the website of the Commission. The Commission may propose and seek public comment on the methodology before the methodology is established.

(4) **CLASSIFICATION OF RULES AND SETS OF RULES.**—

(A) **IN GENERAL.**—After completion of any review of rules or sets of rules under paragraph (2), the Commission shall classify each rule or set of rules identified in the review to qualify for recommended repeal as either a rule or set of rules—

(i) on which immediate action to repeal is recommended; or

(ii) that should be eligible for repeal under regulatory cut-go procedures under title II.

(B) **DECISIONS BY MAJORITY.**—Each decision by the Commission to identify a rule or set of rules for classification under this paragraph, and each decision whether to classify the rule or set of rules under clause (i) or (ii) of subparagraph (A), shall be made by a simple majority vote of the Commission. No such vote shall take place until after all members of the Commission have been confirmed by the Senate.

(5) **INITIATION OF REVIEW BY OTHER PERSONS.**—

(A) **IN GENERAL.**—The Commission may also conduct a review under paragraph (2) of, and, if appropriate, classify under paragraph (4), any rule or set of rules that is submitted for review to the Commission by—

(i) the President;

(ii) a Member of Congress;

(iii) any officer or employee of a Federal, State, local or tribal government, or regional governmental body; or

(iv) any member of the public.

(B) **FORM OF SUBMISSION.**—A submission to the Commission under this paragraph shall—

(i) identify the specific rule or set of rules submitted for review;

(ii) provide a statement of evidence to demonstrate that the rule or set of rules qualifies to be identified for repeal under the criteria listed in paragraph (2); and

(iii) such other information as the submitter believes may be helpful to the Commission's review, including a statement of the submitter's interest in the matter.

(C) **PUBLIC AVAILABILITY.**—The Commission shall make each submission received under this paragraph available on the website of the Commission as soon as possible, but not later than 1 week after the date on which the submission was received.

(i) **NOTICES AND REPORTS OF THE COMMISSION.**—

(1) **NOTICES OF AND REPORTS ON ACTIVITIES.**—The Commission shall publish, in the Federal Register and on the website of the Commission—

(A) notices in advance of all public meetings, hearings, and classifications under subsection (h) informing the public of the basis, purpose, and procedures for the meeting, hearing, or classification; and

(B) reports after the conclusion of any public meeting, hearing, or classification under subsection (h) summarizing in detail the basis, purpose, and substance of the meeting, hearing, or classification.

(2) **ANNUAL REPORTS TO CONGRESS.**—Each year, beginning on the date that is one year after the date on which all Commission members have been confirmed by the Senate, the Commission shall submit a report simultaneously to each House of Congress detailing the activities of the Commission for the previous year, and listing all rules and sets of rules classified under subsection (h) during that year. For each rule or set of rules so listed, the Commission shall—

(A) identify the agency that made the rule or set of rules;

(B) identify the annual cost of the rule or set of rules to the United States economy and the basis upon which the Commission identified that cost;

(C) identify whether the rule or set of rules was classified under clause (i) or clause (ii) of subsection (h)(4)(A);

(D) identify the criteria under subsection (h)(2) that caused the classification of the rule or set of rules and the basis upon which the Commission determined that those criteria were met;

(E) for each rule or set of rules listed under the criteria set forth in subparagraph (B), (D), (F), (G), (H), or (I) of subsection (h)(2), or other criteria established by the Commission under subparagraph (I) of such subsection under which the Commission evaluated alternatives to the rule or set of rules that could lead to lower regulatory costs, identify alternatives to the rule or set of rules that the Commission recommends the agency consider as replacements for the rule or set of rules and the basis on which the Commission rests the recommendations, and, in identifying such alternatives, emphasize alternatives that will achieve regulatory effectiveness at the lowest cost and with the lowest adverse impacts on jobs;

(F) for each rule or set of rules listed under the criteria set forth in subsection (h)(2)(E), the other Federal, State, or local governmental rules that the Commission found the rule or set of rules to overlap, duplicate, or

conflict with, and the basis for the findings of the Commission; and

(G) in the case of each set of rules so listed, analyze whether Congress should also consider repeal of the statutory authority implemented by the set of rules.

(3) **FINAL REPORT.**—Not later than the date on which the Commission members' appointments expire, the Commission shall submit a final report simultaneously to each House of Congress summarizing all activities and recommendations of the Commission, including a list of all rules or sets of rules the Commission classified under clause (i) of subsection (h)(4)(A) for immediate action to repeal, a separate list of all rules or sets of rules the Commission classified under clause (ii) of subsection (h)(4)(A) for repeal, and with regard to each rule or set of rules listed on either list, the information described in subparagraphs (A) through (F) of subsection (h)(2). This report may be included in the final annual report of the Commission under paragraph (2) and may include the Commission's recommendation whether the Commission should be reauthorized by Congress.

(j) **REPEAL OF REGULATIONS; CONGRESSIONAL CONSIDERATION OF COMMISSION REPORTS.**—

(1) **IN GENERAL.**—Subject to paragraph (2)—

(A) the head of each agency with authority to repeal a rule or set of rules classified by the Commission under subsection (h)(4)(A)(i) for immediate action to repeal and newly listed as such in an annual or final report of the Commission under paragraph (2) or (3) of subsection (i) shall repeal the rule or set of rules as recommended by the Commission within 60 days after the enactment of a joint resolution under paragraph (2) for approval of the recommendations of the Commission in the report; and

(B) the head of each agency with authority to repeal a rule or set of rules classified by the Commission under subsection (h)(4)(A)(ii) for repeal and newly listed as such in an annual or final report of the Commission under paragraph (2) or (3) of subsection (i) shall repeal the rule or set of rules as recommended by the Commission pursuant to section 201, following the enactment of a joint resolution under paragraph (2) for approval of the recommendations of the Commission in the report.

(2) **CONGRESSIONAL APPROVAL.**—

(A) **IN GENERAL.**—No head of an agency described in paragraph (1) shall be required by this Act to carry out a repeal listed by the Commission in a report transmitted to Congress under paragraph (2) or (3) of subsection (i) until a joint resolution is enacted, in accordance with the provisions of subparagraph (B), approving such recommendations of the Commission for repeal.

(B) **TERMS OF THE RESOLUTION.**—For purposes of paragraph (A), the term "joint resolution" means only a joint resolution which is introduced after the date on which the Commission transmits to the Congress under paragraph (2) or (3) of subsection (i) the report containing the recommendations to which the resolution pertains, and—

(i) which does not have a preamble;

(ii) the matter after the resolving clause of which is only as follows: "That Congress approves the recommendations for repeal of the Retrospective Regulatory Review Commission as submitted by the Commission on _____", the blank space being filled in with the appropriate date; and

(iii) the title of which is as follows: "Approving recommendations for repeal of the Retrospective Regulatory Review Commission."

(3) **REISSUANCE OF RULES.**—

(A) **NO SUBSTANTIALLY SIMILAR RULE TO BE REISSUED.**—A rule that is repealed under

paragraph (1) or section 201 may not be issued in substantially the same form, and a new rule that is substantially the same as such a rule may not be issued, unless the reissued or new rule is specifically authorized by a law enacted after the date of the joint resolution approving the Commission's recommendation to repeal the original rule.

(B) AGENCY TO ENSURE AVOIDANCE OF SIMILAR DEFECTS.—An agency, in making any new rule to implement statutory authority previously implemented by a rule repealed under paragraph (1) or section 201, shall ensure that the new rule does not result in the same adverse effects of the repealed rule that caused the Commission to recommend to Congress the latter's repeal and will not result in new adverse effects of the kind described in the criteria specified in or under subsection (h).

(k) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to the Commission to carry out this Act, not to exceed \$30,000,000.

(2) AVAILABILITY.—Any sums appropriated under the authorization contained in this section shall remain available, without fiscal year limitation, until the earlier of the date that such sums are expended or the date of the termination of the Commission.

(l) WEBSITE.—

(1) IN GENERAL.—The Commission shall establish a public website that—

(A) uses current information technology to make records available on the website;

(B) provides information in a standard data format; and

(C) receives and publishes public comments.

(2) PUBLISHING OF INFORMATION.—Any information required to be made available on the website established pursuant to this Act shall be published in a timely manner and shall be accessible by the public on the website at no cost.

(3) RECORD OF PUBLIC MEETINGS AND HEARINGS.—All records of public meetings and hearings shall be published on the website as soon as possible, but not later than 1 week after the date on which such public meeting or hearing occurred.

(4) PUBLIC COMMENTS.—The Commission shall publish on the website all public comments and submissions.

(5) NOTICES.—The Commission shall publish on the website notices of all public meetings and hearings at least one week before the date on which such public meeting or hearing occurs.

(m) APPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.—

(1) IN GENERAL.—Except as otherwise provided in this Act, the Commission shall be subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).

(2) ADVISORY COMMITTEE MANAGEMENT OFFICER.—The Commission shall not be subject to the control of any Advisory Committee Management Officer designated under section 8(b)(1) of the Federal Advisory Committee Act (5 U.S.C. App.).

(3) SUBCOMMITTEE.—Any subcommittee of the Commission shall be treated as the Commission for purposes of the Federal Advisory Committee Act (5 U.S.C. App.).

(4) CHARTER.—The enactment of the SCRUB Act shall be considered to meet the requirements of the Commission under section 9(c) of the Federal Advisory Committee Act (5 U.S.C. App.).

(n) DEFINITION.—In this section, the term “unfunded mandate” has the meaning given the term “Federal mandate” in section 421(6) of the Congressional Budget Act of 1974 (2 U.S.C. 658(6)).

TITLE II—REGULATORY CUT-GO

SEC. 201. CUT-GO PROCEDURES.

(a) IN GENERAL.—Except as provided in section 101(j)(2)(A) or section 202, an agency, when the agency makes a new rule, shall repeal rules or sets of rules of that agency classified by the Commission under section 101(h)(4)(A)(ii), such that the annual costs of the new rule to the United States economy is offset by such repeals, in an amount equal to or greater than the cost of the new rule, based on the regulatory cost reductions of repeal identified by the Commission.

(b) ALTERNATIVE PROCEDURE.—An agency may, alternatively, repeal rules or sets of rules of that agency classified by the Commission under section 101(h)(4)(A)(ii) prior to the time specified in subsection (a). If the agency so repeals such a rule or set of rules and thereby reduces the annual, inflation-adjusted cost of the rule or set of rules to the United States economy, the agency may thereafter apply the reduction in regulatory costs, based on the regulatory cost reductions of repeal identified by the Commission, to meet, in whole or in part, the regulatory cost reduction required under subsection (a) of this section to be made at the time the agency promulgates a new rule.

(c) ACHIEVEMENT OF FULL NET COST REDUCTIONS.—

(1) IN GENERAL.—Subject to the provisions of paragraph (2), an agency may offset the costs of a new rule or set of rules by repealing a rule or set of rules listed by the Commission under section 101(h)(4)(A)(ii) that implement the same statutory authority as the new rule or set of rules.

(2) LIMITATION.—When using the authority provided in paragraph (1), the agency must achieve a net reduction in costs imposed by the agency's body of rules (including the new rule or set of rules) that is equal to or greater than the cost of the new rule or set of rules to be promulgated, including, whenever necessary, by repealing additional rules of the agency listed by the Commission under section 101(h)(4)(A)(ii).

SEC. 202. APPLICABILITY.

An agency shall no longer be subject to the requirements of sections 201 and 203 beginning on the date that there is no rule or set of rules of the agency classified by the Commission under section 101(h)(4)(A)(ii) that has not been repealed such that all regulatory cost reductions identified by the Commission to be achievable through repeal have been achieved.

SEC. 203. OIRA CERTIFICATION OF COST CALCULATIONS.

The Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget shall review and certify the accuracy of agency determinations of the costs of new rules under section 201. The certification shall be included in the administrative record of the relevant rule-making by the agency promulgating the rule, and the Administrator shall transmit a copy of the certification to Congress when it transmits the certification to the agency.

TITLE III—RETROSPECTIVE REVIEW OF NEW RULES

SEC. 301. PLAN FOR FUTURE REVIEW.

When an agency makes a rule, the agency shall include in the final issuance of such rule a plan for the review of such rule by not later than 10 years after the date such rule is made. Such a review, in the case of a major rule, shall be substantially similar to the review by the Commission under section 101(h). In the case of a rule other than a major rule, the agency's plan for review shall include other procedures and standards to enable the agency to determine whether to repeal or amend the rule to eliminate unnecessary

regulatory costs to the economy. Whenever feasible, the agency shall include a proposed plan for review of a proposed rule in its notice of proposed rulemaking and shall receive public comment on the plan.

TITLE IV—JUDICIAL REVIEW

SEC. 401. JUDICIAL REVIEW.

(a) IMMEDIATE REPEALS.—Agency compliance with section 101(j) of this Act shall be subject to judicial review under chapter 7 of title 5, United States Code.

(b) CUT-GO PROCEDURES.—Agency compliance with title II of this Act shall be subject to judicial review under chapter 7 of title 5, United States Code.

(c) PLANS FOR FUTURE REVIEW.—Agency compliance with section 301 shall be subject to judicial review under chapter 7 of title 5, United States Code.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. DEFINITIONS.

In this Act:

(1) AGENCY.—The term “agency” has the meaning given such term in section 551 of title 5, United States Code.

(2) COMMISSION.—The term “Commission” means the Retrospective Regulatory Review Commission established under section 101.

(3) MAJOR RULE.—The term “major rule” means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose—

(A) an annual cost on the economy of \$100,000,000 or more, adjusted annually for inflation;

(B) a major increase in costs or prices for consumers, individual industries, Federal, State, local, or tribal government agencies, or geographic regions;

(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

(D) significant impacts on multiple sectors of the economy.

(4) RULE.—The term “rule” has the meaning given that term in section 551 of title 5, United States Code.

(5) SET OF RULES.—The term “set of rules” means a set of rules that collectively implement a regulatory authority of an agency.

SEC. 502. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect beginning on the date of the enactment of this Act.

The Acting CHAIR. No amendment to the bill shall be in order except those printed in House Report 115–20. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. CUMMINGS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115–20.

Mr. CUMMINGS. Madam Chair, as the designee of the gentleman from Virginia (Mr. BEYER), I offer amendment No. 1.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 16, insert after “reviews.” the following: “During the two-year period prior

to the inclusion of an individual on a list of candidates under this subparagraph, the individual may not have been a registered lobbyist under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.).”.

Page 6, after line 6, insert the following new paragraph:

(4) FINANCIAL DISCLOSURE REPORTS OF MEMBERS.—Each member of the Commission shall file the financial disclosure reports required under title I of the Ethics in Government Act of 1978 (5 U.S.C. App.) in accordance with the requirements of such title.

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

The Chair recognizes the gentleman from Maryland.

Mr. CUMMINGS. Madam Chair, I am very pleased to yield such time as he may consume to the gentleman from Virginia (Mr. BEYER), the maker of the amendment.

Mr. BEYER. Madam Chair, my amendment today is meant to address only one of several troubling provisions in the bill.

As my colleagues have pointed out, the SCRUB Act is a radical approach to deregulation and would prioritize cost savings through repeal of rules without considering their public benefit. The underlying bill would also prohibit agencies from making any new rules—even in the case of an imminent threat to public health or safety—unless the cost is offset by repealing an existing rule.

We have heard often on this floor my Republican friends rail against regulations promulgated by faceless bureaucrats. Well, this bill seeks to accomplish all of this through the work of an unelected commission—faceless—with virtually unlimited subpoena authority and jurisdiction over every existing regulation.

This body would work in the shadows to roll back environmental and workplace protections, putting dollars and cents over public health. The legislation grants so much in the way of authority, but comes with so little in the way of oversight, transparency, or public accountability.

President Trump and my friends on the other side of the aisle like to talk a lot about draining the swamp. Madam Chair, what the Republicans are proposing today makes a swamp look like the Hanging Gardens of Babylon, all at the cost of \$30 million to the American taxpayer.

My amendment today would bring a modicum of transparency and ethical oversight to the shadow bureaucracy by requiring commission members to follow the same financial disclosure rules as Members of Congress, congressional staff, or any Federal official.

My amendment would also ensure that commission members don't come in through the “revolving door” by inserting a requirement that the individual must not have been a registered lobbyist at any point during the previous 2 years. Congress not only has

the authority, but the duty to review existing regulations and, when necessary, to mandate reforms.

But I understand why Republicans want to delegate this work. Because who wants to be the one to recommend rolling back rules governing clean air, clean water, food safety, workplace protections, domestic violence, victim protections, and many other rules that are in place to keep Americans healthy and safe?

Madam Chair, I urge my colleagues to support this amendment simply to give transparency, openness, and clarity to the people who will be making the decisions under the SCRUB Act.

Mr. ROSS. Madam Chair, I claim the time in opposition to the amendment.

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

Mr. ROSS. Madam Chair, although I am not in opposition to the amendment, I do wish to speak in support and further explain my support, because I believe that the gentleman from Virginia offers some very good merit to his amendment.

The amendment clarifies that the commissioners are covered by the Ethics in Government Act, which is in line with current law. Commissioners should be free from financial conflict as much as any other Federal employee should. The Beyer amendment prohibits the appointment of a commissioner to the retrospective regulatory review commission who has been a registered lobbyist in the previous 2 years.

Ensuring commissioners are not lobbyists with financial interests in the commission's work is in line with the commission's goal of identifying wasteful or unfair regulations. The 2-year ban allows genuine experts with some past lobbying experience to contribute their knowledge to the commission. This provision is very similar to the President's 2-year ban on former lobbyists working in the administration.

For those reasons, I do support the amendment.

Madam Chair, I reserve the balance of my time.

Mr. CUMMINGS. Madam Chair, I have no further comments. I yield back the balance of my time.

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

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

The amendment was agreed to.

□ 1500

AMENDMENT NO. 2 OFFERED BY MR. DESAULNIER

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115-20.

Mr. DESAULNIER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 22, insert the following new subparagraph (and redesignate the following subparagraph accordingly):

(K) Whether, and the extent to which, the repeal of the rule or set of rules would impact public health.

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

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Madam Chair, I rise today in support of this amendment to H.R. 998. As drafted, the SCRUB Act requires Federal agencies to repeal existing regulations to offset the cost of new regulations. The bill also authorizes up to \$30 million for a new commission to review the Code of Federal Regulations and recommend regulatory repeals.

This commonsense amendment ensures the impacts of public health, including the costs and benefits associated with those impacts, are considered under processes established by the SCRUB Act. This, I believe, is a reasonable improvement to the bill. It ensures that Federal agencies appropriately consider the true costs and benefits of Federal rules with an eye towards saving hard-earned taxpayer money.

As a member of the California State Senate, I worked with a Republican administration to help enact this legislation as the first-ever health act of its type in the country in a State. It was based on the sensible premise that understanding the impacts of government actions on public health not only saves lives, but saves money.

This effort helped provide California State agencies with the direction they needed to effectively collaborate on the complex environmental, financial, and sustainability factors that contribute to poor health and inequities. Over the 6 years of its existence, this policy has resulted in increased collaboration across large State agencies, saving taxpayer money while promoting improved public health throughout the Nation's largest State.

Today, U.S. taxpayers face a growing burden of largely preventable chronic illnesses. Heart disease, stroke, obesity, and diabetes are but a few of the myriad health issues that millions of Americans face every day that also drive many of their financial and professional decisions.

In many of our most disadvantaged communities, fewer resources are available to benefit health outcomes that are clearly seen in the levels of chronic illness in these communities and shorter life expectancies. It doesn't take a genius to connect the dots of government policies on public health in our economy.

If the goal of this legislation is eliminating existing regulations to pay for new regulations, doesn't it make business sense to understand the impacts of these decisions on our Nation's public health? For example, eliminating the Department of Labor's silica rule might save an employer the expense of

purchasing mitigation equipment, but does that employer truly save money if his health insurance premiums go up due to associated respiratory illness?

When the majority pushed to eliminate the Department of the Interior's stream protection rule, thereby allowing mountaintop mining companies to dump potentially toxic mining debris in nearby streams, there was little consideration to the costs associated with mitigating the inevitable drinking water contamination and healthcare costs of those who will be sickened after drinking contaminated water.

This amendment ensures that Federal agencies, at the very least, consider the health impacts and costs associated with eliminating a regulation. This amendment will help to go a long way in preventing unnecessary healthcare costs, which I hope we can agree is a positive improvement to the bill.

If my colleagues across the aisle insist on eliminating Federal regulations, I hope that they agree that at least we can make sure that this independent commission will at least consider the benefits of public health as they do their analysis. I urge my colleagues to vote "yes" on this commonsense amendment.

Mr. Speaker, I rise today in support of my amendment to H.R. 998, the SCRUB Act.

As currently drafted, the SCRUB Act requires federal agencies to repeal existing regulations to offset the cost of new regulations. The bill also authorizes up to \$30 million for a new commission to review the Code of Federal Regulations and recommend regulatory repeals.

This commonsense amendment ensures that impacts to public health, including the costs associated with those impacts, are considered under processes established by the SCRUB Act. This is a reasonable improvement to the bill ensures that federal agencies appropriately consider the true costs and benefits of federal rules with an eye towards saving hard-earned taxpayer money.

As a member of the California State Senate, I helped to enact legislation focused on promoting public health throughout the state while saving taxpayer dollars. Based on the sensible premise that understanding the impacts of government actions on public health not only saves lives, but saves money.

This effort helped provide California state agencies with the direction they needed to effectively collaborate on the complex environmental, financial, and sustainability factors that contribute to poor health and inequities. Over six years of existence, this policy has resulted in increased collaboration across state agencies, saving taxpayers money while promoting improved public health throughout the state.

Today, U.S. taxpayers face a growing burden of largely preventable chronic illnesses. Heart disease, stroke, obesity, and diabetes are but a few of the myriad health issues that millions of Americans face every day that also drive many of their financial and professional decisions.

In many of our most disadvantaged communities, fewer resources are available to benefit health outcomes that are clearly seen in the levels of chronic illness and shorter life

expectancies. It doesn't take a genius to connect the dots of government policies on public health and our economy.

If the goal of this legislation is to eliminate existing regulations to pay for new regulations, doesn't it make business sense to understand the impacts of those decisions on public health?

For example, eliminating the Department of Labor's Silica Rule might save an employer the expense of purchasing mitigation equipment, but does that employer truly save money if his health insurance premiums go up due to associated respiratory illness?

When the Majority pushed to eliminate the Interior Department's Stream Protection rule, thereby allowing mountaintop mining companies to dump potentially toxic mining debris in nearby streams, there was little consideration to the costs associated with mitigating the inevitable drinking water contamination and health care costs of those who will be sickened after drinking contaminated water.

This amendment ensures that federal agencies, at the very least, consider the health impacts and costs associated with eliminating a regulation. This effort will go a long way in preventing unnecessary health care costs, which I hope we can agree is a positive improvement to the bill.

If my colleagues across the aisle insist on eliminating federal regulations, it only makes sense to ensure that removing such rules does not harm the public.

I urge my colleagues to vote "YES" on this commonsense amendment.

I reserve the balance of my time.

Mr. ROSS. Madam Chair, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Florida is recognized for 5 minutes.

There was no objection.

Mr. ROSS. Madam Chair, this commission that we have here in the SCRUB Act is established to clear out old and unnecessary regulations. It currently requires the commission to consider whether the rule could be repealed without significant adverse effects, whether the rule is unnecessary, whether the costs are justified by the benefits, and certain other criteria.

I think that the consideration of public health certainly fits within whether the rule would have significant adverse effects, whether it is necessary, and whether the benefits justify the cost. Health, safety, and welfare of the American people is foremost to what we do, and I laud my colleague from California for filing this amendment.

This amendment clarifies that the commission should consider the impact on public health of repealing any regulation. I think that, again, my colleague from California gave fine examples of that particular balance.

We agree that we want regulations that are necessary to protect public health. I am excited to see one of my Democratic colleagues working with us to improve regulatory reform legislation. I look forward to future opportunities to continue this work.

I yield back the balance of my time.

Mr. DESAULNIER. Madam Chair, I look forward to, in the future, working

on true bipartisan regulation. I think it is one of those areas, at least in my experience in local and State government, that we should be working in a bipartisan manner. Unfortunately, this bill I do not believe accomplishes that.

So regulatory oversight is probably the most important thing we could do, and I hope that we can do it in a bipartisan way in the future. I would encourage my colleagues to support this commonsense amendment.

I yield back the balance of my time.

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

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

Mr. DESAULNIER. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MS. MCSALLY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 115-20.

Ms. MCSALLY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 22, insert the following new subparagraph (and redesignate the subsequent subparagraph accordingly):

(K) Whether the rule or set of rules is in full compliance with the requirements of section 801(a)(1)(A) of title 5, United States Code.

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

The Chair recognizes the gentlewoman from Arizona.

Ms. MCSALLY. Madam Chair, I yield myself such time as I may consume.

I rise today in support of the underlying legislation, H.R. 998, the SCRUB Act, and urge adoption of my amendment.

The Retrospective Regulatory Review Commission created in the SCRUB Act is an important tool to help Congress reclaim its constitutional role of serving as a check to the executive branch and will help bring back jobs and opportunity to hard-working Americans.

In 2016 alone, the Obama administration added 97,110 pages to the Federal Register. That is over 75 times more than the Bible, without any of the good news. These rules and regulations accumulate with no relief and touch every aspect of life all the way down to recordkeeping for contact lenses, vending machine food labeling, and walk-in freezer testing.

Of the over 3,500 final regulations issued in 2016, 34 will cost over \$100 million, and 105 are deemed to have significant impacts on small business. We

need to reduce this regulatory burden on American households and small businesses, which costs the economy over \$2 trillion per year.

The Congressional Review Act gives Congress 60 legislative days to introduce and pass into law a disapproval resolution overturning a rule or a regulation. Once agency actions are overturned using this process, agencies are unable to reissue, substantially in the same form, a regulation or guidance in the future.

A little known provision in the Congressional Review Act requires Federal agencies to submit to Congress and the Government Accountability Office a report on the rule or regulation. The 60-day clock for congressional action begins either when the rule is published or when Congress receives this report, whichever comes later.

Independent studies have shown many rules since 1996 have been implemented without this report, often due to Federal agencies' push to hastily implement new rules. This means that there are still many rules and regulations that may still be eligible for Congress to overturn using the Congressional Review Act disapproval resolutions process.

My amendment to the SCRUB Act requires the Retrospective Regulatory Review Commission to consider for removal rules and regulations for which Congress did not receive the report as required by the Congressional Review Act. According to GAO, approximately 29 percent of final rules failed to submit required reports in 2013. This prudent step will help give Congress the opportunity to, where appropriate, make use of the Congressional Review Act disapproval process to expedite the rollback of flawed rules and regulations that are choking our economy.

I reserve the balance of my time.

Mr. CUMMINGS. Madam Chair, I claim the time in opposition.

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

Mr. CUMMINGS. Madam Chair, again I claim the time in opposition, but I will not oppose this amendment even though it does nothing to change the substance of the SCRUB Act or reduce the danger that it poses to the health and safety of the American public.

This amendment would add another criterion to identify which rules the commission would recommend for repeal, specifically, whether an agency has complied with the requirements of title 5 U.S.C., section 801(a)(1)(A).

That section requires agencies, prior to promulgating a rule, to submit to each House of Congress and the Comptroller General a report containing a copy of the rule; a concise general statement relating to the rule, including whether it is a major rule; and the proposed effective date of the rule.

So this amendment would require this unelected commission to report to Congress on what information Congress has or has not received. This just un-

derscores the point that Congress should do its own job rather than passing this bill to set up a commission to do our job for us.

Like the other criteria in the bill, Representative MCSALLY's amendment does nothing to address the SCRUB Act's focus on the costs of the rules. The amendment fails to make sense of the CutGo provision, which would result in the repeal of rules with little regard for how these rules have benefited and protected the American public.

The amendment fails to address the fact that agencies are already doing a retrospective review of regulations.

This amendment fails to reduce the \$30 million price tag that the American public would be responsible for paying to create the unelected commission under this bill.

The amendment fails to reduce the commission's virtually unlimited authority to subpoena witnesses or documents.

This amendment is nothing more than a window dressing, and it is nice. It does not address any of the SCRUB Act's failings and dangers that it poses to the health and safety of all Americans.

I yield back the balance of my time.

Ms. MCSALLY. Madam Chair, may I ask how much time I have remaining.

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

Ms. MCSALLY. Madam Chair, again, my amendment is simple under the SCRUB Act. Right now, these agencies are not complying with the law. They have not submitted necessary reports to Congress and the GAO. So this amendment is simply asking, among other things that are being reviewed in this act, that we take a look at which reports have not been submitted, therefore, which are not in compliance with the Congressional Review Act so that we can decide whether any of those would be appropriate for disapproval resolutions or, quite frankly, whether the rule is even one that should be enforced because it hasn't complied with the law.

This is a good amendment. I appreciate our colleagues supporting it.

I yield 1 minute to the gentleman from Texas (Mr. ARRINGTON).

Mr. ARRINGTON. Madam Chair, the cumulative cost of regulations in our country is now at the tune of \$2 trillion, and it costs us \$60 billion just to enforce those regulations every year. With all due respect, that is not window dressing. When you take a look at those numbers, it is clear to see that the bureaucratic state of our Federal Government is threatening our job creators and killing our economy.

Today, we have an opportunity to reverse course on the stifling regulations flowing from Washington by passing H.R. 998, the SCRUB Act, as amended here by my colleague, Congresswoman MARTHA MCSALLY.

The SCRUB Act will establish a commission to review existing Federal reg-

ulations and identify for Congress which of those place unnecessary costs on our economy. The amendment offered by the gentlewoman from Arizona (Ms. MCSALLY) will take the SCRUB Act a step further by requiring this commission to consider for removal all regulations dating back to 1996 that did not comply with the law that states that there must be an accompanying report to Congress. According to the GAO, that is almost 30 percent of final rules.

All of this is done in a manner consistent with my colleague's standalone bill, the Require CRA Compliance Act, that I was also proud to join her in sponsoring.

The Acting CHAIR. The time of the gentleman has expired.

Ms. MCSALLY. Madam Chair, I yield an additional 30 seconds to the gentleman from Texas.

□ 1515

Mr. ARRINGTON. Madam Chair, in closing, we owe this to the American people. We owe this to my children and your grandchildren. We owe this to our local job creators to break the chains of these burdensome regulations and, once again, unleash the spirit of American innovation and enterprise that made this country the envy of the world by passing the SCRUB Act and the McSally amendment.

Ms. MCSALLY. Madam Chair, I want to thank Mr. ARRINGTON for his support. I want to thank Chairman CHAFFETZ and Mr. SMITH for their hard work on this important legislation. I want to urge the passage of my amendment and encourage my colleagues to support the underlying legislation.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MS. PLASKETT

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 115-20.

Ms. PLASKETT. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 24, strike lines 12 through 22 and insert the following:

(k) PROHIBITION ON FUNDING.—No funds are authorized to carry out the requirements of this Act, and no funds authorized or appropriated by any other Federal law may be made available to carry out the requirements of this Act.

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

The Chair recognizes the gentlewoman from the Virgin Islands.

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

My amendment is simple. It rescinds the authority to spend up to \$30 million on a commission to do what Congress and the agencies already do.

If you want duplication, look no further than this bill. It seeks to reduce the size of bureaucracy by establishing a new commission to serve a function already performed without the contribution of an additional \$30 million in taxpayer funding.

Now, \$30 million may not be too much to the true benefactors of this bill on K Street, but to seniors, veterans, students, and workers all across this country, it can go a long way. For example, Social Security's meager 0.3 percent cost-of-living adjustment for 2017 amounts to \$4 more in benefits per month for the average beneficiary. That means that \$30 million would be enough to double that cost-of-living adjustment for 7.5 million seniors.

We all know that the cost of additional sequestration cuts on education, health, and the environmental protection loom at the end of this fiscal year.

The double talk and schizophrenia of my esteemed colleagues on the Oversight and Government Reform Committee who pushed this bill through the committee has me truly concerned for the mental state of this Congress. They want to defund Planned Parenthood, but want to fund a nine-member task force at a cost of \$30 million.

They drag their feet and hem and haw to assist Flint, Michigan, in funding to promote clean water and save the lives of a community, but we can sure fund a task force to duplicate already-carried-out activities by the Federal Government so we can say we did it to the tune of \$30 million.

The chair of the Oversight and Government Reform Committee wouldn't allow the people of the Virgin Islands, for 100 years as part of the United States, to receive \$100,000 already earmarked for our interior. But, we have money for this bill. And let's not discuss all the block-granting discussions going on around here in this Congress.

Today, the House majority is now asking to authorize \$30 million on a bill that would handcuff enforcement agencies in their ability to respond to even more pressing new public health and safety problems.

Let me be clear. Reducing the burden of unnecessary red tape on small businesses is a goal that we all share. I recognize that some regulation is burdensome, and there should be a review of the code to determine what can be consolidated or repealed to reduce compliance costs.

One of the things that we seem to agree on is that retrospective review is helpful in the regulatory process. But, retrospective review is already going on with money that has already been authorized. All of the agencies have been required to do this under standing executive orders issued by President Obama.

As has been discussed before, the results have been successful in reducing

regulations. Agencies have yielded billions of dollars in cost savings and reduced reporting requirements through the modification of existing regulations.

People in my district get it that there is a cost to protecting the environment, but they know that keeping our workers safe and our waters clean is worth it. There can be and is red tape that is unnecessary, and there is ongoing work and focus to eliminate and reduce that.

Could there be ways to improve upon existing review regulations? There very well may be, and I am willing to work with anyone on a good idea.

Even if \$30 million were to come from elsewhere in the budget instead of additional spending, it would be that much less that agencies would have to conduct the already ongoing retrospective review process now going on.

Furthermore, we in Congress also have existing responsibility to actively conduct oversight of government operations and make legislative changes as we see fit.

There is simply no reason to spend \$30 million on this messaging effort to ignore the successful work that is already going on by qualified people, and to hobble the ability of regulators to safeguard public health and safety in the process.

This Congress has money to throw at solutions in search of a problem, but requires cost offsets to provide aid for victims of Flint or toward Zika funding.

Please approve my amendment to save this money.

Mr. Chair, I yield the balance of my time to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chair, I rise in strong support of Ms. PLASKETT's amendment and just want to drill down on one point, which is, in the name of job creation, we have this bill before us, and we are going to spend \$30 million which will, I suppose, create some jobs here in Washington with some folks who sit on the commission and the staff who are going to have to populate it.

But just a couple of days ago, President Trump had the manufacturing CEOs of this country at the White House, and what they said was jobs exist, but skills don't; that there is a skills gap in this country, and that we need to have job training out there to connect people to these jobs.

Well, we have the Workforce Investment Act that was signed into law by President Obama in 2014, which created a framework for apprenticeship programs, advance manufacturing programs, all the things that these CEOs were talking about, and we are underfunding those programs—just to take one, the Adult Formula Grants—by just about \$30 million.

You want to create jobs? Don't spend \$30 million on this ridiculous commission when, again, we have so many other resources here in Washington to

review regulations. Let's put that money directly into the programs that will create the skill sets so that people can actually get a job to support themselves and their families. And don't take it from us, take it from the CEOs who were with President Trump just a few days ago about the fact that at a time when we have jobs in existence, the fact that we are underfunding job training programs is just totally criminal.

Let's use this \$30 million in a more productive way that will actually connect people to the jobs that are out there in the economy.

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

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

The Acting CHAIR (Mr. LONG). The gentleman from Florida is recognized for 5 minutes.

Mr. ROSS. Mr. Chairman, the commission is permitted, under this bill, to spend \$30 million over 5 years for administrative purposes. By removing the funding in this amendment, the commission will not be able to hire staff, rent office space, establish the public website as required in the bill, or hold the public meetings, which are also required in the bill. This amendment essentially guts the bill.

The commission established under this bill has a momentous job ahead of it. The Code of Federal Regulations totals more than 178,000 pages. This is approximately 36,000 pages of regulations for review every year of the 5 years the commission has to conduct its work.

But it is not just simply reading the pages. There is work behind understanding whether the regulations are effective. There is outreach and public hearings to understand how the regulations are or aren't effective.

I believe the savings from eliminating unnecessary costs and the improved efficiency from weeding out unneeded regulations will far outweigh the resources applied to this effort.

The Competitive Enterprise Institute estimates that regulations impose a cost on the economy of \$1.8 trillion. Who bears that cost but the consumers? This amendment would gut the bill. \$30 million over 5 years is more than reasonable, considering the economic impact that these regulations have had on the American business and the American economy. I urge my colleagues to oppose this amendment and support the bill.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from the Virgin Islands (Ms. PLASKETT).

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

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

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentlewoman from the Virgin Islands will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 115–20.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, line 17, insert after “Code” the following: “, except that the term does not include any rule relating to the physical and cyber security of the bulk-power system (as defined in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)), including any emergency action to protect and restore reliability of the bulk-power system”.

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

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, my amendment is straightforward. It exempts from the bill any agency rule relating to the physical and cybersecurity of the bulk power system, including any emergency action to protect and restore reliability. The bulk power system is comprised of facilities and control systems necessary for operating an interconnected electrical transmission network to maintain reliability.

Our Nation’s electrical system touches each and every part of our lives, hospitals, schools, transportation, homes, businesses, and our national security. Our electrical system is the central element of our Nation’s critical infrastructure because all other components of our infrastructure depend on it.

The electrical system is composed of 640,000 miles of high-voltage transmission lines and more than 6 million miles of distribution lines. This network is undergoing a transformation. There are an ever-increasing number of devices that are connected to the grid; technological advancements are allowing for efficiencies and cheaper production of power, whether it is renewable energy or natural gas; and consumers have more choices and more control. With increased digitization, automation and interaction also have enhanced grid flexibility and security.

While these developments present tremendous opportunities, such as new jobs and reducing carbon emissions, they also pose additional physical and cyber threats to the transmission and distribution systems. Stakeholders across the system are facing numerous new threats and challenges in detecting problems, responding to intrusions, and keeping rates affordable while maintaining reliability. The long-term health of the electricity sector is now, more than ever, a shared responsibility between communities, consumers, industry, and government.

Despite these challenges, the bulk power system is an example of industry

stakeholders and the Federal Government working well together, when needed, and working independently, when needed and succeeding.

Transmission and distribution providers have taken it upon themselves to establish industry-led standards, best practices, and supply chain management when it comes to grid security. They have worked well with NERC and FERC in developing Critical Infrastructure Protection standards for the bulk power system.

These Critical Infrastructure Protection standards cover critical cyber asset identification, security management, personnel and training, electronic security, physical security, systems security, incident reporting and response planning, and recovery plans. There are 72 inactive CIP standards, and 11 that are now subject to enforcement. These standards aren’t always perfect, but they do represent compromise and collaboration.

A well-protected and reliable grid makes economic sense. Power outages and disturbances can cost more than \$180 billion annually, and data suggests that electrical system outages attributable to weather-related events are increasing, costing the U.S. economy an estimated \$20 billion to \$55 billion annually. Electric companies are projected to spend more than \$7 billion of their own money on cybersecurity alone by the year 2020, and are expected to invest nearly \$53 billion to enhance the grid.

□ 1530

These are significant investments, but essential investments as well. A more resilient, secure electric sector is something we all benefit from. It will continue to require investments at all levels, including from the Federal Government.

We should enhance funding for our national laboratories that have partnered together via the Grid Modernization Lab Consortium. We should provide high levels of funding for the Office of Electricity and its mission to ensure the energy delivery system is more secure, resilient, and reliable. We must promote R&D that helps bring new, innovative technologies to the grid.

We will always struggle to keep ahead of those bad actors who are seeking to attack us, but we can establish metrics, procedures, and technological capabilities that allow us to respond and adapt.

I agree with many of my colleagues that we should work to identify and remove regulations that are no longer relevant. The Critical Infrastructure Protection standards have worked. My amendment ensures that Federal agencies will have the flexibility needed to respond to challenges without sacrificing any other necessary protections.

I urge my colleagues to adopt this amendment.

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

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

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

Mr. ROSS. Mr. Chairman, this bill requires the commission to identify regulations that should be repealed. These are all regulations under the bill. While I appreciate my colleague from California’s efforts in his amendment, I just cannot support it.

The commission focuses on rules and regulations that are out of date, no longer useful, and otherwise unnecessary or obsolete. No regulations should be exempt from this bill.

Ensuring the physical and cybersecurity of the bulk power system is absolutely important and critical. We should know whether or not the existing regulations are effective and are useful.

This amendment would prevent the commission from reviewing these important regulations and ensuring that they are current and effective.

I would urge my colleagues to oppose the amendment.

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

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

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

The amendment was rejected.

AMENDMENT NO. 6 OFFERED BY MR. KRISHNAMOORTHY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 115–20.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION RELATING TO NATIONAL AIRSPACE SYSTEM.

The provisions of this Act do not apply to any rule or set of rules relating to the safety of the national airspace system.

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

The Chair recognizes the gentleman from Illinois.

Mr. KRISHNAMOORTHY. Mr. Chairman, my amendment today is a probusiness, pro-innovation amendment. This would exempt any regulations that affect the safety of our National Airspace System.

It is important to note that commercial drone operations are only possible because of FAA rules. Last August, the FAA’s small UAS rule—unmanned aerial systems rule—opened the door for small businesses to use unmanned systems easily and without cumbersome paperwork.

The current inaction on the “flights over people” rule could limit UAS operations, such as news reporting, disaster relief, and public safety from becoming a reality. As a result, many businesses and the country could lose out on the full societal and economic benefits of UAS.

Once UAS are fully integrated into the national airspace, the full benefits of these tools will help businesses to expand and our economy to grow—with a projected 100,000 jobs and over \$82 billion in economic impact over the next decade. That is why this particular amendment is supported by the UAV Coalition as well as the Automated Vehicles Symposium.

But we need action from regulatory authorities to fully integrate UAS into our airspace. Without my amendment, the SCRUB Act has the potential to stifle a growing industry and prevent the modernization of air traffic. I want to reiterate: UAS operators need guidance and regulations from the FAA so they can operate safely and without unnecessary paperwork.

I urge the House to support my amendment.

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

Mr. ROSS. Mr. Chairman, I rise in opposition.

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

Mr. ROSS. Mr. Chairman, as I mentioned earlier, the bill requires the commission to identify regulations—all regulations—which should be repealed. The commission focuses on rules and regulations that are out of date, no longer useful, and otherwise unnecessary or obsolete. Again, no regulations should be exempt from this bill.

Ensuring the safety of the National Airspace System is critically important. We should know whether or not the existing regulations are effective and useful. This amendment would prevent the commission from reviewing these very important regulations and ensuring that they are not only current but also effective.

I, therefore, urge my colleagues to oppose this amendment.

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

Mr. KRISHNAMOORTHY. Mr. Chairman, investments into this particular industry are predicated on whether or not regulations are predictable. As a former small-business man, I can tell you that investments will not happen if there is an unelected commission that exists that might change the very rules and regulations upon which current investments have been made.

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

Mr. ROSS. Mr. Chairman, while I appreciate the argument about an unelected commission, I must say that these regulations are already being promulgated by unelected, unaccountable bureaucrats.

Again, if we are going to have to have a review—an oversight—of our regulatory scheme, we should not exempt any regulations. I, therefore, would submit that this amendment would do just that. It would create a slippery slope of exceptions. Therefore, I, again, would urge my colleagues to oppose the amendment.

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

Mr. KRISHNAMOORTHY. Mr. Chairman, as a small-business man, I can tell you that small businesses rely on the predictability of regulatory rules and the regulatory regime. This commission is creating unpredictability in the system. Therefore, it is going to stifle investment, it is going to prevent innovation, and it is going to further throw a monkey wrench into our National Airspace System.

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

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

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

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

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

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

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

AMENDMENT NO. 7 OFFERED BY MR. KRISHNAMOORTHY

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 115-20.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION RELATING TO AIRPORT NOISE RESTRICTIONS.

The provisions of this Act do not apply to any rule or set of rules relating to airport noise restrictions.

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

The Chair recognizes the gentleman from Illinois.

Mr. KRISHNAMOORTHY. Mr. Chairman, my second amendment to the SCRUB Act would protect the countless citizens, including many of my own constituents, who depend on airport noise restrictions to sleep through the night or learn uninterrupted in school.

Thousands of my constituents near O'Hare International Airport benefit from these restrictions, as do the millions of people that live near major airports across the country. As the father of a 10-month-old baby girl, I can speak from experience to the value of an uninterrupted night of sleep.

Many FAA noise rules are the product of careful discussions between airports and local authorities. While noise restrictions have a slight economic impact on air carriers, the economic benefit to surrounding communities more than outweighs this.

The unelected commission created by this bill should not have the ability to overturn restrictions that have been carefully considered by local governments, the FAA, and airport officials.

Without FAA noise restrictions, people and businesses would suffer, Mr. Chairman. This would decrease property values in my district, make it harder for people to start a business, and have a negative effect on people's health.

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

Mr. ROSS. Mr. Chairman, I rise in opposition.

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

Mr. ROSS. Mr. Chairman, everyone agrees that airport noise is very annoying.

Effective regulations that protect our communities from unwarranted noise are very important. However, regulations that impose excessive and costly restrictions that are ineffective at achieving their goals do not help anyone.

Why not take a look at these regulations and just consider whether they are working?

If they are, then the regulation stays in place and we continue to protect our communities from unwarranted noise. If those regulations are not working, then we repeal them and put in regulations that achieve the goals and reduce costs.

There is no reason why we should create special carve-outs from the commission's consideration.

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

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

Mr. KRISHNAMOORTHY. Mr. Chairman, these particular rules and regulations were crafted carefully at the local level, and I believe very strongly that this commission, which is a Federal commission, should not somehow upset the balance that has been achieved through local voices having a say in these particular regulations.

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

Mr. ROSS. Mr. Chairman, I will tell you that regulations are regulations. They need to be reviewed at every level. What the SCRUB Act offers is that opportunity. What this amendment does is limit that ability.

For those reasons, I, again, urge my colleagues to oppose this amendment.

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

Mr. KRISHNAMOORTHY. Mr. Chairman, the SCRUB Act should not have the ability to review regulations and rules that were developed by local people with local concerns in mind.

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

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

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

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

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

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 115-20 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. DESAULNIER of California.

Amendment No. 4 by Ms. PLASKETT of the Virgin Islands.

Amendment No. 6 by Mr. KRISHNAMOORTHY of Illinois.

Amendment No. 7 by Mr. KRISHNAMOORTHY of Illinois.

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

AMENDMENT NO. 2 OFFERED BY MR. DESAULNIER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 348, noes 75, not voting 7, as follows:

[Roll No. 105]

AYES—348

Adams	Black	Butterfield
Aguilar	Blackburn	Calvert
Amash	Blum	Capuano
Bacon	Blumenauer	Carbajal
Barletta	Blunt Rochester	Cárdenas
Barragán	Bonamici	Carson (IN)
Bass	Bost	Cartwright
Beatty	Boyle, Brendan	Castor (FL)
Bera	F.	Castro (TX)
Bergman	Brady (PA)	Chabot
Beyer	Brooks (IN)	Chaffetz
Bilirakis	Brown (MD)	Cheney
Bishop (GA)	Brownley (CA)	Chu, Judy
Bishop (MI)	Buchanan	Cicilline
Bishop (UT)	Bustos	Clark (MA)

Clarke (NY)	Hunter	Perlmutter
Clay	Hurd	Peters
Cleaver	Issa	Peterson
Clyburn	Jackson Lee	Pingree
Coffman	Jayapal	Pocan
Cohen	Jeffries	Poliquin
Cole	Jenkins (KS)	Polis
Collins (GA)	Jenkins (WV)	Price (NC)
Collins (NY)	Johnson (GA)	Quigley
Comer	Johnson (LA)	Raskin
Comstock	Johnson (OH)	Ratcliffe
Conaway	Johnson, E. B.	Reed
Connolly	Jones	Reichert
Conyers	Joyce (OH)	Renacci
Cooper	Kaptur	Rice (NY)
Correa	Katko	Rice (SC)
Costa	Keating	Richmond
Costello (PA)	Kelly (IL)	Roby
Courtney	Kennedy	Roe (TN)
Cramer	Khanna	Rogers (AL)
Crist	Kihuen	Rogers (KY)
Crowley	Kildee	Rohrabacher
Cuellar	Kilmer	Rokita
Culberson	Kind	Rooney, Francis
Cummings	King (NY)	Ros-Lehtinen
Curbelo (FL)	Kinzinger	Rosen
Davidson	Knight	Roskam
Davis (CA)	Krishnamoorthi	Ross
Davis, Danny	Kuster (NH)	Rothfus
DeFazio	Lance	Rouzer
DeGette	Langevin	Roybal-Allard
Delaney	Larsen (WA)	Royce (CA)
DeLauro	Larson (CT)	Ruiz
DelBene	Latta	Ruppersberger
Demings	Lawrence	Rush
Denham	Lawson (FL)	Rutherford
Dent	Lee	Ryan (OH)
DeSantis	Levin	Sánchez
DeSaulnier	Lewis (GA)	Sanford
Deutch	Lewis (MN)	Sarbanes
Diaz-Balart	Lieu, Ted	Schakowsky
Dingell	Lipinski	Schiff
Doggett	LoBiondo	Schneider
Donovan	Loebback	Schrader
Doyle, Michael	Lofgren	Schweikert
F.	Long	Scott (VA)
Duffy	Loudermilk	Scott, David
Dunn	Love	Serrano
Ellison	Lowenthal	Sewell (AL)
Emmer	Lowey	Shea-Porter
Engel	Luetkemeyer	Sherman
Eshoo	Lujan Grisham,	Shimkus
Españillat	M.	Shuster
Esty	Luján, Ben Ray	Simpson
Evans	Lynch	Sinema
Farenthold	MacArthur	Sires
Faso	Maloney,	Slaughter
Fitzpatrick	Carolyn B.	Smith (NJ)
Flores	Maloney, Sean	Smith (TX)
Fortenberry	Marchant	Smith (WA)
Foster	Marshall	Smucker
Foxx	Mast	Soto
Frankel (FL)	Matsui	Speier
Franks (AZ)	McCaul	Stefanik
Frelinghuysen	McCollum	Stewart
Fudge	McEachin	Stivers
Gabbard	McGovern	Suozi
Gallagher	McHenry	Swalwell (CA)
Gallego	McKinley	Takano
Garamendi	McMorris	Taylor
Gonzalez (TX)	Rodgers	Tenney
Goodlatte	McNerney	Thompson (CA)
Gottheimer	McSally	Thompson (MS)
Gowdy	Meadows	Thompson (PA)
Granger	Meehan	Thornberry
Graves (LA)	Meeks	Tiberi
Graves (MO)	Meng	Tipton
Green, Al	Mitchell	Titus
Green, Gene	Moolenaar	Tonko
Griffith	Moulton	Torres
Grijalva	Mullin	Trott
Guthrie	Murphy (FL)	Tsongas
Gutiérrez	Murphy (PA)	Upton
Hanabusa	Nadler	Valadao
Harper	Napolitano	Vargas
Hartzler	Neal	Veasey
Hastings	Newhouse	Vela
Heck	Nolan	Velázquez
Hensarling	Norcross	Visclosky
Herrera Beutler	O'Halleran	Walberg
Higgins (LA)	O'Rourke	Walden
Higgins (NY)	Olson	Walorski
Hill	Pallone	Walters, Mimi
Himes	Palmer	Walz
Holding	Panetta	Wasserman
Hoyer	Pascrell	Schultz
Huffman	Paulsen	Waters, Maxine
Huizenga	Payne	Watson Coleman
Hultgren	Pelosi	Welch

Wenstrup	Womack	Yoho
Westerman	Woodall	Young (AK)
Wilson (FL)	Yarmuth	Young (IA)
Wilson (SC)	Yoder	Zeldin

NOES—75

Abraham	Ferguson	McCarthy
Aderholt	Fleischmann	McClintock
Allen	Gaetz	Messer
Amodei	Garrett	Mooney (WV)
Arrington	Gibbs	Noem
Babin	Gohmert	Nunes
Banks (IN)	Gosar	Palazzo
Barr	Graves (GA)	Pearce
Bartou	Grothman	Perry
Biggs	Harris	Pittenger
Brady (TX)	Hice, Jody B.	Poe (TX)
Brat	Hollingsworth	Posey
Bridenstine	Johnson, Sam	Russell
Brooks (AL)	Jordan	Scalise
Buck	Kelly (MS)	Scott, Austin
Bucshon	Kelly (PA)	Sensenbrenner
Budd	King (IA)	Sessions
Burgess	Kustoff (TN)	Smith (MO)
Byrne	Labrador	Smith (NE)
Carter (GA)	LaHood	Turner
Carter (TX)	LaMalfa	Walker
Cook	Lamborn	Weber (TX)
DesJarlais	Lucas	Webster (FL)
Duncan (SC)	Marino	Williams
Duncan (TN)	Massie	Wittman

NOT VOTING—7

Crawford	Moore	Wagner
Davis, Rodney	Rooney, Thomas	Zinke
Hudson	J.	

□ 1611

Messrs. BRAT, WILLIAMS, KELLY of Mississippi, GAETZ, PITTENGER, WALKER, GROTHMAN, KING of Iowa, BRIDENSTINE, SMITH of Missouri, MASSIE, CARTER of Georgia, and WITTMAN changed their vote from “aye” to “no.”

Ms. DEGETTE, Messrs. RICE of South Carolina, ISSA, Ms. JENKINS of Kansas, Messrs. LOBIONDO, HOLDING, ROUZER, NORCROSS, WOMACK, RASKIN, COLLINS of Georgia, Mrs. WALORSKI, Messrs. GENE GREEN of Texas, WOODALL, Ms. GRANGER, Messrs. COLE, SEAN PATRICK MALONEY of New York, GUTHRIE, UPTON, MCCAUL, TIPTON, ROSKAM, DESANTIS, SHIMKUS, Ms. HANABUSA, Messrs. COHEN, RUTHERFORD, Mrs. MIMI WALTERS of California, and Mr. SMUCKER changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MS. PLASKETT

The Acting CHAIR (Mr. COLLINS of Georgia). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from the Virgin Islands (Ms. PLASKETT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 243, not voting 6, as follows:

[Roll No. 106]

AYES—181

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

NOES—243

Abraham	Calvert	Emmer
Aderholt	Carter (GA)	Farenthold
Allen	Carter (TX)	Faso
Amash	Chabot	Ferguson
Amodei	Chaffetz	Fitzpatrick
Arrington	Cheney	Fleischmann
Babin	Coffman	Flores
Bacon	Cole	Fortenberry
Banks (IN)	Collins (GA)	Fox x
Barletta	Collins (NY)	Franks (AZ)
Barr	Comer	Frelinghuysen
Barton	Comstock	Gaetz
Bergman	Conaway	Gallagher
Biggs	Cook	Garrett
Billirakis	Costa	Gibbs
Bishop (MI)	Costello (PA)	Gohmert
Bishop (UT)	Cramer	Goodlatte
Black	Crawford	Gosar
Blackburn	Cuellar	Gottheimer
Blum	Culberson	Gowdy
Bost	Curbelo (FL)	Granger
Brady (TX)	Davidson	Graves (GA)
Brat	Denham	Graves (LA)
Bridenstine	Dent	Graves (MO)
Brooks (AL)	DeSantis	Griffith
Brooks (IN)	DesJarlais	Grothman
Buchanan	Diaz-Balart	Guthrie
Buck	Donovan	Harper
Bucshon	Duffy	Harris
Budd	Duncan (SC)	Hartzler
Burgess	Duncan (TN)	Hensarling
Byrne	Dunn	Herrera Beutler

[Roll No. 107]

AYES—189

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

NOES—234

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

NOT VOTING—6

Davis, Rodney	Rooney, Thomas	Zinke
Hudson	J.	
Moore	Wagner	

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1614

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR.

KRISHNAMOORTHY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 234, not voting 7, as follows:

Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall

NOT VOTING—7

Davis, Rodney
Hudson
Maloney, Sean

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1618

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 7 OFFERED BY MR.
KRISHNAMOORTHY

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Illinois (Mr.
KRISHNAMOORTHY) on which further pro-
ceedings were postponed and on which
the noes prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic de-
vice, and there were—ayes 192, noes 230,
not voting 8, as follows:

[Roll No. 108]
AYES—192
Adams
Agular
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españolat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego

NOES—230

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck

Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran

Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur

Marchant
Marino
Marshall
Massie
Mast
McCarthy
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Roskam
Ross
Rothfus

NOT VOTING—8

Chu, Judy
Davis, Rodney
Hensarling
Hudson

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1622

So the amendment was rejected.

The result of the vote was announced
as above recorded.

Mr. SESSIONS. Mr. Chairman, I
move that the Committee do now rise.
The motion was agreed to.

Accordingly, the Committee rose;
and the Speaker pro tempore (Mr.
JOYCE) having assumed the chair, Mr.
COLLINS of Georgia, Acting Chair of the
Committee of the Whole House on the
state of the Union, reported that that
Committee, having had under consider-
ation the bill (H.R. 998) to provide for
the establishment of a process for the
review of rules and sets of rules, and
for other purposes, had come to no res-
olution thereon.

REPORT ON RESOLUTION PRO-
VIDING FOR CONSIDERATION OF
H.R. 1004, REGULATORY INTEG-
RITY ACT OF 2017, AND PRO-
VIDING FOR CONSIDERATION OF
H.R. 1009, OIRA INSIGHT, RE-
FORM, AND ACCOUNTABILITY
ACT

Mr. SESSIONS, from the Committee
on Rules, submitted a privileged report

DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)