

117TH CONGRESS }
1st Session

HOUSE OF REPRESENTATIVES

{ REPORT
117-____

BUILD BACK BETTER ACT

—
R E P O R T

OF THE

**COMMITTEE ON THE BUDGET
HOUSE OF REPRESENTATIVES**

TO ACCOMPANY

H.R. _____

together with
MINORITY VIEWS



SEPTEMBER __, 2021.—Committed to the Committee of the Whole House
on the State of the Union and ordered to be printed

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U.S. GOVERNMENT PUBLISHING OFFICE

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WASHINGTON : 2021

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BUILD BACK BETTER ACT

SEPTEMBER __, 2021.—Committed to the Committee of the Whole House on the
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MR. YARMUTH, from the Committee on the Budget,
submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. ____]

The Committee on the Budget, to whom reconciliation recommendations were submitted pursuant to title II of S. Con. Res. 14, the concurrent resolution on the budget for fiscal year 2022, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

INTRODUCTION BY THE COMMITTEE ON THE BUDGET

Since the first COVID-19 case was diagnosed in the United States nearly two years ago, the pandemic and resulting economic fallout have exposed and exacerbated underlying and systemic inequities and deficiencies in our society, highlighting the interconnected nature of these pressing challenges. The need for bold, transformative, and visionary investments in our nation and communities is long overdue.

THE CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2022 PAVED THE WAY FOR THE BUILD BACK BETTER ACT

The 2022 budget resolution (S. Con. Res. 14) laid the groundwork for the Build Back Better Act by providing the option of using the budget reconciliation process to make historic investments in our communities and country. This reconciliation bill is the next step toward implementing the plan.

Budget reconciliation has been used by Democrats and Republicans over the past four decades for a variety of purposes, including reducing the deficit, expanding access to health coverage, restricting eligibility and benefits in safety-net programs, handing out deficit-increasing GOP tax cuts heavily weighted to the wealthy, and providing urgently needed relief and stimulus during the Covid-19 crisis. There is nothing inherently partisan about using budget reconciliation. Many past budget reconciliation bills had bipartisan support; some did not. The process helps ensure that Congress can move forward and meet the country's needs. Without reconciliation, the bold action outlined by the President could languish indefinitely in the Senate, putting the future well-being and prosperity of Americans at risk.

Decades of disinvestment in our nation and its people have resulted in serious deficits in our society, spanning nearly every sector. We can no longer afford the costs of neglect and inaction—Congress must act expeditiously to enact the Build Back Better Act and deliver these critical investments.

WE FACE NUMEROUS, INERCONNECTED CRISES AND CHALLENGES

The coronavirus pandemic has infected tens of millions of Americans and taken the lives of nearly 700,000 loved ones, devastating families and communities. The corresponding economic crisis led to a record loss of more than 22 million jobs, skyrocketing unemploy-

ment insurance claims, a child care crisis and mass exodus of women from the work force, and a historic decline in growth. The climate crisis is displacing families, upending local economies, and endangering our national security. And our nation is reckoning with our racial justice crisis, as the effects of systemic racism and underlying inequities are being exposed and brought to the forefront of our nation's conscience.

While the American Rescue Plan and other rescue packages helped address immediate health and economic concerns, they were not a long-term solution to many of the pressing challenges facing our nation. In fact, many of these pressing challenges have only compounded.

Driven by the child care problems created by the pandemic, women have fallen out of the labor force in record numbers. Children are attending schools in buildings with crumbling infrastructure and no internet. Too many families do not have safe and affordable housing to live in. Rising health care costs are putting a strain on budgets for families and businesses. College has become unaffordable for too many students. Our veterans are being treated in hospitals and clinics that are in critical need of updating. Workers lack support when welcoming a new child or caring for a loved one. And we face a catastrophic climate crisis that threatens life as we know it.

We can no longer afford the costs of neglect and inaction—the time to act is now. The future of our nation and millions of American families are at stake.

THE BUILD BACK BETTER ACT

The Build Back Better Act makes the transformative investments at the scale necessary to meet the needs of the American people, address dangerous deficits in our society, improve our economic outlook, and set America up to compete and win in the decades ahead. With the Build Back Better Act, we will:

Cut taxes for the middle class. The Build Back Better Act will deliver one of the biggest middle class tax cuts in history, keeping more money in the pockets of working families. The plan expands and enhances support for individuals and families with children, including the Child Tax Credit, the Child and Dependent Care Tax Credit, and the Earned Income Tax Credit for childless workers. The expanded Child Tax Credit alone will lead to 90 percent of families and nearly 39 million households receiving a major tax cut. With over a third of adults with children struggling to pay for basic expenses like food, rent, health care and transportation, the expanded Child Tax Credit will make a substantial difference in families' lives.

Create jobs. Because of the COVID-19 crisis, the U.S. economy experienced record job loss and deep scars that we are still recovering from. The Build Back Better Act will invest in work force development to help workers train and get better jobs. The investments in higher education will also create a more skilled and dynamic work force and help position the United States as a global leader in innovation and the jobs of the future. The resources for child care and universal pre-k will help parents return to work knowing that their children are in good hands, while also creating

more jobs in the care economy. Additionally, funded programs will create a new, diverse work force focused on addressing climate change and funding community resilience projects across the country.

Lower costs for working families. The plan's investments will lower costs for working families with:

- *Investments to lower drug prices*—Americans pay higher prescription drug prices than people in other wealthy countries, and nearly a quarter of Americans struggle to afford their prescription drugs. The investments in the Build Back Better Act will allow Medicare to negotiate drug prices, lowering costs for seniors and the Federal Government.
- *Investments to lower health care costs*—Too many families struggle to pay for health care, and millions of people are locked out of Medicaid because of states' refusal to expand the program under the Affordable Care Act (ACA). The resources in the Build Back Better Act will reduce premiums for Marketplace plans under the ACA, close the Medicaid coverage gap, and add dental, hearing and vision coverage to Medicare for the very first time.
- *Investments to lower child care costs*—Child care and high-quality pre-k are expenses that most families struggle to afford and are a particular challenge for low-income families and families of color. The investments in the Build Back Better Act will create a comprehensive child care and universal pre-k program which will subsidize child care for families and provide high-quality pre-k for all three- and four-year-olds.
- *Investments to lower the cost of education*—Higher education has become a towering expense for most students, but increasingly useful in today's economy. The funding in the Build Back Better Act will provide two years of free community college to all students. These investments will also expand the value of the Pell Grant and provide funding for minority serving institutions to better support and serve their students.

Tackle the climate crisis and strengthen resilience. The climate crisis is an existential threat that must be handled immediately. Postponing action will only make life harder for millions of families and endanger more lives as extreme weather events intensify. The Build Back Better Act will provide comprehensive investments, including clean energy and transportation tax credits, to help us reduce our carbon footprint. It invests in clean energy, efficiency, electrification, and climate justice through grants, consumer rebates, and Federal procurement of clean power and sustainable materials, and by incentivizing private sector development and investment. The plan will also drive economic opportunities, environmental conservation, and climate resilience—especially in underserved and disadvantaged communities.

Ensure Fiscal Responsibility. The Build Back Better Act ultimately will not add to the debt. This plan is prudently offset by provisions to ensure that high earners and corporations pay their fair share of taxes. Americans making less than \$400,000 a year will not see their taxes increase by a penny. It is estimated that the top 1 percent evades \$160 billion in taxes each year while a

typical working American pays their taxes. In 2020, 55 of the largest corporations paid zero dollars in Federal income taxes on more than \$40 billion in profits. The Build Back Better Act will implement key reforms to make our tax system more equitable. It will repeal some of the nearly \$2 trillion in unpaid tax giveaways to the wealthiest corporations and individuals enacted under the Trump Administration.

Additionally, it is estimated that the Build Back Better Act will stimulate future economic growth, further helping to offset the costs of the plan. Leading economists project that the Build Back better Act will also ease longer-term inflationary pressures and, most importantly, help more Americans participate in the economy, resulting in a more equitable economy powered by shared prosperity and inclusive growth.

THE BUDGET COMMITTEE'S ROLE IN DELIVERING THE BUILD BACK BETTER PLAN ACT

The major steps in the reconciliation process, as provided for under Section 310 of the Budget Act, and how they apply in this instance, are the following:

The Budget Resolution. Reconciliation can be triggered only by the adoption of a budget resolution. Therefore, the Fiscal Year 2022 budget resolution (S. Con. Res. 14), passed in August, carried reconciliation instructions for 13 committees that have jurisdiction over some portion of the Build Back Better Act.

Authorizing Committees. Thirteen authorizing committees marked up legislative provisions pursuant to their instructions and transmitted them to the Committee on the Budget. This report incorporates the detailed descriptions of the provisions provided in the committees' submissions to the Budget Committee.

The Budget Committee. Having received the submissions, the Committee on the Budget, as provided for under Section 310 of the Budget Act, has bound the provisions together, without substantive change, into a single measure—a reconciliation bill—and met to report the measure to the House for floor consideration.

U.S. House of Representatives
Committee on Agriculture
Washington, DC 20515

September 15, 2021

The Honorable John A. Yarmuth
Chairman
Committee on the Budget
204-E Cannon House Office Building
Washington, D.C. 20515

Dear Chairman Yarmuth,

Pursuant to section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, I hereby transmit these recommendations which have been approved by vote of the Committee on Agriculture, and the appropriate accompanying material including additional, supplemental, minority, or dissenting views, to the House Committee on the Budget. This submission is in order to comply with reconciliation directives included in S. Con. Res. 14, the fiscal year 2022 budget resolution, and is consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974.

Sincerely,



David Scott
Chairman

TITLE I—COMMITTEE ON AGRICULTURE

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TITLE I—COMMITTEE ON AGRICULTURE

EXPLANATION OF PROVISIONS**SUBTITLE A — GENERAL PROVISIONS***Section 10001. Definitions.*

This section defines the term “insular area” to have the same meaning as in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977. The section also defines “Secretary” to mean “Secretary of Agriculture.”

SUBTITLE B — FORESTRY*Section 11001. National Forest System Restoration and Fuels Reduction Projects.*

Section 11001 appropriates \$10 billion for hazardous fuels reduction projects within the wildland-urban interface; \$4 billion for, on a determination by the Secretary that hazardous fuels within the wildland-urban interface have been effectively treated to prevent the spread of wildfire to at-risk communities, hazardous fuels reduction projects outside the wildland-urban interface; \$1 billion for vegetation management projects on National Forest System land that have submitted proposals in accordance with section 4003 of the Omnibus Public Land Management Act of 2009; \$500 million for vegetation management projects that have a water source management plan or a watershed protection and restoration action plan; and \$500 million for vegetation management projects that (1) maintain old growth characteristics, (2) focus on small diameter trees and prescribed fire to modify fire behavior, and (3) maximize the retention of large trees.

This section also appropriates \$450 million for the Legacy Roads and Trails program of the Forest Service; \$350 million for National Forest System land management planning and monitoring with a focus on specific goals; \$100 million for the maintenance of trails on National Forest System land, with a focus on trails that provide underserved communities access to such trails; \$100 million for capital maintenance and improvements on National Forest System land with a focus on maintenance level 3, 4, and 5 roads and improvements that restore ecological integrity and conditions for at-risk species; and \$100 million for the Chief of the Forest Service to conduct more efficient and effective environmental reviews to satisfy the obligations of the Chief of the Forest Service under the National Environmental Policy Act of 1969.

This section also appropriates \$50 million to develop and carry out activities for the protection of older and mature forests on National Forest System land in addition to completing an inventory of such forests; \$50 million to develop and carry out activities for the maintenance and restoration of habitat conditions necessary for the protection and recovery of at-risk species on National Forest System land in implementing Forest Service hazardous fuels reduction and other vegetation management program and projects; \$50 million to carry out post-fire recovery plans that emphasize the use of locally adapted native plant materials to restore the ecological integrity of disturbed areas and do not include salvage logging; \$50 million to develop and carry out non-lethal activities to reduce human-wildlife conflicts on National Forest System land; and \$2.25 billion for staffing, salaries, and other workforce needs to support the development of a Civilian Climate Corps.

TITLE I—COMMITTEE ON AGRICULTURE

Subsection (b) requires the Secretary to consider specific attributes of projects in certain paragraphs when prioritizing funding for these projects.

Subsection (c) provides limitations for funding in this section.

Subsection (d) defines the term “at-risk community” to have the same meaning as in section 101 of the Healthy Forests Restoration Act of 2003. The subsection defines “collaboratively developed,” with respect to projects located exclusively on National Forest System land, as a project developed and implemented through a collaborative process with specific requirements. The subsection defines “decommission,” with respect to a road, as (1) reestablishing native vegetation on the road; (2) restoring any natural drainage, water-shed function, or other ecological processes that were disrupted or adversely impacted by the road, and (3) effectively blocking the road to vehicular traffic. The subsection defines “ecological integrity” and “restoration” to have the same meaning as in section 219.19 of title 36, Code of Federal Regulations. The subsection defines “hazardous fuels reduction project” as an activity, including the use of prescribed fire, to protect structures and communities from wildfire that is carried out on National Forest System land. The subsection defines “vegetation management project” to mean specific activities carried out on National Forest System land to enhance ecological integrity and achieve the restoration of a forest ecosystem. The subsection defines “water source management plan” to mean a plan developed under section 303(d)(1) of the Healthy Forests Restoration Act of 2003. The subsection defines “watershed protection and restoration action plan” to mean a plan developed under section 304(a)(3) of the Healthy Forests Restoration Act of 2003. The subsection defines “wildland-urban interface” as in the case of the lower 48 States as the areas mapped as such in the document entitled “The Wildland-Urban Interface of the Conterminous United States” and in the case of Alaska and Hawaii to have the same meaning as in section 101 of the Healthy Forests Restoration Act of 2003.

Section 11002. Non-Federal Land Forest Restoration and Fuels Reduction Projects and Research.

Section 11002 appropriates \$9 billion to award grants to eligible entities to support forest restoration and resilience projects on non-Federal land; \$1 billion to award grants to eligible entities to implement community wildfire protection plans, purchase firefighting equipment, provide firefighter training, and increase the capacity for planning, coordinating, and monitoring projects on non-Federal land to protect at-risk communities; \$250 million to award grants to eligible entities for projects on non-Federal land to aid in the recovery and rehabilitation of burned areas; and \$250 million to award grants to eligible entities for projects on non-Federal land to expand equitable outdoor access and promote tourism on non-Federal forested land for members of underserved groups.

This section also appropriates \$250 million for the State Fire Assistance and Volunteer Fire Assistance programs established under the Cooperative Forestry Assistance Act of 1978 to be distributed at the discretion of the Secretary; and \$250 million for the implementation of State-wide forest resource strategies under section 2A of the Cooperative Forestry Assistance Act of 1978.

This section also provides funding for competitive grant programs under section 13A of the Cooperative Forestry Assistance Act of 1978 in the following amounts: \$250 million for a cost

TITLE I—COMMITTEE ON AGRICULTURE

share to carry out climate mitigation or forest resilience practices in the case of underserved forest landowners; \$250 million for grants to support the participation of underserved forest landowners in emerging private markets for climate mitigation or forest resilience; \$250 million for grants to support the participation of forest landowners who own less than 2,500 acres of forest land in emerging private markets for climate mitigation or forest resilience; and \$500 million to provide grants to eligible entities to provide payments to owners of private forest land to provide measurable increases in carbon sequestration and storage beyond customary practices on comparable land, subject to specific conditions.

This section also provides funding for the forest inventory and analysis program established under section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 in the following amounts: \$50 million for collaborative partnerships with the National Association of University Forest Resources Program; \$50 million for activities and tactics to accelerate and expand existing research efforts to improve forest carbon monitoring technologies to better predict changes in forest carbon due to climate change; \$100 million to carry out recommendations, from a panel of relevant experts convened by the Secretary, regarding the current priorities and future needs of the forest inventory and analysis program with respect to climate change, forest health, sustainable wood products, and increasing carbon storage in forests; and \$50 million to provide enhancements to the technology managed and used by the forest inventory and analysis program.

This section also provides funding for the research mission area of the Forest Service in the following amounts: \$50 million to accelerate and expand existing research efforts relating to strategies to increase carbon stocks on National Forest System land; \$50 million to accelerate and expand existing research efforts relating to the impacts of climate change and weather variability on national forest ecosystems; \$50 million to accelerate and expand existing research efforts relating to strategies to ensure that national forest ecosystems are able to adapt to climate change and weather variability; \$50 million to assess the quantity of carbon sequestration and storage accomplished by different forest practices when applied in diverse ecological and geographic settings; and \$50 million to carry out greenhouse gas life cycle analyses of domestic wood products.

This section also appropriates \$50 million for the healthy forests reserve program under section 501 of the Healthy Forests Restoration Act of 2003; \$100 million to provide grants under the wood innovation grant program under section 8643 of the Agriculture Improvement Act of 2018, including for the construction of new facilities that advance the purposes of the program, subject to conditions; \$50 million for the Forest Health Monitoring Program of the Forest Service for activities and tactics to reduce the spread of invasive species on non-Federal forested land; and \$2.25 billion to be used for staffing, salaries, and other workforce needs and expenses to support the development of a Civilian Climate Corps for carrying out projects on non-Federal land through the Forest Service State and private forestry mission area and other Department of Agriculture programs, including rural and urban conservation and tree planting projects, subject to specific conditions.

TITLE 1—COMMITTEE ON AGRICULTURE

Subsection (b) allows the Governor of a State to submit to the Secretary a written request to include with land on which a project is carried out using amounts made available certain non-Federal land in the State. This subsection also allows written request to include 1 or more maps or recommendations. After approval of a written request, a project may be carried out using amounts made available by this section on the non-Federal land in the State that is subject of the request.

Subsection (c) requires that grants made available under certain paragraphs be subject to a non-Federal match requirement of not less than 20 percent of the overall project. This requirement may be waived at the discretion of the Secretary for high priority projects that (1) have the purpose of protecting human life or critical infrastructure and (2) are located in counties where the average median household income of the population is less than 150 percent of the poverty line.

Section 11003. State and Private Forestry Conservation Programs.

Section 11003 appropriates \$1.25 billion to provide competitive grants to eligible entities through the Forest Legacy Program established under section 7 of the Cooperative Forestry Assistance Act of 1978 to acquire land and interests in land that (1) offer significant natural carbon sequestration benefits, or (2) contribute to the resilience of community infrastructure, local economies, or natural systems; \$3 billion to provide multi-year, programmatic competitive grants to eligible entities through the Urban and Community Forestry Assistance program established under section 9(c) of the Cooperative Forestry Assistance Act of 1978 for tree planting and related activities to increase community tree canopy and associated societal and climate co-benefits, with a priority for projects that increase tree equity; and \$100 million for the acquisition of urban and community forests through the Community Forest and Open Space Program of the Forest Service.

Subsection (b) requires the Secretary to, with respect to providing grants under subsection (a)(2), give priority to projects that are located in (1) a census block group in which 30 percent of more of the population lives below the poverty line, and (2) a neighborhood with lower tree canopy and higher maximum daytime summer temperatures compared to surrounding neighborhoods. This subsection also requires the Secretary to, with respect to grants under paragraphs (1) and (2) of subsection (a), give priority to grant applications from underserved populations and set aside not less than 10 percent of the amounts made available under such paragraphs to provide grants to individuals who are members of underserved populations.

Section 11004. Limitation.

Section 11004 provides a limitation that funds made available under this subtitle are subject to the condition that the Secretary shall not enter into any agreement that is for term extending past September 30, 2031 and under which any payment could be outlaid or funds disbursed after September 30, 2031 and shall not use any other funds to satisfy obligations initially made under this subtitle.

TITLE I—COMMITTEE ON AGRICULTURE

SUBTITLE C — RURAL DEVELOPMENT AND ENERGY

Section 12001. Additional Support for the USDA Business and Industry Program.

Section 12001 provides \$40 million to the Secretary for the cost of direct loans and loan guarantees for the rural business development programs authorized under section 310B(a) and (g) of the Consolidated Farm and Rural Development Act.

Section 12002. Additional Support for the USDA Rural Water Programs.

Section 12002 provides \$430 million to the Secretary for the cost of grants for rural water and wastewater programs, including for colonias and tribes, under sections 306, 306C, and 306D of the Consolidated Farm and Rural Development Act in insular areas, persistent poverty counties.

Section 12003. Subsidy for Certain USDA Rural Development Loan Payments.

Section 12003 provides \$390 million to the Secretary to make at least 6 months of payments on covered loans to the lender, if the borrower has the opportunity to opt out of the payment. Covered loans are defined as 1) business and industry loans made or guaranteed before January 1, 2021 under section 310B(a) or (g) of the Consolidated Farm and Rural Development Act; 2) loans made by an intermediary lender before January 1, 2021 using a loan received under section 1323 of the Food Security Act of 1985 or section 310H of the Consolidated Farm and Rural Development Act; and 3) loans made to a microentrepreneur before January 1, 2021 under section 379E of the Consolidated Farm and Rural Development Act.

This section also requires the Secretary to waive statutory limits on maximum loan maturities, and, under certain conditions, extend lender site visit requirements.

Section 12004. Rural Energy Savings Program.

Section 12004 provides \$200 million to the Secretary for the Rural Energy Savings Program authorized under section 6407 of the Farm Security and Rural Investment Act of 2002. The section requires the Secretary to make grants to eligible entities receiving Rural Energy Savings Program loans in an amount equal to not more than 5 percent of the loan amount, at the election of the eligible entity, to certain costs incurred, including making loans to qualified consumers and making repairs to the property of a qualified consumer that facilitate energy efficiency measures for property financed through such loans.

For eligible entities that make loans to qualified consumers in a persistent poverty county, the Secretary shall make grants equal to 10 percent of the loan amount.

Section 12005. Rural Energy for America Program.

Section 12005 provides a total of \$2.555 billion to the Secretary for the Rural Energy for America Program established under section 9007 of the Farm Security and Rural Investment Act of 2002, \$383.25 million of which will be for financial assistance for underutilized renewable energy technologies and program technical assistance.

TITLE I—COMMITTEE ON AGRICULTURE

This section also reduces the match requirement for grants awarded using funds provided under this section, from 75 percent to 50 percent.

Section 12006. Biofuel Infrastructure and Agriculture Product Market Expansion.

Section 12006 provides \$960 million to the Secretary to provide grants on a competitive basis to transportation fueling facilities and distribution facilities to install, retrofit, or otherwise upgrade fuel dispensers or pumps and related equipment, storage tank system components, and other infrastructure required at a location for ethanol blends and biodiesel blends, and to build and retrofit distribution system for ethanol blends, traditional and pipeline biodiesel terminal operations, and home heating distribution centers or equivalent entities to blend biodiesel and to carry ethanol and biodiesel.

The section also includes a 25 percent match requirement for grants awarded using funds provided under this section and provides the Secretary shall not place limits on the amount of funding an eligible entity may receive.

Section 12007. Clean Energy Repowering for Rural Utilities.

Section 12007 provides \$9.7 billion to the Secretary to make grants and loans for certain electric cooperatives to purchase renewable energy or renewable energy systems, deploy renewable energy systems, or make energy efficiency improvements and to make grants for debt relief and other costs associated with terminating the use facilities with high greenhouse gas emissions and related transmission assets. This section requires the Secretary to prioritize applications that will achieve the greatest greenhouse gas emission reduction and that will otherwise aid disadvantaged communities.

Section 12008. Rural Partnership Program.

Section 12008 provides \$3.5 billion to the Secretary to make rural prosperity development grants based on a formula fund to partnerships between local or Tribal governments in rural areas and non-profit or for-profit organizations to conduct comprehensive rural development and pre-development activities, support organizational operating expenses related to rural development activities, and implement planned rural development activities and projects. This section allows for a recipient of rural prosperity grant to use up to 25 percent of the grant to satisfy Federal matching requirements of other programs. This section requires a 25 percent match, which may be satisfied through an in-kind contribution and provides a waiver to be used at the discretion of the Secretary, of any portion of the matching requirement for applicants that are economically distressed.

This section also provides \$370 million to the Secretary to make rural prosperity innovation grants to nonprofit corporations or institutions of higher education. These grants require a 20 percent non-Federal match and may be used to support the grantee's activities related to development and predevelopment planning aspects of rural development, organizational capacity-building to support the rural development activities funded by the grant, and to support the activities conducted under a rural prosperity development grant.

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Section 12009. Additional USDA Rural Development Administrative Funds.

Section 12009 provides \$545 million for administrative costs and salaries and expenses for the Department of Agriculture's Rural Development mission area, as well as for research and data collection costs under section 12008 of this subtitle.

SUBTITLE D — RESEARCH AND URBAN AGRICULTURE*Section 13001. Department of Agriculture Research Funding.*

Section 13001 appropriates \$250 million to the Agricultural Research Service to carry out agricultural research related to climate change; \$45 million to the Economic Research Service to carry out economic analysis and economic agricultural research relating to climate change; \$16 million to the Office of the Chief Economist to carry out economic analysis and economic research relating to climate change and environmental services markets; \$40 million to the National Agricultural Statistics Service for data collection and research related to climate change; \$540 million for the Foundation for Food and Agriculture Research to carry out activities related to climate change; \$380 million to the Office of the Chief Scientist to carry out advanced research and development relating to climate through the Agriculture Advanced Research and Development Authority (AGARDA); and \$5 million for agricultural climate research on biomass.

This section also provides funding in the following amounts to the National Institute of Food and Agriculture (NIFA) to carry out agricultural education, extension, and research relating to climate change: \$500 million for the Agriculture and Food Research Initiative; \$500 million for the sustainable agriculture research education program; \$30 million for the crop protection pest management competitive grant program; \$20 million for the Agricultural Genome to Phenome Initiative; \$200 million for the organic agriculture research and extension initiative; \$65 million for the urban, indoor, and other emerging agricultural production research, education, and extension initiative; \$15 million for centers of excellence at 1890 Institutions; \$200 million for the specialty crop research and extension initiative; \$600 million for cooperative extension under the Smith-Lever Act; \$126 million for cooperative extension at 1890 Institutions; and \$40 million for cooperative extension at 1994 Institutions.

This section provides \$2.6645 billion to NIFA for grants to agricultural research facilities under the Research Facilities Act. The section also provides \$985.5 million to the Secretary for grants under the Research Facilities Act to 1890 Institutions, 1994 Institutions, certain Alaska Native serving institutions or Native Hawaiian serving institutions, Hispanic-serving agricultural colleges and universities and Hispanic-serving institutions, certain institutions of higher education in insular areas, and the University of the District of Columbia. This section provides \$100 million to NIFA for research equipment grants.

This section provides \$190 million for the scholarships for students at 1890 Institutions grant program; \$50 million for grants to land-grant colleges and universities to support Tribal students; and \$50 million for the Higher Education Multicultural Scholars Program.

TITLE I—COMMITTEE ON AGRICULTURE

This section also provides \$124 million to the Office of Urban Agriculture and Innovation Production and \$14 million to the National Agricultural Statistics Service to conduct the study on urban agriculture that was required under section 7212(b) of the Agriculture Improvement Act of 2018.

Section 13002. Limitation.

Section 13002 provides a limitation that funds made available under this subtitle are subject to the condition that the Secretary shall not enter into any agreement that is for term extending past September 30, 2031 and under which any payment could be outlaid or funds disbursed after September 30, 2031 and shall not use any other funds to satisfy obligations initially made under this subtitle.

SUBTITLE E — MISCELLANEOUS

Section 14001. Additional Support for USDA Office of the Inspector General

Section 14001 provides \$5 million to the Office of the Inspector General of the Department of Agriculture remain available until expended for audits, investigations, and other oversight activities for projects activities carried out with funds made available to USDA under this title.

PURPOSE AND NEED

The Senate Concurrent Resolution, S. Con Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022, included budget reconciliation instructions directing the Committee on Agriculture to report changes in laws within its jurisdiction that result in increases to the deficit by not more than \$89,100,000 for fiscal years 2022 through 2031. The Committee on Agriculture reported provisions out of Committee that meet those instructions and are intended to make investments in American infrastructure and in addressing the climate crises across our country.

Forestry

The National Forest System is itself an important yet aging component of our national infrastructure.

In general, the provisions in this subtitle are necessary to address the effects of climate change and threats of catastrophic wildfire, thus allowing our forests to capture carbon rather than create risks. To achieve these ends, the Committee provides funding for hazardous fuels reduction projects, vegetation management, land management, road and trail maintenance, forest protection, and post-fire recovery plans.

Additionally, this measure provides funding for the establishment of a Civilian Climate Corps, an initiative that would create needed jobs while simultaneously responding to the changing climate and needs of our Federal and non-Federal lands.

TITLE I—COMMITTEE ON AGRICULTURE

This subtitle also provides funding for the awarding of grants to Tribal, State, and local governments and nonprofit organizations to protect wildlife, establish wildfire rehabilitation plans, conduct carbon monitoring and sequestration efforts and various climate and weather research, and expand outdoor access.

With these substantial investments, the U.S. Forest Service and communities all across the country will be able to strategically and effectively protect our nation's forests, manage forestland, and mitigate the growing climate crisis.

Rural Development and Energy

Rural America is home to much of our nation's food, fuel, and fiber production. Strong and sustainable rural communities are an important part of ensuring the success of these industries for future generations. The funding provided by the Committee allows for investments to address the needs of rural communities, infrastructure, and energy that will bring jobs, strength, and sustainability to rural America.

In support of these goals, the legislation provides access to capital for rural small businesses through the Business & Industry Program and six months of loan payments for certain USDA rural development borrowers, as were provided to Small Business Administration borrowers weathering the recent unprecedented challenges. The legislation also establishes the new Rural Partnership Program for flexible grants to support rural development activities and projects and invest in the capabilities of local entities to align government investments and private resources to meet the needs of communities.

To support resilient and sustainable rural economies that improve the health and well-being of residents in rural America, this legislation invests in the infrastructure needs of historically underserved communities. Grant funding for USDA rural water programs is provided for colonias, tribes, insular areas, and persistent poverty counties. Investments in energy efficiency and renewable energy infrastructure are provided through the USDA Rural Energy Savings Program, the Rural Energy for America Program, funding for biofuels infrastructure to expand the sale and use of renewable fuels, and funding for rural electric cooperatives which serve much of rural America including 92% of persistent poverty counties.

With the substantial investment in the USDA Rural Development mission area, resources are made available to make necessary information technology investments and ensure efficient program administration.

Research and Urban Agriculture

The Committee is taking this historic opportunity to make investments to confront the climate crisis stressing the food and agriculture system in the form of more frequent and extreme disasters and is bolstering American agriculture's global competitiveness through landmark investments in agricultural research, development, innovation, education, and extension. To meet these critical needs, the Committee funds agricultural research infrastructure and grants at Land-Grant and other U.S. agricultural universities. In addition to infrastructure investments, the Committee's support for scholarship programs and extension ensures that Minority-Serving Institutions and insular

TITLE I—COMMITTEE ON AGRICULTURE

universities and colleges have greater opportunity to continue developing a pipeline of diverse talent serving the food and agriculture sector, and have equitable resources allowing them to continue offering competitive research facilities and cooperative extension services.

To understand the cause and impacts of climate change, develop mitigation solutions, and get those solutions into the hands of farmers, the Committee provides funds for the Agricultural Research Service, Economic Research Service, National Agricultural Statistics Service, National Institute of Food and Agriculture, the Office of the Chief Scientist for the Agriculture Advanced Research and Development Authority (AgARDA), and the Foundation for Food and Agriculture. The funds will also support the Office of the Chief Economist to carry out agricultural research relating to climate change, including environmental services markets and climate research on biomass, including pyrolysis and biochar. Investments in urban agriculture support and strengthen agricultural production, equitable food access, community compost activities and food waste reduction efforts for urban communities.

Office of the Inspector General

The Committee provides \$5 million to the USDA Office of the Inspector General to ensure that all funds used to implement the projects and activities funded under this title have followed appropriate laws and regulations.

COMMITTEE CONSIDERATION

The Committee on Agriculture met, pursuant to notice, with a quorum present, on Friday, September 10, 2021, to consider the Committee on Agriculture Committee Print pursuant to the budget reconciliation instruction provided in the fiscal year 2021 budget resolution, S. Con. Res. 14.

Chairman David Scott offered an opening statement as did Ranking Member Glenn ‘GT’ Thompson. Without objection, the Committee on Agriculture Committee Print was placed before the Committee for consideration and the first reading of the measure was waived. The measure was open for amendment on a subtitle-by-subtitle basis and subsequently for amendment at any point.

The Committee engaged in discussion of specific subtitles and of the Committee Print in general. Thirty-four amendments were offered, all by the Minority.

Ranking Member Thompson offered an amendment to the Committee Print that would have struck subtitles A through E. It would have required the Secretary of Agriculture to carry out a disaster indemnity program in the same manner as the WHIP+ program is carried out, an on-farm storage loan program, and a milk loss program. It would have made changes to and provided funding for certain rural broadband programs. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays.

Mr. LaMalfa offered an amendment to subtitle B of the Committee Print that would have moved funding under section 11001 to increase hazardous fuels reduction, vegetation management, forest

TITLE I—COMMITTEE ON AGRICULTURE

restoration, and reforestation funding. It would have also required the Secretary of Agriculture to conduct specified forest landscape projects. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays.

Mr. LaMalfa offered an amendment to subtitle B of the Committee Print that would have directed \$500,000,000 of funding under section 11001 to carry out post-fire recovery plans. Ranking Member Thompson called for a recorded vote and it failed by a vote of 23 yeas to 27 nays as part of en bloc 1.

Mr. LaMalfa offered an amendment to subtitle B of the Committee Print that would have directed \$2,250,000 under section 11002 to be used for staffing retention, salary increases, and other workforce needs and expenses for personnel fighting fires on National Forest System lands. Ranking Member Thompson called for a recorded vote and it failed by a vote of 23 yeas to 27 nays as part of en bloc 1.

Mrs. Hartzler offered an amendment to subtitle B of the Committee Print that would have removed Civilian Climate Corps provisions. Ranking Member Thompson called for a recorded vote and it failed by a vote of 23 yeas to 27 nays as part of en bloc 1.

Mr. LaMalfa offered an amendment to subtitle B of the Committee Print that would have directed \$2,250,000,000 under section 11002 to be used for additional forest fire suppression activities on National Forest System lands. Ranking Member Thompson called for a recorded vote and it failed by a vote of 23 yeas to 27 nays as part of en bloc 1.

Mr. Feenstra offered an amendment to subtitle C of the Committee Print that would have ensured funding under section 12006 for infrastructure that allows for the year-round availability of higher biofuel blends. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 2.

Mr. Crawford offered an amendment to subtitle C of the Committee Print that would have established a revolving fund to provide loans to rural utility providers for qualified losses occurring during covered emergencies. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 2.

Mr. Baird offered an amendment to subtitle C of the Committee Print that would have included anaerobic methane digestors as an underutilized renewable energy technology for access to funds under the Rural Energy for America Program established under section 9007 of the Farm Security and Rural Investment Act of 2002. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 2.

Mr. Feenstra offered an amendment to subtitle D of the Committee Print that would have made studies on contagious animal pathogens eligible as a priority for Agricultural Research Service climate change research funding. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 3.

Mr. Feenstra offered an amendment to subtitle D of the Committee Print that would have made research on biofuel conversion eligible for funding under biomass-related activities in accordance

TITLE I—COMMITTEE ON AGRICULTURE

with section 9008 of the Farm Security and Rural Investment Act of 2002. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 3.

Mr. Jacobs offered an amendment to subtitle D of the Committee Print that would have added research to eliminate or minimize the spread of the spotted lanternfly as a priority for funding allocated the Agricultural Research Service to carry out climate change-related research. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 3.

Mr. Allen offered an amendment to subtitle D of the Committee Print that would have removed funding for climate change research under section 13001. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 3.

Mr. DesJarlais offered an amendment to the Committee Print that would have reduced overall spending under the title by two thirds. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays.

Mr. Baird offered an amendment to subtitle D of the Committee Print that would have added certain qualified products or projects to the list of eligible research through the Agriculture Advanced Research and Development Authority under section 1473H of the National Agricultural Research, Extension, and Teaching Policy Act of 1977. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 3.

Mr. Feenstra offered an amendment to subtitle E of the Committee Print that would have prohibited the obligation of any funds under the title unless the Secretary of Agriculture certifies that specified taxpayers would not face an increased tax burden due to certain tax provisions. Mrs. Bustos made a point of order that the amendment was not germane and Chairman David Scott ruled that the amendment was not germane. Ranking Member Thompson appealed the ruling. Mrs. Bustos moved to table the appeal of the ruling and the motion passed by a vote of 27 yeas to 24 nays.

Mrs. Fischbach offered an amendment to subtitle E of the Committee Print that would have inserted a sense of the Committee in opposition to certain tax increases. Mr. Panetta made a point of order that the amendment was not germane, and Chairman David Scott ruled that the amendment was not germane. Ranking Member Thompson appealed the ruling. Mr. Panetta moved to table the appeal of the ruling and the motion passed by a vote of 27 yeas to 24 nays.

Mr. Mann offered an amendment to subtitle E of the Committee Print that would have inserted a sense of the Committee in opposition to certain tax increases. Ms. Kuster made a point of order that the amendment was not germane and Chairman David Scott ruled that the amendment was not germane. Ranking Member Thompson appealed the ruling. Ms. Kuster moved to table the appeal of the ruling and the motion passed by a voice vote.

Mr. Hagedorn offered an amendment to subtitle E of the Committee Print that would have reinstated certain work requirements to receive assistance under the Supplemental Nutrition Assistance Program. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 4.

TITLE I—COMMITTEE ON AGRICULTURE

Mr. Baird offered an amendment to subtitle E of the Committee Print that would have appropriated \$100,000,000 to the Department of Agriculture's Office of the Chief Information Officer for cybersecurity activities and preparedness. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 5.

Mr. Austin Scott offered an amendment to subtitle E of the Committee Print to increase the number of consecutive days a school must be closed for households with children attending the school to qualify for Pandemic EBT food assistance. Mr. Austin Scott withdrew his amendment.

Mrs. Miller offered an amendment to subtitle E of the Committee Print that would have provided that the title and amendments made thereto shall have no force or effect. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays.

Mr. Johnson offered an amendment to subtitle E of the Committee Print that would have appropriated \$75,000,000 for acquisition of veterinary countermeasures and other equipment for the National Veterinary Stockpile; for hiring and training of additional field staff as appropriate to respond to a potential African Swine Fever or other foreign animal disease outbreak; and for funding of the National Animal Health Laboratory Network. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 5.

Mr. Balderson offered an amendment to subtitle E of the Committee Print that would have withheld funds for the Agriculture Advanced Research and Development Authority until the United States Department of Agriculture makes publicly available its strategic plan. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 3.

Mr. Hagedorn offered an amendment to subtitle E of the Committee Print that would have directed the Secretary of Agriculture to process certain payments for pork producers under the Coronavirus Food Assistance Program of the Department of Agriculture. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 5.

Mr. Austin Scott offered an amendment to subtitle E of the Committee Print that would have required the Secretary of Agriculture to identify each producer eligible to receive a payment under the Coronavirus Food Assistance Program and make payments to those producers that have not received such payments. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays.

Mrs. Fischbach offered an amendment to the Committee Print that would have made changes to and provided funding for certain rural broadband programs. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays.

Mr. Mann offered an amendment to subtitle E of the Committee Print that would have appropriated \$250,000,000 to the Agricultural Trade Promotion Program, including establishing and expanding export market access. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 5.

TITLE I—COMMITTEE ON AGRICULTURE

Mr. Johnson offered an amendment to subtitle E of the Committee Print that would have amended the American Rescue Plan Act of 2021 to allow the Department of Agriculture to conduct monitoring and surveillance, research, and vaccination of animals susceptible to SARS-CoV-2; acquire veterinary countermeasure to replenish and maintain the National Veterinary Stockpile; respond to emerging animal disease threats; and carry out section 10409A of the Animal Health Protection Act. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 5.

Mr. Baird offered an amendment to subtitle E of the Committee Print that would have prohibited any funds appropriated under the title from being obligated or expended until such a time that nominees for the Chief Agricultural Negotiator of the Office of the United States Trade Representative and the Department of Agriculture's Undersecretary for Trade and Foreign Agriculture have been confirmed by the Senate. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 5.

Mrs. Cammack offered an amendment to subtitle E of the Committee Print that would have required the Comptroller General of the United States to investigate the reevaluation process of Thrifty Food Plan market baskets. It would have required the Comptroller General to complete the investigation before any reevaluation may serve as the basis for Supplemental Nutrition Assistance Program benefits. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 4.

Mrs. Cammack offered an amendment to subtitle E of the Committee Print that would have prohibited the Nutrition Service of the Department of Agriculture from implementing certain guidance issued by the Food and Nutrition Service. It would also have terminated current waiver authority applicable under the Supplemental Nutrition Assistance Program. Ranking Member Thompson called for a recorded vote and it failed by a vote of 24 yeas to 27 nays as part of en bloc 4.

Mrs. Cammack offered an amendment the Committee Print that would have amended section 1112 of the Agricultural Act of 2014 to allow for a voluntary base acre update for producers beginning with the 2022 crop year, based on average acres planted during crop years 2016 through 2020. Mrs. Cammack withdrew her amendment.

Ms. Letlow offered an amendment to the Committee Print that would have required the Secretary of Agriculture to carry out a disaster indemnity program in the same manner as the WHIP+ program is carried out, an on-farm storage loan program, and a milk loss program. Ranking Member Thompson called for a recorded vote and it failed by a vote of 25 yeas to 26 nays.

Hearing no further debate or amendments, Vice Chair Alma Adams moved that the Committee transmit the Committee Print, with amendment, to the Committee on the Budget. Ranking Member Thompson called for a recorded vote and it passed by a vote of 27 yeas to 24 nays.

Ranking Member Thompson reserved the right for Minority views to be included with the Committee Report.

TITLE I—COMMITTEE ON AGRICULTURE

Chairman David Scott advised Members that, consistent with Committee and House rules, Members would have until the end of the day on Wednesday, September 15, 2021 to make any necessary clerical, technical, or conforming changes to the Committee Report that reflect the intent of the Committee. Chairman David Scott thanked the Members and the Committee meeting was adjourned.

VOTES OF THE COMMITTEE

In compliance with clause 3(b) of rule XIII of the House of Representatives, the Committee sets forth the record of the following roll call votes taken with respect to the Agriculture title Committee Print:

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 1

Summary: Motion of Consideration

Offered By: Mr. Thompson

Results: Passed by a recorded vote of 26 yeas, 24 nays, and 1 not voting.

YEAS

- | | |
|--------------------|----------------------|
| 1. Mr. David Scott | 14. Ms. Plaskett |
| 2. Mr. Costa | 15. Mr. O'Halleran |
| 3. Mr. McGovern | 16. Mr. Carbajal |
| 4. Mr. Vela | 17. Mr. Khanna |
| 5. Ms. Adams | 18. Mr. Lawson |
| 6. Mrs. Hayes | 19. Mr. Correa |
| 7. Mr. Delgado | 20. Ms. Craig |
| 8. Mr. Rush | 21. Mr. Harder |
| 9. Ms. Pingree | 22. Mrs. Axne |
| 10. Mr. Sablan | 23. Ms. Schrier |
| 11. Ms. Kuster | 24. Mr. Panetta |
| 12. Mrs. Bustos | 25. Mrs. Kirkpatrick |
| 13. Mr. Maloney | 26. Mr. Bishop |

NAYS

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|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

NOT VOTING

1. Ms. Spanberger

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 2

Summary: Motion to table the appeal of the ruling of the chair on Feenstra #38.

Offered By: Mrs. Bustos

Results: Passed by a recorded vote of 27 yeas, 24 nays, and 0 not voting.

YEAS

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|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Mrs. Axne |
| 10. Ms. Pingree | 24. Ms. Schrier |
| 11. Mr. Sablan | 25. Mr. Panetta |
| 12. Ms. Kuster | 26. Mrs. Kirkpatrick |
| 13. Mrs. Bustos | 27. Mr. Bishop |
| 14. Mr. Maloney | |

NAYS

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|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 3

Summary: Motion to table the appeal of the ruling of the Chair on Fischbach #36.

Offered By: Mr. Panetta

Results: Passed by a recorded vote of 27 yeas, 24 nays, and 0 not voting.

YEAS

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|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Mrs. Axne |
| 10. Ms. Pingree | 24. Ms. Schrier |
| 11. Mr. Sablan | 25. Mr. Panetta |
| 12. Ms. Kuster | 26. Mrs. Kirkpatrick |
| 13. Mrs. Bustos | 27. Mr. Bishop |
| 14. Mr. Maloney | |

NAYS

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|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 4

Summary: En Bloc #1

Offered By: Mrs. Hartzler (Amendment #2) and Mr. LaMalfa (Amendments #22, #23, and #24)

Results: Failed by a recorded vote of 23 yeas, 27 nays, and 1 not voting.

YEAS

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|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Cloud |
| 3. Mr. Crawford | 17. Mr. Mann |
| 4. Mr. DesJarlais | 18. Mr. Feenstra |
| 5. Mrs. Hartzler | 19. Mrs. Miller |
| 6. Mr. LaMalfa | 20. Mr. Moore |
| 7. Mr. Davis | 21. Mrs. Cammack |
| 8. Mr. Allen | 22. Mrs. Fischbach |
| 9. Mr. Rouzer | 23. Ms. Letlow |
| 10. Mr. Kelly | |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

NAYS

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|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Mrs. Axne |
| 10. Ms. Pingree | 24. Ms. Schrier |
| 11. Mr. Sablan | 25. Mr. Panetta |
| 12. Ms. Kuster | 26. Mrs. Kirkpatrick |
| 13. Mrs. Bustos | 27. Mr. Bishop |
| 14. Mr. Maloney | |

NOT VOTING

1. Mr. Balderson

TITLE 1—COMMITTEE ON AGRICULTURE

Roll Call No. 5

Summary: En Bloc #2

Offered By: Mr. Crawford (Amendment #3); Mr. Feenstra (Amendment #13); and Mr. Baird (Amendment #20)

Results: Failed by a recorded vote of 24 yeas, 27 nays, and 0 not voting.

YEAS

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|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

NAYS

- | | |
|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Mrs. Axne |
| 10. Ms. Pingree | 24. Ms. Schrier |
| 11. Mr. Sablan | 25. Mr. Panetta |
| 12. Ms. Kuster | 26. Mrs. Kirkpatrick |
| 13. Mrs. Bustos | 27. Mr. Bishop |
| 14. Mr. Maloney | |

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 6

Summary: En Bloc #3

Offered By: Mr. Baird (Amendment #5); Mr. Jacobs (Amendment #9); Mr. Feenstra

(Amendments #11 and 12); Mr. Balderson (Amendment #19); and Mr. Allen (Amendment #32)

Results: Failed by a recorded vote of 24 yeas, 27 nays, and 0 not voting.

YEAS

- | | |
|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

NAYS

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|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Mrs. Axne |
| 10. Ms. Pingree | 24. Ms. Schrier |
| 11. Mr. Sablan | 25. Mr. Panetta |
| 12. Ms. Kuster | 26. Mrs. Kirkpatrick |
| 13. Mrs. Bustos | 27. Mr. Bishop |
| 14. Mr. Maloney | |

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 7

Summary: En Bloc #4

Offered By: Mrs. Cammack (Amendments #6 and #30) and Mr. Hagedorn (Amendment #10)

Results: Failed by a recorded vote of 24 yeas, 27 nays, and 0 not voting.

YEAS

- | | |
|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

NAYS

- | | |
|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Mrs. Axne |
| 10. Ms. Pingree | 24. Ms. Schrier |
| 11. Mr. Sablan | 25. Mr. Panetta |
| 12. Ms. Kuster | 26. Mrs. Kirkpatrick |
| 13. Mrs. Bustos | 27. Mr. Bishop |
| 14. Mr. Maloney | |

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 8

Summary: En Bloc #5

Offered By: Mr. Johnson (Amendment #4); Mr. Baird (Amendment #7); Mr. Mann (Amendment #8); Mr. Hagedorn (Amendment #25); Mr. Baird (Amendment #26); Mr. Johnson (Amendment #28)

Results: Failed by a recorded vote of 24 yeas, 27 nays, and 0 not voting.

YEAS

- | | |
|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

NAYS

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|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Mrs. Axne |
| 10. Ms. Pingree | 24. Ms. Schrier |
| 11. Mr. Sablan | 25. Mr. Panetta |
| 12. Ms. Kuster | 26. Mrs. Kirkpatrick |
| 13. Mrs. Bustos | 27. Mr. Bishop |
| 14. Mr. Maloney | |

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 9

Summary: An amendment that would strike subtitles A through E; require the Secretary of Agriculture to carry out a disaster indemnity program in the same manner as the WHIP+ program is carried out, an on-farm storage loan program, and a milk loss program; and make changes to and provided funding for certain rural broadband programs.

Offered By: Mr. Thompson

Results: Failed by a recorded vote of 24 yeas, 27 nays, and 0 not voting.

YEAS

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|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

NAYS

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|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Mrs. Axne |
| 10. Ms. Pingree | 24. Ms. Schrier |
| 11. Mr. Sablan | 25. Mr. Panetta |
| 12. Ms. Kuster | 26. Mrs. Kirkpatrick |
| 13. Mrs. Bustos | 27. Mr. Bishop |
| 14. Mr. Maloney | |

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 10

Summary: An amendment that would move funding under section 11001 to increase hazardous fuels reduction, vegetation management, forest restoration, and reforestation funding and require the Secretary of Agriculture to conduct specified forest landscape projects.

Offered By: Mr. LaMalfa

Results: Failed by a recorded vote of 24 yeas, 27 nays, and 0 not voting.

YEAS

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|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

NAYS

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|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Mrs. Axne |
| 10. Ms. Pingree | 24. Ms. Schrier |
| 11. Mr. Sablan | 25. Mr. Panetta |
| 12. Ms. Kuster | 26. Mrs. Kirkpatrick |
| 13. Mrs. Bustos | 27. Mr. Bishop |
| 14. Mr. Maloney | |

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 11

Summary: An amendment that would provide that the title and amendments made thereto shall have no force or effect.

Offered By: Mrs. Miller

Results: Failed by a recorded vote of 24 yeas, 27 nays, and 0 not voting.

YEAS

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|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

NAYS

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|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Mrs. Axne |
| 10. Ms. Pingree | 24. Ms. Schrier |
| 11. Mr. Sablan | 25. Mr. Panetta |
| 12. Ms. Kuster | 26. Mrs. Kirkpatrick |
| 13. Mrs. Bustos | 27. Mr. Bishop |
| 14. Mr. Maloney | |

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 12

Summary: An amendment that would require the Secretary of Agriculture to identify each producer eligible to receive a payment under the Coronavirus Food Assistance Program and make payments to those producers that have not received such payments.

Offered By: Mr. Austin Scott

Results: Failed by a recorded vote of 24 yeas, 27 nays, and 0 not voting.

YEAS

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|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

NAYS

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|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Mrs. Axne |
| 10. Ms. Pingree | 24. Ms. Schrier |
| 11. Mr. Sablan | 25. Mr. Panetta |
| 12. Ms. Kuster | 26. Mrs. Kirkpatrick |
| 13. Mrs. Bustos | 27. Mr. Bishop |
| 14. Mr. Maloney | |

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 13

Summary: An amendment that would make changes to and provided funding for certain rural broadband programs.

Offered By: Mrs. Fischbach

Results: Failed by a recorded vote of 24 yeas, 27 nays, and 0 not voting.

YEAS

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|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

NAYS

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|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Mrs. Axne |
| 10. Ms. Pingree | 24. Ms. Schrier |
| 11. Mr. Sablan | 25. Mr. Panetta |
| 12. Ms. Kuster | 26. Mrs. Kirkpatrick |
| 13. Mrs. Bustos | 27. Mr. Bishop |
| 14. Mr. Maloney | |

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 14

Summary: An amendment that would reduce overall spending under the title by two thirds.

Offered By: Mr. DesJarlais

Results: Failed by a recorded vote of 24 yeas, 27 nays, and 0 not voting.

YEAS

- | | |
|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

NAYS

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|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Mrs. Axne |
| 10. Ms. Pingree | 24. Ms. Schrier |
| 11. Mr. Sablan | 25. Mr. Panetta |
| 12. Ms. Kuster | 26. Mrs. Kirkpatrick |
| 13. Mrs. Bustos | 27. Mr. Bishop |
| 14. Mr. Maloney | |

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 15

Summary: An amendment that would require the Secretary of Agriculture to carry out a disaster indemnity program in the same manner as the WHIP+ program is carried out, an on-farm storage loan program, and a milk loss program.

Offered By: Ms. Letlow

Results: Failed by a recorded vote of 25 yeas, 26 nays, and 0 not voting.

YEAS

- | | |
|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | 25. Mrs. Axne |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

NAYS

- | | |
|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Ms. Schrier |
| 10. Ms. Pingree | 24. Mr. Panetta |
| 11. Mr. Sablan | 25. Mrs. Kirkpatrick |
| 12. Ms. Kuster | 26. Mr. Bishop |
| 13. Mrs. Bustos | |
| 14. Mr. Maloney | |

TITLE I—COMMITTEE ON AGRICULTURE

Roll Call No. 16

Summary: Motion of the Vice Chair Adams to transmit materials to the Committee on the Budget

Offered By: Vice Chair Adams

Results: Passed by a recorded vote of 27 yeas, 24 nays, and 0 not voting.

YEAS

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|--------------------|----------------------|
| 1. Mr. David Scott | 15. Ms. Plaskett |
| 2. Mr. Costa | 16. Mr. O'Halleran |
| 3. Mr. McGovern | 17. Mr. Carbajal |
| 4. Mr. Vela | 18. Mr. Khanna |
| 5. Ms. Adams | 19. Mr. Lawson |
| 6. Ms. Spanberger | 20. Mr. Correa |
| 7. Mrs. Hayes | 21. Ms. Craig |
| 8. Mr. Delgado | 22. Mr. Harder |
| 9. Mr. Rush | 23. Mrs. Axne |
| 10. Ms. Pingree | 24. Ms. Schrier |
| 11. Mr. Sablan | 25. Mr. Panetta |
| 12. Ms. Kuster | 26. Mrs. Kirkpatrick |
| 13. Mrs. Bustos | 27. Mr. Bishop |
| 14. Mr. Maloney | |

NAYS

- | | |
|---------------------|--------------------|
| 1. Mr. Thompson | 15. Mr. Jacobs |
| 2. Mr. Austin Scott | 16. Mr. Balderson |
| 3. Mr. Crawford | 17. Mr. Cloud |
| 4. Mr. DesJarlais | 18. Mr. Mann |
| 5. Mrs. Hartzler | 19. Mr. Feenstra |
| 6. Mr. LaMalfa | 20. Mrs. Miller |
| 7. Mr. Davis | 21. Mr. Moore |
| 8. Mr. Allen | 22. Mrs. Cammack |
| 9. Mr. Rouzer | 23. Mrs. Fischbach |
| 10. Mr. Kelly | 24. Ms. Letlow |
| 11. Mr. Bacon | |
| 12. Mr. Johnson | |
| 13. Mr. Baird | |
| 14. Mr. Hagedorn | |

TITLE I—COMMITTEE ON AGRICULTURE

BUDGET EFFECTS OF THE PROVISION**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d) of rule XIII of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974. The Committee has requested but not received from the Director of the Congressional Budget Office a cost estimate for the Committee's provisions.

B. NEW BUDGETARY AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

Pursuant to clause 3(c)(2) of rule XIII of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a statement as to whether these provisions contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**A. CONSTITUTIONAL AUTHORITY STATEMENT**

The Committee finds the Constitutional authority for this legislation in Article I, section 8, clause 18, that grants Congress the power to make all laws necessary and proper for carrying out the powers vested by Congress in the consideration of the United States or in any department or officer thereof. The Committee further finds the Constitutional authority for this legislation in Article I, section 8, clause 1, that grants Congress the power to provide for the general welfare of the United States, and Article I, section 8, clause 3, that grants Congress the power to regulate commerce with foreign nations and among the several States and with the Indian Tribes.

B. PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the House of Representatives, the performance goals and objectives of this measure are to increase spending through changes in laws within the jurisdiction of the Committee on Agriculture as required by the S. Con. Res. 14, the fiscal year 2022 budget resolution.

C. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the House of Representatives, the Committee on Agriculture's oversight findings and recommendations are reflected in the descriptive portions of this report.

TITLE I—COMMITTEE ON AGRICULTURE

D. ADVISORY COMMITTEE STATEMENT

No advisory committee within the meaning of section 5(b) of the Federal Advisory Committee Act was created by this measure.

E. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the measure does not relate to the terms and conditions of employment or access to the public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104-1).

F. FEDERAL MANDATES STATEMENT

The Committee adopted as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104-4).

G. EARMARK STATEMENT

This measure does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the House of Representatives.

H. DUPLICATION OF FEDERAL PROGRAMS

This measure does not establish or reauthorize a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program in the most recent Catalog of Federal Domestic Assistance.

CHANGES IN EXISTING LAW MADE BY THE COMMITTEE'S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

SUPPLEMENTAL, ADDITIONAL, DISSENTING, OR MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority and dissenting views of members of the Committee are as follows:

**Minority Views on Committee Print, as reported by the Committee on Agriculture,
required by S. Cou. Res. 14**

Summary

At the beginning of the 117th Congress, the Chairman made a commitment to strengthen the reputation of the House Committee on Agriculture, including its history of bipartisanship in finding commonsense solutions to help the farmers, ranchers, and rural communities each of us represent. Unfortunately, that commitment has been cast aside twice since January 2021. Now we find ourselves again presented with an unvetted bill laced with short sighted policies.

The process by which this Committee considered the “Committee Print providing for reconciliation pursuant to S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022” was fatally flawed in almost every way possible. The result is a reckless and wasteful bill that ignores the immediate and critical needs of rural America. As the Republican Members of this Committee, we could not in good faith support such a defective process or product.

The problems with this legislation are deep-seated, beginning with the underlying goal to increase government spending by an eyewatering \$3.5 trillion over the next 10 years, including \$89.1 billion within the jurisdiction of the House Agriculture Committee. This spending comes on the heels of trillions of dollars in COVID relief as well as hundreds of billions of dollars in deficit spending under the American Rescue Plan Act (P.L. 117-2), all of which has presumably gone out the door without an ounce of Congressional oversight.

One would think if this Committee intended to spend \$89.1 billion—a number comparable to the combined five-year baseline for crop insurance, conservation, and commodity programs under the 2018 Farm Bill—there would be a deliberative and public process with stakeholder testimony to inform its development. Our constituents deserve nothing less. That, however, was not the case. Instead, this legislation was drafted behind closed doors by Democrat Leadership.

Compounding on the problem of moving a bill that is completely unvetted is the fact that the Republican Members of this Committee did not see language until less than 24-hours before the business meeting commenced, and only seconds before it was released to the public. Importantly, this occurred after we called on the Chairman to engage in a transparent process. However, by not sharing the text with sufficient time to evaluate the impacts, the Majority thwarted the ability of the Republicans, and many Committee Democrat Members, to participate in the markup. That is the antithesis of transparency.

More concerning than not having a meaningful debate about spending and policy is not having the opportunity to debate at all. Unfortunately, that is the position we found ourselves in when the Committee convened to markup a woefully incomplete bill. When text was finally released, both Republicans and Democrats were shocked to learn the legislative measure was more than \$22 billion short of the Committee’s instructions under the House-passed budget resolution.

Members were further amazed to learn from the Chairman during the markup that an additional \$28 billion in spending would be added to the bill by Democrat Leadership *after* the Committee completed the markup—a stunning dereliction of process. We have grave concerns about moving forward without the opportunity to debate and vote on the full level of spending within the jurisdiction of our Committee. If the numbers stated by the Chairman are accurate, he either intends to exceed the Committee’s instructions, or has plans to gore someone’s ox and include offsets that have never seen the light of day. Indeed, several Democrats on the Committee echoed our concerns about moving forward in such a way. Sadly, the Committee ignored those concerns and proceeded, driven not by policy but instead by an artificial, pointless deadline and the will of the Speaker.

Subtitle A – General Provisions

While the Majority has touted this package as being responsive to the needs of rural Americans, on two of the most salient issues facing farm families—taxes and the farm safety net—this legislation is silent.

There is not one word in this bill addressing the devastating consequences of the tax policies proposed by this Administration in the Democrats’ broader reconciliation package.

The Majority went out of its way to avoid assuaging the anxieties of nearly every farm constituency by hiding behind procedural curtains. They refused to formally commit the Committee to a position they all professed to hold: that this reconciliation package should not raise taxes on farmers, ranchers, and small businesses.

Rather than join us in publicly stating clear, unequivocal, bipartisan opposition to balancing this colossal spending package on the backs of rural family and small businesses, the Majority punted. They chose to argue the Agriculture Committee has no right to express its opinions and preferences on tax policy, because taxes are outside of our Committee’s jurisdiction.

It is impossible to square this view with our understanding of the proper role of the Committee on Agriculture as the champions and defenders of rural America. If tax proposals—or any other policies—threaten our constituents, this Committee has an obligation to participate vigorously in the debate and the right to express its collective opinion on any matter it deems appropriate.

Additionally, the lack of attention paid to the farm safety net is a slap in the face of the hard-working men and women who feed and clothe this nation and the world. After consecutive years of extreme weather events across the country and less than two weeks after a devastating hurricane wreaked havoc across Louisiana and other states in the mid-south, one would think this reconciliation process would be a prime vehicle to enact assistance for those producers. In fact, just over a month prior to the markup, the Committee unanimously approved a measure to authorize appropriations for disaster assistance in 2020 and 2021. An amendment offered by Representative Julia Letlow (R-LA) would have used a portion of the Committee’s unspent reconciliation instruction to enact the policy approved by the Committee and appropriate \$8.5 billion in assistance for struggling producers. Unfortunately, that amendment was defeated 26 to

25. While the Majority may pay lip service to producers, this process provides clear evidence their priorities do not include production agriculture.

Subtitle B – Forestry

In recent years, the U.S. has experienced several of the worst and most destructive wildfire seasons on record. With 10.1 million acres burned in 2020, last year was a notably difficult fire season for impacted states and communities. This year, more than five million acres have already burned, including at least 79 large fires like Bootleg, Dixie, Caldor and many others that are still uncontained and destroying communities. The agency estimates there are approximately 80 million acres in need of immediate restoration and at least 63 million acres at “high or very high risk of wildfire.” Further, Forest Service researchers have identified more than 100 communities at higher projected risk than the Paradise wildfire in 2018.

Wildfires are a national emergency, yet this crisis will go unsolved unless there is a fundamental shift in how treatments are prioritized and forest lands are managed. As such, the Forest Service needs additional funding, resources, and new authorities to help reduce the threat of catastrophic wildfire.

This legislation appears to provide important resources to help the Forest Service and land managers reduce fuel loads and better manage. Despite this significant appropriation of \$40 billion, these provisions, when taken together, are unworkable and do little to encourage the management necessary to prevent catastrophic fire, due primarily to the various restrictions and new administrative hurdles the subtitle creates, as well as an overemphasis on non-commercial activities.

For example, in Sec. 11001, the bill focuses on non-commercial hazardous fuel reduction projects, while only allowing for commercial projects if approved by the Secretary. This restriction makes little sense because commercial projects are essential for the broader treatment of many of the acres at high risk of wildfire. Discouraging commercial participation, as this bill does, will only limit the number of potential projects and possible forest health benefits.

Secondly, funding would be delayed. There are provisions in the subtitle entirely new to the Forest Service, such as the old growth language (Sec. 11001) which would require the agency to enter into rulemaking. Such new rulemaking would delay projects and funding, as it would likely take the Forest Service a minimum of two years to complete. It is also probable projects would be delayed because of the requirements on collaboratives, which take many partners and time to develop. With some of the most devastating wildfires in recorded history occurring in recent years, the needs are both substantial and immediate, and the West cannot wait for the completion of additional bureaucratic processes before receiving vital help that would prevent life-threatening fires.

Additionally, within the post-fire recovery plans, there are restrictions on salvage logging. Salvage logging is critical for quickly removing dead and dying trees, which are often public hazards. If not removed through salvage projects, these trees will remain public hazards, slow forest regeneration after a fire, and be little more than fuel for future devastating fires.

Finally, while the bill does provide funding for restoration projects, with significant restrictions, billions of dollars are also provided for non-essential activities such as the Civilian Climate Corps, mature forest protection, species protection, the Forest Legacy Program, and urban and community forest acquisition. The focus should be on catastrophic wildfire prevention and the treatment of the millions of at-risk acres.

Thus, while the subtitle provides significant funding for forestry-related activities, the entire section is unworkable, ineffective, and counterproductive because of the restrictions it imposes, the limitations it contains, and the delays it would create.

To address these numerous and fundamental problems with the subtitle, an amendment was offered by Representative Doug LaMalfa (R-CA). This amendment removed the extraneous provisions in both Sec. 11001 and Sec. 11002 and proposed allocating that funding where it is most needed: hazardous fuels reduction, vegetation management, forest restoration and reforestation. To target the acres in most need of treatment, the amendment also required the Forest Service to focus fuels reduction projects on the most at-risk acres by using the Forest Service's most recent maps and data. Finally, the amendment contained and funded both Representative LaMalfa's RESTORE Act and Representative Johnson's (R-SD) FIRE Act. These proposals would give the Forest Service authorities to perform more landscape scale treatments and expedite the removal of salvage after a fire.

Representative LaMalfa also offered three additional amendments that would have improved the forestry provisions in the bill. Specifically, these amendments would have provided additional funding for restoration work for post-fire areas, additional funding for firefighting staffing and retention, and targeted funding for rapid response fire suppression.

All four amendments were voted down by the Majority, regardless of some voicing their support for the goals of each.

While we are encouraged to see support for forest management in this legislation, the rush to enact the subtitle is confounding, given the ongoing lack of support from the Majority for these activities. During the conferencing of the 2018 Farm Bill, House Republicans offered numerous provisions contained in the House-passed Farm Bill to encourage better forest management and new authorities which would have helped prevent loss of life and property from wildfires. Despite the great need for inclusion, Senate Democrats refused to even discuss these critical reforms. As a result, we have lost three years where the Forest Service could have been authorizing more hazardous fuels reduction and landscape scale projects that would have directly mitigated the escalating threat of today's wildfires, thereby protecting citizens, their homes and property, and our nation's forest lands.

Subtitle C – Rural Development and Energy

Throughout the COVID-19 pandemic, members of the Minority offered many proposals to use and expand the authorities of USDA to rebuild rural infrastructure. In February 2021, during the first reconciliation debacle, we introduced many of these proposals in an attempt to improve the Committee's reconciliation instructions. They were rejected on a party line vote.

While the Majority finally acquiesced to several of the proposals they previously rejected, particularly with respect to the needs of rural businesses and rural water systems, it is too little, too late. These provisions are insufficient to the need, and the Majority cannot escape the burdens their considerable delay has heaped on those who they have finally deemed worthy of help.

In addition, the Majority proposes to create yet another new grant program ostensibly focused on “rural prosperity.” Yet, the program and its purpose remain an enigma. More than \$3.5 billion can be used for “conducting comprehensive rural development and predevelopment activities and planning,” “supporting organizational operating expenses,” and “implementing planned rural development projects and activities.” These nebulous limitations imply no limitation at all and effectively create a slush fund for the Secretary and unelected bureaucrats to dole out at their discretion.

In fact, the only meaningful limitation imposed on using the funds under this program is a requirement that any construction activity financed by a grant pay prevailing wages. This limitation will have the impact of driving up the cost of construction in rural communities precisely when we should be seeking to stretch our dollars furthest.

Coupled with the utter lack of Departmental oversight the past three years, the Minority members are concerned about the ability for this program to ultimately deliver value for the taxpayer and the rural residents who are promised assistance under this legislation.

Subtitle D – Research and Urban Agriculture

Investments in agriculture research are critical to ensuring American agriculture remains at the forefront of innovation and productivity.

As mentioned at the beginning of the markup, other countries, like China, are outspending the United States on research investments. While there is bipartisan agreement investing in agriculture research is important, we believe the Committee print completely misses the mark in providing the proper resources to ensure American producers can continue to provide the safest, most abundant, and most affordable food and fiber supply in history.

Instead of providing funding for the various, far-reaching Department research programs, the Majority restricted the funding to only those projects that pertain to climate change research. If the Majority truly cared about investing in agriculture research, they would not include this limitation and let the programs carry out research projects as intended.

Rather than continue to hamstring the research that can be done, Representatives Randy Feenstra (R-IA) and Chris Jacobs (R-NY) offered amendments that would expand the list of eligible projects the Agricultural Research Service (ARS) would be able to conduct with the money provided in the Committee print to include research on contagious animal pathogens and eradication of the spotted lanternfly. Unfortunately, these commonsense amendments were not adopted.

Another amendment offered by Representative Jim Baird (R-IN) would expand the list of eligible research projects funded through the Agriculture Advanced Research and Development Authority (AGARDA). The 2018 Farm Bill created AGARDA to conduct advanced research on mechanization in the specialty crop industry, plant pests and diseases, and veterinary countermeasures to biological threats. The Committee print provides \$380 million to this program—a program that has never been funded—and limits eligible projects to climate-related research. This amendment would have made the qualified projects, as defined in the 2018 Farm Bill, eligible for the funding. Alas, the amendment was defeated 27 to 24.

As previously mentioned, we support our land grant and non-land grant colleges of agriculture as they are key to conducting agriculture research that is then taught to students and disseminated to communities through the Cooperative Extension Service. However, it is no secret the buildings at these institutions are outdated and require much-needed maintenance and upgrades. According to a recent report¹ on infrastructure at U.S. colleges and schools of agriculture, the cost of this deferred maintenance is \$11.5 billion.

If the Majority were interested in making impactful investments to improve our agriculture research infrastructure, they would clear the deferred maintenance backlog at our colleges of agriculture. Instead, the Committee print provides only \$3.65 billion to address this issue through the Research Facilities Act, of which will not clear even one-third of the backlog.

Subtitle E - Miscellaneous

The Supplemental Nutrition Assistance Program (SNAP) has seen considerable growth in recent years, with a brief, noticeable reduction in participation and cost during the former Administration. For example, the cost of the program more than doubled from \$37.6 billion in 2008, to nearly \$80 billion at its peak in 2013. In 2019, the lowest participation numbers were recorded since 2008, with 35.7 million individuals receiving the benefit totaling \$60.3 billion in taxpayer dollars.

At the onset of the pandemic, 36.8 million people were receiving benefits. However, by June 2021—the most recent month with available data—the rolls increased to 42.34 million people. The average benefit per person was \$121.13 in February 2020, which increased to \$227.23 by June 2021. There was a slight uptick in enrollment in early 2021, likely due to the exclusion of pandemic unemployment insurance as found in December's Consolidated Appropriations Act, 2021.

Total FY2020 spending on SNAP was \$79.2 billion, and thus far in FY2021, \$83.6 billion. Benefits are the bulk of this spending, with state administrative costs, nutrition education, employment and training, and other miscellaneous expenses accounting for roughly six percent of total SNAP spending. For perspective, total FY2020 spending by the Food and Nutrition Service (FNS) on nutrition-related programs (e.g., SNAP, child nutrition, WIC, territory grants) was \$109.5 billion; SNAP occupies more than 72 percent of FNS annual spending.²

¹ <https://www.aplu.org/library/a-national-study-of-capital-infrastructure-at-colleges-and-schools-of-agriculture-an-update/file>

² <https://www.fns.usda.gov/data/june-2021-keydata-report>

An amendment, offered by Representative Jim Hagedorn (R-MN), repealed Section 2301 of the Families First Coronavirus Response Act (FFCRA), which would reinstate the time limit—and subsequently the work requirement—for able-bodied adults without dependents (ABAWD). The Majority continues to fail Main Street by not expecting productivity from able-bodied, childless SNAP recipients between the ages of 18-49, in addition to job and wage-killing policies across multiple Committees and sectors of the population. Nearly 70 percent of ABAWDs report zero income, so either they are working undisclosed jobs, or simply not engaging in a workforce that so desperately needs them. At a time when open jobs exceed the number of individuals seeking employment, and during our nation’s second largest expansion of welfare entitlements, it is more important than ever to reinstate a 20 hour-per-week work or training requirement for these adults.

Ignoring this should be the Majority’s burden, not their legacy.

As expected, the Majority launched into their typical tirade of inside-the-beltway talking points, perpetuated by pro-poverty “think” tanks and progressive socialists who would rather see a dependent voter base than a productive society. At the forefront of these talking points was a comment that “the majority of people who are able to work... actually do work.” According to the Department’s own research, only 29 percent of able-bodied, childless adults between the ages of 18 and 49 report earned income. The Majority continued to discuss specific populations and their inability to work. Interestingly, hundreds of organizations have placed each population into substantive employment: Veterans, young people aging out of foster care, and the homeless. Like so many other of the Majority’s scripted points, excluding certain populations for political gain is loathsome.

And without fail, it was again referenced that Republicans “beat on poor people.” This multi-year talking point, used as a Democrat response every time a Republican dare mention SNAP, is overdramatized and tired. It is used to fill space rather than talk about how to better serve more than 42 million people through productivity and dignity, and not the toxic “charity” Democrats have come to rely on to win support and serve as a basis for their big-government agenda.

The principle of reciprocal obligation, by which the taxpayer helps the recipient but the recipient in exchange is expected to take steps to help himself, has been abandoned. Democrats have replaced the idea of mutual obligation by unconditional entitlement.³

This amendment, part of En Bloc #4, was voted down 27 to 24.

Another amendment, offered by Representative Kat Cammack (R-FL), would prohibit the implementation of the SNAP benefit increase until the Government Accountability Office (GAO) completes their investigation, initiated by Ranking Members Thompson and Boozman on August 13, 2021. The Department released the Thrifty Food Plan (TFP) update on August 16, 2021— after a Sunday announcement in *The New York Times*— which increases the SNAP benefit by 25 percent, effective October 1, 2021. This process resulted in a \$254 billion increase in the ten-year Farm Bill baseline. It included questionable shifts in policy and procedure that

³ <https://www.heritage.org/sites/default/files/2021-02/BG3589.pdf>

undo 45 years of precedent and was completed with zero public notice or opportunity for public comment—a likely violation of the Administrative Procedure Act.

Per Section 4002 of the bipartisan 2018 Farm Bill, the Department is directed to regularly update the TFP, the market basket that serves as the basis for SNAP allotments. Before the directive in the 2018 Farm Bill, the TFP had not been updated since 2006, and before that, 1999 and 1983.

In January 2021, President Biden issued an Executive Order and subsequent explanatory notes to ensure the update started in 2021. Nowhere within the Order, nor the Farm Bill and its accompanying report language is there mention of cost neutrality or the avoidance of. Even the CBO scored it neutral in 2018, based on nearly 40 years of precedent, and again within their June 2021 baseline update.

After several questions from Committee Republicans, staff received the first update from the Department on its progress on June 15, 2021. Noticeably, the optimization model appeared to differ from the one used in 2006, which should not, as it is simply based on a series of very standard inputs and constraints. While the Department reiterated they were expediting the process NOT at the cost of a rigorous and comprehensive review, there is vast disagreement on that assertion, including from Department bureaucrats. This comprehensive review has shown to take longer than 12 months historically, yet this year's update took less than six. When questioned, the Department stated, "when something is important to you, you get it done."

Interestingly, the current Secretary spent eight years under the Obama Administration with zero interest in the Thrifty Food Plan. However, it is evident a choreographed effort by inside-the-beltway, pro-poverty advocates and their media cronies changed his perspective. More than three dozen outlets, including *The Washington Post*, *NBC News*, *Bloomberg*, *CNN*, and *CBS News* amplified the Department's interest in undermining Congressional intent and proceeding with a costly, questionable Thrifty Food Plan update process.

Since the formal release of the update to the Thrifty Food Plan on August 16, further requests have been made, including a request for documents from Republican Leader of the House Committee on Oversight and Reform James Comer (R-KY) and Ranking Member of the Nutrition, Oversight, and Department Operations Subcommittee, Don Bacon (R-NE). Between the former and the GAO investigation, a series of questions must be answered before contemplating the implementation of a shameless Executive Branch exploitation of Congressional intent.

The Majority's response was entirely disingenuous. While Republicans authored the Farm Bill provision, it was an exercise in good governance to ensure these market baskets were updated with regularity and without cost. The Chairman of the House Agriculture Committee at the time of the 2018 Farm Bill, Representative K. Michael Conaway (R-TX) stated the provision was written assuming the precedent of cost-neutrality would be followed, warning the Administration against such unilateral overreach.⁴ The Majority labeled the increase as miniscule, which is telling, as they see \$254 billion in taxpayer contributions as "miniscule."

⁴ <https://www.nytimes.com/2021/08/15/us/politics/biden-food-stamps.html>

The Majority alluded to Ms. Cammack's amendment requiring the GAO investigation prior to implementation of the TFP update as demonizing people who are struggling, but the amendment would do nothing to impact eligibility nor current benefit allotments.

This amendment, part of En Bloc #4, was voted down 27 to 24.

Lastly, Representative Austin Scott (R-GA) offered and withdrew an amendment related to Pandemic-EBT, a program established in March 2020 as part of the FFCRA, which provides funds to American families to make up for the meals, in particular breakfast and lunch, missed when schools were closed due to COVID-19. Through this program, eligible low-income children can receive temporary nutrition benefits loaded onto Electronic Benefit Transfer (EBT) cards for use in purchasing food. To be eligible for P-EBT benefits, a student must qualify for free or reduced-price meals under the National School Lunch Program or participate in SNAP. Congress extended this program in the Continuing Appropriations Act 2021, the Consolidated Appropriations Act 2021, and the American Rescue Plan of 2021.

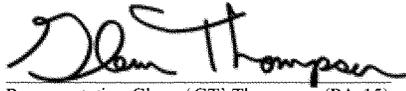
Unfortunately, this program has disintegrated in recent months in terms of eligibility (or lack thereof) and inequities amongst use. Congressional staff with lobbyist spouses are receiving cards in D.C., to the tune of hundreds to thousands of dollars per child. Households, regardless of income, in New York City received \$1320 per child in two lump-sum payments, no questions asked. Affluent families in Tennessee are receiving hundreds of dollars in benefits by virtue of zip code.

Both the Majority and the Department's passive response warrants action, and it is noted Republican leadership of both this Committee and the Committee on Oversight and Government Reform initiated an Office of the Inspector General (OIG) investigation on July 12, 2021.

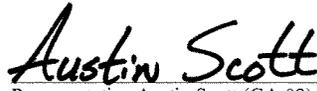
Again, this amendment was offered and withdrawn.

In Closing

As detailed in these views, we believe the Majority demonstrated just how broken Washington has become. The process, from drafting to consideration, was an affront to the hardworking farm families each of us represent. We are disappointed by the path we see this Committee headed down. Our collective efforts to participate meaningfully in this reconciliation process were stymied at every turn by the Majority. However, we are hopeful that there is time to change course and we see the opportunity to work together again to serve the farmers, ranchers, foresters, and rural communities that are the backbone of our great nation.



Representative Glenn 'GT' Thompson (PA-15)
Republican Leader



Representative Austin Scott (GA-08)



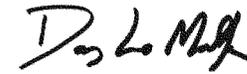
Representative Rick Crawford (AR-01)



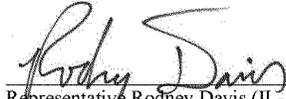
Representative Scott DesJarlais, M.D. (TN-04)



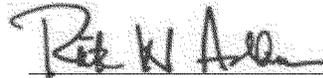
Representative Vicky Hartzler (MO-04)



Representative Doug LaMalfa (CA-01)



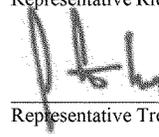
Representative Rodney Davis (IL-13)



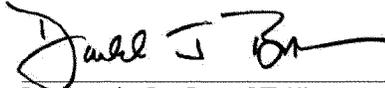
Representative Rick W. Allen (GA-12)



Representative David Rouzer (NC-07)



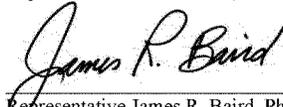
Representative Trent Kelly (MS-01)



Representative Don Bacon (NE-02)



Representative Dusty Johnson (SD-AL)



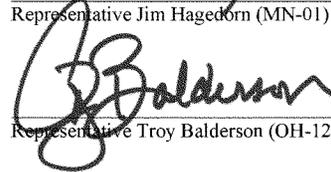
Representative James R. Baird, Ph.D. (IN-04)



Representative Jim Hagedorn (MN-01)



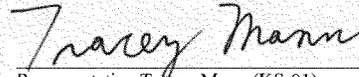
Representative Chris Jacobs (NY-27)



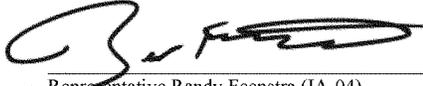
Representative Troy Balderson (OH-12)



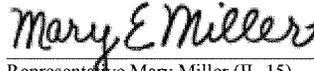
Representative Michael Cloud (TX-27)



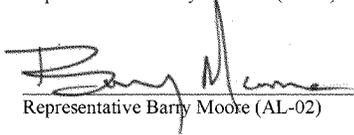
Representative Tracey Mann (KS-01)



Representative Randy Feenstra (IA-04)



Representative Mary Miller (IL-15)



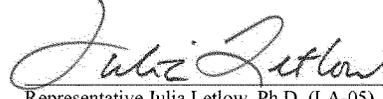
Representative Barry Moore (AL-02)



Representative Kat Cammack (FL-03)



Representative Michelle Fischbach (MN-07)



Representative Julia Letlow, Ph.D. (LA-05)

**Additional Minority Views on Committee Print, as reported by the Committee on
Agriculture, required by S. Con. Res. 14**

S. Con. Res. 14 provides reconciliation instructions to certain Committees of the House. For its part, the House Agriculture Committee is ordered to produce legislation that totals \$94 billion in spending, of which \$89 billion is deficit spending and \$28 billion is unaccounted for in the legislation as passed out of committee.

The measure completely fails to meet the needs of rural America while exploding the deficit and ignoring the needs of American farmers. Of the \$94 billion in spending for "agriculture," the legislation provides zero dollars for American production agriculture and the food supply chain.

It's a disgrace that this legislation was advanced without so much as a single hearing before the markup was scheduled. In fact, the language of the legislation was intentionally withheld from sitting members of the committee until approximately 24 hours before the meeting began. Any honest consideration would have been postponed, so that the members could review the legislation and meet in person on the language. In a partisan vote, Democrats rejected a motion to postpone the markup that would have allowed members time to review this legislation and have an actual committee meeting on it in Washington.

This partisan approach is particularly galling in the context of the House Agriculture Committee's bipartisan work for America in years past. I cannot recall another time where this committee abandoned its responsibility as it did with the \$28 billion in spending in the conservation title, effectively passing a very large blank check for some other committee to determine what is and is not authorized to be spent on at the expense of rural Americans.

I did offer a simple amendment that would have required the Biden Administration to identify and pay the remaining farmers who are eligible for the Coronavirus Food Assistance Program within 60 days of enactment of this legislation. Some are still waiting for payments nearly a year later. If House Democrats cared at all about the American farmer, they would have accepted this amendment and at least one of the many others offered by my colleagues. However, every Democrat on the committee chose to abandon our farmers and my amendment failed by a vote of 27-24, along party lines, despite there being no opposition to the substance of the language.

Sincerely,



Austin Scott
Ranking Member
Subcommittee on General Farm Commodities and Risk Management



COMMITTEE ON
EDUCATION AND LABOR
U. S. HOUSE OF REPRESENTATIVES
2176 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6100

September 14, 2021

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NORTHERN MARIANA ISLANDS
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SUZANNE BONAMICI, OREGON
MARK TAKANO, CALIFORNIA
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MARK DESERLIERE, CALIFORNIA
DONALD NORCROSS, NEW JERSEY
FRANMLA JAYAPAL, WASHINGTON
JOSEPH D. MOHELLE, NEW YORK
SUSAN WILD, PENNSYLVANIA
LUCY McBERTH, GEORGIA
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ANDY LEVIN, MICHIGAN
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SCOTT FITZGERALD, WISCONSIN
MADISON CAWTHORN, NORTH CAROLINA
MICHELLE STEEL, CALIFORNIA
JULIA LETLOW, LOUISIANA
VACANCY

The Honorable John Yarmuth
Chairman
Committee on the Budget
204-E Cannon House Office Building
Washington, DC 20515

Dear Chairman Yarmuth:

Pursuant to section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14, I hereby transmit these recommendations that have been approved by vote of the Committee on Education and Labor, and the appropriate accompanying material including Minority Views, to the House Committee on the Budget. This submission is in order to comply with reconciliation directives included in the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14, and is consistent with section 310 of the *Congressional Budget and Impoundment Control Act of 1974*.

Sincerely,

Robert C. "Bobby" Scott
Chairman

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COMMITTEE CONSIDERATION

117th Congress

On September 9, 2021, the Committee on Education and Labor (Committee) met to consider and mark up the Committee Print (Committee Print) to comply with the reconciliation directive included in section 2002(b) of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14, and on September 10, 2021, the Committee concluded its consideration and mark up.

Chairman Robert C. “Bobby” Scott (D-VA-03) offered an Amendment in the Nature of a Substitute (ANS) that made one technical edit to the Committee Print.

The Committee considered and adopted the following amendments to the ANS:

- Chairman Scott offered a manager’s amendment that was adopted by voice vote. The manager’s amendment:
 - clarified that the funding for the Office of Inspector General of the Department of Education (ED) can be used for oversight activities relating to any ED funding provided in the ANS;
 - added “health care” to the list of high-skill, high-wage, or in-demand industry sectors and occupations as part of the Industry or Sector Partnership Grants;
 - added a requirement that state plans for universal preschool include an assurance that living wages will be provided for staff;
 - added funding for localities that want to provide child care subsidies despite their state declining to participate in the Birth Through Five Child Care and Early Learning Entitlement Program and targets the funding to low-income families below 200 percent of the Federal Poverty Level; and
 - made other minor and technical fixes.
- Representative Teresa Leger-Fernandez (D-NM-03) offered an amendment to include “arts and entertainment” as a sector covered in section 22008 (Industry or Sector Partnership Grants). The amendment was adopted by voice vote.
- Representative Mikie Sherrill (D-NJ-11) offered an amendment to lift income caps on the child care entitlement program. The amendment was adopted by a vote of 28 Yeas and 21 Nays.
- Chairman Scott offered a technical amendment applying Department of Labor (DOL) program administration funds in section 22014 to cover parts 3 and 4, and section 22402 of part 5 of subtitle C. The amendment was adopted by voice vote.

The Committee also considered the following amendments to the ANS:

- Rep. Joe Wilson (R-SC-02) offered an amendment to strike funding for AmeriCorps and add \$3.2 billion for short-term, non-Registered Apprenticeship programs. The amendment failed by a vote of 21 Yeas and 28 Nays.
- Rep. Tim Walberg (R-MI-07) offered an amendment in the Birth Through Five Child Care and Early Learning Entitlement section, to strike the portion of the definition of

child care that declares that it is federal financial assistance and strikes the condition that prohibits child care construction funds for facilities that are primarily used for sectarian instruction or religious worship. The amendment failed by a vote of 20 Yeas and 28 Nays.

- Rep. Walberg offered an amendment to strike DOL's authority to levy civil monetary penalties for violations of mental health parity and substitute language treating standalone telehealth plans as excepted benefits under the *Employee Retirement Income Security Act*. The amendment failed by a vote of 21 Yeas and 28 Nays.
- Rep. Walberg offered an amendment to strike language that authorizes civil monetary penalties on employers that permanently replace striking workers or lockout workers prior to the commencement of a strike. The amendment failed by a vote of 21 Yeas and 28 Nays.
- Rep. Fred Keller (R-PA-12) offered an amendment to add an income cap to the free community college program. The amendment failed by a vote of 21 Yeas and 27 Nays.
- Rep. Keller offered an amendment to eliminate increases in civil monetary penalties under the *Occupational Safety and Health Act* and the *Fair Labor Standards Act*. The amendment failed by a vote of 21 Yeas and 27 Nays.
- Rep. Keller offered an amendment to require the Secretary of Agriculture to provide all types of milk, including whole, in the Special Supplemental Nutritional Program for Women, Infants, and Children (WIC) program. The amendment failed by a vote of 21 Yeas and 27 Nays.
- Rep. Jim Banks (R-IN-03) offered an amendment to prohibit funding in the ANS from going to universities with a Confucius Institute. The amendment failed by a vote of 22 Yeas and 26 Nays.
- Rep. Banks offered an amendment prohibiting students from using Pell Grants for research for or on behalf of China. The amendment failed by a vote of 20 Yeas and 28 Nays.
- Rep. Madison Cawthorn (R-NC-11) offered an amendment to require entities that receive funding under the school construction provision and teacher, personnel, and principal provisions to support students or employees who were evacuated from or impacted by the evacuation of others from Afghanistan. Covered students and employees are those with a valid U.S. passport or approved entry into the U.S. under the Special Immigrant Visa Program. The amendment failed by a vote of 21 Yeas and 28 Nays.
- Rep. Cawthorn offered an amendment to eliminate the \$707 million allocation for the Occupational Safety and Health Administration. The amendment failed by a vote of 22 Yeas and 28 Nays.
- Rep. Burgess Owens (R-UT-04) offered an amendment to extend *National Labor Relations Act* civil monetary penalties to unfair labor practices by unions. The amendment failed by a vote of 21 Yeas and 28 Nays as part of *en bloc* 1.
- Rep. Rick Allen (R-GA-12) offered an amendment to strike the language allowing the National Labor Relations Board to levy civil monetary penalties against employers for unfair labor practices as well as to strike the language allowing the National Labor Relations Board to levy civil monetary penalties for the following conduct: permanently replacing striking employees, locking out employees prior to a strike, misclassifying employees, holding captive audience meetings, and requiring employees to waive their

right to engage in joint, class, or collective claims. The amendment failed by a vote of 21 Yeas and 28 Nays as part of *en bloc* 1.

- Rep. Allen offered an amendment to strike the \$350 million in funding for the National Labor Relations Board, including \$5 million for the implementation of systems to conduct electronic voting in union representation elections. The amendment failed by a vote of 22 Yeas and 28 Nays.
- Rep. Allen offered an amendment requiring a Government Accountability Office study of college costs, labor market outcomes, and institutional finances. The amendment failed by a vote of 22 Yeas and 28 Nays.
- Rep. Allen offered an amendment requiring institutions to repay Pell Grants for students who do not complete a program of study or transfer. The amendment failed by a vote of 22 Yeas and 28 Nays.
- Rep. James Comer (R-KY-01) offered an amendment prohibiting funds from being used to rescind DOL's Office of Federal Contract Compliance Programs' rule entitled *Implementing Legal Requirements Regarding the Equal Opportunity Clause's Religious Exemption* issued December 9, 2020. The amendment failed by a vote of 22 Yeas and 28 Nays as part of *en bloc* 2.
- Rep. Comer offered an amendment prohibiting funds from being used by DOL to issue a rule establishing a joint employer standard that treats an employer as a joint employer of the employee of another employer without direct, actual, or immediate exercise of control over the essential terms and conditions of employment of such employee. The amendment failed by a vote of 22 Yeas and 28 Nays.
- Rep. Glenn Thompson (R-PA-15) offered an amendment to strike the healthy food incentive demonstration and provide an additional two cents per meal in reimbursement for the School Breakfast Program. The amendment failed by a vote of 22 Yeas and 28 Nays.
- Rep. Greg Murphy (R-NC-03) offered an amendment to condition higher education funding on making a redundant assurance regarding free speech protections. The amendment failed by a vote of 22 Yeas and 28 Nays.
- Rep. Lisa McClain (R-MI-10) offered an amendment to insert language on career and technical education regarding public awareness campaigns and other activities already permitted under the *Carl D. Perkins Career and Technical Education Act*. The amendment failed by a vote of 22 Yeas and 28 Nays.
- Rep. Michelle Steel (R-CA-48) offered an amendment to strike the \$405 million in funding for DOL's Wage and Hour Division. The amendment failed by a vote of 22 Yeas and 28 Nays.
- Rep. Michelle Steel offered an amendment to condition school infrastructure funds on school districts providing in-person instruction to subgroups of students. The amendment failed by a vote of 22 Yeas and 28 Nays.
- Rep. Glenn Grothman (R-WI-06) offered an amendment to strike the provision expanding Pell Grant eligibility to those with a grant of deferred action under the Deferred Action for Childhood Arrivals (DACA) policy, or those with temporary protected status (TPS) or deferred enforced departure (DED). The amendment failed by a vote of 21 Yeas and 28 Nays.
- Rep. Grothman offered an amendment to strike the universal preschool program. The amendment failed by a vote of 22 Yeas and 28 Nays as part of *en bloc* 3.

- Rep. Grothman offered an amendment to strike the Competitive Integrated Employment Transformation Grant Program. The amendment failed by a vote of 20 Yeas and 29 Nays.
- Rep. Grothman offered an amendment to allow institutions of higher education to lower federal borrowing limits. The amendment failed by voice vote.
- Rep. Grothman offered an amendment to strike the increase in the maximum Pell Grant. The amendment failed by a vote of 22 Yeas and 28 Nays as part of *en bloc* 3.
- Representative Mariannette Miller-Meeks (R-IA-02) offered an amendment to cap the eligibility for the preschool program at households making up to \$400,000 in income. The amendment failed by a vote of 22 Yeas and 27 Nays.
- Rep. Miller-Meeks offered an amendment to make labor and workforce investments contingent on certification from the Bureau of Labor Statistics that no inflationary effects would result from enactment of that title in the ANS. The amendment failed by a vote of 22 Yeas and 27 Nays.
- Representative Scott Fitzgerald (R-WI-05) offered an amendment to require school districts to certify they will lease vacant buildings and sell land to charter schools and private schools. The amendment failed by a vote of 21 Yeas and 27 Nays.
- Rep. Fitzgerald offered an amendment to restrict eligibility for tuition-free community college based on certain prior criminal convictions. The amendment failed by a vote of 21 Yeas and 28 Nays.
- Rep. Fitzgerald offered an amendment to prohibit funding to community colleges with ties to a foreign adversary. The amendment failed by a vote of 21 Yeas and 28 Nays.
- Rep. Diana Harshbarger (R-TN-1) offered an amendment to replace references to “tuition-free community college” with references to “federal-taxpayer funded community college.” The amendment failed by a vote of 22 Yeas and 28 Nays.
- Rep. Harshbarger offered an amendment to create an exemption from the *National Labor Relations Act*’s penalties for employers that employ fewer than 100 employees or that have gross annual sales that are less than \$1 million per year. The amendment failed by a vote of 21 Yeas and 28 Nays.
- Rep. Julia Letlow (R-LA-05) offered an amendment to eliminate the provision increasing civil monetary penalties under the *Migrant and Seasonal Agricultural Workers Protection Act*. The amendment failed by a vote of 21 Yeas and 28 Nays.
- Rep. Letlow offered an amendment to strike the provision providing free community college. The amendment failed by a vote of 22 Yeas and 28 Nays as part of *en bloc* 3.
- Rep. Mary Miller (R-IL-15) offered an amendment to prohibit school districts that receive funds for school construction or teacher preparation programs from administering vaccinations to minors on school grounds without parental consent. The amendment failed by a vote of 22 Yeas and 28 Nays.
- Rep. Miller offered an amendment to prohibit funds to community colleges that are affiliated with a student-based service site that provides abortion care. The amendment failed by a vote of 22 Yeas and 28 Nays.
- Ranking Member Foxx (R-NC-05) offered an amendment to create an exemption from increased *Fair Labor Standards Act* penalties for employers with fewer than 10 employees or less than \$1 million in sales per year. The amendment failed by a vote of 22 Yeas and 28 Nays.

- Ranking Member Foxx offered an amendment to prohibit the use of funds to rescind the Equal Employment Opportunity Commission's (EEOC) Compliance Manual on Religious Discrimination issued on January 15, 2021. The amendment failed by a vote of 22 Yeas and 28 Nays as part of *en bloc* 2.

The Committee voted to adopt the ANS, as amended, by a vote of 28 Yeas and 22 Nays.

The Committee voted to favorably transmit the Committee Print, as amended, the recommendations of the Committee, and all appropriate accompanying material including Minority Views, to the Committee on the Budget by a vote of 28 Yeas and 22 Nays.

EXPLANATION OF PROVISIONS

Subtitle A—Education Matters

PART 1—Elementary and Secondary Education

Section 20001. Rebuild America’s Schools Grant Program.

Provides \$82,180,000,000 in school infrastructure grants to improve our nation’s school facilities, targeting funds to the highest-poverty districts. In fiscal year (FY) 2022, state educational agencies (SEAs) will receive \$1,270,000,000 in funding based on their proportionate share of funds received under title I-A of the *Elementary and Secondary Education Act of 1965* (Title I) to develop plans to address their urgent and long-term public school facility needs. SEAs must allocate no less than 80 percent of funds to local educational agencies (LEAs) based on their proportional share of Title I funds for facility planning at the local level. SEAs must use 20 percent of funds to develop a state facilities plan for making improvements to public schools, a competitive process for subgrants targeted to the highest poverty districts, and a school facilities database. In FYs 2023 and 2024, SEAs with approved state plans will receive funding in proportion to their share of Title I funds. SEAs can reserve 10 percent of funds to provide technical assistance to school districts and operate and maintain their school facilities database to ensure better data collection on their schools. SEAs must subgrant 90 percent of funds to the highest-poverty districts for construction and modernization. States are required to meet a 10 percent matching requirement with an exemption for states that already meet this requirement. In addition, a state must maintain school infrastructure spending at no less than 90 percent of its share of school facilities capital outlays in the five years preceding FY 2020 and adhere to a supplement-not-supplant requirement. The Secretary of Education may waive the maintenance of effort requirement for states that demonstrate an exceptional or uncontrollable circumstance.

Section 20002. Outlying Areas.

Provides \$410,900,000 for grants to the outlying areas based on their proportional share of Title I funds in the most recent fiscal year to carryout activities in accordance with the Rebuild America’s Schools Grant program.

Section 20003. Impact Aid Construction Grants.

Provides \$410,900,000 for the capital and construction needs of military-connected local LEAs and LEAs that serve Indian lands. The eligibility threshold is lowered from 50 percent to 20 percent to expand support to more military-connected LEAs and LEAs that serve Indian lands.

Section 20004. Bureau of Indian Education.

Provides \$369,810,000 for construction and carrying out major repairs in Bureau of Indian Education (BIE) -operated and -funded elementary and secondary schools and additionally provides \$41,090,000 for digital infrastructure needs.

Section 20005. Gallaudet University.

Provides \$150,000,000 for the construction needs of Kendall Demonstration Elementary School, the Model Secondary School for the Deaf at Gallaudet University.

Section 20006. Grow Your Own Programs.

Provides \$197,000,000 for grants to eligible partnerships, to be made in accordance with the same terms and conditions of the Teacher Quality Partnership (TQP) Grant program, for the purpose of funding “Grow Your Own” programs that address shortages of teachers in high-need subjects, shortages of school leaders in high-need schools, and low diversity within the teacher and school leader workforce. Eligible partnerships must integrate coursework with a year-long clinical residency to support candidates in earning their associate’s, bachelor’s or master’s degrees and a teaching or school leadership credential. Partnerships must recruit individuals with experience in high-need subjects or fields who are not certified to teach or lead, with a specific focus on individuals from underrepresented populations and those who either live in or come from communities the schools in the eligible partnership serve. Partnerships must also provide academic and nonacademic support to candidates, including advising and financial assistance, as well as stipends for candidates to engage in school-based clinical placements.

Section 20007. Teacher Residencies.

Provides \$198,000,000 to award grants to eligible partnerships for the development and support of high-quality teacher residency programs, as described in section 202(e) of the *Higher Education Act of 1965*, except that funds are available for teacher residency programs for prospective teachers in a baccalaureate program.

Section 20008. Support School Principals.

Provides \$198,000,000 to award grants for the development and support of school leadership programs, as described in section 2243 of the *Elementary and Secondary Education Act of 1965*.

Section 20009. Hawkins.

Provides \$198,000,000 for the Augustus F. Hawkins Centers of Excellence Program, as described in section 242 of the *Higher Education Act of 1965*, to award grants to support teacher preparation programs at Historically Black Colleges and Universities (HBCUs) and other Minority Serving Institutions (MSIs).

Section 20010. Funding for the Individuals with Disabilities Education Part D Personnel Development.

Provides \$297,000,000 for grants to eligible entities for the development of personnel to serve children with disabilities, as described in section 662 of the *Individuals with Disabilities Education Act*.

PART 2—Higher EducationSubpart A—America’s College Promise**Section 20021. Grants for Tuition Free Community College.**

Provides approximately \$45,500,000,000 to eliminate the cost of tuition and fees for eligible students at community colleges in participating states and at eligible Tribal Colleges and Universities (TCUs). The program is funded with a combination of federal and participating state funds using a formula that is based on the median cost of tuition and fees nationwide, not weighted for enrollment. During the first year of the program, the federal share is equal to 100 percent of such median cost and no state match is required. In subsequent years, the federal/state

share changes to 95/5, 90/10, 85/15, and 80/20. States meeting specified conditions may reduce their matching obligation by counting certain state financial aid and local funds toward their match. States may also qualify for relief from matching requirements during periods of high unemployment. Eligible TCUs receive federal grants sufficient to fully cover the cost of waiving tuition and fees and are not required to provide a match.

States and eligible TCUs must satisfy certain specified terms and conditions in order to receive funding under this grant program. These terms and conditions include: waiving tuition and fees for eligible students on a first-dollar basis; informing students of their potential eligibility for benefits under this program and other programs that can help students cover the cost of attendance; improving transfer pathways and the alignment of secondary and postsecondary education; and maintaining state spending on higher education, operational expenses for public four-year colleges, and need-based financial aid. States and eligible TCUs that have program funds remaining after waiving tuition for all eligible students are required to spend such remaining funding to provide need-based financial aid, reduce unmet need at public four-year institutions, improve student outcomes, or expand access to dual enrollment programs. In order to be eligible, students must enroll at a community college in a program eligible to received student financial aid authorized under title IV of the *Higher Education Act of 1965* (Title IV). Additionally, students must be eligible for in-state or in-district tuition (except that ineligibility for such in-state or in-district tuition based on immigration status shall not disqualify a student from eligibility for benefits under this program) and file a Free Application for Federal Student Aid (applicable only to U.S. citizens). Students in dual enrollment programs are not eligible for tuition waivers. Students may receive benefits for a maximum of six semesters. The program will be funded at such sums as may be necessary and will sunset after five years, providing an estimated budgetary impact of \$45,500,000,000.

Section 20022. Retention and Completion Grants.

Provides \$9,000,000,000 for grants to eligible states and TCUs to improve student outcomes, including retention, completion, and transfer rates, and labor market outcomes. States must use at least 30 percent of grant funds to implement reforms and practices meeting certain evidence standards and must increase support for under-resourced public institutions of higher education that serve a disproportionate share of underserved students, including low-income students, students of color, students with disabilities, first generation college students, and students in need of remediation. The program will sunset after seven years.

Section 20023. Tuition Assistance for Students at Historically Black Colleges and Universities, Tribal Colleges and Universities, and Minority-serving Institutions.

Invests approximately \$27,500,000,000 to reduce tuition costs for low-income students attending four-year HBCUs, TCUs, and other MSIs that enroll at least 35 percent low-income students. Eligible institutions will receive funds to reduce tuition for low-income students by an amount equal to the median cost of resident community college tuition and fees, not weighted for enrollment. Institutions that charge less than such median cost are required to use any remaining funds to provide financial aid to eligible students for non-tuition expenses. As a condition of receiving a grant, institutions must commit to adopting or expanding evidence-based reforms or practices to improve student outcomes and to increasing the transferability of credits from community colleges located in the same state as the institution.

In order to be eligible, students must enroll in a Title IV-eligible program on at least a half-time basis, meet the financial eligibility criteria for receiving a Pell Grant, and file a FAFSA (applicable only to U.S. citizens). Dual enrollment students and students who have completed a bachelor's degree are ineligible. Students lose eligibility after enrolling for 60 credits at the eligible institution, or after receiving benefits for six semesters, whichever comes first. The program will be funded at such sums as may be necessary and will sunset after seven years, providing an estimated budgetary impact of \$27,500,000,000.

Section 20024. Northern Mariana Islands, American Samoa, United States Virgin Islands, and Guam College Access.

Invests \$40,000,000 to cover the difference between in-state and out-of-state tuition for eligible students from the Northern Mariana Islands, American Samoa, United States Virgin Islands, and Guam who attend an out-of-state four-year public institution of higher education. The Governor of each outlying area will enter into one or more agreements with eligible institutions to provide benefits to eligible students. Students may receive a maximum benefit of \$15,000 per year and a maximum aggregate benefit of \$75,000. In order to be eligible, a student must have been domiciled in one of the outlying areas for at least one year prior to their freshman year of college, enroll at an eligible institution within three years of graduating from high school or transferring from an institution in an outlying area, and enroll on at least a half-time basis in a baccalaureate or other program leading to a recognized postsecondary credential. Students who have completed a bachelor's degree are ineligible. The program will be funded at such sums as necessary and will sunset after seven years, providing an estimated budgetary impact of \$40,000,000.

Subpart B—Pell Grants and Student Loans

Section 20031. Increasing the Maximum Federal Pell Grant.

Provides necessary funding investments to increase the maximum Pell Grant award by \$500.

Section 20032. Federal Student Aid Eligibility.

Expands eligibility for Title IV financial aid programs, including Pell Grants, to individuals with a grant of deferred departure under the Deferred Action for Childhood Arrivals (DACA) policy, as well as those with temporary protected status (TPS) and / or deferred enforced departure (DED).

Section 20033. Active Duty Deferment Periods Counted Towards Public Service Loan Forgiveness.

Allows for periods of active duty deferment and forbearance to count as qualifying payments for the purposes of Public Service Loan Forgiveness.

Subpart C— Investments in Historically Black Colleges and Universities, Tribal Colleges and Universities, and Minority-Serving Institutions

Section 20041. Institutional Aid.

Provides \$1,450,000,000 to increase mandatory appropriations to HBCUs, TCUs, and MSIs authorized under section 371 of the *Higher Education Act of 1965*.

Section 20042. Research and Development Infrastructure Competitive Grant Program.

Provides \$2,000,000,000 for a competitive grant program to improve the research capacity and research and development infrastructure at four-year HBCUs, TCUs, and MSIs. The competitive grant program will consist of planning grants for a period of one to two years and implementation grants for a period of one to five years. Institutions shall receive priority if they currently receive less than \$10,000,000 in federal research and development funding and if, applying for an implementation grant they previously received a planning grant.

PART 3—Miscellaneous

Section 20051. Office of the Inspector General of the Department of Education.

Provides \$35,000,000 for the ED Office of Inspector General, for salaries and expenses necessary for oversight, investigations, and audits of programs, grants, and projects funded under this subtitle and sections 22101 and 22102 of subtitle C.

Section 20052. Program Administration.

Provides \$738,000,000 for ED to administer programs under this subtitle and sections 22101 and 22102 of subtitle C.

Section 20053. Student Aid Administration.

Provides \$91,000,000 for student aid administration within ED to administer programs and implement amendments made under this subtitle.

Subtitle B—Labor Matters

Section 21001. Department of Labor.

Provides \$1,938,000,000 over a five-year period through September 30, 2026 to rebuild the capacity of worker protection agencies in DOL, by, including:

- \$195,000,000 for the Employee Benefits Security Administration for carrying out enforcement activities;
- \$707,000,000 for the Occupational Safety and Health Administration for carrying out enforcement, standards development, whistleblower investigations, compliance assistance, and funding for State plans;
- \$133,000,000 for the Mine Safety and Health Administration for carrying out enforcement, standard setting, technical assistance, and related activities;
- \$405,000,000 for the Wage and Hour Division;

- \$121,000,000 for the Office of Workers' Compensation Programs for claims activity, policy and standards development, and monitoring of State workers' compensation programs;
- \$201,000,000 for the Office of Federal Contract Compliance Programs for carrying out audit, enforcement, and compliance assistance activities; and
- \$176,000,000 for the Office of the Solicitor for carrying out legal support for the activities of those DOL agencies receiving additional funding in this section.

Section 21002. National Labor Relations Board.

Provides \$350,000,000 over a five-year period through September 30, 2026, to rebuild the capacity of the National Labor Relations Board, of which not more than \$5,000,000 shall be for the implementation of systems to conduct electronic voting for union representation elections.

Section 21003. Equal Employment Opportunity Commission.

Provides \$321,000,000 over a five-year period through September 30, 2026 to rebuild the capacity of the Equal Employment Opportunity Commission for carrying out investigation, enforcement, outreach, and related activities..

Section 21004. Adjustment of Civil Monetary Penalties.

Amends the *Occupational Safety and Health Act of 1970* to: increase the maximum penalty to \$700,000 for willful and repeat violations; increase the minimum penalty to \$50,000 for willful violations; and increase the maximum penalty for both serious and failure-to-abate violations to \$70,000. Amends the *Fair Labor Standards Act of 1938* to: increase the maximum civil penalty to \$132,270 for child labor violations; \$601,150 for child labor violations that cause the death or serious injury of an employee under the age of 18; \$20,740 for willful or repeated minimum wage or overtime violations; and \$11,620 for tip violations. Amends the *Migrant and Seasonal Agricultural Worker Protection Act of 1983* to increase the maximum civil penalty for violations of the law to \$25,790.

Section 21005. Civil Monetary Penalties for Parity Violations.

Authorizes civil monetary penalties for violations of the *Mental Health Parity and Addiction Equity Act* by group health plan sponsors, plan administrators, and issuers; for such violations applies the penalties available under the *Genetic Information Nondiscrimination Act*.

Section 21006. Penalties Under the National Labor Relations Act.

Authorizes civil monetary penalties for employers that violate existing unfair labor practice provisions of the *National Labor Relations Act*. It also establishes civil monetary penalties for employers that: permanently replace striking workers, engage in the use of offensive lockouts, misclassify employees, conduct captive audience meetings, or enter into or enforce an agreement that requires employees to waive their right to engage in joint, class, or collective claims. Penalties are up to \$50,000 for each violation and can be doubled up to \$100,000 for any violation resulting in termination and serious economic harm and where the employer has previously committed such violation in the preceding five years.

Subtitle C— Workforce Development

PART 1—Department of Labor

Provides \$65,710,000,000 over a five-year period through September 30, 2026, to DOL to carry out the following workforce development activities.

Section 22001. Dislocated Worker Employment and Training Activities.

Provides \$16,000,000,000 over a five-year period through September 30, 2026 for Dislocated Worker State Grants authorized under the *Workforce Innovation and Opportunity Act (WIOA)*, of which 20 percent is reserved for career services including individualized career services, 20 percent is reserved for providing supportive services and needs-related payments to dislocated workers, and 50 percent is reserved for training services. Of the funds reserved for training services, not less than 60 percent shall be reserved for funding individual training accounts which can be used at any education or training program on a state’s eligible training provider list, such as local community colleges or registered apprenticeships, and states or local areas may use up to 40 percent of funds for subsidized employment through transitional jobs.

Section 22002. Adult Worker Employment and Training Activities.

Provides \$15,000,000,000 over a five-year period for WIOA state grants for Adult Employment and Training Activities, of which 20 percent is reserved for career services including individualized career services, 10 percent is reserved for providing supportive services and needs-related payments to adults, and 50 percent is reserved for training services. Of the funds reserved for training services, not less than 60 percent shall be reserved for funding individual training accounts which can be used at any education or training program on a state’s eligible training provider list such as local community colleges or registered apprenticeships, and states or local areas are allowed to use up to 40 percent of funds for incumbent worker training if such training is provided to low-wage workers.

Section 22003. Youth Workforce Investments Activities.

Provides \$9,054,000,000 over a five-year period through September 30, 2026 for WIOA state grants for Youth Employment and Training Activities, of which 75 percent is reserved for paid work experience for in-school and out-of-school youth. Of all funds provided under this section, local areas must reserve not less than 20 percent for partnering with community-based organizations to serve out-of-school youth, including in high-crime and high-poverty areas.

Section 22004. Employment Service.

Provides \$1,350,000,000 over a five-year period through September 30, 2026 for the Employment Service, including funds for the Commonwealth of the Northern Mariana Islands and American Samoa, of which \$100,000,000 is reserved for improvements to workforce and labor market information systems.

Section 22005. Reentry Employment Opportunities.

Provides \$3,600,000,000 over a five-year period through September 30, 2026 for employment and training activities for justice-involved individuals, of which not less than 25 percent shall be reserved for competitive grants to national and regional intermediaries for activities that prepare

young adults who are justice-involved or who have dropped out of school or work prepare for employment. Grants should prioritize projects serving high-crime and high-poverty areas.

Section 22006. Registered Apprenticeships, Youth Apprenticeships, and Pre-Apprenticeships.

Provides \$5,000,000,000 over a five-year period through September 30, 2026 for registered apprenticeship programs, youth apprenticeship programs, and pre-apprenticeship programs that articulate to registered apprenticeship programs, with 50 percent of funds reserved for apprenticeship programs serving high numbers of individuals with barriers to employment, including individuals with disabilities, or nontraditional apprenticeship populations, and for expanding youth apprenticeships or pre-apprenticeships.

Section 22007. Community College and Industry Partnership Grants.

Provides \$2,000,000,000 over a five-year period through September 30, 2026 for competitive grants to community colleges that are part of or in the process of establishing industry or sector partnerships to expand workforce development programs in high-skill, high-wage, or in-demand industry sectors or occupations. Not less than 15 percent of grant funds shall be reserved for providing supportive services, career services and job placement assistance to individuals with barriers to employment.

Section 22008. Industry or Sector Partnership Grants.

Provides \$10,000,000,000 over a five-year period through September 30, 2026 for grants to industry or sector partnerships including state or local workforce boards, employers, labor organizations, and education and training providers, to develop and implement workforce services leading to jobs in high-skill, high-wage, or in-demand industry sectors and occupations. Fifty percent of grant funds shall be reserved for training services and 15 percent of grant funds shall be reserved for providing career services, supportive services, and needs-related payments for individuals with barriers to employment. Of the funds made available under this section, 5 percent shall be reserved for state and local boards to support the creation or expansion of industry or sector partnerships.

Section 22009. Job Corps.

Provides \$1,500,000,000 over a five-year period through September 30, 2026 for the Job Corps program, which includes funds to improve and expand access to allowances and transition supports for Job Corps students. Of this amount, \$750,000,000 is reserved for construction, rehabilitation, and acquisition of Job Corps Centers.

Section 22010. Native American Programs.

Provides \$450,000,000 over a five-year period through September 30, 2026 for the Native Americans programs authorized under WIOA supporting employment and training activities.

Section 22011. Migrant and Seasonal Farmworker Programs.

Provides \$450,000,000 over a five-year period through September 30, 2026 for Migrant and Seasonal Farmworker programs authorized under WIOA supporting migrant and seasonal farmworkers and their families achieve economic self-sufficiency, with eligibility expanded to include seasonal farmworkers with incomes up to 150 percent of the federal poverty line.

Section 22012. YouthBuild Program.

Provides \$500,000,000 over a five-year period through September 30, 2026 for the YouthBuild program authorized under WIOA, including for improving or expanding access to services, stipends, wages and benefits for participants.

Section 22013. Senior Community Service Employment Program.

Provides \$100,000,000 over a five-year period through September 30, 2026 for the Senior Community Service Employment Program authorized under the *Older Americans Act* (OAA).

Section 22014. Program Administration.

Provides \$720,000,000 over a five-year period through September 30, 2026 for DOL to administer programs under its authority under this subtitle, including part 1, part 3, part 4, and section 22402.

PART 2—Department of Education Workforce Development Appropriations

Provides \$7,600,000,000 to ED to carry out the following workforce development activities over a seven-year period through September 30, 2028.

Section 22101. Adult Education and Literacy.

Provides \$3,600,000,000 over a seven-year period through September 30, 2028 for adult education and literacy services authorized under WIOA, with 10 percent of funds that states award to eligible providers reserved for corrections education and education of other institutionalized individuals.

Section 22102. Career and Technical Education.

Provides \$4,000,000,000 to ED over a seven-year period through September 30, 2028 to carry out activities related to Career and Technical Education, of which \$3,000,000,000 is provided for State grants authorized under the *Carl D. Perkins Career and Technical Education Act of 2006* (Perkins CTE Act) and \$1,000,000,000 is provided for innovation and modernization grants authorized under that Act.

PART 3—Competitive Integrated Employment Transformation Grant Program**Section 22201. Competitive Integrated Employment Transformation Grant Program**

Provides \$300,000,000 for the Secretary of DOL to issue 5-year grants to states to assist employers, who hold special certificates issued under section 14(c) of the *Fair Labor Standards Act* (FLSA) that allow them to pay workers with disabilities below minimum wage, to transform their business and program models to provide for competitive integrated employment (CIE) and payment of at least the minimum wage applicable in that state or the prevailing wage under federal law. Grants will also provide people with disabilities with the supports to find and retain CIE. Although this provision does not amend the FLSA, nor does it ban DOL from issuing special certificates under section 14(c) of the FLSA, it does require that a state which receives a grant must provide assurances that it will not permit employers within their state to use 14(c) certificates to pay workers with disabilities less than the minimum wage, and require that such wages are not less than their non-disabled peers performing similar work and who have similar

training, experience and skills. Depending on the number of states that apply to participate in the program, grants will be issued on either a formula or competitive basis.

Ten percent of the total funding is reserved to provide grants to the nine states that have already eliminated the use of 14(c) certificates or are in the process of phasing out the use of these certificates, to enable these states to continue to expand CIE for people with disabilities. Two percent of the funds are reserved to establish a national technical assistance center that will assist states and individual employers to end the use of 14(c) certificates.

Section 22202. Definitions

Defines “competitive integrated employment” as having the same meaning as in the *Rehabilitation Act of 1973* and the terms “employer” and “employee” as having the meaning given in the *Fair Labor Standards Act (FLSA) of 1938*. Additionally, defines “integrated community participation and wraparound services” and “integrated services”.

PART 4—Recruitment, Education and Training, Retention, and Career Advancement for the Direct Care Workforce

Section 22301. Definitions.

Defines key terms that are cross-referenced in the Perkins CTE Act and WIOA. Additionally, defines the terms “family caregiver” and “direct care worker” as well as the entities eligible to receive a grant to include states, joint labor-management organizations, certain relevant nonprofit organizations, Indian Tribes or Tribal organizations, state and local boards, and Area Agencies on Aging, among others.

Section 22302. Grants to Support the Direct Care Workforce.

Provides \$1,480,000,000 to support the direct care workforce through renewable three-year grants from DOL, in coordination with the Department of Health and Human Services’ (HHS) Administration for Community Living, to eligible entities including states, tribes, labor organizations, and non-profit organizations. Grants can be used to invest in strategies to recruit, retain, and advance the direct care workforce; implement models and strategies to make the field of direct care more attractive; and improve wages, including through training and registered apprenticeships, career pathways, or mentoring.

PART 5—Workforce Development Programs in Support of Communities and the Environment

Section 22401. Corporation for National and Community Service.

Provides \$2,000,000,000 for the Corporation for National and Community Service (CNCS) in support of national service activities that support environmental resiliency and remediation and requires that of the funds made available under this section, 50 percent is reserved for serving communities that are low-income or experiencing adverse health or environmental conditions. In administering funds under this section, CNCS must use culturally competent and multilingual strategies, provide access to opportunities for workforce development such as pre-apprenticeships, and coordinate and share resources with workforce programs under the DOL and ED. Included in this funding are:

- \$1,305,250,000 over a five-year period for AmeriCorps State and National Programs to increase funding for existing grant awards, make new awards, and raise the living allowance for participants in these national service programs. Grantee match requirements shall be waived in whole or part for organizations serving communities adversely affected by high rates of poverty, discrimination, or inequality;
- \$100,000,000 over a five-year period for the Volunteers in Service to America program, including to raise the living allowance for volunteers;
- \$80,000,000 over a five-year period for the National Civilian Community Corps;
- \$40,000,000 until expended to make adjustments to existing awards and make new awards, including to the State Commissions on National and Community Service;
- \$199,650,000 over a six-year period for administrative costs at the Corporation for National and Community Service, including for making improvements to CNCS' information technology and financial management systems. Not less than 5 percent of funds must be reserved for outreach and recruitment of members from communities traditionally underrepresented in AmeriCorps programs and activities;
- \$350,000 over a one-year period to develop and implement a project, operations, and management plan, in collaboration with DOL, for the funds made available under this section;
- \$15,000,000 over a nine-year period for the CNCS Office of Inspector General (OIG) of for audits and oversight of programs under this section; and
- \$260,000,000 for the National Service Trust which administers the AmeriCorps Education Awards.

Section 22402. Department of Labor.

Provides \$2,500,000,000 to DOL over a five-year period through September 30, 2026, for employment and training activities related to careers in careers in sectors related to clean energy, environmental resiliency, remediation, or and for increasing the racial, ethnic, and socioeconomic diversity of the industry and sectors related to it. This includes:

- \$250,000,000 over a five-year period for the YouthBuild program authorized under the WIOA to provide disadvantaged youth with employment and training through construction and rehabilitation of housing for low-income and homeless individuals, including energy efficiency enhancements;
- \$500,000,000 over a five-year period for the Job Corps program authorized under WIOA, including the Civilian Conservation Centers;
- \$500,000,000 over a five-year period for ex-offender employment and training activities under WIOA;
- \$1,000,000,000 over a five-year period to create or expand registered apprenticeship programs and youth and pre-apprenticeship programs that articulate to registered apprenticeship programs;
- \$249,800,000 over a five-year period for paid youth employment activities for in-school and out-of-school youth under WIOA; and
- \$200,000 over a five-year period for developing and implementing a project, operations, and management plan, to be carried out in collaboration with the CNCS, for the funds made available under this section.

PART 6—Department of Labor Inspector General**Section 22501. Department of Labor Inspector General Funding.**

Provides \$100,000,000 for the DOL Office of Inspector General (OIG) to conduct oversight, investigations, and audits of programs and grants in DOL under subtitles B and C.

Subtitle D—Child Care and Universal Preschool**Section 23001. Establishment of Birth Through Five Child Care and Early Learning Entitlement Program.**

Provides over \$90 billion to support high quality child care during the first three years and such sums in the following three years via a new child care and early learning entitlement program to provide high-quality, affordable child care for children ages birth to five, increase wages for the early childhood workforce, and invest in child care quality and supply (including facilities). Caps families' child care copayments to ensure that no eligible family pays more than 7 percent of their income on child care by creating a sliding scale fee system. Eligible families earning under 75 percent of State Median Income (SMI) would pay nothing toward child care. After a three-year phase in period, families with a parent engaging in an eligible activity would be eligible for, and entitled to, child care assistance through a child care subsidy or grant-funded child care slot. Program ends at year six.

During the first three years, participating states would receive an allotment based on the Child Care & Development Block Grant (CCDBG) formula. States would be required to use 50 percent of allotted funds on expanding access to child care subsidies; 25 percent of funds on child care supply and quality building activities; and 25 percent of funds on either subsidy and grant expansion or supply and quality building. To ensure equitable investment of program funds, child care assistance is phased in determined by income eligibility: families earning up to 100 percent SMI become eligible for assistance on day one of the program; families earning up to 115 percent of SMI in the second year; families earning up to 130 percent of SMI in the third year; and all families regardless of income in the fourth year.

Beginning in fiscal year 2025, the program provides such sums as may be necessary to carry out a child care entitlement program. Under the entitlement program, states would receive reimbursement from the federal government for the expenses needed to operate a child care entitlement program and would be required to serve all eligible children within the state who desire child care assistance. Creates a federal-state cost sharing structure, where the federal government covers 90 percent of the cost of direct child care services for children, and states would be required to cover 10 percent of expenses. Reimburses states at their Federal Medical Assistance Percentage (FMAP) rate for child care quality and supply activities and reimburses 50 percent of administrative expenses. States would be required to base child care payment rates on a statistically valid and reliable cost estimation model, and to ensure that payment rates cover the cost of high-quality child care and living wages for early childhood staff, as well as pay parity with similarly credentialed elementary school teachers. States would also be required to implement a tiered quality rating system and to support continuous quality improvement for child care providers within the state.

Provides funding for the HHS Secretary to award Local Birth to Five Early Learning Grants to localities located in states that have made it apparent that they will not participate in the program. Eligible localities include local government entities and Early Head Start grantees.

Section 23002. Universal Preschool.

Provides such sums as may be necessary over a seven-year period for the HHS Secretary in collaboration with the ED Secretary, to carry out a universal, high-quality, free, inclusive, and mixed delivery preschool program. Eligible providers include licensed child care programs; Head Start grantees; LEAs; or a consortia of those entities. Requires states to develop and implement state preschool standards, and ensure all eligible providers meet such standards. Additionally, requires states to identify high-need communities within the state, and to roll out universal preschool programs in those communities first, before expanding throughout the rest of the state. For the first three years of the program, the federal share is equal to 100 percent of the state's expenditures for preschool services, and no state match is required. In subsequent years, the federal/state share changes to 90/10, 80/20, 70/30, and 60/40. Provides funding to carry out grants to localities located in states that have made it apparent that they will not participate in the program. Reserves \$2,500,000,000 annually to improve compensation of Head Start staff.

Subtitle E—Child Nutrition and Related Programs

Section 24001. Expanding Community Eligibility.

Invests in free school meals by allowing nearly 9 million more children to access meals through the Community Eligibility Provision (CEP). This section: (1) increases the CEP multiplier, which is used to determine the rate of federal reimbursement to schools, from 1.6 to 2.5; and (2) lowers the participation threshold for schools to elect CEP from 40 percent to 25 percent of identified students. Additionally, it allows for statewide election of CEP. These changes are in effect through FY2030.

Section 24002. Direct Certification for Children Receiving Medicaid Benefits.

Invests in free and reduced price school meals by allowing all states to directly certify eligibility for meals for children who receive Medicaid benefits, including children who are eligible for Medicaid based on their receipt of Social Security Income (SSI), Adoption Assistance, or Guardianship Assistance. These provisions are in effect through FY2030.

Section 24003. Summer Electronic Benefit Transfer for Children Program.

Invests in expanding the Summer Electronic Benefit Transfer (Summer EBT) program to provide nutrition benefits to eligible low-income children nationwide. The benefit provides \$75/month for eligible children through FY2029.

Section 24004. School Kitchen Equipment Grants.

Provides \$500,000,000 for schools to purchase equipment in order to offer healthier meals, improve food safety, and increase scratch cooking.

Section 24005. Healthy Food Incentives Demonstration.

Provides \$634,000,000 for competitive grants to schools for activities that support healthy food offerings and healthy lifestyles. Such activities include scratch cooking, nutritional education,

procurement of local and culturally appropriate food, reducing less healthy food, and increasing physical activity.

Subtitle F—Human Services and Community Supports

Section 25001. Assistive Technology.

Provides \$10,000,000 to carry out the *Assistive Technology Act of 1998*, which improves access to assistive technology that enables people with disabilities to live and work in their communities.

Section 25002. Family Violence Prevention and Services Funding.

Provides \$27,000,000 for implementation of the grants for sexual assault survivors and for culturally specific services under the *Family Violence Prevention and Services Act (FVPSA)*.

Section 25003. Pregnancy Assistance Fund.

Provides \$75,000,000 for competitive grants to support health care and community support services for pregnant women, parenting women, and young families.

25004. Funding for the Aging Services Network and Infrastructure.

Provides \$1,200,000,000 for *Older Americans Act (OAA)* programs, including:

- \$75,000,000 for the Research, Demonstration, and Evaluation Center for the Aging Network;
- \$655,000,000 to support home-and community-based supportive services;
- \$140,000,000 to support nutrition programs for older Americans;
- \$150,000,000 to support the National Family Caregiver Support Program;
- \$50,000,000 for services, including nutrition, for Native American older adults;
- \$50,000,000 for the long-term care ombudsman program;
- \$75,000,000 for technical assistance centers or national resource centers for culturally appropriate care management and services for older individuals with greatest social need, including racial and ethnic minority individuals and older individuals who are underserved due to sexual orientation or gender identity; and
- \$5,000,000 for multigenerational civic engagement projects.

25005. Office of the Inspector General of the Department of Health and Human Services.

Provides \$50,000,000 to the HHS Office of Inspector General (OIG), for salaries and expenses necessary for oversight, investigations, and audits of programs, grants, and projects funded under subtitles D and F.

25006. Technical Assistance Center for Supporting Direct Care and Caregiving.

Provides \$5,000,000 to fund a national technical assistance center through HHS' Administration for Community Living which will develop and disseminate evidence-based strategies for recruitment, education and training, retention, and career advancement of direct care workers and provide recommendations for activities to further support paid and unpaid family caregivers.

VOTES OF THE COMMITTEE

In compliance with clause 3(b) of Rule XIII of the Rules of the House of Representatives, the Committee advises that the following roll call votes occurred during the Committee's consideration of the Committee Print.

Date: 9/9/2021

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:1

Bill: Committee Print Amendment Number:3

Disposition: Defeated by a vote of 21 ayes and 28 noes

Sponsor/Amendment: Wilson/WILSSC_107

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)			X
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. RWEISI MFUME (MD)		X					

TOTALS: Ayes: 21

Nos:28

Not Voting: 3

Total: 53 / Quorum:27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:2

Bill: Committee Print Amendment Number:5

Disposition: Defeated by a vote of 20 ayes and 28 noes

Sponsor/Amendment: Walberg/RAMD_CN_02

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNEY (CT)		X		Mr. THOMPSON (PA)			X
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)			X
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 20

Nos:28

Not Voting: 4

Total: 53 / Quorum:27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:3

Bill: Committee Print Amendment Number:6

Disposition: Defeated by a vote of 21 ayes and 28 noes

Sponsor/Amendment: Walberg\EXCEPT-TELEHEALTH-AMD_01

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)			X
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 21

Nos:28

Not Voting: 3

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:4

Bill: Committee Print Amendment Number:7

Disposition: Defeated by a vote of 21 ayes and 28 noes

Sponsor/Amendment: Walberg/EMPLOCKOUTS.

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)			X
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. RWEISI MFUME (MD)		X					

TOTALS: Ayes: 21

Nos:28

Not Voting: 3

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:5

Bill: Committee Print Amendment Number:8

Disposition: Defeated by a vote of 21 ayes and 27 noes

Sponsor/Amendment: Keller/KELLFR_045.

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)			X	Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)			X
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 21

Nos:27

Not Voting: 4

Total: 53 / Quorum:27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:6

Bill: Committee Print Amendment Number:9

Disposition: Defeated by a vote of 21 ayes and 27 noes

Sponsor/Amendment: Keller/SEC21004

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)			X	Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)			X
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 21

Nos:27

Not Voting: 4

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:7

Bill: Committee Print Amendment Number: 10

Disposition: Defeated by a vote of 21 ayes and 27 noes

Sponsor/Amendment: Keller/KELLFR_044

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)			X	Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)			X
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 21

Nos: 27

Not Voting: 4

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:8

Bill: Committee Print Amendment Number: 11

Disposition: Defeated by a vote of 22 ayes and 26 noes

Sponsor/Amendment: Banks/BANKS_117

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)			X	Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)			X
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)	X						
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:26

Not Voting: 4

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:9

Bill: Committee Print Amendment Number: 12

Disposition: Defeated by a vote of 20 ayes and 28 noes

Sponsor/Amendment: Banks/PELL_CHINA

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)			X
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)			X
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 20

Nos: 28

Not Voting: 4

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call: 10

Bill: Committee Print Amendment Number: 13

Disposition: Defeated by a vote of 21 ayes and 28 noes

Sponsor/Amendment: Cawthorn/RAMD_08

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)			X
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 21

Nos: 28

Not Voting: 3

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:11

Bill: Committee Print Amendment Number: 14

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Cawthorn/SEC21001

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:12

Bill: Committee Print Amendment Number: 17

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Allen/SEC21002

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos: 28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:13

Bill: Committee Print Amendment Number: 18

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Allen/RAMD_028

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call: 14

Bill: Committee Print Amendment Number: 19

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Allen/ALLEGA_028

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos: 28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:15

Bill: Committee Print Amendment Number:21

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Comer/COMER_012.

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:16

Bill: Committee Print Amendment Number:22

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Thompson/CNREIMBURSEMENT_01

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:17

Bill: Committee Print Amendment Number:23

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Murphy/RAMD_18

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:18

Bill: Committee Print Amendment Number:25

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: McClain/MCCLAI_050

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:19

Bill: Committee Print Amendment Number:26

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Steel/WHDFUNDING

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:20

Bill: Committee Print Amendment Number:27

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Steel/RAMD_03

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:21

Bill: Committee Print Amendment Number:28

Disposition: Defeated by a vote of 21 ayes and 28 noes

Sponsor/Amendment: Grothman/GROTWI_058

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)			X
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 21

Nos:28

Not Voting: 3

Total: 53 / Quorum:27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:22

Bill: Committee Print Amendment Number:30

Disposition: Defeated by a vote of 20 ayes and 29 noes

Sponsor/Amendment: Grothman/GROTWI_054

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)			X
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)			X
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 20

Nos:29

Not Voting: 3

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:23

Bill: Committee Print Amendment Number:33

Disposition: Defeated by a vote of 22 ayes and 27 noes

Sponsor/Amendment: Miller-Meeks/ELCP_010

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)			X	Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:27

Not Voting: 3

Total: 53 / Quorum:27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:24

Bill: Committee Print Amendment Number:34

Disposition: Defeated by a vote of 22 ayes and 27 noes

Sponsor/Amendment: Miller-Meeks/RAMD_01

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)			X	Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:27

Not Voting: 3

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:25

Bill: Committee Print Amendment Number:35

Disposition: Defeated by a vote of 21 ayes and 27 noes

Sponsor/Amendment: Fitzgerald/RAMD_09

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNEY (CT)		X		Mr. THOMPSON (PA)			X
Mr. SABLAN (MP)			X	Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 21

Nos: 27

Not Voting: 4

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:26

Bill: Committee Print Amendment Number:36

Disposition: Defeated by a vote of 21 ayes and 28 noes

Sponsor/Amendment: Fitzgerald/FITZGE_014

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)			X
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 21

Nos:28

Not Voting: 3

Total: 53 / Quorum:27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:27

Bill: Committee Print Amendment Number:37

Disposition: Defeated by a vote of 21 ayes and 28 noes

Sponsor/Amendment: Fitzgerald/RAMD_31

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)			X
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 21

Nos:28

Not Voting: 3

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/2021

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call: 28

Bill: Committee Print Amendment Number: 38

Disposition: Adopted by a vote of 28 ayes and 21 noes

Sponsor/Amendment: Sherrill/ ELCP_011

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)	X			Mrs. FOXX (NC) (Ranking)		X	
Mr. GRIJALVA (AZ)	X			Mr. WILSON (SC)		X	
Mr. COURNTEY (CT)	X			Mr. THOMPSON (PA)			X
Mr. SABLAN (MP)	X			Mr. WALBERG (MI)		X	
Ms. WILSON (FL)	X			Mr. GROTHMAN (WI)		X	
Ms. BONAMICI (OR)	X			Ms. STEFANIK (NY)		X	
Mr. TAKANO (CA)	X			Mr. ALLEN (GA)		X	
Ms. ADAMS (NC)	X			Mr. BANKS (IN)		X	
Mr. DESAULNIER (CA)	X			Mr. COMER (KY)		X	
Mr. NORCROSS (NJ)	X			Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)	X			Mr. KELLER (PA)		X	
Mr. MORELLE (NY)	X			Mr. MURPHY (NC)		X	
Ms. WILD (PA)	X			Ms. MILLER-MEEKS (IA)		X	
Mrs. MCBATH (GA)	X			Mr. OWENS (UT)		X	
Mrs. HAYES (CT)	X			Mr. GOOD (VA)		X	
Mr. LEVIN (MI)	X			Mrs. MCCLAIN (MI)		X	
Ms. OMAR (MN)	X			Mrs. HARSHBARGER (TN)		X	
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)		X	
Ms. LEGER FERNÁNDEZ (NM)	X			Mrs. SPARTZ (IN)		X	
Mr. JONES (NY)	X			Mr. FITZGERALD (WI)		X	
Ms. MANNING (NC)	X			Mr. CAWTHORN (NC)		X	
Mr. MRVAN (IN)	X			Mrs. STEEL (CA)		X	
Mr. BOWMAN (NY)	X			Ms. LETLOW (LA)		X	
Mr. POCAN (WI)	X			<i>Vacancy</i>			
Mr. CASTRO (TX)	X						
Ms. SHERRILL (NJ)	X						
Mr. YARMUTH (KY)	X						
Mr. ESPAILLAT (NY)	X						
Mr. KWEISI MFUME (MD)	X						

TOTALS: Ayes: 28

Nos: 21

Not Voting: 3

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:29

Bill: Committee Print Amendment Number:39

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Harshbarger/HARSHB_014

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:30

Bill: Committee Print Amendment Number:40

Disposition: Defeated by a vote of 21 ayes and 28 noes

Sponsor/Amendment: Harshbarger/SMEPNLRACMP

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)			X
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 21

Nos:28

Not Voting: 3

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:31

Bill: Committee Print Amendment Number:41

Disposition: Defeated by a vote of 21 ayes and 28 noes

Sponsor/Amendment: Letlow/LETLOW_014

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)			X
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 21

Nos:28

Not Voting: 3

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:32

Bill: Committee Print Amendment Number:43

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Miller/CONSENT

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:33

Bill: Committee Print Amendment Number:44

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Miller/MILLIL_010

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNEYEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWELSI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:34

Bill: Committee Print Amendment Number:46

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Foxx/SMEMPFLSA

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNÁNDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:35

Bill: Committee Print Amendment Number: 15, 16 en bloc

Disposition: Defeated by a vote of 21 ayes and 28 noes

Sponsor/Amendment: Owens/NLRACMP (amendment #15), Allen/SEC21006 (amendment #16)

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNEY (CT)		X		Mr. THOMPSON (PA)			X
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNANDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 21

Nos:28

Not Voting: 3

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:36

Bill: Committee Print Amendment Number:20,47 en bloc

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Comer/OFCCP_01 (amendment # 20), Foxx/EEOC_01 (amendment #47)

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNANDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos:28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/21

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call:37

Bill: Committee Print Amendment Number: 29,32,42 en bloc

Disposition: Defeated by a vote of 22 ayes and 28 noes

Sponsor/Amendment: Grothman/ELCP_009 (amendment #29), Grothman/GROTWI_057 (amendment #32),
Letlow/RAMD_15 (amendment #42)

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mr. GRIJALVA (AZ)		X		Mr. WILSON (SC)	X		
Mr. COURNTEY (CT)		X		Mr. THOMPSON (PA)	X		
Mr. SABLAN (MP)		X		Mr. WALBERG (MI)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. BANKS (IN)	X		
Mr. DESAULNIER (CA)		X		Mr. COMER (KY)	X		
Mr. NORCROSS (NJ)		X		Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)		X		Mr. KELLER (PA)	X		
Mr. MORELLE (NY)		X		Mr. MURPHY (NC)	X		
Ms. WILD (PA)		X		Ms. MILLER-MEEKS (IA)	X		
Mrs. MCBATH (GA)		X		Mr. OWENS (UT)	X		
Mrs. HAYES (CT)		X		Mr. GOOD (VA)	X		
Mr. LEVIN (MI)		X		Mrs. MCCLAIN (MI)	X		
Ms. OMAR (MN)		X		Mrs. HARSHBARGER (TN)	X		
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)	X		
Ms. LEGER FERNANDEZ (NM)		X		Mrs. SPARTZ (IN)	X		
Mr. JONES (NY)		X		Mr. FITZGERALD (WI)	X		
Ms. MANNING (NC)		X		Mr. CAWTHORN (NC)	X		
Mr. MRVAN (IN)		X		Mrs. STEEL (CA)	X		
Mr. BOWMAN (NY)		X		Ms. LETLOW (LA)	X		
Mr. POCAN (WI)		X		<i>Vacancy</i>			
Mr. CASTRO (TX)		X					
Ms. SHERRILL (NJ)		X					
Mr. YARMUTH (KY)		X					
Mr. ESPAILLAT (NY)		X					
Mr. KWEISI MFUME (MD)		X					

TOTALS: Ayes: 22

Nos: 28

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/2021

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call: 38

Bill: Committee Print Amendment Number: 1

Disposition: Adopted by a vote of 28 ayes to 22 noes

Sponsor/Amendment: Scott/ ELTITLE_ANS

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)	X			Mrs. FOXX (NC) (Ranking)		X	
Mr. GRIJALVA (AZ)	X			Mr. WILSON (SC)		X	
Mr. COURNTEY (CT)	X			Mr. THOMPSON (PA)		X	
Mr. SABLAN (MP)	X			Mr. WALBERG (MI)		X	
Ms. WILSON (FL)	X			Mr. GROTHMAN (WI)		X	
Ms. BONAMICI (OR)	X			Ms. STEFANIK (NY)		X	
Mr. TAKANO (CA)	X			Mr. ALLEN (GA)		X	
Ms. ADAMS (NC)	X			Mr. BANKS (IN)		X	
Mr. DESAULNIER (CA)	X			Mr. COMER (KY)		X	
Mr. NORCROSS (NJ)	X			Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)	X			Mr. KELLER (PA)		X	
Mr. MORELLE (NY)	X			Mr. MURPHY (NC)		X	
Ms. WILD (PA)	X			Ms. MILLER-MEEKS (IA)		X	
Mrs. MCBATH (GA)	X			Mr. OWENS (UT)		X	
Mrs. HAYES (CT)	X			Mr. GOOD (VA)		X	
Mr. LEVIN (MI)	X			Mrs. MCCLAIN (MI)		X	
Ms. OMAR (MN)	X			Mrs. HARSHBARGER (TN)		X	
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)		X	
Ms. LEGER FERNÁNDEZ (NM)	X			Mrs. SPARTZ (IN)		X	
Mr. JONES (NY)	X			Mr. FITZGERALD (WI)		X	
Ms. MANNING (NC)	X			Mr. CAWTHORN (NC)		X	
Mr. MRVAN (IN)	X			Mrs. STEEL (CA)		X	
Mr. BOWMAN (NY)	X			Ms. LETLOW (LA)		X	
Mr. POCAN (WI)	X			<i>Vacancy</i>			
Mr. CASTRO (TX)	X						
Ms. SHERRILL (NJ)	X						
Mr. YARMUTH (KY)	X						
Mr. ESPAILLAT (NY)	X						
Mr. KWEISI MFUME (MD)	X						

TOTALS: Ayes: 28

Nos: 22

Not Voting: 2

Total: 53 / Quorum: 27 / Report: 27

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/9/2021

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTERoll Call: **39**Bill: **Committee Print** Amendment Number: **Motion**Disposition: **Adopted by a vote of 28 ayes to 22 noes**Sponsor/Amendment: **Scott/ Mtn to transmit the Committee Print (S. Con. Res. 14 Reconciliation Directives)
as amended,with recommendations to the House Committee on the Budget**

Name & State	Aye	No	Net Voting	Name & State	Aye	No	Net Voting
Mr. SCOTT (VA) (Chairman)	X			Mrs. FOXX (NC) (Ranking)		X	
Mr. GRUJALVA (AZ)	X			Mr. WILSON (SC)		X	
Mr. COURNTEY (CT)	X			Mr. THOMPSON (PA)		X	
Mr. SABLAN (MP)	X			Mr. WALBERG (MI)		X	
Ms. WILSON (FL)	X			Mr. GROTHMAN (WI)		X	
Ms. BONAMICI (OR)	X			Ms. STEFANIK (NY)		X	
Mr. TAKANO (CA)	X			Mr. ALLEN (GA)		X	
Ms. ADAMS (NC)	X			Mr. BANKS (IN)		X	
Mr. DESAULNIER (CA)	X			Mr. COMER (KY)		X	
Mr. NORCROSS (NJ)	X			Mr. FULCHER (ID)			X
Ms. JAYAPAL (WA)	X			Mr. KELLER (PA)		X	
Mr. MORELLE (NY)	X			Mr. MURPHY (NC)		X	
Ms. WILD (PA)	X			Ms. MILLER-MEEKS (IA)		X	
Mrs. MCBATH (GA)	X			Mr. OWENS (UT)		X	
Mrs. HAYES (CT)	X			Mr. GOOD (VA)		X	
Mr. LEVIN (MI)	X			Mrs. MCCLAIN (MI)		X	
Ms. OMAR (MN)	X			Mrs. HARSHBARGER (TN)		X	
Ms. STEVENS (MI)			X	Mrs. MILLER (IL)		X	
Ms. LEGER FERNÁNDEZ (NM)	X			Mrs. SPARTZ (IN)		X	
Mr. JONES (NY)	X			Mr. FITZGERALD (WI)		X	
Ms. MANNING (NC)	X			Mr. CAWTHORN (NC)		X	
Mr. MRVAN (IN)	X			Mrs. STEEL (CA)		X	
Mr. BOWMAN (NY)	X			Ms. LETLOW (LA)		X	
Mr. POCAN (WI)	X			<i>Vacancy</i>			
Mr. CASTRO (TX)	X						
Ms. SHERRILL (NJ)	X						
Mr. YARMUTH (KY)	X						
Mr. ESPAILLAT (NY)	X						
Mr. KWEISI MFUME (MD)	X						

TOTALS: Ayes: **28**Nos: **22**Not Voting: **2**Total: 53 / Quorum: **27** / Report: **27**

(29 D - 24 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

BUDGET EFFECTS OF THE PROVISIONS**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the *Congressional Budget and Impoundment Control Act of 1974*. The Committee has requested but not received from the Director of the Congressional Budget Office a cost estimate for the Committee's provisions.

B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

Pursuant to clause 3(c)(2) of Rule XIII of the Rules of the House of Representatives and section 308(a) of the *Congressional Budget and Impoundment Control Act of 1974*, and pursuant to clause 3(c)(3) of Rule XIII of the Rules of the House of Representatives and section 402 of the *Congressional Budget and Impoundment Control Act of 1974*, the Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether these provisions contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE

A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

In compliance with clause 3(c)(1) of Rule XIII and clause 2(b)(1) of Rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause (3)(c)(4) of Rule XIII of the Rules of the House of Representatives, the goals and objectives of the Committee Print are to make vital investments in education, workforce development, child care, nutrition, and health and human services programs.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of Rule XIII of the Rules of the House of Representatives, no provision of the Committee Print, as amended, is known to be duplicative of another federal program, including any program that was included in a report to Congress pursuant to section 21 of Pub. L. No. 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In accordance with clause 9 of Rule XXI of the Rules of the House of Representatives, the Committee Print, as amended, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as described in clauses 9(e), 9(f), and 9(g) of Rule XXI.

E. FEDERAL MANDATES STATEMENT

Pursuant to Section 423 of the *Congressional Budget and Impoundment Control Act of 1974*, Pub. L. No. 93-344 (as amended by Section 101(a)(2) of the *Unfunded Mandates Reform Act of 1995*, Pub. L. No. 104-4), the Committee adopts as its own the federal mandates estimate prepared by the Director of the Congressional Budget Office. The Committee has requested but not received from the Director of the Congressional Budget Office a federal mandates estimate for the Committee's provisions.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the *Federal Advisory Committee Act* were created by this Committee Print, as amended.

G. APPLICABILITY TO LEGISLATIVE BRANCH

Pursuant to section 102(b)(3) of the *Congressional Accountability Act*, Pub. L. No. 104-1,

the Committee Print, as amended, does not apply to terms and conditions of employment or to access to public services or accommodations within the legislative branch.

H. CONSTITUTIONAL AUTHORITY STATEMENT

Congress has the authority to enact the provisions of the Committee Print, as amended, pursuant to section 8 of Article I of the Constitution of the United States.

**CHANGES IN EXISTING LAW MADE BY THE COMMITTEE'S RECONCILIATION
LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED**

Pursuant to clause 3(e) of Rule XIII of the Rules of the House of Representatives, a comparative print of changes in existing law made by the Committee Print, as transmitted, has been requested but not received.

**Minority Views on Committee Print to comply with the Reconciliation Directive included
in Section 2002 of S. Con. Res. 14**

Introduction

2021 is already one of the most expensive years on record for working Americans. Inflation is up more than 7 percent since President Biden took office. For business owners, families, and retirees on a fixed income, that means up to 7 percent less food on the table, gas in the car, or funds set aside for a rainy day.

Yet, Democrats are dipping into taxpayers' wallets to give another socialist handout to liberal special interests.

More government spending is not the answer to a spending-induced inflation crisis. The Biden administration and its allies are asking Americans to pay for their failed programs twice: once with taxes from workers' personal paychecks and again at gas pumps and grocery stores.

And it is not just today's taxpayers who will be on the hook for these programs. This monstrosity recklessly increases what was already the highest sustained spending level in American history. Allocating billions of dollars to radical left-wing proposals will harm the economy now and obliterate economic prosperity in the future.

Placing a brick on Biden's inflation gas pedal and expecting future generations to pay for this irresponsibility is unacceptable.

To add insult to injury, Democrats think they know best how to spend taxpayers' money.

This bill truly is a solution in search of a problem.

To address the radical and dangerous provisions in this legislation which hurt Americans from all walks of life, Committee Republicans offered common-sense amendments to increase Americans' freedoms, rein in runaway spending, encourage excellence in the nation's schools and workforce, protect small businesses from government overreach and unfair union influence, and reinforce the United States' premiere status in the world without burdening future generations with unsustainable debt.

This monstrous bill is unreasonable and mocks the legislative process. Without any prior hearings or sufficient input from stakeholders, Democrats are pushing ahead with a partisan bill that recklessly spends trillions of dollars.

Pelosi and her allies are using budget reconciliation to steamroll the rights of Republican Members. Committee Republicans will not stay silent while the left tries to do the same to the American people.

Process

For the second time this Congress, the Committee is considering a legislative package that spends hundreds of billions of taxpayer funds. This is a package that was shared with the public and with Members of this Committee just 24 hours before moving to markup. The American people are working hard to survive through the pandemic, but the Democrats have put forward a proposal that misspends their funds without giving the taxpayers a chance to thoughtfully weigh in on the measure.

Partisan Social Agenda Over Taxpayer Help

Instead of thoughtfully considering reforms to the various laws in our jurisdiction that are significantly outdated, Democrats decided to shove their socialist partisan agenda through the Committee—touching on every piece of American life.

School Construction

All students deserve access to an excellent education that prepares them for postsecondary success. This includes attending schools with adequate facilities to support teaching and learning. The condition of facilities at America's public schools appears mixed. A 2014 study from the National Center for Education Statistics surveyed local school districts and found that 53 percent of public schools needed repairs, renovations, and modernizations, and that an estimated \$197 billion would be needed to bring all public schools into good condition.¹ However, that same report indicated that only 3 percent of public school buildings were described as being in poor condition while 76 percent were described as being in excellent or good condition.²

The federal government funds the Impact Aid Construction program, which provides funding to school districts to build and repair schools impacted by the loss of tax revenue because of the presence of the federal government. In most cases, the federal government also exempts interest income from municipal bonds, including municipal bonds used to finance school construction projects, from federal income tax. A handful of small funding streams in specialized programs in various agencies throughout the federal government can also be used to build, repair, or modernize facilities. Otherwise, the federal government has traditionally played a very limited role in school construction. This is because building and repairing public school facilities has appropriately been primarily a state and local responsibility.

The school construction provisions of this bill would dramatically expand the federal government's financial and regulatory role in school construction. This would present states and school districts with a sobering reality. As with so many other programs, the federal government offers money and then hides within the bill regulatory and compliance burdens that will increase costs and make it harder for states and school districts to take necessary steps to improve their public school facilities.

This bill contains numerous such regulatory burdens, impacting even many school districts that will not see any school construction grants, that will increase costs to state and local taxpayers.

¹ *Condition of America's Public School Facilities: 2012-2013*, page 3. <https://nces.ed.gov/pubs2014/2014022.pdf>

² *Condition of America's Public School Facilities: 2012-2013*, page 3.

These requirements include a laundry list of “strategies” states are required to develop as well as requirements for the creation of state and local facilities’ plans containing information that may or may not be relevant to each school district.

In addition, further federal mandates would likely be attached to this school construction money. First, projects would be required to comply with the *Davis-Bacon Act* (DBA). Enacted in 1931, the DBA requires the payment of “prevailing wage rates” on federal or District of Columbia contracts larger than \$2,000 for the construction, alteration, or repair of public buildings or public works.³ DBA prevailing wage requirements have also been applied to the “Related Acts,” under which federal agencies assist construction projects through grants, loans, loan guarantees, and insurance.⁴ DBA and Related Act contractors and subcontractors must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area. The U.S. Department of Labor’s (DOL) Wage and Hour Division determines prevailing wage rates based on a survey of local wage rates, where appropriate business entities or labor organizations may voluntarily submit wage data to DOL.

The Government Accountability Office and DOL’s Office of Inspector General (OIG) have repeatedly criticized DOL’s DBA wage determination process for its lack of transparency in how the published wage rates are set, as well as its tendency to gather inaccurate data through unscientific wage surveys.⁵

Because the wage data is likely flawed, it is estimated DBA wages increase the costs of federal projects by as much as 22 percent—costs which get passed on to taxpayers.⁶ Furthermore, DOL’s OIG found that union wages prevailed for 48 percent of the wage determinations,⁷ despite the fact that just 12.7 percent of the U.S. private construction workforce is unionized.⁸

Second, construction projects funded under this bill might be required to utilize project labor agreements (PLAs). A PLA is a project-specific collective bargaining agreement with multiple unions that is unique to the construction industry. The *National Labor Relations Act* (NLRA) permits construction employers to execute a PLA voluntarily, but when a PLA is mandated by a federal or state government agency, construction contracts can be awarded only to contractors and subcontractors that agree to the terms and conditions of the PLA. Though all contractors are technically free to bid on construction contracts subject to government-

³ 40 U.S.C. § 3142.

⁴ See U.S. DEP’T OF LAB., WAGE & HOUR DIV., DAVIS-BACON AND RELATED ACTS, <https://www.dol.gov/agencies/whd/government-contracts/construction>.

⁵ See GAO, DAVIS-BACON ACT: METHODOLOGICAL CHANGES NEEDED TO IMPROVE WAGE SURVEY (Mar. 22, 2011); DOL OIG, CONCERNS PERSIST WITH THE INTEGRITY OF DAVIS-BACON ACT PREVAILING WAGER DETERMINATIONS (Mar. 30, 2004), <https://www.oig.dol.gov/public/reports/oa/2004/04-04-003-04-420.pdf>.

⁶ SARAH GLASSMAN ET AL., THE BEACON HILL INST. AT SUFFOLK UNIV., THE FEDERAL DAVIS-BACON ACT: THE PREVAILING MISMEASURE OF WAGES, (Feb. 2008),

<http://www.beaconhill.org/bhistudies/prevwage08/davisbaconprevwage080207final.pdf>.

⁷ DOL OIG, BETTER STRATEGIES ARE NEEDED TO IMPROVE THE TIMELINESS AND ACCURACY OF DAVIS-BACON PREVAILING WAGE RATES (Mar. 29, 2019), <https://www.oig.dol.gov/public/reports/oa/2019/04-19-001-15-001.pdf>.

⁸ BUREAU OF LAB. STATISTICS, UNION MEMBERS – 2020: TABLE 3 (Union affiliation of employed wage and salary workers by occupation and industry) (Jan. 22, 2021), <https://www.bls.gov/news.release/union2.t03.htm>.

mandated PLAs, the terms of a PLA typically force contractors to recognize unions as the representatives of their employees on a job, use the union hiring hall to obtain workers, hire apprentices exclusively through union apprenticeship programs, pay fringe benefits into union-managed benefits and multiemployer pension programs, and obey the unions' restrictive work rules and job classifications. PLA mandates discourage non-union contractors from bidding on taxpayer-funded construction contracts and drive up construction costs by up to 20 percent.⁹

This new federal school construction program is the wrong answer. This program will provide funding to a handful of school districts in exchange for increased costs and regulatory burdens for everyone. Committee Republicans believe there is a better way.

Opportunity Zones

In the 115th Congress, Republicans enacted, as part of the *Tax Cuts and Jobs Act*, historic bipartisan reforms to potentially unleash trillions of dollars in private capital into communities left behind during the pre-pandemic economic expansion. Senators Tim Scott (R-SC) and Cory Booker (D-NJ) championed the provision they and many others saw as an innovative way to break the cycle of failed government programs by using the energy and ingenuity of the private sector to revitalize communities.

Under the program, governors nominate, and the Internal Revenue Service certifies, communities as Opportunity Zones. To be nominated and certified, a community must have a poverty rate of 20 percent or higher or a median household income that is less than 80 percent of the surrounding area. Governors are allowed to designate 25 percent of a state's eligible communities as Opportunity Zones. According to the Tax Policy Center, 8,762 low-income communities have been designated as Opportunity Zones across the 50 states, the District of Columbia, and four U.S. territories.¹⁰

The Opportunity Zones provision provides tax incentives for private capital to be reinvested in Opportunity Funds that in turn invest in communities designated as Opportunity Zones. Investments in so-called vice businesses (e.g., liquor stores) are prohibited, but beyond that, investment opportunities are open-ended. The Urban Institute has found that designated Opportunity Zones have lower incomes, higher poverty rates, and higher unemployment rates than eligible tracts not designated.¹¹

The school construction provisions of this bill present us a choice. We can try the same old approach that has failed literally for decades. That approach demands more sacrifice from taxpayers and offers more regulations from Washington. That is the Democrat way. The

⁹ See THE BEACON HILL INST., PLA STUDIES (studies measuring the impact of PLA mandates on public school construction in Connecticut, Massachusetts, New Jersey, New York, and Ohio), <http://beaconhill.org/labor-economics/>.

¹⁰ "What are Opportunity Zones and How Do They Work?" Tax Policy Center. <https://www.taxpolicycenter.org/briefing-book/what-are-opportunity-zones-and-how-do-they-work>

¹¹ Ibid

Republican way is to give communities the tools they need to unleash innovation, investment, and revitalization, with the flexibility to tailor local solutions for local challenges.

Teacher Funding

This bill contains \$1.1 billion for a variety of teacher recruitment, retention, and compensation activities. Democrats argue this spending is needed to address teacher shortages in school districts across the country. Concern about teacher shortages has grown in recent years. Before the pandemic, an Economic Policy Institute report estimated that school districts across the nation faced a shortage of approximately 100,000 certified teachers.¹² Democrats seem to think that a top-down Washington approach of throwing more money at the problem will address the underlying issues.

However, demand for more taxpayer sacrifice is not the answer. Contrary to claims by Democrats, there has been no disinvestment in education. From the 1990-1991 school year to the 2017-2018 school year (the most recent year for which federal data is available), inflation adjusted per-pupil spending in public schools increased nearly 30 percent.¹³ What has not increased, however, is teacher salaries. In fact, teacher salaries have declined in inflation-adjusted dollars over the same period from a national average of \$63,548 to \$62,998.

The excess money pumped into education over the last three decades has had no impact on teacher salaries because states and school districts have had other priorities. In testimony before the Committee last Congress, economist Dr. Ben Scafidi observed that while student enrollment increased by only 20 percent from 1992 to 2016, the number of “all other staff” (meaning public school employees who are not teachers) increased 52 percent.¹⁴ If the “all other staff” category had increased only 20 percent since 1992 to match the increase in student enrollment, an additional approximately \$40.8 billion would be available to the public education system. These additional resources could be used to give every public school teacher in the country a nearly \$13,000 annual raise. The Democrats’ spending plans in this bill will do nothing to encourage better strategic decisions by states and school districts, and so likely will do nothing to address teacher shortage challenges.

Child Nutrition

This bill includes complicated provisions that unwisely spend billions of dollars in taxpayer funds that largely serve to provide free meals to families that can well afford to pay for their children’s meals. The reconciliation process is not the appropriate place to make significant program reforms. The Committee should follow regular order and take up a child nutrition reauthorization, which is more than 10 years past due, to properly assess the needed changes in the program to help those children in need. Instead of spending funds to feed the children of

¹² “The Teacher Shortage is Real, Large and Growing, and Worse Than We Thought.” Economic Policy Institute. March 26, 2019. <https://www.epi.org/publication/the-teacher-shortage-is-real-large-and-growing-and-worse-than-we-thought-the-first-report-in-the-perfect-storm-in-the-teacher-labor-market-series/>

¹³ Current Expenditures and Current Expenditures Per Pupil in Public Elementary and Secondary Schools: 1989-1990 Through 2029-2030. National Center for Education Statistics. Digest of Education Statistics. https://nces.ed.gov/programs/digest/d20/tables/dt20_236.15.asp?current=yes

¹⁴ Testimony before the Committee on Education and Labor at the hearing “Underpaid Teachers and Crumbling Schools: How Underfunding Public Education Shortchanges America’s Students.” February 12, 2019. https://republicans-edlabor.house.gov/uploadedfiles/2.12.19_ben_scafidi_written_testimony_final.pdf

Members of Congress and lobbyists, the Committee should look at reforms to these programs that will help ensure hungry children have access to good food they will actually eat, help parents learn how to prepare and serve nutritious food to their children, and better support private sector partners to make the program successful.

Child Care

The largest federal investments in early childhood programs are operated by HHS, specifically through the Head Start and Child Care Development Block Grant (CCDBG) programs. In FY 2021 Head Start was funded at \$10.7 billion. Head Start also received supplemental appropriations of \$750 million in the *Coronavirus Aid, Relief, And Economic Security (CARES) Act*; \$250 million in the *Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA)*; and \$1 billion in the *American Rescue Plan Act (ARP)*. CCDBG is the main federal program focused on child care. Congress appropriated \$5.8 billion in FY 2021 discretionary funding for CCDBG in addition to mandatory funding through the Committee on Ways and Means. CCDBG also received supplemental appropriations of \$3.5 billion in CARES Act; \$10 billion in CRRSAA; and almost \$15 billion in ARP. Finally, ARP provided almost \$24 billion for a new Child Care Stabilization Fund, providing one-time, mandatory appropriations for child care stabilization grants. This is only the funding provided to this sector under the jurisdiction of the Committee; additional tax credits and other funding has been appropriated as a part of the COVID relief packages.

Instead of examining what is needed and how to strengthen the sector and support families, the Democrats put forward two bloated child care focused programs that are duplicative of currently funded federal child care and early education programs. Not only are these programs unnecessary but also they treat faith-based providers unfairly and will add layer upon layer of federal top-down Washington knows best mandates. Further, these programs will harm working parents' ability to choose and afford a provider that best meets the needs of their young children by disrupting the nation's vibrant mixed delivery system for child care and early education. The majority said as much during the markup, noting that these programs were about public schools and essentially dismissed the other vital providers in this space. Even while incurring great financial losses, child care was one of the sectors that stayed open for working parents during COVID. As the child care market place works to recover and continue to help millions of parents go to work, adding ill-conceived, new programs that will lead to closures and limitations in the current mixed delivery system will only hurt working parents and their children. New pre-K and child care programs crammed through a partisan reconciliation process are the wrong policy. Congress should thoughtfully consider the existing programs and as a part of reauthorization of the *Child Care Development Block Grant Act* and *Head Start Act*, both of which are expired, make the changes necessary to better meet the needs of those families who need assistance. Rather than hastily spending hundreds of billions of dollars, Congress should do the work necessary to thoughtfully reform the existing programs to meet today's child care needs.

Higher Education

Our postsecondary education system is in dire need of reform. Unfortunately, rather than working towards a bipartisan reauthorization of the *Higher Education Act of 1965*, Committee Democrats opted for a partisan approach that will cost taxpayers over \$100 billion and lead to

disastrous consequence for both students and the country at large. The bill not only fails to address the underlying problems plaguing postsecondary education but also further exacerbates them by applying the same failed logic of more taxpayer funding that has only led to exploding college costs and poor student outcomes.

Pell Grants

The bill irresponsibly increases the Pell Grant without any consideration as to how federal subsidies have inflated tuition prices and forced middle-class families to fund their postsecondary education with burdensome student debt. A 2017 study conducted by economists at the Federal Reserve Bank of New York found that, for every increase in Pell Grant aid, institutions capture approximately 40 cents on the dollar through higher tuition prices, while also leading them to reduce their own institutional financial aid.¹⁵ Under these assumptions, roughly 40 percent of the increase in Pell aid provided in this bill will flow directly to institutions that will simultaneously reduce their own support for the students they serve.

While Republicans agree that the Pell Grant is the cornerstone of our federal student aid system and an important tool to promote economic mobility, it only does so for those who complete their program. Indeed, the bill ignores the fact that less than half of first-time, full-time Pell recipients graduate within six years.¹⁶ Moreover, only 47 percent of institutions award degrees to more than half of the Pell recipients they enroll.¹⁷ Improving affordability and outcomes for low-income students is not as simple as forcing taxpayers to further subsidize institutions. It requires meaningful reforms that ensure institutions are held accountable for the outcomes of their students.

“Free” College

The bill dramatically expands the federal government’s role in higher education by requiring taxpayers to fund a nearly \$50 billion proposal for “free” community college. The proposal also includes almost \$30 billion for tuition and research subsidies at Historically Black Colleges and Universities, Tribal Colleges and Universities, and other Minority-Serving Institutions – all institutions that receive their own carve-outs for institutional aid in the *Higher Education Act* already. While Committee Democrats champion “free” tuition as the solution to inequality and inaccessibility in higher education, low-income students will see minimal to no benefits as the Pell Grant already more than covers the average cost of tuition and fees at public two-year institutions even before the increase in Pell included in this bill.¹⁸ In reality, the proposal is a handout for millionaire families and non-citizens at the expense of hard working Americans, over half of whom do not hold a college degree.¹⁹ Moreover, the proposal attempts to shepherd students into a particular education pathway that may not suit their needs nor set them up for postsecondary success. A one-size-fits all approach is poor policy and is especially harmful when

¹⁵ https://www.newyorkfed.org/medialibrary/media/research/staff_reports/sr733.pdf

¹⁶ <https://www.thirdway.org/report/the-pell-divide-how-four-year-institutions-are-failing-to-graduate-low-and-moderate-income-students>

¹⁷ *Ibid.*

¹⁸ <https://research.collegeboard.org/pdf/trends-college-pricing-student-aid-2020.pdf>

¹⁹ <https://nces.ed.gov/fastfacts/display.asp?id=27>

it penalizes students who do not attend an institutional cohort that graduates just 40 percent of its students in six years²⁰ and leaves completers with higher levels of unemployment and lower earnings than graduates from all other sectors.²¹ The decentralized system promotes innovation and provides students the flexibility to choose an educational pathway that works best for them, which is why Committee Republican will continue to support efforts to improve it.

As with all heavy-handed policies dictated by Washington progressives, the federal-state partnership is also unworkable. Through an array of mandates and requirements that must be met in order to participate, it is nearly assured that many states will simply be unable or unwilling to do so, which will further exacerbate inequality and affordability gaps for students across the country. For example, if poorer states—which typically have higher tuition due to budgetary constraints—were unable to opt into the program, federal taxpayers would effectively finance tuition-free college in states where postsecondary education is already the most affordable. Committee Republicans oppose policies that benefit the wealthy at the expense of low-income and middle-class Americans, especially when those policies are not “free” to state or federal taxpayers.

Workforce Development

In an ever-evolving economy, it is essential that employees have opportunities to adapt and grow in their abilities in order to remain competitive in the workforce. The economic growth of our nation also depends on our workers having the competitive skills necessary to meet the needs of employers and businesses. The COVID-19 pandemic only exacerbated our nation’s skills gap and made it more critical than ever that our nation’s workforce system be up to the challenge of getting our country back to work. Given the importance of this issue to the lives of millions of Americans and their widespread interest in it, the federal government should reauthorize the *Workforce Innovation and Opportunity Act* in a bipartisan manner. A partisan reconciliation process that further bloats the bureaucracy instead of refocusing funding on skills development is not the appropriate course of action for making changes to our workforce system. The Committee should instead follow regular order to carefully examine our nation’s workforce system and reauthorize this important law with bipartisan input. Doing so would allow Congress to strengthen existing pathways and create more innovative and effective options for workers to reskill and upskill to meet the demands of our evolving 21st century economy.

Civilian Climate Corps

In an attempt to push forward Democrats’ Green New Deal agenda, the bill plows \$3.2 billion into the Corporation for Community and National Service to significantly blow up the size of the agency with a focus on clean energy and environmental resiliency. CNCS has demonstrated time and time again that they are incapable of responsibly managing their grantees, and yet the Democrats are giving them additional funding to squander. Rather than asking taxpayers to pay for Committee Democrat’s socialist wish list, Congress should focus on reforming AmeriCorps, an agency that has continually mismanaged taxpayer dollars due to its inability to monitor fraudulent activities and prevent improper payments. With more than 10 million unfilled jobs in the United States, ample opportunities exist to ensure workers have the necessary skills to fill

²⁰ <https://nscresearchcenter.org/completing-college/>

²¹ <https://www.bls.gov/emp/chart-unemployment-earnings-education.htm>

them. Committee Republicans support policies that improve our workforce system and better-equip workers for in-demand careers, not socialist programs that will bankrupt the country.

Funding for Abortions

This irresponsible bill provides over \$1.5 billion in funding that could be used to pay for abortions, including the funding for the Job Corps program and the Pregnancy Assistance Fund. Run out of the Department of Labor, the Job Corps program is supposed to provide skills to disadvantaged youth to prepare them to enter the workforce, but funds from the program can be used to pay for abortions.²² Without any pro-life protections included in this bill, it further expands this unacceptable policy, making it possible for Job Corps funding to be used to pay for elective abortions. It is unconscionable that a program that should be focused on preparing young adults for the workforce in a safe and secure setting could be used to take the life of an unborn baby.

Further, the bill provides \$25,000,000 for the Pregnancy Assistance Fund at the Department of Health and Human Services. The funds in this program have a track record of flowing to abortion providers like Planned Parenthood, and they can continue to do so under this bill.²³ Under no circumstance should Congress be providing funds to end the lives of innocent human beings, but this bill does exactly that. Instead, Congress should ensure that longstanding pro-life protections against federal funding for abortion—such as the Hyde amendment—are applied to all federal funding so that the dignity of every human life, including the life of every unborn baby, is upheld.

Amendments not Accepted

Committee Republicans offered thoughtful amendments that would have improved the bill, yet Committee Democrats rejected all of them. Many of these amendments would address key needs of the American people suffering in the pandemic. For example:

Free College Amendments

1. **Means-Test Federal State Partnership College**—Rep. Keller offered an amendment to means-test student eligibility for free tuition under the federal-state partnership. Committee Republicans oppose “free” college, especially when taxpayers—the majority of which don’t hold a college degree—are footing the tuition bill for high-income millionaires and high-income individuals. This amendment would have ensured that individuals with a household income above \$400,000 would not be getting a “free” ride for community college at the expense of taxpayers.

²² Job Corps Policy and Requirements Handbook, Chapter 2: Student Support Services, June 15, 2021, 12. <https://prh.jobcorps.gov/PRH%20Chapter%202/PRH%20Chapter%202%20-%2006.15.21.pdf>; Attorney General Merrick B. Garland Delivers Remarks Announcing Lawsuit Against the State of Texas to Stop Unconstitutional Senate Bill 8, Department of Justice, September 9, 2021. <https://www.justice.gov/opa/speech/attorney-general-merrick-b-garland-delivers-remarks-announcing-lawsuit-against-state-0>

²³ Planned Parenthood Federation of America (PPFA) Affiliates’ Reported Expenditures of Federal Funding by Program for Department of Health and Human Services (HHS) Programs Other than the Top 10, Fiscal Years 2016-2018.

2. **No “Free” College for Sexual Offenders and Human Traffickers**—Rep. Fitzgerald offered an amendment prohibiting individuals convicted of sexual assault, human trafficking, and other related crimes from receiving free tuition under the federal-state partnership. Sexual assault and human trafficking are far too prevalent in our country, and the Biden administration’s open border policies are only making the situation worse. This amendment would have ensured that taxpayers would not subsidize the tuition of individuals who commit these egregious crimes.
3. **Free Community College**—Rep. Letlow offered an amendment to strike the federal-state partnership. The defects of the Democrat’s “free” college proposal cannot be overstated. It’s a federal takeover of our higher education system that creates a one-size-fits all model regardless of whether it best fits students’ needs. The proposal is not free for hard-working taxpayers nor is it equitable for the students we claim to serve. Rather than addressing the underlying problems that plague our higher education system, the Democrats exacerbated them by passing their “free” college proposal.

Pell Grant Amendments

4. **Pell Increase**—Rep. Allen offered an amendment to require institutions to repay the total amount of the Pell Grant in excess of the current maximum award per award year awarded to a student that does not complete their degree or transfer to another institution within one year of withdrawal. It’s time for Congress to stop writing a blank check to institutions without any accountability or assurance that they are producing positive outcomes for their students. If we are going to spend over \$30 billion a year in Pell grants, let alone billions more in loans and other aid, colleges and universities need to have the same skin in the game as taxpayers.
5. **No Taxpayer Subsidies for Illegal Immigrants**—Rep. Grothman offered an amendment to strike the ability of illegal immigrants to obtain Pell Grants. With government debt at \$28 trillion even before the Democrat’s irresponsible spending included in this bill, we do not have the luxury to continue spending taxpayer dollars at will—let alone for those who are in this country illegally. Not only does this bill direct resources away from hard-working American citizens but it also further incentivizes illegal immigration at a time when our southern border is in crisis due to the Biden administration’s failed policies.
6. **Strike the Irresponsible Pell Increase** – Rep. Grothman offered an amendment to strike the \$500 dollar Pell Grant increase. Despite the rhetoric of Committee Democrats, the maximum Pell Grant award already more than covers tuition and fees at public, in-state community colleges. This means that two years of higher education is already free for those most in need. Moreover, before increasing the Pell Grant, it’s imperative that Congress address the future shortfall in the program’s funding, which the Congressional Budget Office estimates will begin in 2026. This is another example of why policy decisions such as this one should be addressed through a reauthorization of the *Higher Education Act*, not through a partisan spending package.

Other Higher Education Amendments

7. **Abortion Prohibition Miller**—Rep. Miller offered an amendment to obtain an assurance from states that no federal funds will go to any institution that hosts or is affiliated with a student-based service site that provides abortion drugs or abortion to students of the institution or to employees of the institution or site. There is nothing more important than protecting the inherent dignity and worth of every woman and child. Sadly, Democrats refused to protect the health and affirm the sanctity of the lives of both mothers and their unborn babies.
8. **Loan Limits**—Rep. Grothman offered an amendment to allow institutions to limit the amount of a federal loan that a student enrolled at their institution can borrow. With \$3.5 trillion to spend, Democrats did nothing to address the student debt crisis that burdens millions of borrowers. This is simply unacceptable and illustrates that more money is not a substitute for real reforms that truly improve the lives for students.
9. **Ensure Freedom of Speech on Campus**—Rep. Murphy offered an amendment to require all institutions receiving funding under this bill to uphold the principles of the First Amendment and by protecting students' right to free speech. There were many common sense amendments offered by Republicans, and none more so than this one requiring institutions to uphold the Constitutional right to freedom of speech and expression. In blocking this amendment, Committee Democrats sent a signal to institutions, faculty, and students across the country that the first amendment no longer applies on college campuses.
10. **GAO Study on College Costs**—Rep. Allen offered an amendment directing a GAO study 5 years after passage studying the impact of higher education spending in the bill on college costs, labor market outcomes, and institutional finance. The federal government provides billions in grant aid and loans for students seeking a postsecondary credential, but college costs continue to skyrocket. Congress needs to know if the massive subsidies are flowing to students or institutions, and if taxpayers are seeing the returns that higher education promises. This amendment would have done just that, but Democrats would rather continue with the same failed policies of more spending without knowing if taxpayer dollars are meeting their intended goal.

China Amendments

11. **Combating China's Influence on Campus**—Rep. Banks offered an amendment to prohibit funding in the bill from going to universities with a Confucius Institute. China continues to infiltrate our campuses and target students with anti-American propaganda. Even worse, many institutions have provided China the opportunity to do so by allowing them to establish Confucius Institutes on their campuses. Congress cannot sit idly by and allow our institutions to be corrupted by this communist regime.
12. **Protecting Students and Taxpayers from China**—Rep. Banks offered an amendment to prohibit Pell recipients from conducting research for or on behalf of the People's

Republic of China or entities affiliated with such government. Federal authorities have long warned about the threat of China on college campuses, and we continue to see reports of college professors stealing our intellectual property and sensitive research. This amendment would have protected taxpayers and students from this threat, but Democrats put the interests of the communist Chinese government over the interest of our students and our national security.

13. **Protect Higher Education from Foreign Adversaries**—Rep. Fitzgerald offered an amendment to prohibit institutions with ties to adversarial nations from receiving funding under the federal-state partnership. This amendment was another attempt by Republicans to prevent malicious foreign actors from infiltrating our college campuses. Once again, Democrats put party over the country and its students.

Afghanistan Amendment

14. **Afghanistan Support**—Rep. Cawthorn offered an amendment to require entities that receive funding under part 1 of subtitle A of the bill, and have students enrolled in, or employees employed by, institutions under the entity's jurisdiction who were evacuated from, or who were affected by the evacuation of others from, Afghanistan on or after August 15, 2021, to use a percentage of such funding to support the reintegration of such students and employees. Covered students and employees are those with valid U.S. passports at the time of their evacuation or who were approved for entry into the United States under the Special Immigrant Visa program. Last month, the Biden administration oversaw the capitulation of American forces to the Taliban and a chaotic and incompetent withdrawal from Afghanistan. This amendment would have required grantees under the school construction and teacher provisions of the bill to use a percentage of grant funds to support these students and employees.

Workforce Development Amendment

15. **Industry-Led Apprenticeships**—Rep. Wilson offered an amendment to strike the \$3.2 billion in new funding for projects related to environmental resiliency and clean energy under the Corporation for National and Community Service and to reallocate those funds for an apprenticeship grant program focused on work-based learning. Instead of funneling money into socialist programs that will cripple the nation's economy, as the Democrats' reconciliation package does, this reallocation would have encouraged innovative, industry-led apprenticeships that emphasize work-based learning and successfully prepare workers to fill open jobs.
16. **Protection Against Inflation**—Rep. Miller-Meeks offered an amendment to prohibit the bill from taking effect until the Bureau of Labor Statistics certifies that the bill's spending will not increase inflation. If this reconciliation package is enacted, Democrats will have rammed through Congress nearly \$5.5 *trillion* in new spending. The economic consequences of this recklessness have already begun. Inflation has increased more than 7 percent just since President Biden took office. Before this legislation takes effect, we should ensure that it will not increase inflation even further.

17. **Career and Technical Education**—Rep. McClain offered an amendment to allow funds in the *Carl D. Perkins Career and Technical Education Act* to be used to raise public awareness about career and technical education (CTE) programs and to support CTE faculty, academic advisors, and guidance counselors in providing guidance and career options in non-traditional fields, including skilled trades. CTE programs can effectively prepare workers to gain the skills needed to secure high-demand jobs and to tackle the unique challenges of the 21st Century workplace. This common-sense amendment would have ensured that parents and students are better informed about these important opportunities that successfully prepare students to enter the workplace.
18. **Competitive Integrated Employment Transformation Grant Program**—Rep. Grothman offered an amendment to strike this new program, which is a backdoor effort to eliminate job opportunities for people with disabilities currently employed under section 14(c) of the *Fair Labor Standards Act*. The Committee recently heard testimony about the negative impacts that the elimination of this authority would have on people with disabilities. Now is not the time to be ripping employment opportunities away from people with disabilities.

K-12 Amendments

19. **Charters**—Rep. Fitzgerald offered an amendment that will ensure school districts have policies in place to allow charter schools and other public schools to lease or purchase unoccupied public school buildings. This important amendment would have simply required that if a school district is applying for federal funds to support renovations, it should certify that it isn't letting buildings sit vacant and not leasing or selling to interested educational entities.
20. **School Reopening Subgroups**—Rep. Steel offered an amendment to require LEAs that receive funds under the school construction program to offer in-person instruction to subgroups of vulnerable students as defined under the *Elementary and Secondary Education Act*. Unfortunately, the Biden administration has shown repeatedly that it prioritizes political allies over science and the well-being of children. This amendment would have required that schools have a plan in place to ensure that students with special needs will have in-person instruction.
21. **Parental Consent for Vaccines**—Rep. Miller offered an amendment that would, as a condition of receiving funds under the school construction and teacher provisions in the bill, prohibit LEAs from administering vaccinations to minors on school grounds without parental consent. This amendment would have ensured that parents remain in control of their children's health care decisions. During markup, Rep. John Yarmuth (D-KY) argued that parents cannot be trusted to make the best decisions for their children. Republicans, on the other hand, believe parents know better than government bureaucrats what is best for children.

Child Care Amendments

22. **Faith-Based Child Care**—Rep. Walberg offered an amendment to strike two provisions in the child care provisions that unfairly limit how faith based providers can participate in these programs. Faith-based providers have historically played a significant role in child care dating back to at least to 1789 when the Quakers opened a nursery in Philadelphia. One of the strong benefits of child care in this country is the fact that parents have the opportunity to choose a provider that works best for them—whether that involves placing a child in a provider’s home, a child care center, or a child care run by a faith-based provider. Parents get to make that choice, and Committee Republicans support the ability of parents to select the best environment for the care of their child.

Child Nutrition Amendment

23. **Milk**—Milk—Rep. Keller offered an amendment that would ensure a variety of milk flavors in the Special Supplemental Nutrition Program are available for Women, Infants, and Children (WIC) to ensure families are receiving the needed nutrition received from milk.
24. **Child Nutrition**—Rep. Thompson offered an amendment to strike the slush fund created for the Secretary of Agriculture and to replace it with a 2 cent increase in the reimbursement school districts get from the school breakfast program to help schools address increased food prices due to inflation. This amendment would have simply taken money away from Washington and put it in the hands of the schools directly to help them offset the increased prices we have seen as a result of the Biden administration’s inflationary policies.

Pre-K

25. **Means-Test Universal Pre-K**—Rep. Miller-Meeks offered an amendment to means-test the new universal pre-K program for families earning less than \$400,000. While our constituents fight to get back to normal life, inflation is forcing them to pay more for just about everything. Spending more taxpayer funds is not the solution to the left’s spending-induced crisis. Instead, Committee Republicans believe we should put a stop to the blatant misuse of taxpayer funds.
26. **Universal Pre-K**—Rep. Grothman offered an amendment to strike the creation of the new universal pre-K program. Committee Republicans do not support making our early childhood system more complicated with yet another government program, particularly not with one that is giving free childcare to everyone from millionaires to movie stars.

Misc

27. **Renaming Programs**—“Nothing is Free” amendment changes the name of the title “Tuition Free Community College” to “Federal Taxpayer Funded Community College” and changes the word “Free” in the requirements under universal preschool programs to “federal taxpayer funded” – which clarifies that universal preschool is not a free program.

Subtitle B – Labor Matters

Supplemental Appropriations for Labor Agencies

Sections 21001-21003 of the Democrat ANS provide DOL, the National Labor Relations Board (NLRB), and the Equal Employment opportunity Commission (EEOC) over \$2.6 billion in supplemental appropriations to remain available until September 30, 2026. This wildly excessive, unnecessary, and unjustified spending inappropriately bypasses the traditional appropriations process, and is completely at odds with the agencies’ annual budgets.

Department of Labor

Section 21001 of the ANS provides DOL agencies and offices with \$1.94 billion in supplemental appropriations to remain available until September 30, 2026, an unnecessary and irresponsible expenditure of taxpayer dollars. This includes massive increases of \$195 million for the Employee Benefits Security Administration (EBSA), \$707 million for the Occupational Safety and Health Administration (OSHA), \$133 million for the Mine Safety and Health Administration, \$405 million for the Wage and Hour Division (WHD), \$121 million for the Office of Workers’ Compensation Programs, \$201 million for the Office of Federal Contract Compliance Programs (OFCCP), and \$176 million for the Office of the Solicitor. To put this into perspective, Section 21001 appropriates more than a year’s worth of funding for EBSA, OSHA, WHD, and the Office of the Solicitor, and nearly doubles the Fiscal Year 2021 funding for OFCCP.²⁴

While the sheer sum of spending in Section 21001 compared to current levels is staggering enough, it merely foreshadows how the Biden DOL intends to weaponize these funds to bury job creators in burdensome regulations and red tape. The ANS directs DOL agencies to use the newly appropriated funds to “carry out enforcement” and develop regulations. Earlier this year, Democrats used this same strategy in the *American Rescue Plan Act (ARPA)*, which appropriated \$200 million to DOL.²⁵ DOL has allocated over \$100 million from ARPA to OSHA, which has since dedicated the funding to the development of an ill-advised emergency temporary standard on COVID-19.²⁶ Furthermore, providing an additional \$405 million for WHD is especially concerning given the agency’s stated agenda of targeting the independent contractor model, the franchise model, and the sharing economy with restrictive and punitive regulations. As with ARPA, Section 21001 further highlights the Democrats’ obsession with retaliatory and overly-aggressive government enforcement policies rather than a proper focus of resources on collaborative activities and compliance assistance to help business owners better understand and meet their obligations under the law.

National Labor Relations Board

²⁴ Under FY 2021 enacted levels, EBSA is operating with \$181 million, OSHA is operating with \$591 million, WHD is operating with \$295 million, the Office of the Solicitor is operating with \$134 million, and OFCCP is operating with \$106 million. See FY 2022 DEP’T OF LAB. BUDGET IN BRIEF, <https://www.dol.gov/sites/dolgov/files/general/budget/2022/FY2022BIB.pdf>.

²⁵ Pub. L. No. 117-2 (2021).

²⁶ DOL, AMERICAN RESCUE PLAN – WORKER PROTECTION SUPPLEMENTAL APPROPRIATION, <https://www.dol.gov/general/american-rescue-plan/worker-protection-supplemental-appropriation>.

Section 21002 of the ANS appropriates \$350 million to the NLRB to remain available until September 30, 2026, of which not more than \$5 million is directed to implement systems to conduct electronic voting for union representation elections. For context, Section 21002 appropriates more than a year's worth of funding for NLRB, which is operating with \$274 million for FY 2021.²⁷ Section 21002 undermines longstanding law, which specifically prohibits the NLRB from using funds to issue directives or regulations establishing electronic voting methods in union representation elections.²⁸ Electronic voting creates yet another opportunity for union fraud and abuse, as well as another opportunity for union organizers to harass, intimidate, and coerce workers outside the workplace. Most concerning, electronic voting threatens a worker's ability to vote by secret ballot. This attempt by Committee Democrats to rig the voting rules in union elections through the convoluted and inappropriate budget reconciliation process is another in a long list of attempts to advance labor union political objectives at the expense of worker rights.

Equal Employment Opportunity Commission

Section 21003 of the ANS appropriates \$321 million to EEOC to remain available until September 30, 2026. For FY 2021, EEOC was appropriated \$404.5 million. EEOC's FY 2022 budget requests \$445.9 million, an increase of \$41.4 over FY 2021 enacted levels. In July, House Democrats passed an appropriations bill that would provide EEOC with \$445.9 million, matching the budget request.²⁹ Given that House Democrats intend to fund EEOC through the traditional Congressional appropriations process at the levels requested by the agency, the Democrat Congress, and the Biden administration, there is no rationale for the excessive supplement provided under Section 21003.

Wildly Excessive Labor Penalties

Section 21004 of the Democrat ANS irresponsibly increases existing civil monetary penalties by a factor of five for the *Occupational Safety and Health Act* (OSH Act), by a factor of nine for the *Fair Labor Standards Act* (FLSA), and by a factor of 10 for the *Migrant and Agricultural Worker Protection Act* (MSPA). The burdens of these unreasonable punishments will unfairly target job creators at a time when businesses are still struggling to recover from the pandemic and more than 8.4 million Americans are out of work.³⁰ To be clear, Committee Republicans do not condone employers that violate important labor laws, and we have always supported the authority of OSHA and WHD to hold bad actors accountable through enforcement.

²⁷ NLRB, FY 2022 JUSTIFICATION OF PERFORMANCE, BUDGET FOR THE COMMITTEE ON APPROPRIATIONS (May 28, 2021), <https://www.nlr.gov/sites/default/files/attachments/pages/node-155/fy-2022-nlr-congressional-budget-justification.pdf>.

²⁸ See, e.g., Consolidated Appropriations Act, 2021, H.R. 133, 117th Cong § 407 (2021), Legislative Text & Explanatory Statement, Divisions G-L, <https://www.congress.gov/117/cprt/HPRT43750/CPRT-117HPRT43750.pdf>.

²⁹ Commerce, Justice, Science, and Related Agencies Appropriations Act, 2022, H.R. 4505, 117th Cong. (2021).

³⁰ U.S. BUR. OF LAB. STATISTICS, EMPLOYMENT SITUATION SUMMARY (Sept. 3, 2021), <https://www.bls.gov/news.release/empsit.nr0.htm>.

It appears that Democrats have included these radically inflated penalties in the ANS to help pay for the sweeping socialist proposals included in their \$3.5 trillion spending spree. Further, Committee Democrats are attempting to impose this extreme and unnecessary penalty scheme without any consideration of how it will impact job creators and workers.

These staggering increases are being imposed even though Congress already significantly increased these penalties in 2015 and indexed them for inflation. The *Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015* as part of the *Bipartisan Budget Act of 2015*³¹ required federal agencies, including DOL, to adjust civil penalty amounts annually using cost-of-living adjustments to account for inflation after a one-time initial catch-up. As a result, maximum civil monetary penalties under the OSH Act for 2021 have increased to \$136,532 per violation for willful and repeat violations, \$13,653 per serious violation, and \$13,653 per violation per day for failure to abate.

Section 21004(a) of the ANS hikes the current levels by a staggering 512 percent to make the maximum penalty for willful and repeat violations \$700,000 per violation, and \$70,000 per violation for serious violations and failure to abate. This is an unprecedented and arbitrary increase which goes well beyond the inflation-adjusted levels of the *Bipartisan Budget Act of 2015* and will do little to improve workplace safety, as occupational injury and illness rates have significantly decreased over the last several decades, declining by more than 46 percent since 2001 without the need for exorbitant, punitive, and unwarranted penalties.³²

Further, this authority will embolden OSHA to target employers who will be hesitant or unable to afford the costs of contesting these huge citations. The National Federation of Independent Business (NFIB) explained its opposition to these provisions in a letter to the Committee:

Small businesses are struggling with labor shortages, rising inflation, supply chain disruptions, and increasing threats from COVID-19 variants. Congress should not be imposing massive new civil monetary penalties on small businesses as it would only serve to compound these problems and damage the fragile small business recovery.³³

Similarly, the Democrat ANS also includes a provision authorizing DOL to levy significant and expanded civil monetary FLSA penalties on employers. Under the *Federal Civil Penalties Inflation Adjustment Act, 2021*, penalties for violations of Sections 12 and 13(c) of the FLSA increased to \$13,227, violations of those provisions that result in serious injury or death increased to \$60,115, and repeated or willful violations of FLSA Sections 6 and 7 to \$2,074. Section 21004(b) in the Democrat ANS increases these fines by an exorbitant 900 percent, an unnecessary and punitive scheme that would result in penalty amounts of \$132,270 for violations

³¹ Pub. L. No. 114-74 (2015).

³² A total of 5.2 million injuries and illnesses were reported in private industry workplaces during 2001, according to the Bureau of Labor Statistics. In 2019, private industry employers reported 2.8 million nonfatal workplace injuries and illnesses: <https://www.bls.gov/iif/oshsum.htm>.

³³ Letter from Kevin Kuhlman, Vice President, NFIB, to the Hon. Bobby Scott and the Hon. Virginia Foxx (Sept. 9, 2021).

of FLSA Sections 12 and 13(c), \$601,150 for violations of those provisions that result in serious injury or death, and \$20,740 for violations of FLSA Sections 6 and 7.

As the NFIB stated in its letter:

FLSA violations currently operate under a strict liability standard, meaning employers who have an honest misinterpretation of the law or made an isolated mistake are not given leniency under the law. For example, a small employer who makes a single error and forgets that his or her employees' hours exceeded the overtime threshold and inadvertently forgets to pay overtime to 10 employees can now be subject to \$207,400 in fines. Small businesses do not have the operating revenue of larger businesses and cannot simply absorb these substantial fines, nor do they have legal counsel on retainer to negotiate lower fines with agency officials. This one-time error can ruin a small employer and permanently put them out of business.³⁴

These wildly inflated penalties will have perverse consequences, encouraging WHD to short-circuit the enforcement process and threaten employers with excessive penalties in hopes of forcing premature settlements. The improper penalty structure will also encourage the agency to shake down employers. The revenue from the penalties will serve as an inappropriate funding mechanism for the implementation of DOL's highly politicized regulatory agenda. Simply put, this scheme unfairly burdens jobs creators, and the negative impacts of this language would be disproportionately felt by small businesses.

Committee Republicans are concerned that this unprecedented and unwarranted increase in fines will decimate job creation and that these burdens, coupled with overzealous enforcement by over-funded federal agencies, will be felt most strongly by small businesses. Additionally, policy changes of this magnitude should be subject to hearings, consultations with affected stakeholders, including members of the small business community, and consideration of stand-alone legislation by this Committee under regular order. In addition, the lack of legislative review and the convoluted process through which these provisions were considered and adopted is highly irresponsible. For all of the reasons stated previously, Committee Republicans strongly oppose the extreme, inappropriate, and punitive penalties implemented by Section 21004 of the Democrat ANS.

Civil Monetary Penalties for Mental Health Parity Violations

Section 21005 of the Democrat ANS amends the *Employee Retirement Income Security Act of 1974* (ERISA) to authorize DOL to levy civil monetary penalties against group health plans that violate the *Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008* (MHPAEA). This provision, which significantly expands DOL's enforcement authority, is premature at best because of the current lack of information regarding compliance, the expectation that additional guidance and regulations will further facilitate compliance, and the existing enforcement framework through states and the Department of Health and Human Services (HHS).

³⁴ *Id.*

MHPAEA prohibits group health plans sponsored by large employers that provide mental health benefits from imposing less favorable benefit limitations on those benefits than on medical and surgical benefits. The *Consolidated Appropriations Act, 2021* (CAA), signed into law in December 2020 and effective February 10, 2021, amended the MHPAEA by requiring group health plans to perform and document a comparative analysis of their non-quantitative treatment limitations (NQTs) and to make their comparative analyses available to DOL, HHS, and the Department of the Treasury (tri-agencies), as well as state authorities, upon request. The CAA also directs DOL to request at least 20 different comparative analyses per year as part of its parity enforcement. If a plan or issuer is out of compliance, the tri-agency secretaries must provide a corrective action plan, which they have 45 days to complete. If the plan is still out of compliance, the plan must notify enrollees of noncompliance within seven days. On April 3, 2021, the tri-agencies released a set of Frequently Asked Questions (FAQs) addressing the CAA and the requirements it imposes upon plans and issuers as well as federal regulators.³⁵

According to DOL, many plans have expressed difficulty with meeting the CAA's quick deadline on reporting and have requested extensions of time to prepare their analyses or to allow recently-hired consultants to prepare or finalize analyses. From April 9, 2021, to June 24, 2021, DOL has issued 74 letters to plans and issuers, requesting documentation of NQTL parity analyses for approximately 160 separate NQTLs. In response to these requests, 22 plans and issuers have so far produced comparative analyses covering approximately 41 NQTLs. DOL has issued seven letters noting insufficiency findings or requesting additional information. DOL, along with HHS and Treasury, will submit the first report to Congress on the review of comparative analysis in December 2021.³⁶

Rather than adopt the Democrat proposal to impose additional punitive regulation that could inadvertently halt progress on the implementation of the CAA, the Committee, Congress, and the tri-agencies should take tangible actions to clarify parity requirements and facilitate compliance. Congress and DOL have heard from plans that they are working in good faith to provide DOL with their analysis but need additional time and clarity from the tri-agencies. To help improve mental health parity and implementation of the CAA, the tri-agencies could release examples of comparative analyses of NQTLs that they would deem both sufficiently thorough and compliant with MHPAEA, including the provisions recently added by the CAA.

To allow the Committee to make evidence-based decisions in this area, DOL should continue to facilitate compliance, fully implement the CAA, and report to Congress on its findings before Congress considers additional mandates on employers. It is irresponsible and counterproductive for the Committee to increase costs of providing mental health coverage, as Section 21005 of the Democrat ANS does, without the benefit of additional clarity from the tri-agencies and input from affected stakeholders. Employers who voluntarily offer mental health coverage to their employees should not be penalized because they do not understand confusing, subjective, and bureaucratic interpretations of NQTLs. Indeed, this will discourage employers from offering mental health coverage.

³⁵ DOL, FAQs ABOUT MENTAL HEALTH AND SUBSTANCE USE DISORDER PARITY IMPLEMENTATION AND THE CONSOLIDATED APPROPRIATIONS ACT, 2021 PT. 45 (Apr. 2, 2021), <https://www.dol.gov/sites/dolgov/files/EBSA/about-ebbsa/our-activities/resource-center/faqs/aca-part-45.pdf>.

³⁶ Answers of Secretary of Labor Walsh provided to the Committee on Education and Labor.

Empowering Unions at the Expense of Workers and Job Creators

For more than 70 years, federal labor law has struck a careful balance between the right of labor unions to organize and bargain collectively on behalf of employees, the right of employers to respond to those organizing and bargaining efforts, and the right of employees to join unions or refrain from joining or funding union activity. Under this balanced framework, unfair labor practice charges related to collective bargaining activities can be filed by an employee, employer, union, or any other person.³⁷ The purpose of the *National Labor Relations Act* (NLRA)³⁸ is to protect the rights of private-sector employers and employees in the workplace, minimize industrial strife, and curtail certain behaviors of private sector labor and management deemed harmful to the general welfare of workers, businesses, and the economy overall. The law serves as a remedial statute to correct violations of the law and is not intended to punish unions or employers for unfair labor practices.³⁹

Union membership rates have steadily declined over the last 60 years. As a percentage of all employed workers, union membership peaked in 1954 at 28.3 percent. The total number of union members crested in 1979 at 21 million.⁴⁰ In 2020, just 10.8 percent of workers, or 14.3 million, were members of a union, with 7.1 million of those individuals working in the private sector.⁴¹ Union membership continues to plummet due to the modern economy and related economic growth, as well as to unions' own failings. Workers' disenchantment with union representation has created a real crisis for union bosses. Instead of increasing transparency and accountability to better serve their members, union leaders are spending workers' dues to exert political influence to demand radical national labor laws to further consolidate power, coerce workers, line their own pockets, and bolster their own political agendas.

It is against this backdrop that Committee Democrats have introduced Section 21006 of the ANS, a radical and sweeping provision drawing inspiration from H.R. 842, the *Protecting the Right to Organize Act* (PRO Act). H.R. 842 continues the Democrats' assault on the rights of workers and employers in favor of a one-size-fits-all union-dominated workplace. The bill includes a radical and far-reaching wish list of Big Labor priorities amending the NLRA. While H.R. 842 passed the House on March 9, 2021, by a vote of 225-206, it is unlikely to pass the Senate as stand-alone legislation due to its controversial and destructive details, and thus Committee Democrats are now illegitimately attempting to legislate fundamental and widespread changes to federal labor law through the budget reconciliation process.

Committee Republicans are committed to protecting constitutionally guaranteed rights such as the freedom of speech and the freedom of association. Committee Republicans also support the right of employees to join together and form a union, just as we support the right of individuals

³⁷ 29 C.F.R. § 102.9.

³⁸ Enacted in 1935 subsequently amended by the *Labor Management Relations Act of 1947*, also known as the *Taft-Hartley Act*

³⁹ NLRB, BASIC GUIDE TO THE NATIONAL LABOR RELATIONS ACT 36 (1997),

<https://www.nlr.gov/sites/default/files/attachments/basic-page/node-3024/basicguide.pdf>.

⁴⁰ GERALD MEYER, CONG. RES. SERV., UNION MEMBERSHIP TRENDS IN THE UNITED STATES (Aug. 31, 2004).

⁴¹ BUREAU OF LAB. STAT., UNION MEMBERS – 2020 (Jan. 22, 2021), <https://www.bls.gov/news.release/union2.nr0.htm>.

to refrain from joining unions. However, the Democrat ANS doubles down on an antiquated worldview of the American economy and a coercive and adversarial model of workplace relations that has failed to attract the support of American workers in the 21st century.

Punitive and One-sided Civil Penalties

Section 21006 of the Democrat ANS copies provisions included in the PRO Act and weaponizes enforcement of the NLRA in a one-sided manner that punishes employers while excluding unions from these penalties. Similar to H.R. 842, the Section 21006 includes a provision authorizing the NLRB to levy new and excessive civil monetary penalties against employers for unfair labor practices. These provisions discard the text and purpose of the NLRA to remedy rather than punish unfair labor practices.

Even more egregious is the underlying bill's blatant unfairness. Under the Democrat ANS, any employer who commits an unfair labor practice is subject to a civil penalty in an amount not to exceed \$50,000 for each violation, with certain violations eligible for enhanced penalties not to exceed \$100,000. In addition to the costly monetary civil penalties, the bill imposes individual legal liability on corporate directors and officers.

However, these provisions do not apply to unions or union officers, even though the NLRA prohibits unfair labor practices by unions. The Democrat ANS does not apply financial penalties for unfair union labor practices such as acts of violence on the picket line, threats of violence against workers, or misrepresentation of benefits that unions can provide. The Democrat ANS levies no penalties on powerful, coercive, multimillion-dollar labor unions while coercing and potentially bankrupting small businesses unable to afford a team of lawyers to contest unreasonable union demands or interpret complicated federal labor laws.

Penalties on Currently Legal Conduct

The Democrat ANS also authorizes the NLRB to levy inflated and unequal civil monetary penalties on employers for actions that are currently legal under the NLRA and have been for several decades. In fact, in many instances, the Board and Courts have explicitly affirmed the right of employers to engage in these actions, as further detailed below.

Ban on Locking Out or Permanently Replacing Striking Workers

The Democrat ANS empowers unions to inflict economic damage on workers, employers, and the economy by encouraging and increasing the frequency of strikes. The bill includes new and unprecedented penalties on employers which will effectively prohibit them from locking out or permanently replacing striking workers. This would overturn 80 years of Supreme Court precedent and upend the recognized and long-standing balance in the law, in which unions have a right to strike but employers have a right to make the decisions necessary to continue to serve their customers and remain in business.

In *NLRB v. Mackay Radio & Telegraph Co.*, the Court ruled unanimously that Mackay Radio had not engaged in an unfair labor practice either when it flew in replacement workers from

other offices to cover the roles of workers striking at its San Francisco office or when the company declined to rehire four of those striking workers. The Court explained that an employer may take the steps necessary to continue to do business during a labor dispute:

[I]t does not follow that an employer, guilty of no act denounced by the statute, has lost the right to protect and continue his business by supplying places left vacant by strikers. And he is not bound to discharge those hired to fill the places of strikers, upon the election of the latter to resume their employment, in order to create places for them.⁴²

The Democrat ANS eliminates this enduring employer right and provides a destructive new weapon to unions which will encourage the proliferation of economically-damaging strikes. Committee Democrats are seeking to restore an obsolete and discredited framework for labor-management relations reliant on conflict between labor and management. In 1937, there were nearly 5,000 strikes nationwide.⁴³ Committee Democrats seek to impose this 1930s-era vision of the economy on 2020s America.

Unions and Committee Democrats also believe that labor conflict creates opportunity for unionization, and the Democrat bill is singularly aimed at promoting that goal, irrespective of the consequences for workers, employers, and the economy.

Ban on Employers Holding Informational Meetings During an Organizing Drive

Even though the federal government has no business determining when, why, or how an employer can meet with his or her own employees in his or her own workplace, Section 21006 includes new financial penalties on employers that effectively ban them from scheduling on-the-clock, paid meetings with their own employees in their own workplace to discuss issues surrounding unionization during an organizing campaign. This provision contradicts enumerated and longstanding protections in the NLRA:

The expressing of views, argument, or opinion, or the dissemination thereof, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under any of the provisions of this subchapter, if such expression contains no threat of reprisal or force or promise of benefit.⁴⁴

Not only are these free speech activities protected by the NLRA, but they are also heavily regulated to ensure they remain informational in nature. In a 2019 Committee hearing on the PRO Act, Mr. G. Roger King, Senior Labor and Employment Counsel at the HR Policy Association, testified on why banning these meetings is unnecessarily invasive:

[T]here is no evidence to support the conclusion that employers can unduly influence employees to oppose unionization in such meetings. Further, an employer is considerably restricted in what it can say in such meetings. For

⁴² NLRB v. Mackay Radio & Telegraph Co., 304 U.S. 333, 345 (1938).

⁴³ BUR. OF LAB. STAT., ANALYSIS OF STRIKES IN 1937 (1938).

⁴⁴ 29 U.S.C. § 158(c).

example, election objections can be successfully pursued by a union or unfair labor practices charges could be successfully filed against an employer if, in such meetings, the employer threatens employees who support unionization, or the employer promises better benefits to employees if they oppose unionization.⁴⁵

The Democrat scheme to stop employers from sharing information with their employees on unionization is clearly intended to benefit union leaders and organizers and to muzzle job creators, but does so at the expense of workers who will be less informed as they make decisions with enormous impacts on their livelihoods and families.

The NLRB Has Sufficient Authority to Enforce the NLRA

Section 21006 is both contrary to the remedial nature of the NLRA and unnecessary to correct unfair labor practices in the workplace. Philip A. Miscimarra, Partner at Morgan Lewis & Bockius LLP and former Chairman of the NLRB, explained in a 2019 hearing on the PRO Act that the Board is already adequately empowered to correct and remedy NLRA violations in the workplace:

Not only can the Board devise remedies consistent with its authority under the Act, the Board has the authority in appropriate cases to seek interim injunctive relief under Section 10(j). Moreover, the Board's orders are subject to enforcement in the courts. When any party violates a court's enforcement of an NLRB order, that violation is subject to potential civil and criminal contempt proceedings and penalties, including potential fines and imprisonment.⁴⁶

Conclusion

Many decades of balance in American labor law have provided workers with high wages, greater opportunities, and more collaborative workplaces, while allowing the nation's economy to flourish. Our labor laws should continue with the goal of harmonizing relations between workers and businesses, which will keep the United States economy competitive internationally. The Democrat ANS does the opposite, sacrificing economic stability that leads to progress and growth in order to promote economic strife while enriching and empowering labor unions at the expense of workers, employers, and customers.

Subtitle B: Amendments not Accepted

Unfortunately, Committee Democrats did not accept any Republican amendments to rein in the out-of-control spending and rampantly radical policy changes included in Subtitle B. Committee Republicans received a copy of this far-reaching bill, which spends almost \$780 billion dollars

⁴⁵ *Protecting the Right to Organize Act: Modernizing America's Labor Laws: Hearing Before the Subcomm. on Health, Emp., Lab., & Pensions of the H. Comm. on Educ. & Lab.*, 116th Cong. 41 (2019) (statement of G. Roger King, Senior Lab. & Emp. Couns., HR Pol' Ass'n).

⁴⁶ *Protecting the Right to Organize Act: Deterring Unfair Labor Practices: Hearing Before the Subcomm. on Health, Emp., Lab., & Pensions of the H. Comm. on Educ. & Lab.*, 116th Cong. 26 (2019) (statement of Philip A. Miscimarra, Partner, Morgan Lewis & Bockius LLP) (citation and quotation marks omitted).

and includes extreme and sweeping policy changes, only one day before the Committee markup. Despite this affront, Committee Republicans were able to draft and offer thoughtful amendments that would have dramatically improved the bill. The following commonsense proposals offered in good faith by Committee Republicans were rejected by Committee Democrats:

Small Business Survival. Rep. Diana Harshbarger (R-TN) offered an amendment to exempt employers with fewer than 10 employees or annual sales under \$1 million from the provisions of the Democrat ANS authorizing the NLRB to levy civil monetary penalties against businesses, including those for unfair labor practices under the NLRA. The Democrat ANS arbitrarily imposes new, excessive, and damaging penalties on small employers for actions that are legal under current law. This amendment shields very small businesses, which are unable to afford a team of lawyers to interpret complicated federal labor laws, from the bill's overreach.

Protect the U.S. Economy and Prevent Disruptive Union Strikes. Rep. Tim Walberg (R-MI) offered an amendment to strike the Democrat ANS language which effectively eliminates the longstanding Supreme Court interpretation allowing employers to lock out or replace permanently striking workers by authorizing the NLRB to levy unprecedented fines on businesses for actions that are legal under current law. This amendment maintains the longstanding Supreme Court interpretation that employers are allowed to replace striking workers permanently in order to keep their business running, to discourage widespread proliferation of economically harmful strikes, and to protect these employers from widespread and continuous union harassment.⁴⁷

Equal Treatment of Unfair Labor Practices. Rep. Burgess Owens (R-UT) offered an amendment to ensure fairness under the law. His amendment simply applies the underlying bill's civil penalties and punitive damage assessments equally to union unfair labor practices. The Democrat ANS would fundamentally change the nature of the NLRA from a "make whole" remedial statute into a punitive one. If the Committee is unwisely considering this radical change, then it should at least apply the change equally to employers and labor organizations.

Protecting Job Creators Against Overzealous and Biased Government Enforcement. Rep. Rick Allen (R-GA) offered an amendment to strike the bill's language authorizing the NLRB to levy civil monetary penalties against employers for unfair labor practices and additional actions that are lawful under current law. These union-wish list provisions, similar to those found in the PRO Act, illegitimately legislate fundamental and widespread changes to federal labor law through the budget reconciliation process. The bill's language is irreparably flawed for two reasons. First, it changes the NLRA from a remedial statute, which it has always been, into a punitive statute. Second, the language exempts union unfair labor practices from the significant penalties that the bill only directs against employers. The one-sided provisions in the Democrats' bill upend the careful balance that has existed in federal labor law for more than 70 years, in which unfair labor practices committed by both unions and employers are remedied rather than punished.

Ensuring Fair and Balanced Labor Relations. Rep. Rick Allen (R-GA) offered an amendment striking the \$350 million in additional funding for the NLRB. President Biden's Fiscal Year

⁴⁷ See *NLRB v. Mackay Radio & Telegraph Co.*, 304 U.S. 333, 345 (1938).

2022 budget requested almost \$302 million in funding for the NLRB, which is an additional \$27 million, or 10.1 percent, over the FY 2021 enacted level. In July, House Democrats passed an appropriations bill that would provide the NLRB with \$317 million in funding, an increase of \$43 million above FY 2021. There is no evidence the NLRB needs the additional infusion of taxpayer money appropriated by the Democrat ANS, which will likely be used to advance a radical labor union agenda at the expense of main street businesses.

Protecting Independent Contracting and the Sharing Economy. Rep. Michelle Steel (R-CA) offered an amendment striking the \$405 million in supplemental appropriations funding for WHD, significantly more than the agency's annual budget. In addition, earlier this year, Congressional Democrats sent DOL \$200 million in supplemental appropriations, of which \$21 million was directed to WHD. Committee Republicans oppose providing this wildly excessive increase to WHD given the agency's stated agenda of targeting the independent contractor model and the sharing economy for regulatory attack.

Protect Small Businesses from Unwarranted FLSA Penalties. Rep. Virginia Foxx (R-NC) offered an amendment to exempt small businesses with fewer than 10 employees or annual sales under \$1,000,000 from the provision in the Democrat ANS increasing certain FLSA civil monetary penalties by 900 percent. Given the lack of any previous legislative review of this radical policy by the Committee, the convoluted process through which this reckless spending package is being rammed through, and the extreme nature of this provision, this amendment exempts the smallest of businesses from these excessive civil monetary penalties, which risk bankrupting establishments unable to afford a team of lawyers to interpret complicated federal labor laws or contest citations. Simply put, this Democrat scheme unfairly burdens small businesses, making them little more than a funding mechanism for Committee Democrats to hire an army of overzealous DOL inspectors.

Stop Gratuitous and Excessive Penalties Targeting Job Creators. Rep. Fred Keller (R-PA) offered an amendment striking the provisions in the Democrat ANS which significantly increase civil monetary penalties for the OSH Act by more than 512 percent from current levels for violations of and the FLSA by 900 percent. The underlying bill radically departs from the current levels that were already substantially increased under the *Bipartisan Budget Act of 2015* and adjusted annually for inflation. These massive penalties will embolden DOL to target business owners already reeling from the Biden administration's harmful economic policies, and their impact will be most strongly felt by small businesses. By opposing this amendment, Committee Democrats doubled down on punishing job creators.

Stopping Overzealous OSHA Enforcement. Rep. Madison Cawthorn (R-NC) offered an amendment striking \$707 million in additional funding for OSHA, including money allocated for agency enforcement efforts. The Democrat ANS included unwarranted funding for OSHA, even though Congress has already provided unprecedented levels of additional taxpayer dollars to the agency to respond to the COVID-19 pandemic, including \$100 million allocated for OSHA in the Democrats' partisan ARPA as recently as March 2021. By authorizing this wildly excessive OSHA funding, Committee Democrats are handing OSHA a blank check to pursue overzealous enforcement actions against employers and small businesses with no requirement for sufficient spending on compliance assistance to prevent injuries before they happen.

Protecting Local Businesses. Rep. James Comer (R-KY) offered an amendment prohibiting the Department of Labor from using funds to issue a regulation treating a business as a joint employer of another employer's employee under the *Fair Labor Standards Act* without direct, actual, or immediate control over the essential terms and conditions of the employee's employment.

Religious Liberty. Rep. Virginia Foxx (R-NC), Committee Ranking Member, offered an amendment prohibiting funds appropriated to EEOC in the Democrat ANS from being used to rescind updates to the agency's "Compliance Manual on Religious Discrimination," which had not been revised since 2008.⁴⁸ Following public notice and comment, the Commission approved updates to the manual on January 15, 2021. These updates provide guidance on the freedom of religious organizations to make religiously-based employment decisions under Title VII of the *Civil Rights Act of 1964*. The updates also provide guidance on the prohibition against employment discrimination because of religion under Title VII. EEOC's updated guidance on religious discrimination is more important than ever because of increasingly frequent attacks on religious liberty. Rep. Foxx's amendment would ensure EEOC retains this important, updated guidance on religious protections.

Religious Contractors. Rep. James Comer (R-KY) offered an amendment providing that no funds appropriated to OFCCP in the Democrat ANS shall be used to rescind the final rule clarifying the rights of religious organizations participating in the federal contracting system.⁴⁹ OFCCP issued this rule on December 9, 2020, following extensive notice-and-comment rulemaking. The rule ensures faith-based organizations can participate in federal contracting without having to violate their faith. The rule also describes in detail the legal tests for qualifying as a religious organization, which are drawn from federal statutes and case law. By clarifying the obligations of religious organizations, the rule has encouraged participation in federal contracting, which saves taxpayer money and improves federal programs. Rep. Comer's amendment would keep the rule in place to ensure religious organizations are treated fairly and equally.

Excessive Penalties on Farmers. Rep. Julia Letlow (R-LA) offered an amendment to strike the provision in the Democrat ANS that increases civil monetary penalties under the MSPA⁵⁰ from \$2,549 to \$25,790, a 1,000 percent increase. The Committee has held no hearings on MSPA or whether civil monetary penalties in the Act should be increased, much less increased 10-fold. Civil penalties under MSPA were increased and are adjusted for inflation under the bipartisan *Federal Civil Penalties Inflation Adjustment and Improvements Act of 2015*.⁵¹ Violations of MSPA are often technical in nature, and such a radical increase in penalties could inflict serious harm on farms and the agricultural sector, especially small farms. Rep. Letlow's amendment

⁴⁸ EEOC, Sec. 12: Religious Discrimination, <https://www.eeoc.gov/laws/guidance/section-12-religious-discrimination>.

⁴⁹ Implementing Legal Requirements Regarding the Equal Opportunity Clause's Religious Exemption, 85 Fed. Reg. 79,324 (Dec. 9, 2020).

⁵⁰ 29 U.S.C. §§ 1802-1872.

⁵¹ See DOL, Wage & Hour Div., Civil Money Penalty Inflation Adjustments, <https://www.dol.gov/agencies/whd/rcs/sources/penalties>.

would retain the inflation-adjusted penalties in MSPA while ensuring that small farms are not over-penalized.

Ensuring Access to Mental Health Care. Rep. Tim Walberg (R-MI) offered an amendment to strike Section 21005 of the Democrat ANS and replace it with language that allows employers the option to continue to offer standalone telemedicine plans for seasonal and part-time employees past the COVID-19 pandemic. On June 23, 2020, in response to the COVID-19 pandemic, the tri-agencies (DOL, HHS, and Treasury) issued temporary flexibility for employers who wish to provide stand-alone telehealth services to employees who otherwise are not eligible for the employer's health plan.⁵² However, this flexibility expires upon the conclusion of the federal public health emergency. Section 21005 gives DOL the authority to levy civil monetary penalties against health insurers and plan sponsors for violating mental health parity requirements under MHPAEA. The Democrat ANS seeks to punish employers who voluntarily offer mental health coverage to their employees. Such penalties do nothing to increase access to mental health care. It only encourages employers to drop mental health coverage. The Committee should instead take steps to improve coverage for telepsychiatry through the expansion of stand-alone telehealth programs for employees. Committee Democrats opposed this commonsense amendment, which would have prevented them from taking away mental health coverage for seasonal and part-time workers when the pandemic ends, and from simultaneously creating new penalties for employers voluntarily offering mental health care benefits.

Vote Clarifications

Due to extenuating circumstances, the following Members missed roll call votes during the markup. Had they been present, they would have voted as indicated below.

Mr. Thompson would have voted aye on Roll Calls 2, 22, 25, 26, 27, 30, 31, and 35. He also would have voted no on Roll Call 28.

Mr. Grothman would have voted aye on Roll Call 9.

Mr. Allen would have voted aye on Roll Call 21.

Ms. Steel would have voted aye on Roll Calls 1-10.

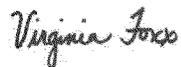
Conclusion

Democrats have referred to this bill as 'life-changing legislation.' They're right—every American's life is at risk of becoming worse if this bill becomes law. It is embarrassing and shameful to kneecap the private sector and transform the United States into a nation dependent on expensive and inefficient government programs. This bill is about power and control. It is about solidifying union bosses' stranglehold on workers, upending individual's rights in favor of government control, stifling innovation, and stealing money from blue-collar workers to pay for

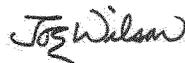
⁵² DOL, FAQs ABOUT FAMILIES FIRST CORONAVIRUS RESPONSE ACT AND CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT IMPLEMENTATION PT. 43, <https://www.dol.gov/sites/dolgov/files/ebsa/about-ebsa/our-activities/resource-center/faqs/aca-part-43.pdf>.

white-collar educations. Democrats aren't Building Back Better, they're Building Back Bankrupt.

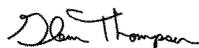
If Democrats had any interest at all in improving the lives of struggling Americans, they would immediately stop their partisan attempt to pass an unprecedented spending spree that will double down on Biden's inflation crisis. Committee Democrats are under the false impression that government has all the answers and taxpayers will happily foot the bill for their insanity. Liberals need a reality check, not a blank check.



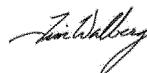
Virginia Foxx
Ranking Member



Joe Wilson
Member of Congress



Glenn "GT" Thompson
Member of Congress



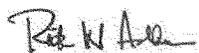
Tim Walberg
Member of Congress



Glenn Grothman
Member of Congress



Elise M. Stefanik
Member of Congress



Rick W. Allen
Member of Congress



Jim Banks
Member of Congress



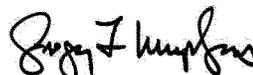
James Comer
Member of Congress



Russ Fulcher
Member of Congress



Fred Keller
Member of Congress



Gregory F. Murphy, M.D.
Member of Congress



Mariannette Miller Meeks, M.D.
Member of Congress



Burgess Owens
Member of Congress



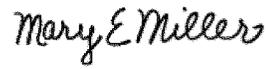
Bob Good
Member of Congress



Lisa C. McClain
Member of Congress



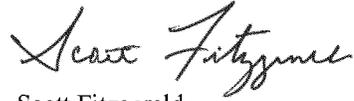
Diana Harshbarger
Member of Congress



Mary E. Miller
Member of Congress



Victoria Spartz
Member of Congress

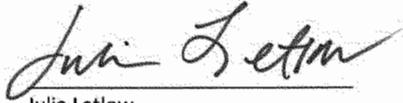


Scott Fitzgerald
Member of Congress



Michelle Steel
Member of Congress

Minority Views on Committee Print to comply with the Reconciliation Directive included in Section
2002 of S. Con. Res. 14

A handwritten signature in cursive script, reading "Julia Letlow". The signature is written in black ink and is positioned above a horizontal line.

Julia Letlow
MEMBER OF CONGRESS

Virginia Foxx, Ranking Member
Joe Wilson
Glenn “GT” Thompson
Tim Walberg
Glenn Grothman
Elise M. Stefanik
Rick W. Allen
Jim Banks
James Comer
Russ Fulcher
Fred Keller
Gregory F. Murphy, M.D.
Mariannette Miller Meeks, M.D.
Burgess Owens
Bob Good
Lisa C. McClain
Diana Harshbarger
Mary E. Miller
Victoria Spartz
Scott Fitzgerald
Michelle Steel
Julia Letlow

FRANK PALLONE, JR., NEW JERSEY
CHAIRMAN

CATHY McMORRIS RODGERS, WASHINGTON
RANKING MEMBER

ONE HUNDRED SEVENTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

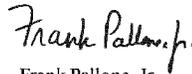
September 12, 2021

The Honorable John Yarmuth
Chairman
Committee on the Budget
204-E Cannon House Office Building
Washington, DC 20515

Dear Chairman Yarmuth:

Pursuant to section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, I hereby transmit these recommendations which have been approved by a vote of the Committee on Energy and Commerce, and the appropriate accompanying material including additional, supplemental, minority, or dissenting views, to the House Committee on the Budget. This submission is in order to comply with reconciliation directives included in S. Con. Res. 14, the fiscal year 2022 budget resolution, and is consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974.

Sincerely,



Frank Pallone, Jr.
Chairman

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- III. Budget Effects of the Provision
CBO Cost Estimate
- IV. Other Matters to Be Discussed Under the Rules of the House
- V. Changes in Existing Law Made by the Committee's Reconciliation Legislative
Recommendations, as Transmitted
- VI. Supplemental, Additional, Dissenting, or Minority Views

I. EXPLANATION OF PROVISIONS

SECTION 30101. Clean Heavy-Duty Vehicles.

Subsection (a) appropriates \$5 billion to carry out section 132 of the Clean Air Act (CAA), as added by subsection (b). Section 132(a) establishes a program to make awards of grants and rebates to replace Class 6 and Class 7 heavy-duty vehicles with zero-emission vehicles. Section 132(b) establishes an application requirement. Section 132(c) allocates 40 percent of funding to recipients proposing to replace eligible heavy-duty vehicles serving communities located in nonattainment areas. Section 132(d) defines terms used in this section.

SEC. 30102. Grants to Reduce Air Pollution at Ports.

This section provides \$3.5 billion for the purchase and installation of zero-emission equipment and technology at ports, as well as the development of climate action plans at ports. Requires that 25 percent of investments are made at ports in nonattainment areas.

SEC. 30103. Greenhouse Gas Reduction Fund.

This section provides \$27.5 billion to invest in nonprofit, state, and local financing institutions designed to rapidly deploy low- and zero-emission technologies by leveraging investment from the private sector. Requires that at least 40 percent of investments benefit low-income and disadvantaged communities.

SEC. 30104. Collaborative Community Wildfire Air Grants.

This section provides the Environmental Protection Agency (EPA) \$150 million to assist communities in developing and implementing collaborative community plans to prepare for, reduce risks of, and mitigate the health and environmental effects of wildfire smoke.

SEC. 30105. Diesel Emissions Reductions.

This section provides EPA \$170 million for Diesel Emissions Reduction Act (DERA) grants to reduce diesel emissions from existing engines. Specifically, it directs \$100 million to projects addressing diesel emissions from goods movement facilities (e.g., airports, railyards, and distribution centers) and from vehicles servicing those facilities. Further, it directs \$20 million to projects addressing diesel emissions in low-income and disadvantaged communities.

SEC. 30106. Funding to Address Air Pollution.

This section provides \$320 million to the EPA, of which \$265 million is for air quality monitoring via grants and other activities authorized under CAA sections 102, 103, and 105, \$50 million is to carry out specified sections of the CAA with respect to greenhouse gases (GHG), and \$5 million is for grants to states to adopt and implement greenhouse gas and zero-emission standards for mobile sources pursuant to CAA section 177.

SEC. 30107. Funding to Address Air Pollution at Schools.

This section appropriates \$50 million to EPA to monitor and reduce air pollution at public schools in low-income and disadvantaged communities under CAA sections 103 and 105.

SEC. 30108. Low Emissions Electricity Program.

This section provides \$100 million to EPA to carry out CAA section 135, as added by this section. Section 135(b) directs that not less than \$40 million shall be used to help educate consumers, support low-income and disadvantaged communities, and offer technical assistance to industry, as well as state and local governments, with respect to reductions in GHG emissions that result from domestic electricity generation and use. Section 135(b) further directs that not less than \$1 million be used to assess the emission reductions anticipated to occur over the next decade, and that not less than \$20 million be used to ensure the assessed reductions are achieved.

SEC. 30109. Funding for Section 211 of the Clean Air Act.

This section provides EPA \$15 million to carry out CAA section 211, of which not less than \$5 million shall be for tests, protocols, analyses, and evaluations regarding environmental and public health effects and lifecycle emissions of transportation fuels, and not less than \$5 million shall be for grants to support investments in advanced biofuels.

SEC. 30110. Funding for Implementation of The American Innovation and Manufacturing Act.

This section provides \$42 million to EPA to carry out the American Innovation and Manufacturing Act, of which \$3.5 million is to deploy new implementation and compliance tools and \$15 million is for competitive grants for reclaim and innovative destruction technologies.

SEC. 30111. Funding for Enforcement Technology and Public Information.

This section appropriates \$50 million to EPA, of which \$37 million is to update EPA's Integrated Compliance Information System, \$7 million is for grants to states, Indian Tribes, and air pollution control agencies to update their systems, and \$6 million is to acquire or update inspection software used by EPA, states, Indian Tribes, and air pollution control agencies.

SEC. 30112. Greenhouse Gas Corporate Reporting.

This section provides EPA \$5 million to support enhanced standardization and transparency of corporate climate action commitments and plans, and progress toward meeting such commitments and implementing such plans.

SEC. 30113. Environmental Product Declaration Assistance Program.

This section provides EPA \$250 million to establish and carry out an Environmental Product Declaration (EPD) Assistance program to support development and enhanced standardization and transparency of environmental product declaration for construction materials and products.

SEC. 30114. Environmental Protection Agency Methane Fee.

This section establishes a fee that EPA must impose upon and collect from the owner or operator of certain facilities that report methane emissions under Subpart W of the Greenhouse Gas Reporting Program.

For petroleum and natural gas production industry segments,¹ the fee only applies to the tons of reported methane emissions that exceed an intensity threshold of 0.2 percent of natural gas sent to sales. For nonproduction petroleum and natural gas industry segments,² the fee only applies to the tons of reported methane emissions above an intensity threshold of 0.05 percent of natural gas sent to sales. For natural gas transmission industry segments,³ the fee only applies to the tons of reported methane emissions above an industry threshold of 0.11 percent of natural gas sent to sales.

The section directs EPA to update regulations for reporting under Subpart W within two years. After that period, it imposes a fee of \$1500 per ton of methane on applicable facilities' reported emissions above the intensity thresholds starting in 2023.

The section further requires that funds raised by the fee be transferred to EPA to: 1) cover the costs of developing and administering the methane fee; 2) provide financial and technical assistance to owners and operators of applicable facilities preparing and submitting GHG reports under Subpart W; 3) improve methane emissions monitoring under CAA section 103; and, 4)

¹ Offshore petroleum and natural gas production, and onshore petroleum and natural gas production.

² Natural gas processing, underground natural gas storage, liquefied natural gas storage, liquefied natural gas import and export equipment, and onshore petroleum and natural gas gathering and boosting.

³ Natural gas transmission and compression, and onshore natural gas transmission pipelines

provide financial and technical assistance for activities that reduce methane and other GHG emissions from petroleum and natural gas systems, mitigate legacy pollution from petroleum and natural gas systems, and support communities around those systems.

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #44

Bill: **Subtitle A**, Budget Reconciliation Legislative Recommendations Relating to Air Pollution

Amendment: An amendment (B1_13) to Subtitle A by Mrs. Rodgers of Washington, No. 2

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #45

Bill: **Subtitle A**, Budget Reconciliation Legislative Recommendations Relating to Air Pollution

Amendment: An amendment (B1__05) to Subtitle A by Mr. Joyce of Pennsylvania, No. 3

Disposition: **NOT AGREED TO** by a roll call vote of 27 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader	X			Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #46

Bill: **Subtitle A**, Budget Reconciliation Legislative Recommendations Relating to Air Pollution

Amendment: An amendment (B1_06) to Subtitle A by Mr. Carter of Georgia, No. 4

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

Committee on Energy and Commerce
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Full Committee
(ratio: 32-26)

ROLL CALL VOTE #47

Bill: **Subtitle A**, Budget Reconciliation Legislative Recommendations Relating to Air Pollution

Amendment: An amendment to the AINS (NCB ___1) to Subtitle A by Mr. Armstrong of North Dakota, No. 1a

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #48

Bill: **Subtitle A**, Budget Reconciliation Legislative Recommendations Relating to Air Pollution

Amendment: An amendment (SCALISE_01) to Subtitle A by Mr. Scalise of Louisiana, No. 5

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #49

Bill: **Subtitle A**, Budget Reconciliation Legislative Recommendations Relating to Air Pollution

Amendment: An amendment (GUTHRIE_01) to Subtitle A by Mr. Hudson of North Carolina, No. 6

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #50

Bill: **Subtitle A**, Budget Reconciliation Legislative Recommendations Relating to Air Pollution

Amendment: An amendment (B1_08A) to Subtitle A by Mr. McKinley of West Virginia, No. 7

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger			
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNERNEY		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader	X			Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #51

Bill: **Subtitle A**, Budget Reconciliation Legislative Recommendations Relating to Air Pollution

Amendment: An amendment (B1_11A) to Subtitle A by Ms. Lesko of Arizona, No. 8

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess			
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #52

Bill: **Subtitle A**, Budget Reconciliation Legislative Recommendations Relating to Air Pollution

Amendment: An amendment (Inflation Amdt to Subtitle A2) to Subtitle A by Mrs. Rodgers of Washington, No. 9

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess			
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #53

Bill: **Subtitle A**, Budget Reconciliation Legislative Recommendations Relating to Air Pollution

Motion: A motion by Mr. Pallone of New Jersey to order **Subtitle A** transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 31 yeas to 26 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess			
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
Ms. Schakowsky	X			Mr. Guthrie		X	
Mr. Butterfield	X			Mr. McKinley		X	
Ms. Matsui	X			Mr. Kinzinger		X	
Ms. Castor	X			Mr. Griffith		X	
Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long		X	
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cárdenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
Mr. Peters	X			Mr. Duncan		X	
Mrs. Dingell	X			Mr. Palmer		X	
Mr. Veasey	X			Mr. Dunn		X	
Ms. Kuster	X			Mr. Curtis		X	
Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
Mr. McEachin	X			Mr. Crenshaw		X	
Ms. Blunt Rochester	X			Mr. Joyce		X	
Mr. Soto	X			Mr. Armstrong		X	
Mr. O'Halleran	X						
Ms. Rice	X						
Ms. Craig	X						
Ms. Schrier	X						
Ms. Trahan	X						
Ms. Fletcher	X						

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III. BUDGET EFFECTS OF THE PROVISION**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

IV. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS**

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to provide budget reconciliation legislative recommendations pursuant to reconciliation instructions from S. Con. Res. 14, and for other purposes.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

E. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

H. CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the constitutional authority for this legislation in Article I, section 8, clause 1, which grants Congress the power to provide for the “common Defence and general Welfare of the United States.”

V. CHANGES IN EXISTING LAW MADE BY THE COMMITTEE'S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

VI. MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

Republican Views

We object to the Democrats' Build More Inflation Act and using the Reconciliation process to pass it. This socialist agenda will destroy freedom and embolden our enemies on the backs of American families. This is a gargantuan, unnecessary bill that fundamentally changes American life and security for the worse.

In addition, the Democrats' Build More Inflation Act comes at a time when our economy is recovering from the damage done by COVID-19. Just seven months ago, Democrats used the Reconciliation process to pass the 1.9 trillion-dollar American Rescue Plan, which was on top of the approximately 3.5 trillion-dollar Congress appropriated in 2020. This is exactly the point made by one Energy and Commerce Committee Democrat during opening statements on the first day of our markup:

We need to stop spending. The economy is recovered. There are plenty of jobs out there. Wages are up dramatically. We just spent over 5 trillion dollars in the last 18 months on COVID alone – over three times what we spent on all defense and non-defense spending in one year, and we have not cut any of our regular appropriations. Indeed, we have increased it. . . . We're adding more to the deficit. This is insanity. It is fiscally irresponsible.

In addition, we recall the Committee Democrats' objections about regular order during the 2017 markup of the "Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; Title I—Energy and Commerce American Health Care Act of 2017."

In their Minority Views to that legislation, Committee Democrats summarizes their "deep concern" about the lack of regular order during that Reconciliation process, writing:

Despite the wide-ranging, serious implications of this legislation for the health and financial security of all Americans, the Committee did not hold a single hearing on the details and effect of the legislation. Notably, stakeholders have not had the ability to weigh in on the impacts of the bill to the health care system. In fact, the Committee received letters from hospitals, doctors, and patient and advocacy groups all outlining their significant concerns with the legislation. Additionally, despite Speaker Ryan's claims that the bill would be considered through regular order and through a transparent process, the repeal bill was drafted in secret and introduced less than two days before markup. The minority is deeply concerned by the decision to proceed to markup without first receiving the views of the CBO on the impact of this legislation on health insurance coverage, costs, and the Federal budget. Given the likelihood that millions of Americans will lose their health insurance as a result of this legislation, proceeding to markup without a CBO score is highly

irresponsible and deprives Committee members of a full understanding of the implications of the legislation before voting on it.¹

During the markup of that legislation, Committee Democrats were also vocal in their objections about regular order. There were complaints about the lack of hearings, complaints about the lack of subcommittee markups, complaints about the lack of a cost estimate from the Congressional Budget Office (CBO), complaints about the amount of time for opening statements, and of course, complaints about how long the legislative text had been available to members.

In an allusion to their scavenger hunt across Capitol Hill in the days before the markup, searching for that legislative text (which included the harassment of visitors and staff in the office of the Committee's then-Chairman), one Democratic member even said:

And so I am outraged, Mr. Chairman, many Americans are outraged, that this secretive healthcare plan was finally made public after being sequestered in the bowels of the Capitol less than 2 days before this markup. The legislative text – and we have heard that from other members – was literally under lock and key and protected by armed Capitol police officers.

But in their return to the Majority, the Energy and Commerce Democrats outrage and deep concern for regular order has waned. Just seven months ago, the Committee considered Reconciliation legislation for fiscal year 2021. Unfortunately, the Democratic majority held no hearings, no subcommittee markups, and had no CBO estimate before that legislation was considered by the Committee. And just a few days ago, the Committee wrapped up a three-day markup of the most consequential and most expensive legislation that it has ever considered.

Every area of the Committee's broad jurisdiction was impacted by this legislation. As with their first Reconciliation legislation this year, again, there were no hearings, no subcommittee markups, and no CBO estimate (and as the markup began on Monday morning at 11:00 a.m., the amendments in the nature of a substitute to the 16 subtitles that were considered by the Committee were not shared with the Minority until 11:00 a.m. on Sunday.).

As one Energy and Commerce Committee Democratic said, "It is a terrible process. In one month, we put together a 3.5 trillion-dollar bill that has no chance of passing the Senate. Virtually no Member input. No amendments supposed to pass. No hearing on this gargantuan bill. Members had no chance to represent their districts."

We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

Democrats joined with Committee Republicans to kill it. Democrats may feel pressure to include Subtitle E in whatever Reconciliation legislation is considered on the Floor. Without Subtitle E in their Reconciliation legislation, Democrats will be forced scale back their gargantuan socialist agenda.

But the Energy and Commerce Committee has spoken, and House Democrats should listen.

Subtitle A: Budget Reconciliation Legislative Recommendations Relating to Air Pollution

The provisions in Subtitle A focus on Environmental Protection Agency (EPA) spending and regulatory authorities and contribute to the Democrats' socialist agenda to expand Federal government control over our economy, health, and welfare. And as with other provisions, the Subtitle was reported out without a single hearing in which Congress could review the impacts of the new provisions, which will have lasting effects on Federal environment and energy policies—far beyond the budget window.

The central theme of the Subtitle involves the radical drive to eliminate America's use of coal, oil, and natural gas—so essential to affordable, reliable power and the energy security and the robust economy working families rely upon. Provisions in this Subtitle reflect a combination of massive spending and expanded regulatory requirements and new taxes on disfavored fossil energy to incentivize, and in some cases compel, the expansion of the favored technologies of the environmental left (and the People's Republic of China) – weather-based wind and solar, and electrification of everything, no matter the costs to American families or the nation's energy security.

Notably, the Democrats chose to impose this spending, regulatory, and tax onslaught through several amendments to the Clean Air Act, revealing an underlying goal of the : to make lasting changes to our bedrock environmental laws, with no Committee process. The left's radical agenda is exposed here: take over the electricity system and prepare to impose new regulations and taxes to drive out existing fossil and natural gas.

Subtitle A contains at least \$37.2 billion of spending for numerous grant programs and funds. Many of the provisions overlap or add to funding priorities Congress has already addressed, effectively shoveling taxpayer dollars before we even understand where and how the money will be spent.

Most troubling, the Subtitle establishes in the Clean Air Act a natural gas tax on the oil and gas industry, which will raise the costs of energy and numerous other consumer products, including life-saving medical drugs and devices. The regulatory structure of this provision, as discussed below, will ensure the EPA's permanent, commanding influence over American energy, manufacturing competitiveness, relationships with states, and the costs of goods and services far beyond the budget window.

Committee Republicans offered and debated 12 amendments to reduce the cascading harms in the Subtitle, including subtitle-wide amendments to ensure products subsidized in this bill would not accelerate increased reliance upon critical minerals controlled by our adversaries; to ensure the provisions would not impose new requirements on any Federally recognized Indian Tribe; to require certification that none of the spending would increase the inflation that is currently ravaging household budgets. Democrats rejected these efforts to mitigate the harmful impacts of this subtitle.

Following are some of the questions and concerns about provisions in the Subtitle:

Section 30101. Clean Heavy-Duty Vehicles.

This section introduces a new program to the Clean Air Act to spend \$5 billion to rebate up to the full cost of electric medium and heavy trucks, with no Committee review to understand why full rebates, why EPA should manage this spending program, and how such a program would maintain stewardship of taxpayer dollars. How this works with section 30105 below remains an open question.

Section 30102. Grants to Reduce Air Pollution at Ports.

This section provides \$3.5 billion to help electrify ports and reduce emissions, with no review to examine how this spending intersects with provisions in the Senate infrastructure bill. Notably, the provision adds new requirements for so-called climate action plans, written vaguely, but clearly a new regulatory requirement under the Clean Air Act with enforcement implications, and with impacts on State air quality implementation planning and expenditures—the policy implications of this regulatory expansion were not reviewed.

Section 30103. Greenhouse Gas Reduction Fund.

This section is a brand-new, unexamined provision that provides EPA \$27.5 billion to establish a fund in the Clean Air Act to support expansion of rooftop solar and other local programs to reduce the use of natural gas and fossil energy, and related air emissions, particularly in low-income communities. EPA will control \$7.5 billion to spend as it sees fit, and \$20 billion will be given away to “eligible entities” to set up one or more independent, unaccountable, and permanent National Climate Banks. These Wall Street finance leveraging schemes would keep all proceeds from the funds so the self-selected members can operate these entities perpetually, far beyond any control by the Inspector General or Congress.

The central requirement, from what we can tell with the obscure text, is to leverage Wall Street investment and state financing to “decarbonize” and pursue local renewable energy and electric vehicles projects—projects already covered by funding throughout this monstrous bill, and in other programs Congress has enacted. The give-away provides private investors and states seed money simply to de-risk their own investments.

To be sure, there appear to be an increasing number of state level “climate banks.” The provisions here seek to boost their coffers by nationalizing the effort. Importantly, the national climate bank goals and decisions by its self-selected members may conflict with the interests of ratepayers and with supporters of clean fossil energy, which are not eligible for financing. Senate testimony from Texas and Wyoming experts indicated a national climate bank’s focus on renewable energy and “transition” away from fossil energy conflicts with state taxpayer interests—and the benefits of their resources for prosperity. Why should energy state taxpayers seed programs that will seek to undercut their future? Against the backdrop of increased Wall Street financing of environmental, climate, and “ESG” initiatives, the need for taxpayer spending here at the expense of energy security and reliability priorities has not been established.

To go back to the drawing board, Rep. Armstrong offered an amendment to strike the section; the Committee Democrats rejected it.

Section 30104. Collaborative Community Wildfire Air Grants.

This section provides \$150 million to help communities address wildfire smoke, a well-meaning program but one that underscores the lack of focus on solutions to the wildfire problem, which involve increased use of forest management practices, including prescribed burns (where EPA may assist in smoke mitigation) and related practices. As ever, the Democratic priorities are missing the mark.

Section 30105. Diesel Emissions Reductions.

This section provides some \$170 million more to the Diesel Emissions Reduction Act programs, which Congress just reauthorized in the Energy Act of 2020. Yet, in keeping with a pattern in this rushed process, the Democrats chose to add more spending, far beyond what had been agreed to in the bi-partisan, regular order process. How this spending works with section 30101 remains an open question.

Section 30106. Funding to Address Air Pollution.

This section provides \$315 million to a suite of air emissions monitoring grants, and to beef up spending related to several Clean Air Act regulatory authorities with respect to greenhouse gases. The monitoring spending alone adds to the \$100 million Congress already appropriated in the partisan “American Rescue Plan Act of 2021” (PL 117-2). There was no Congressional review of EPA’s need for this funding to execute its responsibilities. There was no review or testimony from state air regulators to examine how so-called community monitoring works in connection with federal reference method monitors and the potential impact on reliable air quality data and regulations. Skewed information can lead to harmful regulatory decisions, which impacts communities, leads to unnecessary litigation, and undermines legitimate air pollution priorities.

This section spends \$50 million to beef up EPA’s budget to exercise its greenhouse gas regulatory authorities, notably section 115 of the Clean Air Act, which would enable international environmental activists—and our nation’s adversaries like China—to use the Clean Air Act to codify the Paris Agreement, and impose harmful decarbonization policies, costing jobs and security. The long-term policy implications of this section deserve much more scrutiny than can be achieved in a rushed, partisan Reconciliation markup.

Section 30107. Funding to Address Air Pollution at Schools.

This section provides \$10 million that may overlap funding in the same Clean Air Act sections already increased in the American Rescue Plan, referenced above. Yet, there was no regular order to understand why these new sums were necessary.

Section 30108. Low Emissions Electricity Program.

This section provides \$100 million to carry out another brand-new regulatory program under Clean Air Act to measure, collect data, and provide new regulatory authority to expand “domestic electricity generation and use.” The provisions explicitly seek to ensure reductions in greenhouse gas emissions anticipated from “domestic electricity generation” by 2031 by issuing regulations – a major new intrusion of the EPA into electricity generation within states, with policy implications for state interests and other Federal authorities. The long-term policy implications of this section also deserve much more scrutiny than can be achieved in a partisan Reconciliation markup, with no hearings or technical comments from state authorities and commissions.

Section 30109. Funding for Section 211 of the Clean Air Act.

This section provides \$15 million for EPA to perform tests, protocols, analyses, and evaluations to determine the environmental and public health impacts of lifecycle emissions of transportation fuels. The U.S. Department of Energy already addresses these issues with respect to transportation fuels. This provision would be a waste of taxpayer dollars and Federal resources, and it could create confusion and misinformation.

Section 30110. Funding for Implementation of the American Innovation and Manufacturing Act.

This section, overall, provides \$42 million in supplemental funding for 5 years to implement requirements phasing down the domestic use of hydrofluorocarbons (HFCs) under the American Innovation and Manufacturing (AIM) Act. This section further apportions \$3.5 million to deploy “new” implementation and compliance tools and \$15 million for competitive grants related to reclaiming and innovative destruction technologies. We are concerned this funding potentially pursues implementation objectives that are inconsistent with the statute, including funding “new implementation and compliance tools” and efforts to snuff out the affordability and allowance benefits received by residential consumers from reclaimed and recycled HFCs.

Section 30111. Funding for Enforcement Technology and Public Information.

Under this section, EPA is appropriated \$50 million: \$33 million for updating EPA’s Integrated Compliance Information System; \$7 million for grants to EPA partners to update their systems; and \$10 million for EPA to acquire inspection software. According to EPA’s website:

[T]he Integrated Compliance Information System is a web-based system that provides information for the Federal Enforcement and Compliance (FE&C) and the National Pollutant Discharge Elimination System (NPDES) programs. The FE&C component supports EPA’s Civil Enforcement and Compliance program activities. These activities include Compliance Assistance, Compliance Monitoring and Enforcement. The NPDES program

supports tracking of NPDES permits, limits, discharge monitoring data and other program reports.

No hearings or regular order process were conducted on this provision. It is unknown if these funds are required by the Agency, if they may duplicate existing programs or appropriations, or how these programs will be implemented with this infusion of funding.

Section 30112. Greenhouse Gas Corporate Reporting.

This section provides for a seemingly new program with \$5 million in funding for EPA to standardize “climate action commitments and plans” of corporations. It is unclear what exactly these funds and the programs are intended to accomplish. Corporations have their own environmental and sustainability goals – taxpayer dollars should not be spent to enhance and/or standardize these plans or goals on behalf of corporations. EPA already has an established greenhouse gas reporting program – this provision appears to be duplicative and a waste of resources. As with so much of this legislation, no hearings or regular order process took place on this provision.

Section 30113. Environmental Product Declaration Assistance Program.

This section provides EPA \$250 million, until fiscal year 2031, to develop and carry out a new environmental product declaration assistance program, including the development, standardization, and transparency of environmental product declarations for construction materials and products. Under this section, EPA may award grants to businesses subject to these declarations for developing and verifying environmental product declarations. EPA may also use funding to carry out other activities that assist in measuring and reducing the quantity of embodied carbon of construction materials and products. Again, there were no hearings and no regular order process-regarding this provision.

Section 30114. Environmental Protection Agency Methane Fee.

This is a tax.

The tax-and-spend Committee Democrats can call it whatever they want, but it is absolutely a tax and it will absolutely hurt Americans by making a wide range of essential goods and services more expensive.

This is a regressive tax on natural gas, and it will impose a cost of \$9 billion to the economy and as many as 90,000 jobs could be lost.¹ Taxes on natural gas will have harmful ripple effects, raising costs for customers, creating new burdens that will fall heavily on hardworking American families, and especially low income and rural Americans.

¹ Letter, dated September 12, 2021, to Chairman Pallone and Ranking Member McMorris Rodgers opposing the inclusion of the *Methane Emissions Reduction Act of 2021* in the reconciliation package, signed on behalf of oil and natural gas industry organizations.

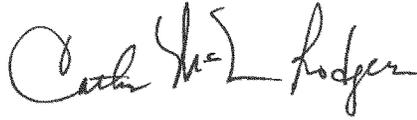
The full scope and impact of this new tax on natural gas is unknown. The methane tax has never been the subject of a hearing, and no input or technical assistance was provided by EPA to understand how the tax would be calculated and implemented. In the week preceding the Full Committee Markup, three variations of the methane tax were introduced. According to analysis by companies that make up the natural gas supply chain, the three variations of the methane tax would increase customers natural gas bills from 12 percent to 34 percent, with the average cost from \$85 to \$242 per year.²

The methane tax will raise the cost of doing business for every small business that uses natural gas for heat and electricity. The methane tax will increase prices for food and agricultural products at a time when inflation and high prices are already taxing American families enough. The methane tax will also increase the cost of plastics, personal protective equipment (PPE), and medicines derived from hydrocarbons that are essential to the fight against the COVID pandemic. If the \$1,500/ton methane tax were applied to the 2019 EPA Emissions Inventories for agricultural methane emissions, according to analysis by the American Farm Bureau, the tax would cost American farmers more than \$400 billion dollars. Broken down by livestock, the methane tax would cost about \$6,504 per dairy cow, \$2,607 per head of cattle, and \$503 per pig.

Republicans offered an amendment to strike sec. 30114, and several amendments to limit the scope of the methane tax, including amendments to exempt agricultural operations, protect live saving products such as medical devices and PPE, and exempt facilities needed to sustain critical missions on or near a military installation. The tax-and-spend Committee Democrats rejected each of these Republican amendments.

The harmful policies in this Subtitle received bipartisan opposition in the markup with a Committee Democrat joining Republicans in voting against.

² Letter, dated September 13, 2021, to House and Senate Leadership expressing concerns about the inclusion of Sec. 30114 in the reconciliation package, signed on behalf of companies and associations that make up the natural gas supply chain.



Cathy McMorris Rodgers
Ranking Member
Energy and Commerce Committee



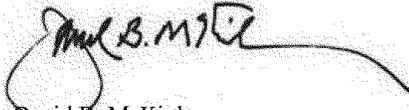
Fred Upton
Ranking Member
Subcommittee on Energy
Energy and Commerce Committee



Robert E. Latta
Ranking Member
Subcommittee on Communications
and Technology
Energy and Commerce Committee



Brett Guthrie
Ranking Member
Subcommittee on Health
Energy and Commerce Committee



David B. McKinley
Ranking Member
Subcommittee on Environment
and Climate Change
Energy and Commerce Committee



Gus M. Bilirakis
Ranking Member
Subcommittee on Consumer Protection
and Commerce
Energy and Commerce Committee

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I. EXPLANATION OF PROVISIONS

SECTION 30201. Superfund Investments.

This section provides \$10 billion for response actions to be carried out by responsible federal agencies at federal facilities on the National Priority List pursuant to section 120 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

SEC. 30202. Funding to Address Toxics in Schools.

This section appropriates \$50 million to EPA to reduce pollution at schools in low-income and disadvantaged communities under title V of the Toxic Substances Control Act.

SEC. 30203. Grants To Reduce Waste in Communities.

This section provides \$750 million for investments in community-level waste reduction infrastructure, incentives, and related activities.

SEC. 30204. Environmental and Climate Justice Block Grants.

This section provides \$5 billion for investments in community-led projects and technical assistance to address disproportionate environmental and public health harms related to pollution and climate change in disadvantaged communities.

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #54

Bill: **Subtitle B**, Budget Reconciliation Legislative Recommendations Relating to Hazardous Materials

Amendment: An amendment (B3_17) to Subtitle B by Mr. Carter of Georgia, No. 2

Disposition: **NOT AGREED TO** by a roll call vote of 24 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess			
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger			
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

09/13/21

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #55

Bill: **Subtitle B**, Budget Reconciliation Legislative Recommendations Relating to Hazardous Materials

Motion: An motion by Mr. Pallone of New Jersey to order **Subtitle B** transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 31 yeas to 26 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess			
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
Ms. Schakowsky	X			Mr. Guthrie		X	
Mr. Butterfield	X			Mr. McKinley		X	
Ms. Matsui	X			Mr. Kinzinger		X	
Ms. Castor	X			Mr. Griffith		X	
Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long		X	
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cárdenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
Mr. Peters	X			Mr. Duncan		X	
Mrs. Dingell	X			Mr. Palmer		X	
Mr. Veasey	X			Mr. Dunn		X	
Ms. Kuster	X			Mr. Curtis		X	
Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
Mr. McEachin	X			Mr. Crenshaw		X	
Ms. Blunt Rochester	X			Mr. Joyce		X	
Mr. Soto	X			Mr. Armstrong		X	
Mr. O'Halleran	X						
Ms. Rice	X						
Ms. Craig	X						
Ms. Schrier	X						
Ms. Trahan	X						
Ms. Fletcher	X						

09/13/21

III. BUDGET EFFECTS OF THE PROVISION**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

IV. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS**

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to provide budget reconciliation legislative recommendations pursuant to reconciliation instructions from S. Con. Res. 14, and for other purposes.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

E. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

H. CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the constitutional authority for this legislation in Article I, section 8, clause 1, which grants Congress the power to provide for the “common Defence and general Welfare of the United States.”

V. CHANGES IN EXISTING LAW MADE BY THE COMMITTEE’S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

VI. MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

Republican Views

We object to the Democrats' Build More Inflation Act and using the Reconciliation process to pass it. This socialist agenda will destroy freedom and embolden our enemies on the backs of American families. This is a gargantuan, unnecessary bill that fundamentally changes American life and security for the worse.

In addition, the Democrats' Build More Inflation Act comes at a time when our economy is recovering from the damage done by COVID-19. Just seven months ago, Democrats used the Reconciliation process to pass the 1.9 trillion-dollar American Rescue Plan, which was on top of the approximately 3.5 trillion-dollar Congress appropriated in 2020. This is exactly the point made by one Energy and Commerce Committee Democrat during opening statements on the first day of our markup:

We need to stop spending. The economy is recovered. There are plenty of jobs out there. Wages are up dramatically. We just spent over 5 trillion dollars in the last 18 months on COVID alone – over three times what we spent on all defense and non-defense spending in one year, and we have not cut any of our regular appropriations. Indeed, we have increased it. . . . We're adding more to the deficit. This is insanity. It is fiscally irresponsible.

In addition, we recall the Committee Democrats' objections about regular order during the 2017 markup of the "Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; Title I—Energy and Commerce American Health Care Act of 2017."

In their Minority Views to that legislation, Committee Democrats summarizes their "deep concern" about the lack of regular order during that Reconciliation process, writing:

Despite the wide-ranging, serious implications of this legislation for the health and financial security of all Americans, the Committee did not hold a single hearing on the details and effect of the legislation. Notably, stakeholders have not had the ability to weigh in on the impacts of the bill to the health care system. In fact, the Committee received letters from hospitals, doctors, and patient and advocacy groups all outlining their significant concerns with the legislation. Additionally, despite Speaker Ryan's claims that the bill would be considered through regular order and through a transparent process, the repeal bill was drafted in secret and introduced less than two days before markup. The minority is deeply concerned by the decision to proceed to markup without first receiving the views of the CBO on the impact of this legislation on health insurance coverage, costs, and the Federal budget. Given the likelihood that millions of Americans will lose their health insurance as a result of this legislation, proceeding to markup without a CBO score is highly

irresponsible and deprives Committee members of a full understanding of the implications of the legislation before voting on it.¹

During the markup of that legislation, Committee Democrats were also vocal in their objections about regular order. There were complaints about the lack of hearings, complaints about the lack of subcommittee markups, complaints about the lack of a cost estimate from the Congressional Budget Office (CBO), complaints about the amount of time for opening statements, and of course, complaints about how long the legislative text had been available to members.

In an allusion to their scavenger hunt across Capitol Hill in the days before the markup, searching for that legislative text (which included the harassment of visitors and staff in the office of the Committee's then-Chairman), one Democratic member even said:

And so I am outraged, Mr. Chairman, many Americans are outraged, that this secretive healthcare plan was finally made public after being sequestered in the bowels of the Capitol less than 2 days before this markup. The legislative text – and we have heard that from other members – was literally under lock and key and protected by armed Capitol police officers.

But in their return to the Majority, the Energy and Commerce Democrats outrage and deep concern for regular order has waned. Just seven months ago, the Committee considered Reconciliation legislation for fiscal year 2021. Unfortunately, the Democratic majority held no hearings, no subcommittee markups, and had no CBO estimate before that legislation was considered by the Committee. And just a few days ago, the Committee wrapped up a three-day markup of the most consequential and most expensive legislation that it has ever considered.

Every area of the Committee's broad jurisdiction was impacted by this legislation. As with their first Reconciliation legislation this year, again, there were no hearings, no subcommittee markups, and no CBO estimate (and as the markup began on Monday morning at 11:00 a.m., the amendments in the nature of a substitute to the 16 subtitles that were considered by the Committee were not shared with the Minority until 11:00 a.m. on Sunday.).

As one Energy and Commerce Committee Democratic said, "It is a terrible process. In one month, we put together a 3.5 trillion-dollar bill that has no chance of passing the Senate. Virtually no Member input. No amendments supposed to pass. No hearing on this gargantuan bill. Members had no chance to represent their districts."

We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

Democrats joined with Committee Republicans to kill it. Democrats may feel pressure to include Subtitle E in whatever Reconciliation legislation is considered on the Floor. Without Subtitle E in their Reconciliation legislation, Democrats will be forced scale back their gargantuan socialist agenda.

But the Energy and Commerce Committee has spoken, and House Democrats should listen.

Subtitle B: Budget Reconciliation Legislative Recommendations Relating to Hazardous Materials

Subtitle B contains at least \$15.8 billion of spending for Superfund and grant programs relating to other hazardous liabilities under the Environmental Protection Agency. Its four sections that run the gamut from lost opportunities, to confusing choices, to outright startling policies. Importantly, this Subtitle's out of control spending levels dwarf historic funding for these programs – and the Subtitle does not contain any accountability mechanisms.

Section 30201 spends \$10 billion to fund Superfund site cleanups by the Federal government at Federal Facilities. This amount, which goes to only a subset of all Superfund sites, is almost seven times the amount of money annually given to Superfund and more than 450 times higher than the amount that currently goes to that account.

Unfortunately, this is the only spending on Superfund that this legislation undertakes. In addition, the funding is not focused on only remedial cleanup actions, so it could be wasted on the endless site study and lawyers' fees, which have prevented these site cleanups from finishing. Finally, this funding is only being spent on Federal sites; the funding is not prioritized for sites with the greatest level of risk to the community.

Superfund money should go to cleaning up the riskiest sites – regardless of whether the Federal government is a responsible party – particularly those that do not otherwise have the backing to get cleaned up. That is how we get the most pro-environment use of our tax dollars.

Next, section 30202 provides \$50 million for programs related to school siting selection, community outreach, and environmental health programs. Yet, this amount of funding is more than 47 times the last authorized level for a law whose funding authorization expired almost 9 fiscal years ago. Moreover, the Committee has conducted virtually no oversight of this program. Regardless of how well intentioned it may be, this section is excessive, unaccountable Federal spending.

After this comes section 30203. This section appropriates \$750 million for grants to a single unit of State, tribal, or local governments, a non-profit, or a combination of the two for projects that minimize waste, promote recycling infrastructure, including for organics, and create market demand for recyclable materials. Our concern is that creating market demand ignores and distorts the forces at play in free enterprise, including trying to create market demand and opportunities for certain commodities – regardless of their feasibility. We are also concerned about efforts to provide seed money to governing bodies or non-profits to force businesses to make production changes that may not be in their financial best interest.

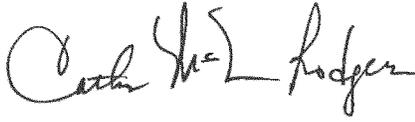
Finally, Subtitle B contains a new program, section 30204, which appropriates \$5 billion for environmental and climate justice block grants for projects that “benefit disadvantaged communities,” which includes \$500 million for technical assistance funding, to award grants to community-based non-profits and schools or tribes that partner with these non-profits to promote community low-emissions technology, resilient infrastructure, and community-led pollution reduction efforts.

Yet, under section 30204, “disadvantaged communities” is defined by the Environmental Protection Agency (EPA) Administrator, giving EPA broad latitude to decide who gets benefits from the \$5 billion in Federal funding. Moreover, the original version of section 30204 directly aided “low-income” and “disadvantaged communities.” With “low-income” communities removed from the language, it is plausible that EPA’s administrative discretion will result in certain low-income communities being denied the ability to qualify as “disadvantaged” and benefit from this program.

Importantly, section 30204 specifically awards public funding to community groups for advocacy at the Federal and State level, and anything else the EPA thinks is appropriate. This is a horrible precedent. Congress should not be funding private groups to lobby – regardless of who they are – nor to create a situation where private parties become funding supplicants of an Agency when the statutory objective of the funding is policy advocacy – this is a conflict of interest.

Given the limited focus of Superfund spending, the enormous amount spent on a program that has not been subjected to Committee oversight, the meddling with the private market, the loose definition of who qualifies for grant funding, and the publicly funded advocacy in section 30204, we cannot support this Subtitle. We are particularly concerned that with this Subtitle, Congress permits EPA to treat this funding like petty cash, accessible any time it seems like a good idea, and especially when it benefits political allies.

Ultimately, we note that, at markup, Energy and Commerce Committee Democrats rejected a commonsense amendment by Rep. Carter to require the EPA Inspector General to conduct oversight of these programs and promptly report any instances of waste, fraud, or abuse to Congress. This Subtitle also received bipartisan opposition during the markup, with a Committee Democrat voting against it.



Cathy McMorris Rodgers
Ranking Member
Energy and Commerce Committee



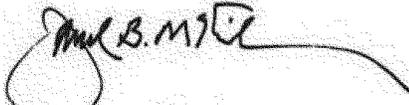
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and Commerce
Energy and Commerce Committee

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I. EXPLANATION OF PROVISIONS

SECTION 30301. Lead Service Line Replacement.

This section provides \$30 billion for lead service line replacement projects to be distributed pursuant to section 1452 of the Safe Drinking Water Act (SDWA), the drinking water State Revolving Fund (SRF). It also specifies that no funds provided may be used for partial replacements of lead service lines or as leverage for the issuance of bonds.

SEC. 30302. Community Water System Risk and Resilience.

This section provides \$500 million for grants to community water systems to improve their resilience to natural disasters and intentional acts, under SDWA section 1433, the Community Water System Risk and Resilience program.

SEC. 30303. Grants For State Programs.

This section provides \$100 million for Public Water System Supervision (PWSS) grants to states, under SDWA section 1443.

SEC. 30304. Assistance for Colonias.

This section provides \$100 million for grants to be provided by the Environmental Protection Agency (EPA) pursuant to SDWA section 1456, Assistance to Colonias.

SEC. 30305. Grants to Reduce Lead in School Drinking Water.

This section provides \$620 million for grants to reduce lead in school drinking water under SDWA sections 1464 and 1465, of which \$420 million will be for grants to assist schools in the installation and maintenance of lead filtration stations; \$150 million shall be for grants for school and childcare program lead testing; and \$50 million will be for grants to schools for the replacement of school drinking water fountains that may contain lead.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #64

Bill: **Subtitle C**, Budget Reconciliation Legislative Recommendations Relating to
Drinking Water

Amendment: An amendment (B3_05) to Subtitle C by Mr. Curtis of Utah, No. 2

Disposition: **NOT AGREED TO** by a roll call vote of 24 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long			
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan			
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly				Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

09/13/21

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #65

Bill: **Subtitle C**, Budget Reconciliation Legislative Recommendations Relating to Drinking Water

Motion: An motion by Mr. Pallone of New Jersey to order **Subtitle C** transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 31 yeas to 25 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess		X	
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
Ms. Schakowsky	X			Mr. Guthrie		X	
Mr. Butterfield	X			Mr. McKinley		X	
Ms. Matsui	X			Mr. Kinzinger		X	
Ms. Castor	X			Mr. Griffith		X	
Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long			
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cárdenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
Mr. Peters	X			Mr. Duncan			
Mrs. Dingell	X			Mr. Palmer		X	
Mr. Veasey	X			Mr. Dunn		X	
Ms. Kuster	X			Mr. Curtis		X	
Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
Mr. McEachin	X			Mr. Crenshaw		X	
Ms. Blunt Rochester	X			Mr. Joyce		X	
Mr. Soto	X			Mr. Armstrong		X	
Mr. O'Halleran	X						
Ms. Rice	X						
Ms. Craig	X						
Ms. Schrier	X						
Ms. Trahan	X						
Ms. Fletcher	X						

09/13/21

SEC. 30306. Grants for Indian Reservation Drinking Water Program.

This section provides \$100 million to implement eligible projects under the Indian Reservation Drinking Water program created by America's Water Infrastructure Act (AWIA).

SEC. 30307. Assistance for Areas Affected by Natural Disasters.

This section provides \$100 million for grants pursuant to a program created under AWIA to encourage the extension of drinking water service into underserved areas affected by natural disasters and clarifies that the territories are eligible for the program, of which \$10 million will be for grants to assist underserved areas in the United States Territories.

SEC. 30308. Assistance for Disadvantaged Communities.

This section provides \$200 million for grants under SDWA section 1459A(b), Assistance for Disadvantaged Communities.

SEC. 30309. Grants for Contaminant Monitoring.

This section provides \$100 million for grants to cover the cost of contaminant monitoring under SDWA section 1445(a)(2).

SEC. 30310. Technical Assistance to Small Public Water Systems.

This section provides \$100 million for technical assistance for small public water systems under SDWA section 1442(e).

SEC. 30311. Funding for Water Assistance Program.

This section provides \$500 million for grants, to be provided by the Secretary of Health and Human Services (HHS), to states and Tribes to assist low-income water customers in reducing arrearages and water rates for those customers.

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

III. BUDGET EFFECTS OF THE PROVISION**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

IV. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS**

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to provide budget reconciliation legislative recommendations pursuant to reconciliation instructions from S. Con. Res. 14, and for other purposes.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

E. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

H. CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the constitutional authority for this legislation in Article I, section 8, clause 1, which grants Congress the power to provide for the “common Defence and general Welfare of the United States.”

V. CHANGES IN EXISTING LAW MADE BY THE COMMITTEE'S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

VI. MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

Republican Views

We object to the Democrats' Build More Inflation Act and using the Reconciliation process to pass it. This socialist agenda will destroy freedom and embolden our enemies on the backs of American families. This is a gargantuan, unnecessary bill that fundamentally changes American life and security for the worse.

In addition, the Democrats' Build More Inflation Act comes at a time when our economy is recovering from the damage done by COVID-19. Just seven months ago, Democrats used the Reconciliation process to pass the 1.9 trillion-dollar American Rescue Plan, which was on top of the approximately 3.5 trillion-dollar Congress appropriated in 2020. This is exactly the point made by one Energy and Commerce Committee Democrat during opening statements on the first day of our markup:

We need to stop spending. The economy is recovered. There are plenty of jobs out there. Wages are up dramatically. We just spent over 5 trillion dollars in the last 18 months on COVID alone – over three times what we spent on all defense and non-defense spending in one year, and we have not cut any of our regular appropriations. Indeed, we have increased it. . . . We're adding more to the deficit. This is insanity. It is fiscally irresponsible.

In addition, we recall the Committee Democrats' objections about regular order during the 2017 markup of the "Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; Title I—Energy and Commerce American Health Care Act of 2017."

In their Minority Views to that legislation, Committee Democrats summarizes their "deep concern" about the lack of regular order during that Reconciliation process, writing:

Despite the wide-ranging, serious implications of this legislation for the health and financial security of all Americans, the Committee did not hold a single hearing on the details and effect of the legislation. Notably, stakeholders have not had the ability to weigh in on the impacts of the bill to the health care system. In fact, the Committee received letters from hospitals, doctors, and patient and advocacy groups all outlining their significant concerns with the legislation. Additionally, despite Speaker Ryan's claims that the bill would be considered through regular order and through a transparent process, the repeal bill was drafted in secret and introduced less than two days before markup. The minority is deeply concerned by the decision to proceed to markup without first receiving the views of the CBO on the impact of this legislation on health insurance coverage, costs, and the Federal budget. Given the likelihood that millions of Americans will lose their health insurance as a result of this legislation, proceeding to markup without a CBO score is highly

irresponsible and deprives Committee members of a full understanding of the implications of the legislation before voting on it.¹

During the markup of that legislation, Committee Democrats were also vocal in their objections about regular order. There were complaints about the lack of hearings, complaints about the lack of subcommittee markups, complaints about the lack of a cost estimate from the Congressional Budget Office (CBO), complaints about the amount of time for opening statements, and of course, complaints about how long the legislative text had been available to members.

In an allusion to their scavenger hunt across Capitol Hill in the days before the markup, searching for that legislative text (which included the harassment of visitors and staff in the office of the Committee's then-Chairman), one Democratic member even said:

And so I am outraged, Mr. Chairman, many Americans are outraged, that this secretive healthcare plan was finally made public after being sequestered in the bowels of the Capitol less than 2 days before this markup. The legislative text – and we have heard that from other members – was literally under lock and key and protected by armed Capitol police officers.

But in their return to the Majority, the Energy and Commerce Democrats outrage and deep concern for regular order has waned. Just seven months ago, the Committee considered Reconciliation legislation for fiscal year 2021. Unfortunately, the Democratic majority held no hearings, no subcommittee markups, and had no CBO estimate before that legislation was considered by the Committee. And just a few days ago, the Committee wrapped up a three-day markup of the most consequential and most expensive legislation that it has ever considered.

Every area of the Committee's broad jurisdiction was impacted by this legislation. As with their first Reconciliation legislation this year, again, there were no hearings, no subcommittee markups, and no CBO estimate (and as the markup began on Monday morning at 11:00 a.m., the amendments in the nature of a substitute to the 16 subtitles that were considered by the Committee were not shared with the Minority until 11:00 a.m. on Sunday.).

As one Energy and Commerce Committee Democratic said, "It is a terrible process. In one month, we put together a 3.5 trillion-dollar bill that has no chance of passing the Senate. Virtually no Member input. No amendments supposed to pass. No hearing on this gargantuan bill. Members had no chance to represent their districts."

We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

Democrats joined with Committee Republicans to kill it. Democrats may feel pressure to include Subtitle E in whatever Reconciliation legislation is considered on the Floor. Without Subtitle E in their Reconciliation legislation, Democrats will be forced scale back their gargantuan socialist agenda.

But the Energy and Commerce Committee has spoken, and House Democrats should listen.

Subtitle C: Budget Reconciliation Legislative Recommendations Relating to Drinking Water

Republicans support safe drinking water and compliance with Federal requirements to protect public health. This is not a partisan issue.

Environment and Climate Change Republican Leader McKinley and full committee Republican Leader Rodgers are the lead sponsors of H.R. 3282, the Drinking Water Funding for the Future Act. This legislation reauthorizes the major funding, compliance, and drinking water protection programs in the Safe Drinking Water Act and the America's Water Infrastructure Act of 2018.

What Republicans do not want for our children and their futures, is the mountains of debt and increased inflation this Subtitle could create. Moreover, on top of this year's parade of fantastical spending bills, we are concerned with repeated efforts – and inadequate responses – to get information on how this spending has been conducted, whether previous spending has been exhausted, and what have been the impacts of these spending programs.

Subtitle C contains at least \$32.5 billion of spending for numerous grant programs under the Safe Drinking Water Act. For context, President Biden's proposed budget for the entire EPA in fiscal year 2022 is \$11.2 billion. Subtitle C provides triple EPA's proposed annual funding and target that funding to just the programs in Subtitle C.

Below are more specifics of this Subtitle:

Section 30301 spends \$30 billion for lead pipe replacement under the Drinking Water Revolving Loan Fund program. This is 500 times the existing annual authorization for lead pipe replacement – that Republicans support extending.

This supplemental money is being spent even though EPA admits it has no idea where all the lead pipes are or how much their replacement might cost. Because this Subtitle requires both the public and private portions of a lead service line to be replaced, this Subtitle gives free private property upgrades to anyone – regardless of income level.

At markup, Energy and Commerce Committee Democrats rejected an amendment from Rep. Curtis to have people whose annual adjusted gross income exceeds \$1 million to pay for their own private line replacement. If the wealthy can afford the significant tax increases that Democrats want to impose, this kind of handout to the wealthy is not something we can afford with the debt we have, and the mounting debt anticipated under this legislation.

Section 30302 provides \$500 million for grant programs that bolster risk and resilience at drinking water utilities – including cybersecurity protection. That is 20 times higher than the current annually authorized amount. We agree that this is an important program that should be funded, but we question providing 20 times the annual authorized funding.

Section 30303 gives \$100 million to States for implementation and enforcement of the Safe Drinking Water Act. This is an 80 percent increase over currently authorized amounts.

Curiously, as a percentage, this is lower than other programs in this Subtitle considering that this money is meant to implement all the other sections in this Subtitle.

Section 30304 appropriates \$100 million in additional funding for fresh drinking water supplies or drinking water services in low-income areas in border towns in the United States and Mexico. This is a 400 percent increase over the annual authorization in this program.

Section 30305 appropriates extra funding for three programs: voluntary lead testing programs in schools, installation and maintenance of lead filtration stations at schools and day care centers; and \$50 million to replace drinking water fountains in schools. That is nearly 23 times higher than the annually authorized amounts.

We support helping schools and day care centers struggling with lead concerns and included such funding in the Drinking Water Funding for the Future Act. However, creating gargantuan new lead programs that remove the responsibility of local officials to fund and maintain this infrastructure deserves much more careful consideration from the Committee.

Section 30306 appropriates supplemental funding of \$100 million to connect, expand, or repair drinking water systems on tribal lands in order to improve water quality, water pressure, or water services. This is five times the existing authorized amount for this program.

Section 30307 provides \$100 million in complementary funding for grants, including \$10 million in grants to Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands, to provide assistance to drinking water systems serving underserved areas that have been affected by a natural disaster and who are trying to restore or increase compliance with national primary drinking water regulations.

Section 30308 appropriates an additional \$200 million in funding for grant programs targeted to disadvantaged and underserved communities. That is an increase of 3.5 times current funding. Republicans included funding for this program in the Drinking Water Funding for the Future Act; but question how this this much money was determined appropriate for this item.

Section 30309 appropriates extra funding for the unregulated contaminant monitoring program at EPA at \$100 million. That is 10 times the current authorized amount. We supported a similar, existing program in the Safe Drinking Water Act and included it in the Drinking Water Funding for the Future Act. However, we are concerned that this amount is excessive, particularly in light of regular appropriations.

Section 30310 provides a further \$100 million for technical assistance for small public water systems. This type of aid has been historically supported by Republican members as a key bridge for rural communities to be able to achieve compliance and provide their communities drinking water free from serious threats. Yet, this appropriation is more than 6 times the annual authorized and appropriated amount. Certainly, additional resources can always be used, but we would like to know whether this is the right amount before voting to support it.

Finally, section 30311 re-ups additional funding of \$500 million for the Drinking Water Low Income Household Assistance Program. This program renewal comes despite repeated, unanswered questions to the Biden Administration about this funding, its status, and the results it has achieved. In addition, this program is untethered to a public health emergency and could remain available indefinitely.

While this Subtitle contains funding for many programs we support, the extremely high level of spending gives us serious pause. These levels of spending and debt may have serious adverse and long-term effects on future generations of Americans.

Moreover, this Subtitle contains many programs that were covered in the Senate amendment to H.R. 3684, the Senate infrastructure bill, and President Biden promised the Senate Negotiators that anything they agreed to in that bill would not be included in a partisan reconciliation. This Subtitle breaks that promise.

Finally, this Subtitle received bipartisan opposition during the markup, with a Committee Democrat voting against it. He raised similar issues about funding levels and the negative effect this level of spending would have on the economy.

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I. EXPLANATION OF PROVISIONS

PART 1 – Clean Electric Performance Program

SECTION 30411. Clean Electricity Performance Program.

Subsection (a) appropriates \$250 million for administrative expenses for the Department of Energy (DOE) to carry out the Clean Electricity Performance Program (CEPP) and such sums as are necessary to make grants to eligible electricity suppliers under the program.

Subsection (b) amends the Federal Power Act (FPA) to add the CEPP as Section 224.

New FPA section 224(a) requires DOE to establish a program to issue grants to and collect payments from eligible electricity suppliers.

New FPA section 224(b) establishes eligibility and calculations for grants. Based on its performance in each of calendar years 2023 through 2030, an eligible electricity supplier will be eligible for a grant from DOE if such supplier increases its certified clean electricity percentage by at least 4 percentage points compared to its benchmark, which is the greater of its highest certified clean electricity percentage for any prior year or its baseline clean electricity percentage. The grant amount will be \$150 for each megawatt-hour of qualified clean electricity between 1.5 percent above the supplier's benchmark and its most recent certified clean electricity percentage. If an eligible electricity supplier submitted a payment to DOE in the previous year, to be eligible for a grant in the next year, such supplier must increase its clean electricity percentage by 4 percentage points above its benchmark plus a percentage equivalent to the payment it submitted.

For calendar year 2023, eligibility of an electricity supplier is based on the increase in its certified clean electricity percentage relative to its baseline clean electricity percentage, which is based on its averaged 2019 and 2020 clean electricity percentage. The grant amount will be \$150 for each megawatt-hour of qualified clean electricity between 2.5 percent above the baseline and its 2023 certified clean electricity percentage.

Under new FPA section 224(c), based on its performance in each of calendar years 2023 through 2030, an eligible electricity supplier that does not increase its certified clean electricity percentage by at least four percentage points above its benchmark annually will owe a payment to DOE. The payment amount will be calculated as \$40 for each megawatt-hour of qualified clean electricity certified by the eligible load-serving entity that is below the annual four percent increase over the benchmark.

New FPA section 224(d) provides that through calendar year 2029, an eligible electricity supplier may defer its grant or payment. This election is made on an annual basis and may not be made for more than two consecutive years.

New FPA section 224(e) establishes necessary terms and conditions. It also requires that grants be used exclusively for the benefit of the eligible electricity supplier's ratepayers, including direct bill assistance, investments in qualified clean electricity and energy efficiency, and worker retention.

New FPA section 224(f) defines terms for this section, including qualified clean electricity as electricity generation with a carbon intensity of not more than 0.10 metric tons of carbon dioxide equivalent per megawatt-hour.

PART 2 – Residential Efficiency and Electrification Rebates

SEC. 30421. Home Energy Performance-Based, Whole-House Rebates and Training Grants.

Section 30421 provides DOE \$9 billion to institute guidelines for state energy offices to provide rebates for whole-house energy saving retrofits. Of this amount, \$500 million shall be available for contractor training grants to support home energy efficiency retrofits. Specifies rebate amounts for single-family and multifamily energy efficiency retrofits. Provides that home energy efficiency retrofit rebates for high-efficiency natural gas heating, ventilation, air conditioning and cooling (HVAC) systems and water heaters are eligible for six years after the date of enactment.

SEC. 30422. High-Efficiency Electric Home Rebate Program.

Section 30422 amends section 124 of the Energy Policy Act of 2005 (EPACT05) to appropriate \$9 billion for DOE to provide homeowners and owners of multifamily buildings rebates for qualifying electrification projects. Specifies rebate amounts for the program. Requires that \$5.5 billion of the appropriated amount be made available for rebates carried out in tribal communities or for low- or moderate-income households.

PART 3 – Build Efficiency and Resilience

SEC. 30431. Weatherization Assistance Program.

Section 30431 appropriates \$3.5 billion for DOE's Weatherization Assistance Program for low-income households. Of that funding, \$850 million is allocated to support weatherization

readiness by addressing structural or health and safety repairs of homes through the Weatherization Enhancement and Innovation program. This section also increases the program's average cost per dwelling unit to enable local weatherization implementers to spend the increased level of funding.

SEC. 30432. Critical Facility Modernization.

Section 30432 appropriates \$3.2 billion for DOE to provide funding to states for the purposes of resiliency, energy efficiency, renewable energy, and grid integration improvements at public and non-profit buildings.

SEC. 30433. Assistance for Latest and Zero Building Energy Code Adoption.

Section 30433 appropriates \$300 million for State Energy Program grants to assist states and local communities adopting updated building energy codes for residential and commercial buildings. Specifically, \$100 million is available for the adoption and implementation of the latest building energy codes, and \$200 million is available for the adoption and implementation of zero energy and equivalent stretch codes.

PART 4 – Zero Emissions Vehicle Infrastructure Buildout

SEC. 30441. Definitions.

Section 30441 defines terms used in Part 4 – Zero Emissions Vehicle Infrastructure Buildout.

SEC. 30442. Electric Vehicle Supply Equipment Rebate Program.

Section 30442 appropriates \$2 billion to DOE for rebates for electric vehicle supply equipment (EVSE) located in publicly accessible places, such as workplaces, multi-unit dwellings, and other publicly accessible locations.

SEC. 30443. Electric Vehicle Charging Equity Program.

Section 30443 appropriates \$1 billion to DOE to provide technical assistance, grants, and education and outreach for EVSE located in low-income and underserved areas.

SEC. 30444. State Energy Plans.

Section 30444 appropriates \$500 million to DOE to provide financial assistance to State energy offices to develop a state energy transportation plan for inclusion in a state energy conservation plan, as established in the Energy Policy and Conservation Act.

SEC. 30445. Transportation Electrification.

Section 30445 appropriates \$4 billion to DOE for the Plug-in electric drive vehicle program, established in the Energy Independence and Security Act of 2007 (EISA), to provide grants to carry out projects for plug-in electric drive vehicles. Appropriates \$6 billion for the Near-term Transportation Sector Electrification program, established in EISA, to provide grants for the conduct of qualified electric transportation projects.

PART 5 – DOE Loan and Grant Programs**SEC. 30451. Funding for Department of Energy Loan Programs Office.**

Section 30451 provides the Secretary of Energy with authority to make commitments up to a total principal amount of \$30 billion to guarantee loans for eligible projects under EPACT05 section 1703. The section further appropriates \$700 million for the costs of guarantees made under section 1703 for renewable and/or energy efficient systems and manufacturing, and distributed energy generation, transmission, and distribution.

SEC. 30452. Advanced Technology Vehicle Manufacturing.

Section 30452 appropriates \$3 billion to the Secretary of Energy for the costs of providing direct loans under EISA section 136, known as the Advanced Technology Vehicles Manufacturing program, to produce zero-emission medium and heavy-duty vehicles, trains or locomotives, maritime vessels, aircraft, or hyperloop technology. This section also removes the cap on the amount of direct loans the Secretary can issue under this program.

SEC. 30453. Domestic Manufacturing Conversion Grants.

Section 30453 appropriates \$1 billion to the Secretary of Energy for domestic manufacturing conversion grants relating to domestic production of zero-emission vehicles under EPACT05 section 712.

SEC. 30454. Energy Community Reinvestment Financing.

Section 30454 appropriates \$2 billion to the Secretary of Energy for the cost of providing financial support to the Energy Community Reinvestment Financing Program under EPACT05 Section 1706, as added by this subtitle. Section 1706(a) directs the Secretary to establish a program to provide financial support to eligible entities for the purpose of enabling low-carbon reinvestments in energy communities. Section 1706(b) establishes an application process, 1706(c) sets out fees and other requirements, and 1706(d) defines terms used in this section.

PART 6 – Electric Transmission***SEC. 30461. Transmission Line and Intertie Grants and Loans.***

Section 30461 appropriates \$8 billion to DOE to provide grants and loans for the purpose of constructing new high capacity transmission lines and for upgrading interties between the various interconnections.

SEC. 30462. Grants to Facilitate the Siting of Interstate Electricity Transmission Lines.

Section 30462 appropriates \$800 million to DOE for the issuance of grants to siting authorities, including state, local, or Tribal governmental entities, for the purpose of studying and analyzing the impacts of covered transmission projects, examining alternate transmission siting corridors, hosting negotiations regarding covered transmission projects, participating in regulatory proceedings, and for economic development activities for communities that may be affected by the construction and operation of a covered transmission project.

SEC. 30463. Organized Wholesale Electricity Market Technical Assistance Grants.

Section 30463 appropriates \$100 million to DOE for the purpose of providing states with technical assistance and grants to evaluate forming, expanding, or improving organized wholesale electricity markets, and aligning the policies of organized wholesale electricity markets with relevant state policies.

SEC. 30464. Interregional and Offshore Wind Electricity Transmission Planning, Modeling, and Analysis.

Section 30464 appropriates \$100 million to DOE to perform transmission planning, modeling and analyses regarding the development of interregional and offshore wind transmission projects and to convene stakeholders to address the development of such transmission projects.

PART 7 – Environmental Reviews***SEC. 30471. Department of Energy.***

Section 30471 appropriates \$200 million to DOE to provide for more efficient and effective environmental reviews under the National Environmental Policy Act of 1969 (NEPA).

SEC. 30472. Federal Energy Regulatory Commission.

Section 30472 appropriates \$100 million to the Federal Energy Regulatory Commission (FERC) to provide for more efficient and effective environmental reviews under NEPA.

PART 8 – Other Energy Matters*SEC. 30481. Federal Energy Efficiency Fund.*

Section 30481 appropriates \$17.5 billion to DOE for the purpose of funding agencies' efforts to procure clean electricity, low carbon materials, and automotive supply equipment, and for undertaking other measures on federal buildings that are energy efficient and cost effective.

SEC. 30482. Energy Efficiency and Conservation Block Grants.

Section 30482 appropriates \$5 billion to DOE for the Energy Efficiency Conservation Block Grant program, \$2.5 billion of which is to be distributed as formula grants, and \$2.5 billion of which is to be distributed competitively.

SEC. 30483. Low-Income Solar.

Section 30483 appropriates \$2.5 billion to DOE for grants, rebates, and low-interest loans for the planning and installation of solar and community solar facilities that reserve capacity for low-income households, or that are located at low-income households, or multi-family affordable housing complexes.

SEC. 30484. Oversight.

Section 30484 appropriates \$50 million to the DOE Inspector General (IG) for oversight of activities for which funding is appropriated in this subtitle.

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #66

Bill: **Subtitle D**, Budget Reconciliation Legislative Recommendations Relating to Energy

Amendment: An amendment (B2_13) to Subtitle D by Mr. Burgess of Texas, No. 4

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 30 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNemey		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long			
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader	X			Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan			
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin				Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #67

Bill: **Subtitle D**, Budget Reconciliation Legislative Recommendations Relating to Energy

Amendment: An amendment (B1_17) to Subtitle D by Mr. Johnson of Ohio, No. 5

Disposition: **NOT AGREED TO** by a roll call vote of 22 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley		X	
Ms. Matsui		X		Mr. Kinzinger			
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long			
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan			
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin				Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #68

Bill: **Subtitle D**, Budget Reconciliation Legislative Recommendations Relating to Energy

Amendment: An amendment (B3_26) to Subtitle D by Mr. Bucshon of Indiana, No. 6

Disposition: **NOT AGREED TO** by a roll call vote of 23 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger			
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long			
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan			
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin				Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #69

Bill: **Subtitle D**, Budget Reconciliation Legislative Recommendations Relating to Energy

Amendment: An amendment (MCKINL_100) to Subtitle D by Mr. McKinley of West Virginia, No. 7

Disposition: **NOT AGREED TO** by a roll call vote of 27 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader	X			Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #70

Bill: **Subtitle D**, Budget Reconciliation Legislative Recommendations Relating to Energy

Amendment: An amendment (B1_16D) to Subtitle D by Mr. Walberg of Michigan, No. 8

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #71

Bill: **Subtitle D**, Budget Reconciliation Legislative Recommendations Relating to Energy

Amendment: An amendment (MCKINL_103) to Subtitle D by Mr. McKinley of West Virginia, No. 9

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #72

Bill: **Subtitle D**, Budget Reconciliation Legislative Recommendations Relating to Energy

Amendment: An amendment (B1_15) to Subtitle D by Mr. Latta of Ohio, No. 10

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke				Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #73

Bill: **Subtitle D**, Budget Reconciliation Legislative Recommendations Relating to Energy

Amendment: An amendment (B1_23) to Subtitle D by Mr. Pence of Indiana, No. 11

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragan		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #74

Bill: **Subtitle D**, Budget Reconciliation Legislative Recommendations Relating to Energy

Amendment: An amendment (B1_21) to Subtitle D by Mr. Palmer of Alabama, No. 12

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess			
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #75

Bill: **Subtitle D**, Budget Reconciliation Legislative Recommendations Relating to Energy

Amendment: An amendment (B1_22) to Subtitle D by Ms. Lesko of Arizona, No. 13

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 30 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragan		X		Mr. Pence	X		
Mr. McEachin				Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran							
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #76

Bill: **Subtitle D**, Budget Reconciliation Legislative Recommendations Relating to Energy

Amendment: An amendment (B2_08) to Subtitle D by Mr. Pence of Indiana, No. 14

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNemey		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragan		X		Mr. Pence	X		
Mr. McEachin				Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #77

Bill: **Subtitle D**, Budget Reconciliation Legislative Recommendations Relating to Energy

Amendment: An amendment (B2_10) to Subtitle D by Mr. Palmer of Alabama, No. 15

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin				Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

09/13/21

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #78

Bill: **Subtitle D**, Budget Reconciliation Legislative Recommendations Relating to Energy

Amendment: An amendment (LESKO_060) to Subtitle D by Ms. Lesko of Arizona, No. 16

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 30 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger			
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán				Mr. Pence	X		
Mr. McEachin				Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

09/13/21

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #79

Bill: **Subtitle D**, Budget Reconciliation Legislative Recommendations Relating to Energy

Motion: A motion by Mr. Pallone of New Jersey to order **Subtitle D** transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 30 yeas to 27 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess		X	
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
Ms. Schakowsky	X			Mr. Guthrie		X	
Mr. Butterfield	X			Mr. McKinley		X	
Ms. Matsui	X			Mr. Kinzinger		X	
Ms. Castor	X			Mr. Griffith		X	
Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNeerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long		X	
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cárdenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
Mr. Peters	X			Mr. Duncan		X	
Mrs. Dingell	X			Mr. Palmer		X	
Mr. Veasey	X			Mr. Dunn		X	
Ms. Kuster	X			Mr. Curtis		X	
Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
Mr. McEachin				Mr. Crenshaw		X	
Ms. Blunt Rochester	X			Mr. Joyce		X	
Mr. Soto	X			Mr. Armstrong		X	
Mr. O'Halleran	X						
Ms. Rice	X						
Ms. Craig	X						
Ms. Schrier	X						
Ms. Trahan	X						
Ms. Fletcher	X						

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III. BUDGET EFFECTS OF THE PROVISION

A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

IV. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE

A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to provide budget reconciliation legislative recommendations pursuant to reconciliation instructions from S. Con. Res. 14, and for other purposes.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

E. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

H. CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the constitutional authority for this legislation in Article I, section 8, clause 1, which grants Congress the power to provide for the “common Defence and general Welfare of the United States.”

V. CHANGES IN EXISTING LAW MADE BY THE COMMITTEE’S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

VI. MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

Republican Views

We object to the Democrats' Build More Inflation Act and using the Reconciliation process to pass it. This socialist agenda will destroy freedom and embolden our enemies on the backs of American families. This is a gargantuan, unnecessary bill that fundamentally changes American life and security for the worse.

In addition, the Democrats' Build More Inflation Act comes at a time when our economy is recovering from the damage done by COVID-19. Just seven months ago, Democrats used the Reconciliation process to pass the 1.9 trillion-dollar American Rescue Plan, which was on top of the approximately 3.5 trillion-dollar Congress appropriated in 2020. This is exactly the point made by one Energy and Commerce Committee Democrat during opening statements on the first day of our markup:

We need to stop spending. The economy is recovered. There are plenty of jobs out there. Wages are up dramatically. We just spent over 5 trillion dollars in the last 18 months on COVID alone – over three times what we spent on all defense and non-defense spending in one year, and we have not cut any of our regular appropriations. Indeed, we have increased it. . . . We're adding more to the deficit. This is insanity. It is fiscally irresponsible.

In addition, we recall the Committee Democrats' objections about regular order during the 2017 markup of the "Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; Title I—Energy and Commerce American Health Care Act of 2017."

In their Minority Views to that legislation, Committee Democrats summarizes their "deep concern" about the lack of regular order during that Reconciliation process, writing:

Despite the wide-ranging, serious implications of this legislation for the health and financial security of all Americans, the Committee did not hold a single hearing on the details and effect of the legislation. Notably, stakeholders have not had the ability to weigh in on the impacts of the bill to the health care system. In fact, the Committee received letters from hospitals, doctors, and patient and advocacy groups all outlining their significant concerns with the legislation. Additionally, despite Speaker Ryan's claims that the bill would be considered through regular order and through a transparent process, the repeal bill was drafted in secret and introduced less than two days before markup. The minority is deeply concerned by the decision to proceed to markup without first receiving the views of the CBO on the impact of this legislation on health insurance coverage, costs, and the Federal budget. Given the likelihood that millions of Americans will lose their health insurance as a result of this legislation, proceeding to markup without a CBO score is highly

irresponsible and deprives Committee members of a full understanding of the implications of the legislation before voting on it.¹

During the markup of that legislation, Committee Democrats were also vocal in their objections about regular order. There were complaints about the lack of hearings, complaints about the lack of subcommittee markups, complaints about the lack of a cost estimate from the Congressional Budget Office (CBO), complaints about the amount of time for opening statements, and of course, complaints about how long the legislative text had been available to members.

In an allusion to their scavenger hunt across Capitol Hill in the days before the markup, searching for that legislative text (which included the harassment of visitors and staff in the office of the Committee's then-Chairman), one Democratic member even said:

And so I am outraged, Mr. Chairman, many Americans are outraged, that this secretive healthcare plan was finally made public after being sequestered in the bowels of the Capitol less than 2 days before this markup. The legislative text – and we have heard that from other members – was literally under lock and key and protected by armed Capitol police officers.

But in their return to the Majority, the Energy and Commerce Democrats outrage and deep concern for regular order has waned. Just seven months ago, the Committee considered Reconciliation legislation for fiscal year 2021. Unfortunately, the Democratic majority held no hearings, no subcommittee markups, and had no CBO estimate before that legislation was considered by the Committee. And just a few days ago, the Committee wrapped up a three-day markup of the most consequential and most expensive legislation that it has ever considered.

Every area of the Committee's broad jurisdiction was impacted by this legislation. As with their first Reconciliation legislation this year, again, there were no hearings, no subcommittee markups, and no CBO estimate (and as the markup began on Monday morning at 11:00 a.m., the amendments in the nature of a substitute to the 16 subtitles that were considered by the Committee were not shared with the Minority until 11:00 a.m. on Sunday.).

As one Energy and Commerce Committee Democratic said, "It is a terrible process. In one month, we put together a 3.5 trillion-dollar bill that has no chance of passing the Senate. Virtually no Member input. No amendments supposed to pass. No hearing on this gargantuan bill. Members had no chance to represent their districts."

We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

Democrats joined with Committee Republicans to kill it. Democrats may feel pressure to include Subtitle E in whatever Reconciliation legislation is considered on the Floor. Without Subtitle E in their Reconciliation legislation, Democrats will be forced scale back their gargantuan socialist agenda.

But the Energy and Commerce Committee has spoken, and House Democrats should listen.

Subtitle D: Budget Reconciliation Legislative Recommendations Relating to Energy

Subtitle D contains at least \$229.8 billion of spending for numerous grant and rebate programs under the Department of Energy (DOE) and at the Federal Energy Regulatory Commission (FERC).

Members must be deliberate to ensure the laws we enact do not raise costs on working families, undermine energy reliability and resilience, or harm our economy and security. For the past three years in particular, Republicans have advocated thoughtful policies to address future climate risks that build upon America's energy strengths and continue its steady progress reducing emissions and enhancing energy security, affordability, and reliability, all critical to a secure future for hardworking American families.

This work was reflected in provisions of the bi-partisan Energy Act of 2020, which made the path easier for the future deployment of carbon capture and advanced nuclear technologies. It is reflected in current legislative proposals by Republican Members implementing a "Securing Cleaner American Energy" agenda, which focuses on sensible improvements to our energy infrastructure and on updating rules and regulations to promote deployment of an all-the-above-energy strategy, to unleash innovation in hydropower, nuclear, clean coal, and natural gas. These are real, workable solutions to make energy cleaner, reduce emissions, prioritize energy security, and keep energy costs low. These results-oriented policies build on the strengths of America's tremendous energy systems and seek to deploy new clean technologies on workable, affordable timelines.

Unfortunately, the Democrats' blind obedience to radical environmental policy threatens to dismantle existing systems—and the prosperity, security, and resilience these systems provide. You cannot address climate change risks by destroying energy systems. You cannot provide for a cleaner future by wrecking an economy with high taxes and fees, and burdensome regulations.

Yet in keeping with other provisions of the Act, Subtitle D continues a drive to eliminate America's use of coal, oil, and natural gas, with a combination of taxpayer subsidies, risky spending, and an audacious Federal takeover of the electricity system—all to fulfill the decades-old radical belief that the solution to addressing global climate risks is a massive transformation to weather-dependent wind and solar generation and electrification of everything in the United States, at a pace and scale to ensure no future use of fossil fuels.

Ample testimony in Committee was available to understand the dangers of this magical thinking, but that did not matter. The Democrats plowed forward, in the dark, planting the seeds of harm in ostensible budget legislation that purposely disguises massive new regulatory programs that will profoundly affect the American economy and hard-working families' lives for decades to come.

This Subtitle contains at least \$229.8 billion of spending for numerous spending, grant, and rebate programs under DOE and at FERC. Most importantly, it introduces a provision for DOE regulatory control over the make up the nation's electricity generation sector—the centerpiece of the Biden Administration's agenda to appease the international environmental community.

Republican Members offered and debated 13 amendments to reduce the harmful impacts of this Subtitle, if it were to become law, including amendments to strike the so-called Clean Electricity Performance Program, limit Federal self-dealing, prohibitions on use of critical minerals from forced labor, China, and Afghanistan, provisions to protect against rate and fuel price increases, jobs losses, and electricity reliability risks. Other provisions ensured grants would not subsidize the wealthy, and to ensure the future of nuclear energy. Democrats rejected these efforts to mitigate the harmful impacts of this Subtitle.

Following are some of the questions and concerns about provisions in the Subtitle:

Part 1. Clean Electricity Performance Program.

The part appropriates \$250 million to administer what, by most all accounts, would be an astonishing intrusion of the Federal government, without any hearing to explore, analyze, or discuss the complexities, the impacts on consumers, ratepayers, or on the ability to maintain and ensure the lights stay on.

This part amends the Federal Power Act in the most expansive Federal intrusion into state and local electricity decision-making in the 100-year history of this bedrock statute. The part extends far beyond mere funding for incentive payments to install zero-emission generation, and Democrats can only guess on how much those will cost - they estimated it as a \$150 billion program in one of their supporting documents; but that could be the tip of the iceberg. (Notably, the provision provides an open ended “such sums” appropriation authorization—hardly indicative of thoughtful policy formation.)

The part imposes a Federal mandate and penalties over all electric utilities with the intent to reduce electricity sector emissions by 80 percent by 2030, regardless of costs to ratepayers or to electricity reliability. This is effectively an accelerated clean electricity standard on some 3,700 utilities and 7,300 power plants across the nation, on top of existing state programs, to compel adherence to the Biden Administration’s Paris Climate pledge.

The scheme requires an annual 4 percentage point year-over-year increase in new “clean” generation deployment at all utilities, regardless of costs or local fuel/generation mix. Failure to meet this increase results in penalties, essentially a tax on noncompliance, that also compounds year-over-year, with no escape for fossil dependent energy but to raise rates or shift massively, if possible, to expensive weather-dependent wind and solar. Text here reflects no consideration of the numerous complexities created by imposing a one-size-fits-all standard on the diverse makeup of state electricity generation.

Structured as a ten-year payment/tax penalty scheme to meet Byrd requirements, this Federal mandate will have long-term impacts on the nation’s electric sector. The sweeping regulatory mandates and penalties on every customer-serving electric utility in the nation will have profound and cascading policy implications:

- Impacts on costs, on reliability, on the rates working families pay,

- Impacts on state and local authorities,
- Competitive impacts to our manufacturing sector,
- Costly disruptions to municipalities, the agriculture sector, the tax base upon which communities rely,
- And, of course, employment impacts in the sectors serving fossil-energy related generation.

There is no escape from the escalating mandates and fees if there is failure to comply with the mandates due to external factors or engineering reality. And the timeframe and requirements do not allow for the deployment of carbon capture and advanced nuclear technologies—the kind of advances that will provide real solutions to a cleaner, energy secure future.

Congress has not examined this legislation, has not considered the cascading risks to communities, families, or businesses from the regulations that will be designed to meet the goals in this 14-page provision—which effectively gives the Federal government control over the most critical sector of the United States economy.

This program also raises Constitutional questions concerning the Federal Power Act’s longstanding distinction between Federal and state regulatory authority over utilities. Congress was careful to draw a distinct line between interstate and intrastate matters in this regard. The language in the program dictating how utilities use grants invades and undermines state authority.

Initial expert commentary rolling into our offices as the Committee was marking up this Subtitle underscore the serious impacts. NRECA, representing the nation’s electric cooperatives, noted the “unrealistic” program implementation window, impacts on existing contractual obligations, the aggressive standards, and compliance burdens threaten the access to reliable and affordable electricity for 42 million electric cooperative consumer-members, who own the cooperatives. (Taxes on cooperatives are taxes on regular ratepayers.) The American Public Power Association echoed these concerns, noting that the standard was unachievable in the very short timeframe established in the provisions—with risk of “substantially increased costs for customers.”

While this provision was debated around 1:00 a.m. in the morning, Rep. Guthrie reminded Members of the last major hearing in the Committee examining electricity decarbonization in October 2019. During that hearing, no testimony supported 80 percent clean by 2030, and all identified challenges to reach 100 percent clean goal by 2050. Testimony from MISO—the independent system operator serving 42 million people across 15 states—noted:

We can no longer be confident that the system will be reliable for all 8,760 hours of the year based solely on utilities having enough generation capacity to serve load on the annual peak hour in the summer. We can no longer be confident that the region’s evolving mix of resources will provide enough, and the right kinds of, critical attributes that are needed to keep the system operating in a reliable, steady state, such as frequency response, voltage control, and black-start capability, among other things.

Rather than implement policies to address the threats to the reliable delivery of power, the Democrats, against all available evidence, are rushing this unvetted scheme to be centerpiece of their drive to meet the Administration's climate goals to decarbonize the electricity sector by 2035. Failure to address the serious impacts of this policy will pose significant risks to Americans across the nation and their ability to rely upon power, especially when they need it the most.

Part 2. Residential Efficiency and Electrification Rebates.

This part appropriates \$18 billion for consumer rebates to electrify homes. This section provides generous rebates for wealthy landlords and homeowners that purchase more expensive electric equipment and appliances for homes and buildings. The wasteful subsidies under this part will distort prices for electric alternatives, leading to fewer and more expensive options for consumers who cannot afford the upgrades.

Part 3. Building Efficiency and Resiliency.

This part would exacerbate the current housing affordability crisis and limit energy choices for consumers. Section 30433 provides incentive funding for States and local governments to adopt building energy codes that discourage the use of natural gas for heating and cooking. The aggressive energy efficiency requirements under this section are not appropriate or cost-effective for many States and regions. As a result, this section will increase the cost of homes and encourage people to remain in older, less energy-efficient homes. Home builders and natural gas utility companies are strongly opposed this provision because it fails to consider the true economic costs of required energy-use reductions in model building energy codes. The legislation also fails to address cost-effective efficiency upgrades with reasonable payback periods for the required investments.

Section 30431 appropriates \$3.5 billion for DOE's Weatherization Assistance Program, and section 30432 appropriates \$3.2 billion to DOE to provide funding to states for energy efficiency, renewable energy, and grid integration. The Energy Act of 2020 reauthorized DOE's Weatherization Assistance Program – that bipartisan law has not even had time to be implemented effectively before the Democrats dump billions of dollars more into it. These funding levels are gargantuan at a time when trillions of dollars have been appropriated in the last 18 months, and the country is facing rising inflation.

Part 4. Zero Emissions Vehicle Infrastructure Buildout.

This part appropriates \$13.5 billion to subsidize electric vehicle charging equipment. Almost 80 percent of those utilizing the electric vehicle (EV) tax incentives have incomes over \$100,000, making it not just a corporate handout but also a transfer from the middle-class to wealthier Americans. Pouring more money into the status quo will benefit only a handful of mostly coastal states. Before the COVID pandemic, over half of the electric vehicles sold in the U.S. were purchased in California and New York. According to DOE, California alone accounts for approximately 42 percent of all all-electric vehicle registrations in the United States. EVs are not yet cost-effective for most consumers, even with substantial subsidies. The least expensive EVs

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- V. Changes in Existing Law Made by the Committee's Reconciliation Legislative
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- VI. Supplemental, Additional, Dissenting, or Minority Views

I. EXPLANATION OF PROVISIONS

SECTION 30601. Ensuring Affordability Coverage for Certain Low-Income Populations.

Section 30601 provides the Affordable Care Act (ACA) Marketplace cost-sharing reduction assistance to individuals with incomes below 138 percent of the Federal Poverty Level (FPL) beginning in 2022 through 2024.

SEC. 30602. Temporary Expansion of Health Insurance Premium Tax Credits for Certain Low-Income Populations.

Section 30602 provides the ACA Marketplace subsidies to individuals with incomes below 138 percent of the FPL beginning in 2022 through 2024.

SEC. 30603. Establishing a Health Insurance Affordability Fund.

Section 30603 makes available \$10 billion annually to states, providing the option for states to establish a state reinsurance program or use the funds to provide financial assistance to reduce out-of-pocket costs. It would also require the Centers for Medicare and Medicaid Services (CMS) to establish and implement a reinsurance program in states that are not expending amounts under the state plan for all individuals described in section 19902(a)(10)(A)(i)(VIII) during 2023 and 2024 plan years.

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #92

Bill: **Subtitle F**, Budget Reconciliation Legislative Recommendations Relating to Affordable Care Act

Amendment: An amendment to the amendment in the nature of a substitute (SUB-F-AMD-07_01) to Subtitle F by Mr. Walberg of Michigan, No. 1a

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger			
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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(ratio: 32-26)

ROLL CALL VOTE #93

Bill: **Subtitle F**, Budget Reconciliation Legislative Recommendations Relating to Affordable Care Act

Amendment: An amendment to the amendment in the nature of a substitute (SUB-F-AMD-01_01) to Subtitle F by Mrs. Rodgers of Washington, No. 1b

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger			
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #94

Bill: **Subtitle F**, Budget Reconciliation Legislative Recommendations Relating to Affordable Care Act

Amendment: An amendment to the amendment in the nature of a substitute (SUB-F-AMD-05_01) to Subtitle F by Mr. Walberg of Michigan, No. 1c

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

09/13/21

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #95

Bill: **Subtitle F**, Budget Reconciliation Legislative Recommendations Relating to Affordable Care Act

Amendment: An amendment to the amendment in the nature of a substitute (SUB-F-AMD-09_01) to Subtitle F by Mr. Carter of Georgia, No. 1d

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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Committee on Energy and Commerce
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Full Committee
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ROLL CALL VOTE #96

Bill: **Subtitle F**, Budget Reconciliation Legislative Recommendations Relating to Affordable Care Act

Amendment: An amendment to the amendment in the nature of a substitute (SUB-F-AMD-08_01) to Subtitle F by Mr. Carter of Georgia, No. 1e

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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Committee on Energy and Commerce
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ROLL CALL VOTE #97

Bill: **Subtitle F**, Budget Reconciliation Legislative Recommendations Relating to Affordable Care Act

Amendment: An amendment to the amendment in the nature of a substitute (SUB-F-AMD-16_01) to Subtitle F by Mr. Bucshon of Indiana, No. 1f

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #98

Bill: **Subtitle F**, Budget Reconciliation Legislative Recommendations Relating to Affordable Care Act

Amendment: An amendment to the amendment in the nature of a substitute (SUB-F-AMD-13_01) to Subtitle F by Mr. Guthrie of Kentucky, No. 1g

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #99

Bill: **Subtitle F**, Budget Reconciliation Legislative Recommendations Relating to Affordable Care Act

Amendment: An amendment to the amendment in the nature of a substitute (SUB-F-AMD-10_01) to Subtitle F by Mr. Burgess of Texas, No. 1h

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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117th Congress

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ROLL CALL VOTE #100

Bill: **Subtitle F**, Budget Reconciliation Legislative Recommendations Relating to Affordable Care Act

Motion: A motion by Mr. Pallone of New Jersey to order **Subtitle F** transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 31 yeas to 27 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess		X	
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
Ms. Schakowsky	X			Mr. Guthrie		X	
Mr. Butterfield	X			Mr. McKinley		X	
Ms. Matsui	X			Mr. Kinzinger		X	
Ms. Castor	X			Mr. Griffith		X	
Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long		X	
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cárdenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
Mr. Peters	X			Mr. Duncan		X	
Mrs. Dingell	X			Mr. Palmer		X	
Mr. Veasey	X			Mr. Dunn		X	
Ms. Kuster	X			Mr. Curtis		X	
Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
Mr. McEachin	X			Mr. Crenshaw		X	
Ms. Blunt Rochester	X			Mr. Joyce		X	
Mr. Soto	X			Mr. Armstrong		X	
Mr. O'Halleran	X						
Ms. Rice	X						
Ms. Craig	X						
Ms. Schrier	X						
Ms. Trahan	X						
Ms. Fletcher	X						

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III. BUDGET EFFECTS OF THE PROVISION**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

IV. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS**

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to provide budget reconciliation legislative recommendations pursuant to reconciliation instructions from S. Con. Res. 14, and for other purposes.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

E. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

H. CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the constitutional authority for this legislation in Article I, section 8, clause 1, which grants Congress the power to provide for the “common Defence and general Welfare of the United States.”

V. CHANGES IN EXISTING LAW MADE BY THE COMMITTEE'S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

VI. MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

Republican Views

We object to the Democrats' Build More Inflation Act and using the Reconciliation process to pass it. This socialist agenda will destroy freedom and embolden our enemies on the backs of American families. This is a gargantuan, unnecessary bill that fundamentally changes American life and security for the worse.

In addition, the Democrats' Build More Inflation Act comes at a time when our economy is recovering from the damage done by COVID-19. Just seven months ago, Democrats used the Reconciliation process to pass the 1.9 trillion-dollar American Rescue Plan, which was on top of the approximately 3.5 trillion-dollar Congress appropriated in 2020. This is exactly the point made by one Energy and Commerce Committee Democrat during opening statements on the first day of our markup:

We need to stop spending. The economy is recovered. There are plenty of jobs out there. Wages are up dramatically. We just spent over 5 trillion dollars in the last 18 months on COVID alone – over three times what we spent on all defense and non-defense spending in one year, and we have not cut any of our regular appropriations. Indeed, we have increased it. . . . We're adding more to the deficit. This is insanity. It is fiscally irresponsible.

In addition, we recall the Committee Democrats' objections about regular order during the 2017 markup of the "Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; Title I—Energy and Commerce American Health Care Act of 2017."

In their Minority Views to that legislation, Committee Democrats summarizes their "deep concern" about the lack of regular order during that Reconciliation process, writing:

Despite the wide-ranging, serious implications of this legislation for the health and financial security of all Americans, the Committee did not hold a single hearing on the details and effect of the legislation. Notably, stakeholders have not had the ability to weigh in on the impacts of the bill to the health care system. In fact, the Committee received letters from hospitals, doctors, and patient and advocacy groups all outlining their significant concerns with the legislation. Additionally, despite Speaker Ryan's claims that the bill would be considered through regular order and through a transparent process, the repeal bill was drafted in secret and introduced less than two days before markup. The minority is deeply concerned by the decision to proceed to markup without first receiving the views of the CBO on the impact of this legislation on health insurance coverage, costs, and the Federal budget. Given the likelihood that millions of Americans will lose their health insurance as a result of this legislation, proceeding to markup without a CBO score is highly

irresponsible and deprives Committee members of a full understanding of the implications of the legislation before voting on it.¹

During the markup of that legislation, Committee Democrats were also vocal in their objections about regular order. There were complaints about the lack of hearings, complaints about the lack of subcommittee markups, complaints about the lack of a cost estimate from the Congressional Budget Office (CBO), complaints about the amount of time for opening statements, and of course, complaints about how long the legislative text had been available to members.

In an allusion to their scavenger hunt across Capitol Hill in the days before the markup, searching for that legislative text (which included the harassment of visitors and staff in the office of the Committee's then-Chairman), one Democratic member even said:

And so I am outraged, Mr. Chairman, many Americans are outraged, that this secretive healthcare plan was finally made public after being sequestered in the bowels of the Capitol less than 2 days before this markup. The legislative text – and we have heard that from other members – was literally under lock and key and protected by armed Capitol police officers.

But in their return to the Majority, the Energy and Commerce Democrats outrage and deep concern for regular order has waned. Just seven months ago, the Committee considered Reconciliation legislation for fiscal year 2021. Unfortunately, the Democratic majority held no hearings, no subcommittee markups, and had no CBO estimate before that legislation was considered by the Committee. And just a few days ago, the Committee wrapped up a three-day markup of the most consequential and most expensive legislation that it has ever considered.

Every area of the Committee's broad jurisdiction was impacted by this legislation. As with their first Reconciliation legislation this year, again, there were no hearings, no subcommittee markups, and no CBO estimate (and as the markup began on Monday morning at 11:00 a.m., the amendments in the nature of a substitute to the 16 subtitles that were considered by the Committee were not shared with the Minority until 11:00 a.m. on Sunday.).

As one Energy and Commerce Committee Democratic said, "It is a terrible process. In one month, we put together a 3.5 trillion-dollar bill that has no chance of passing the Senate. Virtually no Member input. No amendments supposed to pass. No hearing on this gargantuan bill. Members had no chance to represent their districts."

We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

Democrats joined with Committee Republicans to kill it. Democrats may feel pressure to include Subtitle E in whatever Reconciliation legislation is considered on the Floor. Without Subtitle E in their Reconciliation legislation, Democrats will be forced scale back their gargantuan socialist agenda.

But the Energy and Commerce Committee has spoken, and House Democrats should listen.

Subtitle F: Budget Reconciliation Legislative Recommendations Relating to the Affordable Care Act

The cost of health care and health insurance is an issue that we can, and should be, tackling on a bipartisan basis. While we do not have a final cost estimate from the Congressional Budget Office (CBO) on the costs of the expansions in this section, we cannot continue to sign taxpayers up to subsidize permanently a system that is getting even more expensive over time.

Along with the other health care subtitles, these policies increase Americans' reliance on the Federal government for their health care at a massive cost to taxpayers. If they are signed into law, the Democrats dream of socialized health care through Medicare for All will be several steps closer to reality at the expense of quality, affordable, and accessible health care for all Americans. Unlike support for this gargantuan, dangerous bill, these significant concerns are bipartisan with a Committee Democrat voting with Republicans in opposition to this Subtitle.

Section 30601. Ensuring Affordability of Coverage for Certain Low-Income Populations.

This section makes all individuals and families purchasing insurance in the individual health insurance market with income below 138 percent of the Federal Poverty Level for the family size eligible for Cost Sharing Reduction payments in 2023 and 2024. The Cost Sharing Reduction payments will be such that 99 percent of health care costs will be covered. The section appropriates such sums as are necessary to cover such Cost Sharing Reduction payments.

In addition, the section establishes a "continuous" special enrollment period for anyone below 138 percent the Federal Poverty Level. The continuous special enrollment period raises concerns about the stability of the market, as individuals could wait to enroll until they are sick and need health insurance.

The section also amends the definition of a Qualified Health Plan (QHP) for those enrollees below 138 percent Federal Poverty Level in 2023 and 2024 so that silver-level QHPs must provide non-emergency medical transport and family planning services, both of which are defined in the Social Security Act sections relating to Medicaid. However, counsel clarified during the markup that the Hyde amendment, which applies to Medicaid funding, does not apply to family planning services in this context. Republicans are extremely concerned and disturbed that QHPs for low-income individuals are required to provide coverage of abortion as family planning.

Lastly, the section requires the Secretary of Health and Human Services to notify those under 138 percent of Federal Poverty Level that they can purchase individual health insurance on the health insurance exchanges. The section specifies that only QHPs may be promoted, explicitly saying that short-term limited duration and association health plans cannot be discussed with potential enrollees. The section appropriates \$75 million for states from 2022 to 2024 and \$50 million for Navigators from 2022 to 2024 to notify individuals. There is very little data to suggest that the Navigator program has been a cost-effective way to enroll individuals or address disparities. In 2017, Navigators received a total of \$62.5 million in grants and enrolled 81,426

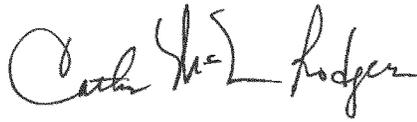
individuals. That is fewer than one percent of total enrollees that year and at a cost of over \$750 per enrollee.

Section 30602. Temporary Expansion of Health Insurance Premium Tax Credits for Certain Low-Income Populations.

This section allows any taxpayer that makes under 138 percent of the Federal Poverty Level qualify for Advanced Premium Tax Credits from 2022 to 2024, including those that are offered qualified small employer health reimbursement arrangements. It also states that for those under 200 percent of the Federal Poverty Level, if the credit is too generous, no more than \$300 can be recaptured. Lastly, this section makes the Federal government vulnerable to fraud by allowing those under 138 percent who are not required to file a return not to reconcile tax credits. Republicans are concerned that, for the first time, the “firewall” between the Affordable Care Act and the employer market is being removed. Under the Affordable Care Act, subsidies were not to be made available to those with offers of employer-sponsored coverage, to preserve the incentive that employers offer coverage. This section undoes that precedent, which could lead to employers dropping their employees’ current plans.

Section 30603. Establishing A Health Insurance Affordability Fund

This section establishes a reinsurance program administered by the Center for Medicare and Medicaid Services beginning in 2023 for \$10 billion/year to be granted to states. Payments can be used by states to lower copays, coinsurance, and deductibles of QHP enrollees, except for those with grandfathered plans, transitional plans, student health plans, and excepted benefit plans. To receive the funds, a state must submit an application, which is then automatically approved by the Secretary for 5 years. Given the other proposals in this reckless tax and spending spree, the Federal government is setting up a bureaucracy and handing out these grants only to save itself money in the form of less taxpayer money going out the door in the form of premium tax credits. Further, reinsurance plans have been implemented by Republican and Democrat led states without this Federal funding. If Democrats abandon plans to subsidize permanent ever-increasing individual market premiums with taxpayer dollars, Republicans stand ready to work with them.



Cathy McMorris Rodgers
Ranking Member
Energy and Commerce Committee



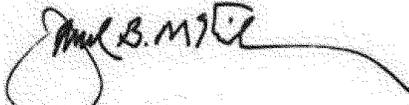
Fred Upton
Ranking Member
Subcommittee on Energy
Energy and Commerce Committee



Robert E. Latta
Ranking Member
Subcommittee on Communications
and Technology
Energy and Commerce Committee



Brett Guthrie
Ranking Member
Subcommittee on Health
Energy and Commerce Committee



David B. McKinley
Ranking Member
Subcommittee on Environment
and Climate Change
Energy and Commerce Committee



Gus M. Bilirakis
Ranking Member
Subcommittee on Consumer Protection
and Commerce
Energy and Commerce Committee

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I. EXPLANATION OF PROVISIONS

PART 1 – Federal Medicaid Program to Close the Coverage Gap

SECTION 30701. Closing the Medicaid Coverage Gap.

This section establishes, beginning in 2025, a federal Medicaid program for eligible individuals who reside in states that have not expanded Medicaid. The federal Medicaid program would provide the same benefits and beneficiary protections to individuals that they would have received if their state had expanded Medicaid. It would authorize the Secretary of Health and Human Services (HHS) to contract with third-party entities to operate the federal Medicaid program.

PART 2 – Expanding Access to Medicaid Home and Community-Based Services

SEC. 30711. Definitions.

Section 30711 defines key terms.

SEC. 30712. HCBS Improvement Planning Grants.

Section 30712 provides grants to states to develop plans to expand access to home and community-based services (HCBS) and strengthen the HCBS workforce.

SEC. 30713. HCBS Improvement Program.

Section 30713 provides states with a permanent seven percentage point increase to the federal medical assistance percentage (FMAP) if the state implements an HCBS improvement program to strengthen and expand HCBS. It provides an enhanced FMAP of 80 percent for administrative costs associated with improving HCBS. It also provides a two-year increase to the FMAP of two percentage points if a state adopts an HCBS model that promotes self-direction of care and meets certain other requirements.

SEC. 30714. Funding for Technical Assistance and Other Administrative Requirements Related to Medicaid HCBS.

Section 30714 requires the Secretary of HHS to report on the implementation and outcomes of state HCBS improvement programs, and to provide states with technical assistance to implement HCBS improvement programs.

SEC. 30715. Funding for HCBS Quality Measurement and Improvement.

Section 30715 requires HHS to develop and publish HCBS quality measures for state Medicaid programs.

PART 3 – Other Medicaid

SEC. 30721. Permanent Extension of Medicaid Protections Against Spousal Impoverishment for Recipients of Home and Community-Based Services.

Section 30721 permanently extends the protection against spousal impoverishment for individuals whose partners receive Medicaid HCBS.

SEC. 30722. Permanent Extension of Money Follows the Person Rebalancing Demonstration.

Section 30722 provides permanent funding for the Money Follows the Person Rebalancing Demonstration to help states transition folks out of institutions and into HCBS.

SEC. 30723. Extending Continuous Medicaid Coverage for Pregnant and Postpartum Women.

Section 30723 requires that state Medicaid programs provide 12 months of continuous Medicaid eligibility to postpartum women. It also requires that states provide full Medicaid benefits to pregnant and postpartum women.

SEC. 30724. Providing for 1 Year of Continuous Eligibility for Children Under the Medicaid Program.

Section 30724 requires that state Medicaid programs provide 12 months of continuous eligibility to children enrolled in Medicaid.

SEC. 30725. Allowing for Medical Assistance Under Medicaid for Inmates During 30-Day Period Preceding Release.

Section 30725 requires that state Medicaid programs cover incarcerated individuals 30 days prior to their release.

SEC. 30726. Extension of Certain Provisions.

Section 30726 permanently extends the express lane eligibility option for children in Medicaid.

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #101

Bill: **Subtitle G**, Budget Reconciliation Legislative Recommendations Relating to Medicaid

Amendment: An amendment to the amendment in the nature of a substitute (SUB-G-AMD-01_01) to Subtitle G by Mr. Carter of Georgia, No. 1a

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan			
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán				Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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(ratio: 32-26)

ROLL CALL VOTE #102

Bill: **Subtitle G**, Budget Reconciliation Legislative Recommendations Relating to Medicaid

Amendment: An amendment to the amendment in the nature of a substitute (SUB-G-AMD-04_01) to Subtitle G by Mr. Griffith of Virginia, No. 1c

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán				Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #103

Bill: **Subtitle G**, Budget Reconciliation Legislative Recommendations Relating to Medicaid

Amendment: An amendment to the amendment in the nature of a substitute (SUB-G-AMD-07_01) to Subtitle G by Ms. Lesko of Arizona, No. 1d

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin				Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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(ratio: 32-26)

ROLL CALL VOTE #104

Bill: **Subtitle G**, Budget Reconciliation Legislative Recommendations Relating to Medicaid

Amendment: An amendment to the amendment in the nature of a substitute (SUB-G-AMD-09_01) to Subtitle G by Mrs. Rodgers of Washington, No. 1e

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin				Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #105

Bill: **Subtitle G**, Budget Reconciliation Legislative Recommendations Relating to Medicaid

Amendment: An amendment to the amendment in the nature of a substitute (SUB-G-AMD-11_01) to Subtitle G by Mr. Burgess of Texas, No. 1F

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 30 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán				Mr. Pence	X		
Mr. McEachin				Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #106

Bill: **Subtitle G**, Budget Reconciliation Legislative Recommendations Relating to Medicaid

Amendment: An amendment to the amendment in the nature of a substitute (SUB-G-AMD-20_01) to Subtitle G by Mr. Burgess of Texas, No. 1g

Disposition: **NOT AGREED TO** by a roll call vote of 27 yeas to 30 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader	X			Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin				Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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117th Congress

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(ratio: 32-26)

ROLL CALL VOTE #107

Bill: **Subtitle G**, Budget Reconciliation Legislative Recommendations Relating to Medicaid

Motion: A motion by Mr. Pallone of New Jersey to order **Subtitle G** transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 30 yeas to 27 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess		X	
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
Ms. Schakowsky	X			Mr. Guthrie		X	
Mr. Butterfield	X			Mr. McKinley		X	
Ms. Matsui	X			Mr. Kinzinger		X	
Ms. Castor	X			Mr. Griffith		X	
Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long		X	
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cárdenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
Mr. Peters	X			Mr. Duncan		X	
Mrs. Dingell	X			Mr. Palmer		X	
Mr. Veasey	X			Mr. Dunn		X	
Ms. Kuster	X			Mr. Curtis		X	
Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
Mr. McEachin				Mr. Crenshaw		X	
Ms. Blunt Rochester	X			Mr. Joyce		X	
Mr. Soto	X			Mr. Armstrong		X	
Mr. O'Halleran	X						
Ms. Rice	X						
Ms. Craig	X						
Ms. Schrier	X						
Ms. Trahan	X						
Ms. Fletcher	X						

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III. BUDGET EFFECTS OF THE PROVISION**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

IV. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS**

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to provide budget reconciliation legislative recommendations pursuant to reconciliation instructions from S. Con. Res. 14, and for other purposes.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

E. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

H. CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the constitutional authority for this legislation in Article I, section 8, clause 1, which grants Congress the power to provide for the “common Defence and general Welfare of the United States.”

V. CHANGES IN EXISTING LAW MADE BY THE COMMITTEE’S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

VI. MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

Republican Views

We object to the Democrats' Build More Inflation Act and using the Reconciliation process to pass it. This socialist agenda will destroy freedom and embolden our enemies on the backs of American families. This is a gargantuan, unnecessary bill that fundamentally changes American life and security for the worse.

In addition, the Democrats' Build More Inflation Act comes at a time when our economy is recovering from the damage done by COVID-19. Just seven months ago, Democrats used the Reconciliation process to pass the 1.9 trillion-dollar American Rescue Plan, which was on top of the approximately 3.5 trillion-dollar Congress appropriated in 2020. This is exactly the point made by one Energy and Commerce Committee Democrat during opening statements on the first day of our markup:

We need to stop spending. The economy is recovered. There are plenty of jobs out there. Wages are up dramatically. We just spent over 5 trillion dollars in the last 18 months on COVID alone – over three times what we spent on all defense and non-defense spending in one year, and we have not cut any of our regular appropriations. Indeed, we have increased it. . . . We're adding more to the deficit. This is insanity. It is fiscally irresponsible.

In addition, we recall the Committee Democrats' objections about regular order during the 2017 markup of the "Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; Title I—Energy and Commerce American Health Care Act of 2017."

In their Minority Views to that legislation, Committee Democrats summarizes their "deep concern" about the lack of regular order during that Reconciliation process, writing:

Despite the wide-ranging, serious implications of this legislation for the health and financial security of all Americans, the Committee did not hold a single hearing on the details and effect of the legislation. Notably, stakeholders have not had the ability to weigh in on the impacts of the bill to the health care system. In fact, the Committee received letters from hospitals, doctors, and patient and advocacy groups all outlining their significant concerns with the legislation. Additionally, despite Speaker Ryan's claims that the bill would be considered through regular order and through a transparent process, the repeal bill was drafted in secret and introduced less than two days before markup. The minority is deeply concerned by the decision to proceed to markup without first receiving the views of the CBO on the impact of this legislation on health insurance coverage, costs, and the Federal budget. Given the likelihood that millions of Americans will lose their health insurance as a result of this legislation, proceeding to markup without a CBO score is highly

irresponsible and deprives Committee members of a full understanding of the implications of the legislation before voting on it.¹

During the markup of that legislation, Committee Democrats were also vocal in their objections about regular order. There were complaints about the lack of hearings, complaints about the lack of subcommittee markups, complaints about the lack of a cost estimate from the Congressional Budget Office (CBO), complaints about the amount of time for opening statements, and of course, complaints about how long the legislative text had been available to members.

In an allusion to their scavenger hunt across Capitol Hill in the days before the markup, searching for that legislative text (which included the harassment of visitors and staff in the office of the Committee's then-Chairman), one Democratic member even said:

And so I am outraged, Mr. Chairman, many Americans are outraged, that this secretive healthcare plan was finally made public after being sequestered in the bowels of the Capitol less than 2 days before this markup. The legislative text – and we have heard that from other members – was literally under lock and key and protected by armed Capitol police officers.

But in their return to the Majority, the Energy and Commerce Democrats outrage and deep concern for regular order has waned. Just seven months ago, the Committee considered Reconciliation legislation for fiscal year 2021. Unfortunately, the Democratic majority held no hearings, no subcommittee markups, and had no CBO estimate before that legislation was considered by the Committee. And just a few days ago, the Committee wrapped up a three-day markup of the most consequential and most expensive legislation that it has ever considered.

Every area of the Committee's broad jurisdiction was impacted by this legislation. As with their first Reconciliation legislation this year, again, there were no hearings, no subcommittee markups, and no CBO estimate (and as the markup began on Monday morning at 11:00 a.m., the amendments in the nature of a substitute to the 16 subtitles that were considered by the Committee were not shared with the Minority until 11:00 a.m. on Sunday.).

As one Energy and Commerce Committee Democratic said, "It is a terrible process. In one month, we put together a 3.5 trillion-dollar bill that has no chance of passing the Senate. Virtually no Member input. No amendments supposed to pass. No hearing on this gargantuan bill. Members had no chance to represent their districts."

We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

Democrats joined with Committee Republicans to kill it. Democrats may feel pressure to include Subtitle E in whatever Reconciliation legislation is considered on the Floor. Without Subtitle E in their Reconciliation legislation, Democrats will be forced scale back their gargantuan socialist agenda.

But the Energy and Commerce Committee has spoken, and House Democrats should listen.

Subtitle G: Budget Reconciliation Legislative Recommendations Relating to Medicaid

Section 30701. Closing the Medicaid Coverage Gap.

Medicaid was established in 1965 as a state option to provide states with Federal funds to support low-income children, seniors, and people with disabilities, so long as the state met certain requirements, such as putting forth a corresponding match to the Federal funds. This option was enticing to the states, and by the end of 1966 when the program went into effect, there were about four million beneficiaries enrolled in the program. Five years later, the program had grown to an estimated 16 million beneficiaries as more states took on the option.¹ By 1982 when Arizona became the fiftieth state in the country to establish a Medicaid program,² there were nearly 20 million beneficiaries enrolled in the program.³

The adoption of Medicaid was gradual, but each state took the option in stride and made the program work for its respective constituents. By 1991, the *New York Times* wrote “Late Starter in Medicaid, Arizona Shows the Way,” highlighting the radical innovation that the fiftieth state to adopt Medicaid was undertaking to reform and improve care for its Medicaid beneficiaries by offering care through managed care organizations.⁴ Twenty years after the publishing of this story, over two-thirds of all Medicaid beneficiaries, and in most states as high as 75 percent of all Medicaid beneficiaries, are covered by managed care organizations.⁵

The ability of a state like Arizona to develop new means of delivering care that would later become a cornerstone of the way care is provided across the nation today is not an accident. In fact, it is central to the way that Medicaid is designed to work. Section 1115 of the Social Security Act authorizes state demonstration programs,⁶ section 1915(c) allows for states to provide home and community-based services as an alternative for institutional, long-term care,⁷ and provisions in Federal regulations like 42 C.F.R. § 438.3(e)(2) establish the ability for managed care organizations to offer alternative benefits “in lieu of” services or settings otherwise covered under Medicaid so that managed care organizations can offer any array of services, including but not limited to addressing social determinants of health and supporting access to care in inpatient residential facilities for mental health and behavioral health.⁸

Of late though, Democrats have sought to suppress state flexibilities in Medicaid. In 2010, the Affordable Care Act established coercive means to force a dramatic expansion of Medicaid to cover all individuals below 138 percent of the Federal Poverty Level, the largest coverage

¹ Klemm, John D., Ph.D., Medicaid Spending: A Brief History, available at <https://www.cms.gov/Research-Statistics-Data-and-Systems/Research/HealthCareFinancingReview/downloads/00fallpg105.pdf>

² Eckholm, Eric, Late Starter in Medicaid, Arizona Shows the Way, available at <https://www.nytimes.com/1991/08/07/us/late-starter-in-medicaid-arizona-shows-the-way.html>

³ Klemm, John D., Ph.D., Medicaid Spending: A Brief History, available at <https://www.cms.gov/Research-Statistics-Data-and-Systems/Research/HealthCareFinancingReview/downloads/00fallpg105.pdf>

⁴ Eckholm, Eric, Late Starter in Medicaid, Arizona Shows the Way, available at <https://www.nytimes.com/1991/08/07/us/late-starter-in-medicaid-arizona-shows-the-way.html>

⁵ <https://www.kff.org/medicaid/issue-brief/10-things-to-know-about-medicaid-managed-care/>

⁶ 42 USC 1315(a)

⁷ 42 USC 1396n(c)

⁸ 42 C.F.R. § 438.3(e)(2)

expansion under the program in its history, by requiring states to cover this population and threatening to withhold all Federal Medicaid funds for a state if they failed to do so.⁹ In 2012 though, the Supreme Court found in *NFIB v. Sebelius* that “permitting the Federal Government to force the States to implement a Federal program would threaten the political accountability key to our Federal system” and that these coercive actions were unconstitutional, thus returning the adoption of Medicaid uptake to a state option.¹⁰

With Subtitle G, the Democrats are once again on a mission to usurp the rights of states in designing their Medicaid programs by proposing to establish a “Federal Medicaid program” that would require the Secretary of Health and Human Services to offer a new version of Medicaid in the twelve states that have thus far declined to take on the Affordable Care Act’s now-optional Medicaid expansion. This program is unprecedented and would establish for the first time in Medicaid’s history that coverage, benefit designs, and payment rates for Medicaid populations would be completely determined by the Federal Government, without the input or financial contributions of a state.

For the other thirty-eight states and the District of Columbia, the Democrats propose a potentially unconstitutional maintenance of effort penalty that would levy one of largest, if not the largest ever, penalty on any single state to discourage the current expansion states from abiding by the optionality of Medicaid expansion. The maintenance of effort under this section would subject a state that declines to continue Medicaid expansion to a penalty equal to roughly the amount that the state spends on its Medicaid population prior to un-expansion and would apply that penalty in perpetuity. In most states, Medicaid is the largest or second largest item in a state’s budget, and by forcing states to commit to this budget item forever, the Federal government will be telling states that they are no longer autonomous or in control of their own budgets.

Finally, it should be noted that Republicans are disturbed that the proposed Federal Medicaid program would open the door to Federal funding in Medicaid for elective abortions. The Hyde Amendment, notably missing from this legislation, prevents Federal funds from being used to fund and cover abortions, except in the cases where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest. Since 1976, Hyde, and similar policies governing other Federal programs, have been supported and renewed annually on a bipartisan basis, multiple times, for decades. The lack of application of Hyde to this new program would end this bipartisan policy.

This section, if signed into law, would mark the beginning of the end of Medicaid as we know it and will discourage states from taking risks or innovating in the delivery of care again. Without state flexibilities in Medicaid, there may never be another Arizona experimenting with the usage of managed care organizations or any of the other multitude of innovative reforms that have flourished in the program over the past half century. The harm that these provisions would have on the Medicaid program and the populations it was designed to serve was received bipartisan recognition when a Committee Democrat joined Republicans in opposing this harmful Subtitle.

⁹ 42 USC 1396c

¹⁰ *NFIB v. Sebelius* available at <https://www.supremecourt.gov/opinions/11/pdf/11-393c3a2.pdf>

Section 30711. Definitions; Section 30712. HCBS Improvement Planning Grants; Section 30713. HCBS Improvement Program; Section 30714. Funding for Technical Assistance and Other Administrative Requirements Related to Medicaid HCBS; Section 30715. Funding for HCBS Quality Measurement and Improvement.

Sections 30711 through 30713 propose establishing a “Home and Community-Based Improvement Program” that would provide a 7 percent increase to a state’s Federal Medical Assistance Percentage (FMAP) if the state meets the outlined requirements in the proposed bill. The goals of the bill are noble in their intention; it seeks to apply the 7 percent FMAP increase to reducing barriers to care, increasing wages for workers in the home and community-based services (HCBS) field, and seeks to expand the number of individuals eligible under Medicaid for HCBS. HCBS care is indispensable for seniors and people with disability who need the assistance of long-term care to live meaningful and independent lives, and any Medicaid beneficiary that needs access to these services should have this access without having to be subjected to waiting lists or any other form of rationing of care for such services. Republicans want to address these goals and have worked over the years with Democrats on a bipartisan basis to do so.

Unfortunately, the requirements that condition the enhanced Federal funding for states are stringent, numerous, and expensive. States want to receive these enhanced funds, and they want to eliminate waitlists for care and invest in their HCBS workforce. Requiring a state to meet even one of these conditions would require significant investment from states, hence the need for such types of funding in the first place, but adding nearly a dozen additional requirements on to the states will create a tiered system across the country, separating the states that already have the infrastructure and wealth to meet these requirements even without the funding provided in the proposed bill and those without such resources who will never be able to meet the proposed conditions for funding.

The irony of such a situation is that states with lower levels of available HCBS are in greater need of support for their HCBS workforce, and could benefit the most from section’s proposed funding, but these are the states that will never get this money. HCBS is not uniformly delivered across the country. While over 50 percent of all long-term care delivered through Medicaid is HCBS on a national level, that rate varies significantly by state. States like Washington and Maryland deliver over 60 percent of their respective Medicaid long-term care as HCBS, but other states like Florida and New Jersey deliver less than 43 percent of their respective Medicaid long-term care as HCBS.¹¹ States will likely consider a number of factors in debating whether to take up the state option established under these sections. However, the associated requirements and lack of flexibility to increase access to HCBS fails to acknowledge the different circumstance states are facing. Each state has a different long-term care landscape that may not readily meet all of the requirements under these proposed sections. Ultimately, this means that states that are already succeeding in delivering HCBS will get even more resources and move further into the future, while the other states will fall farther behind.

¹¹ Centers for Medicare and Medicaid Services, Long-Term Services and Supports Expenditures on Home & Community-Based Services, available at <https://www.medicaid.gov/state-overviews/scorecard/ltss-expenditures-on-hcbs/index.html>

This is not a hypothetical situation, and it is not the first time that Democrats have designed a program that failed to entice states to expand access to HCBS, which states realized would be financially infeasible to implement. In the Affordable Care Act, Democrats established “Community First Choice” (CFC) under section 1915(k) of the Social Security Act as a means of providing additional supports for beneficiaries who, but for receiving such HCBS care, would need institutional services.¹² Again, a well-meaning goal to pursue, but as of today, only four states have taken up this state option. States declined to take on the option under 1915(k) for a multitude of reasons, but the economic concerns associated with taking up such an option informed much of the final decision for states.

An example of early state interest in CFC and ultimately the decision to decline to take on CFC can be seen in decisions by the state of Colorado in 2013, who conducted a CFC Feasibility Study to determine whether the cost-effectiveness of pursuing such a model would be of value to the state. The result of the study found that implementing section 1915(k) in Colorado would cost the state between \$46.7 million to \$79.2 million, with costs under the option likely to be driven to unsustainable levels from the required expansion of benefits that CFC requires and limited means under the program to manage the costs and potential growth that would inevitably accompany the adoption of the program.¹³

If the Democrats believe in the stated goals of these sections and believe that there needs to be a more equitable landscape that supports beneficiaries that need access to HCBS, then they should reflect upon their past failures at expanding HCBS and look towards more feasible means of achieving these shared-goals and work with Republicans to find common ground.

At the markup, Republicans offered an amendment to increase flexibility to make sure that the additional resources are available to all states. Unfortunately, Committee Democrats rejected that amendment.

Section 30721. Permanent Extension of Medicaid Protections Against Spousal Impoverishment for Recipients of Home and Community-Based Services; Section 30722. Permanent Extension of money Follows the Person Rebalancing Demonstration.

The proposed sections are disappointing when viewed in the context of the proposed sections in Part 2, because extension of the protections against spousal impoverishment for recipients of home and community-based services and the Money Follows the Person program have been bipartisan efforts in the past. Republicans believe in access to HCBS and have worked with Democrats for years to make sure that the services offered under these provisions could be maintained for those that need them, with the most recent extension of both programs occurring less than a year ago in the Consolidated Appropriations Act of 2021.¹⁴

¹² 42 U.S.C. 1396n(k)

¹³ Bearegard, Lisa Kalmon, To Adopt or Not to Adopt: Factors Impacting States’ Pursuit and Implementation of ACA’s Home and Community-Based Services Programs, *available at* <https://www.proquest.com/docview/2240088643?pq-origsite=gscholar&fromopenview=true>

¹⁴ P.L. 116-260

What is perplexing about this extension of these programs is the bipartisan recognition in the Consolidated Appropriations Act of 2021 that the extension of these programs was meant to be temporary in nature so that Congress could determine what potential reforms and alternatives may be needed for the futures of the programs. The Consolidated Appropriations Act established a new set of best practices reporting for the Secretary of Health and Human Services in the Money Follows the Person program¹⁵ and required Medicaid and CHIP Payment And Access Commission (MACPAC) to provide recommendations to Congress on ways to ensure that the definitions in the Money Follows the Person are consistent with the “HCBS settings rule” (as defined in 441.301(c)(4) of title 42 of the Code of Federal Register). Less than one year ago and on a bipartisan basis, Congress acknowledged that work on these programs was not yet complete and that more information was needed before making the programs permanent. It is irresponsible for Democrats to make these programs permanent through this partisan Reconciliation process without the any input from the Secretary of Health and Human Services and MACPAC.

Section 30723. Extending Continuous Medicaid Coverage for Pregnant and Postpartum Women.

This proposed section is another example of bipartisanship being usurped for partisan goals. Extending postpartum coverage in Medicaid is not only something that Republicans agree with but also ones that Committee Republicans led on in the last Congress. The Helping MOMS Act of 2020 passed the Committee and the House, allowing states the option of extending Medicaid coverage for 12 months postpartum.¹⁶ Republicans stood at the ready to continue this work this year after failing to get the Senate to agree to the measures at the end of the last Congress, but Democrats took the proposal and moved forward with a weaker, and time-limited version of Helping MOMS Act’s coverage extension in the American Rescue Plan.¹⁷

With this section, Democrats are ignoring the bipartisan agreement that was established in 2020 and the watered-down version that was passed in the American Rescue Plan by proposing to require all states to offer 12 months of postpartum coverage. This mandate on state Medicaid programs is discouraging, not only because it upends a bipartisan deal, but because it continues a theme that has been made clear by this Subtitle that Democrats think that Washington D.C. knows better on how states should run (or as is the case in section 30701, not run) their respective Medicaid programs.

Section 30724. Providing for 1 Year of Continuous Eligibility for Children Under the Medicaid Program.

Children deserve access to health care. Republicans agree on this and want to work with Democrats on improving access to pediatric care.

However, the reliance on Medicaid continues to disadvantage children, especially if an alternative form of private insurance exists for the child. In 2016, MACPAC found that children

¹⁵ Section 6071 (j) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note).

¹⁶ Helping MOMS Act of 2020

¹⁷ P.L. 117-2

with Medicaid and CHIP had increased difficulty in accessing specialist care compared to children with private insurance.¹⁸ In June of this year, MACPAC followed up this research by once again finding that beneficiaries with Medicaid coverage are disproportionately likely not to be able to find a provider that accepts their coverage compared to individuals with private coverage, stating “pediatricians accepted new Medicaid patients significantly less (84.7 percent) than privately insurance patients (97.6 percent).”¹⁹

The proposed section establishes 12 months of continuous coverage for children in Medicaid, continuing a theme of this Subtitle of well-intentioned policies that will ultimately sell beneficiaries short. Upon reviewing the data put forth by the nonpartisan MACPAC, it is clear that more should be done to help children access the care that they need, as opposed to just relying on coverage that fails to meet the needs of its beneficiaries. Moving children off of Medicaid and onto private insurance should be the goal, and thus this section misses the mark on how to meaningfully improve access to care for children.

Section 30725. Allowing for Medical Assistance Under Medicaid for Inmates during 30-Day Period Preceding Release.

The proposed section is likely to be unworkable for many localities. According to National Conference of State Legislatures, the average length of stay in jail in 2017 was 26 days.²⁰ As written, it is unclear how a state should go about providing coverage under this section for an individual that is expected to remain in jail for less than 30 days, since the proposed section would require coverage to begin 30 days before release.

Many states, however, offer an alternative means of supporting the incarcerated by suspending Medicaid coverage during incarceration, as opposed to terminating coverage.²¹ This allows for coverage to resume as soon as the individual is released, without requiring states to manage new enrollments in the program. This section should be reconsidered so that eligible individuals can actually get and maintain their coverage following incarceration.

¹⁸ MACPAC, Medicaid Access in Brief: Children’s Difficulties in Obtaining Medical Care, *available at* <https://www.macpac.gov/wp-content/uploads/2016/06/Childrens-Difficulties-in-Obtaining-Medical-Care.pdf>

¹⁹ MACPAC, Physician Acceptance of New Medicaid Patients: Findings from the National Electronic Health Records Survey, *available at* <https://www.macpac.gov/wp-content/uploads/2021/06/Physician-Acceptance-of-New-Medicaid-Patients-Findings-from-the-National-Electronic-Health-Records-Survey.pdf>

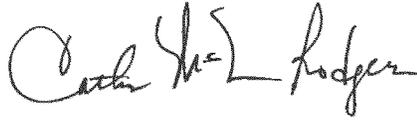
²⁰ National Conference on State Legislatures, Criminal Justice Budgeting: Shortening Length of Stay, *available at* <https://www.ncsl.org/research/civil-and-criminal-justice/criminal-justice-budgeting-shortening-length-of-stay.aspx>

²¹ Kaiser Family Foundation, States Reporting Corrections-Related Medicaid Enrollment Policies In Place For Jails Or Jails, *available at* <https://www.kff.org/medicaid/state-indicator/states-reporting-corrections-related-medicaid-enrollment-policies-in-place-for-prisons-or-jails/?currentTimeframe=0&sortModel=%7B%22coll%22:%22Location%22,%22sort%22:%22asc%22%7D>

Section 30726. Extension of Certain Provisions.

It is unclear why Democrats insist on extending a program that has low uptake. Currently, only seven states utilize Express Lane Eligibility.²² Republicans believe that if the program is working for these seven states, there is no need to disrupt their utilization of the program. But if only seven states want to take advantage of this program, Democrats should review and consider reforming the program. If Democrats are interested in finding ways to reform Medicaid in a manner that works for all states, Republicans stand ready to work.

²² Centers for Medicare and Medicaid Services, Express Lane Eligibility for Medicaid and CHIP Coverage, *available at* <https://www.medicare.gov/medicaid/enrollment-strategies/express-lane-eligibility-medicare-and-chip-coverage/index.html>



Cathy McMorris Rodgers
Ranking Member
Energy and Commerce Committee



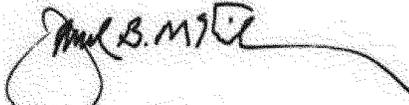
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Subcommittee on Health
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Subcommittee on Environment
and Climate Change
Energy and Commerce Committee



Gus M. Bilirakis
Ranking Member
Subcommittee on Consumer Protection
and Commerce
Energy and Commerce Committee

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I. EXPLANATION OF PROVISIONS

SECTION 30801. Permanent Extension of Children's Health Insurance Program.

This section authorizes permanent funding for the Children's Health Insurance Program (CHIP) for low-income children.

SEC. 30802. Permanent Extensions of Other Programs and Demonstration Projects.

This section provides permanent funding for several programs related to CHIP, including the pediatric quality measures program and the child enrollment contingency fund to provide states with additional funding in the event its CHIP allotment is insufficient.

SEC. 30803. State Option to Increase Eligibility for Medicaid and CHIP.

This section provides states with the option to increase CHIP income eligibility levels above the existing statutory ceiling.

SEC. 30804. Extending Continuous CHIP Coverage for Pregnant and Postpartum Women.

This section requires states to provide 12 months of postpartum coverage to women enrolled in CHIP.

SEC. 30805. Providing for 1 Year of Continuous Eligibility for Children Under the Children's Health Insurance Program.

This section requires state CHIP programs to provide 12 months of continuous eligibility to children enrolled in CHIP.

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #108

Bill: **Subtitle H**, Budget Reconciliation Legislative Recommendations Relating to Children's Health Insurance Program

Motion: A motion by Mr. Pallone of New Jersey to order **Subtitle H** transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 30 yeas to 27 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess		X	
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
Ms. Schakowsky	X			Mr. Guthrie		X	
Mr. Butterfield	X			Mr. McKinley		X	
Ms. Matsui	X			Mr. Kinzinger		X	
Ms. Castor	X			Mr. Griffith		X	
Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNeerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long		X	
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cardenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
Mr. Peters	X			Mr. Duncan		X	
Mrs. Dingell	X			Mr. Palmer		X	
Mr. Veasey	X			Mr. Dunn		X	
Ms. Kuster	X			Mr. Curtis		X	
Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
Mr. McEachin				Mr. Crenshaw		X	
Ms. Blunt Rochester	X			Mr. Joyce		X	
Mr. Soto	X			Mr. Armstrong		X	
Mr. O'Halleran	X						
Ms. Rice	X						
Ms. Craig	X						
Ms. Schrier	X						
Ms. Trahan	X						
Ms. Fletcher	X						

09/13/21

III. BUDGET EFFECTS OF THE PROVISION**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

IV. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS**

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to provide budget reconciliation legislative recommendations pursuant to reconciliation instructions from S. Con. Res. 14, and for other purposes.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

E. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

H. CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the constitutional authority for this legislation in Article I, section 8, clause 1, which grants Congress the power to provide for the “common Defence and general Welfare of the United States.”

V. CHANGES IN EXISTING LAW MADE BY THE COMMITTEE’S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

VI. MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

Republican Views

We object to the Democrats' Build More Inflation Act and using the Reconciliation process to pass it. This socialist agenda will destroy freedom and embolden our enemies on the backs of American families. This is a gargantuan, unnecessary bill that fundamentally changes American life and security for the worse.

In addition, the Democrats' Build More Inflation Act comes at a time when our economy is recovering from the damage done by COVID-19. Just seven months ago, Democrats used the Reconciliation process to pass the 1.9 trillion-dollar American Rescue Plan, which was on top of the approximately 3.5 trillion-dollar Congress appropriated in 2020. This is exactly the point made by one Energy and Commerce Committee Democrat during opening statements on the first day of our markup:

We need to stop spending. The economy is recovered. There are plenty of jobs out there. Wages are up dramatically. We just spent over 5 trillion dollars in the last 18 months on COVID alone – over three times what we spent on all defense and non-defense spending in one year, and we have not cut any of our regular appropriations. Indeed, we have increased it. . . . We're adding more to the deficit. This is insanity. It is fiscally irresponsible.

In addition, we recall the Committee Democrats' objections about regular order during the 2017 markup of the "Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; Title I—Energy and Commerce American Health Care Act of 2017."

In their Minority Views to that legislation, Committee Democrats summarizes their "deep concern" about the lack of regular order during that Reconciliation process, writing:

Despite the wide-ranging, serious implications of this legislation for the health and financial security of all Americans, the Committee did not hold a single hearing on the details and effect of the legislation. Notably, stakeholders have not had the ability to weigh in on the impacts of the bill to the health care system. In fact, the Committee received letters from hospitals, doctors, and patient and advocacy groups all outlining their significant concerns with the legislation. Additionally, despite Speaker Ryan's claims that the bill would be considered through regular order and through a transparent process, the repeal bill was drafted in secret and introduced less than two days before markup. The minority is deeply concerned by the decision to proceed to markup without first receiving the views of the CBO on the impact of this legislation on health insurance coverage, costs, and the Federal budget. Given the likelihood that millions of Americans will lose their health insurance as a result of this legislation, proceeding to markup without a CBO score is highly

irresponsible and deprives Committee members of a full understanding of the implications of the legislation before voting on it.¹

During the markup of that legislation, Committee Democrats were also vocal in their objections about regular order. There were complaints about the lack of hearings, complaints about the lack of subcommittee markups, complaints about the lack of a cost estimate from the Congressional Budget Office (CBO), complaints about the amount of time for opening statements, and of course, complaints about how long the legislative text had been available to members.

In an allusion to their scavenger hunt across Capitol Hill in the days before the markup, searching for that legislative text (which included the harassment of visitors and staff in the office of the Committee's then-Chairman), one Democratic member even said:

And so I am outraged, Mr. Chairman, many Americans are outraged, that this secretive healthcare plan was finally made public after being sequestered in the bowels of the Capitol less than 2 days before this markup. The legislative text – and we have heard that from other members – was literally under lock and key and protected by armed Capitol police officers.

But in their return to the Majority, the Energy and Commerce Democrats outrage and deep concern for regular order has waned. Just seven months ago, the Committee considered Reconciliation legislation for fiscal year 2021. Unfortunately, the Democratic majority held no hearings, no subcommittee markups, and had no CBO estimate before that legislation was considered by the Committee. And just a few days ago, the Committee wrapped up a three-day markup of the most consequential and most expensive legislation that it has ever considered.

Every area of the Committee's broad jurisdiction was impacted by this legislation. As with their first Reconciliation legislation this year, again, there were no hearings, no subcommittee markups, and no CBO estimate (and as the markup began on Monday morning at 11:00 a.m., the amendments in the nature of a substitute to the 16 subtitles that were considered by the Committee were not shared with the Minority until 11:00 a.m. on Sunday.).

As one Energy and Commerce Committee Democratic said, "It is a terrible process. In one month, we put together a 3.5 trillion-dollar bill that has no chance of passing the Senate. Virtually no Member input. No amendments supposed to pass. No hearing on this gargantuan bill. Members had no chance to represent their districts."

We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

Democrats joined with Committee Republicans to kill it. Democrats may feel pressure to include Subtitle E in whatever Reconciliation legislation is considered on the Floor. Without Subtitle E in their Reconciliation legislation, Democrats will be forced scale back their gargantuan socialist agenda.

But the Energy and Commerce Committee has spoken, and House Democrats should listen.

Subtitle H: Budget Reconciliation Legislative Recommendations Relating to CHIP**Section 30801. Permanent Extension of Children's Health Insurance Program; Section 30802. Permanent Extensions of other Programs and Demonstration Projects.**

As noted in the discussion on section 30724, Republicans believe that the best coverage options for children is private insurance and thus believe that Democrats goals are misguided in this section.

Because private insurance is not an option for all children, Republican support reauthorizing CHIP and extending its funding. However, CHIP is not only not up for reauthorization right now, and its funding does not expire until 2027. Congress has six years to build upon the bipartisan success that was made in 2018 to support access to care for children, and Republicans believe that simply punting on the opportunity to work together in favor of just extending funding misses important opportunities to support children.

Similarly, Republicans believe that there are missed opportunities to use the next six years to work on and build upon the policies in section 30802. It is disappointing that Democrats are ignoring opportunities for bipartisanship. The only thing that was bipartisan about this Subtitle was the opposition it received when a Committee Democrat joined Republicans in opposing it during the markup.

Section 30803. State Option to Increase Children's Eligibility for Medicaid and CHIP.

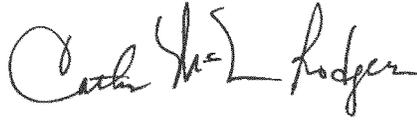
The section flies in the face of what a safety net program should be. As written, the proposed section would lift eligibility for CHIP to children of any income level. Republicans believe that limited resources should be focused towards the most vulnerable, but as written, the proposed section would make CHIP eligible to the children of the wealthiest Americans. Our most vulnerable deserve better than this.

Section 30804. Extending Continuous CHIP Coverage for Pregnant and Postpartum Women.

As noted in the discussion on section 30723, Republicans do not believe that this is right approach to solving a problem that has bipartisan solutions that Committee Democrats supported just last year. Republicans urge Democrats to reverse course and to continue the bipartisan work that was started last year.

Section 30805. Providing for 1 Year of Continuous Eligibility for Children Under the Children's Health Insurance Program.

Consistent with section 30724, Republicans believe that continuous coverage in CHIP is not the solution to supporting access to care for children and believe that supporting means to expand access to private coverage for children would be a more advantageous means of supporting children that could actually deliver more substantive results.



Cathy McMorris Rodgers
Ranking Member
Energy and Commerce Committee



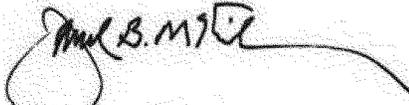
Fred Upton
Ranking Member
Subcommittee on Energy
Energy and Commerce Committee



Robert E. Latta
Ranking Member
Subcommittee on Communications
and Technology
Energy and Commerce Committee



Brett Guthrie
Ranking Member
Subcommittee on Health
Energy and Commerce Committee



David B. McKinley
Ranking Member
Subcommittee on Environment
and Climate Change
Energy and Commerce Committee



Gus M. Bilirakis
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Subcommittee on Consumer Protection
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I. EXPLANATION OF PROVISIONS

SECTION 30901. Dental and Oral Health Care.

This section provides for coverage of preventive and screening dental services (e.g., cleanings and x-rays), basic (e.g., tooth extractions and oral disease management services) and major (e.g., crowns and root canals) dental treatment services, and dentures beginning January 1, 2028.

SEC. 30902. Providing Coverage for Hearing Care under the Medicare Program.

This section provides for coverage of hearing aids for individuals with severe or profound hearing loss beginning October 1, 2023. It also allows for qualified audiologists to provide aural rehabilitation and treatment services.

SEC. 30903. Providing Coverage for Vision Care under the Medicare Program.

This section provides for coverage of routine eye exams, glasses, and contact lenses beginning October 1, 2022.

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #118

Bill: **Subtitle I**, Budget Reconciliation Legislative Recommendations Relating to Medicare Coverage of Dental, Hearing, and Vision Services

Motion: A motion by Mr. Pallone of New Jersey to order **Subtitle I** transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 30 yeas to 27 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess		X	
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
Ms. Schakowsky	X			Mr. Guthrie		X	
Mr. Butterfield	X			Mr. McKinley			
Ms. Matsui	X			Mr. Kinzinger		X	
Ms. Castor	X			Mr. Griffith		X	
Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNeerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long		X	
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cárdenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
Mr. Peters	X			Mr. Duncan		X	
Mrs. Dingell	X			Mr. Palmer		X	
Mr. Veasey	X			Mr. Dunn		X	
Ms. Kuster	X			Mr. Curtis		X	
Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
Mr. McEachin	X			Mr. Crenshaw		X	
Ms. Blunt Rochester	X			Mr. Joyce		X	
Mr. Soto	X			Mr. Armstrong		X	
Mr. O'Halleran	X						
Ms. Rice		X					
Ms. Craig	X						
Ms. Schrier	X						
Ms. Trahan	X						
Ms. Fletcher	X						

09/13/21

III. BUDGET EFFECTS OF THE PROVISION**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

IV. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS**

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to provide budget reconciliation legislative recommendations pursuant to reconciliation instructions from S. Con. Res. 14, and for other purposes.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

E. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

H. CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the constitutional authority for this legislation in Article I, section 8, clause 1, which grants Congress the power to provide for the “common Defence and general Welfare of the United States.”

V. CHANGES IN EXISTING LAW MADE BY THE COMMITTEE'S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

VI. MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

Republican Views

We object to the Democrats' Build More Inflation Act and using the Reconciliation process to pass it. This socialist agenda will destroy freedom and embolden our enemies on the backs of American families. This is a gargantuan, unnecessary bill that fundamentally changes American life and security for the worse.

In addition, the Democrats' Build More Inflation Act comes at a time when our economy is recovering from the damage done by COVID-19. Just seven months ago, Democrats used the Reconciliation process to pass the 1.9 trillion-dollar American Rescue Plan, which was on top of the approximately 3.5 trillion-dollar Congress appropriated in 2020. This is exactly the point made by one Energy and Commerce Committee Democrat during opening statements on the first day of our markup:

We need to stop spending. The economy is recovered. There are plenty of jobs out there. Wages are up dramatically. We just spent over 5 trillion dollars in the last 18 months on COVID alone – over three times what we spent on all defense and non-defense spending in one year, and we have not cut any of our regular appropriations. Indeed, we have increased it. . . . We're adding more to the deficit. This is insanity. It is fiscally irresponsible.

In addition, we recall the Committee Democrats' objections about regular order during the 2017 markup of the "Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; Title I—Energy and Commerce American Health Care Act of 2017."

In their Minority Views to that legislation, Committee Democrats summarizes their "deep concern" about the lack of regular order during that Reconciliation process, writing:

Despite the wide-ranging, serious implications of this legislation for the health and financial security of all Americans, the Committee did not hold a single hearing on the details and effect of the legislation. Notably, stakeholders have not had the ability to weigh in on the impacts of the bill to the health care system. In fact, the Committee received letters from hospitals, doctors, and patient and advocacy groups all outlining their significant concerns with the legislation. Additionally, despite Speaker Ryan's claims that the bill would be considered through regular order and through a transparent process, the repeal bill was drafted in secret and introduced less than two days before markup. The minority is deeply concerned by the decision to proceed to markup without first receiving the views of the CBO on the impact of this legislation on health insurance coverage, costs, and the Federal budget. Given the likelihood that millions of Americans will lose their health insurance as a result of this legislation, proceeding to markup without a CBO score is highly

irresponsible and deprives Committee members of a full understanding of the implications of the legislation before voting on it.¹

During the markup of that legislation, Committee Democrats were also vocal in their objections about regular order. There were complaints about the lack of hearings, complaints about the lack of subcommittee markups, complaints about the lack of a cost estimate from the Congressional Budget Office (CBO), complaints about the amount of time for opening statements, and of course, complaints about how long the legislative text had been available to members.

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And so I am outraged, Mr. Chairman, many Americans are outraged, that this secretive healthcare plan was finally made public after being sequestered in the bowels of the Capitol less than 2 days before this markup. The legislative text – and we have heard that from other members – was literally under lock and key and protected by armed Capitol police officers.

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We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

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But the Energy and Commerce Committee has spoken, and House Democrats should listen.

Subtitle I: Budget Reconciliation Legislative Recommendations Relating to Medicare

We continue to oppose initiatives that dramatically expand the scope of Medicare - and disguise their true financial impact through the use of budgetary gimmicks - at a time when the program is on the brink of insolvency. The August 31, 2021, Medicare Trustees Report once again estimates that the Hospital Insurance (HI) Trust Fund, which covers Medicare Part A expenses, will become insolvent by 2026.¹ Notably, the HI Trust Fund has not met the Medicare Trustees' formal test for financial adequacy since 2003 while the growth of HI expenditures has averaged 7.6 percent annually over the last 5 years.² Furthermore, this sobering financial assessment of the Medicare program may understate the immediacy of the financial trouble as it assumes 100 percent repayment of the \$106 billion in Medicare loans provided to more than 22,000 Part A providers and more than 28,000 Part B suppliers.³ The estimate also assumes no financial impact of the new Alzheimer's drug Aduhelm (or similar treatments in the pipeline), which is going through the Medicare coverage determination process and has an initial estimated list price greater than \$50,000 while more than 4 million Medicare beneficiaries are understood to have Alzheimer's or a related disease today.⁴

Overall Medicare expenditures totaled \$926 billion in 2020, and the Congressional Budget Office (CBO) preliminarily estimates this legislation would cost the Medicare program approximately \$289 billion over a 10-year period.⁵ Notably, this estimate only captures 4 years of the new dental benefits, which are not even fully phased-in during the scoring window. In 2032, the "full" dental benefit for non-routine services requires beneficiaries to pay 50 percent coinsurance while the government pays the other half. Prior to that, beneficiaries would pay 90 percent coinsurance for services starting in 2028 until the benefit phases-in over four years.

In addition to imperiling the finances of the Medicare program and jeopardizing the availability of benefits for current and future beneficiaries alike, these benefits are duplicative of benefits available to seniors today through the Medicare Advantage (MA) program. Privately administered MA plans already offer supplemental vision, hearing, and dental coverage. For plan year 2021, approximately 98 percent of plans offer vision coverage, 94 percent of plans offer hearing coverage, and 91 percent of plans offer dental coverage.⁶

These privately administered plans have consistently offered low-cost, high quality coverage for seniors. The Trump Administration announced that average 2021 premiums declined approximately 34 percent from 2017 while plan choice, benefits, and enrollment have continued

¹ The Board of Medicare Trustees, The 2021 Annual Report of the Board of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, available at [2021 Medicare Trustees Report \(cms.gov\)](https://www.cms.gov/medicare/medicare-trustee-boards/annual-reports)

² Id.

³ Centers for Medicare & Medicaid Services, CMS Announces New Repayment Terms for Medicare Loans made to Providers during COVID-19, available at [CMS Announces New Repayment Terms for Medicare Loans made to Providers during COVID-19 | CMS](https://www.cms.gov/medicare/medicare-coverage-database/repayment-terms)

⁴ The Board of Medicare Trustees, The 2021 Annual Report of the Board of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, available at [2021 Medicare Trustees Report \(cms.gov\)](https://www.cms.gov/medicare/medicare-trustee-boards/annual-reports)

⁵ Preliminary and informal estimate from CBO, September 2021

⁶ Avalere, MA Enrollees Can Access COVID-19 Supplemental Benefits in 2021, available at [MA Enrollees Can Access COVID-19 Supplemental Benefits in 2021 | Avalere Health](https://www.avalere.com/insights/ma-enrollees-can-access-covid-19-supplemental-benefits-in-2021)

to increase.⁷ Thanks to the Trump Administration's additional flexibilities and support for the MA program, average monthly premiums are the lowest they've been in 14 years for more than 26 million Medicare beneficiaries estimated in MA plans for 2021.⁸ Seniors have benefitted from increased choice with about 2,100 more MA plans in 2021 than in 2017 for a total of about 4,800 plans nationwide.⁹

Furthermore, MA beneficiaries report a 98 percent satisfaction rate with their coverage and the MA program serves a proportionally greater percentage of racial and ethnic minorities than traditional Medicare (nearly 34 percent and 16 percent, respectively).¹⁰ More than half of MA beneficiaries live below 200 percent of the Federal Poverty Level compared to about 39 percent of fee-for-service beneficiaries.¹¹ Additionally, MA beneficiaries on average face a 40 percent lower rate of cost burden than fee-for-service beneficiaries.¹²

Instead of creating an expensive new set of benefits and rigidly imposing them on a sclerotic and inefficient fee-for-service program, Republicans stand ready to build off what is already working in the MA program – a program that *already* provides these dental, hearing and vision benefits to a more racially diverse, lower-income, and women-represented population today. We can apply the lessons of MA to tailor benefits to those who need them most as it turns out that the unmet needs for dental care is more contingent upon income than age.¹³ A third of working-age adults with incomes below the Medicaid threshold cited financial barriers as a reason for not obtaining needed dental care, while only 6 percent of seniors with incomes above that threshold did so.¹⁴

Furthermore, a number of implementation questions remain for a range of health care providers who would be expected to serve patients under a new set of dental, hearing, and vision benefits. Dentists and other providers may be wary of a maze of Medicare regulations and payment policies they might be subjected to and how this could impact patient access to their dentists and other providers.¹⁵ Before implementing a set of new benefit mandates with a wide range of operational issues, Republicans insist on assessing the policies' impact on providers and incorporating provider feedback into making these benefits more accessible for patients without overburdening health care providers.

⁷ Centers for Medicare & Medicaid Services, Trump Administration Announces Historically Low Medicare Advantage Premiums and New Payment Model to Make Insulin Affordable Again for Seniors, available at [Trump Administration Announces Historically Low Medicare Advantage Premiums and New Payment Model to Make Insulin Affordable Again for Seniors | CMS](#)

⁸ Centers for Medicare & Medicaid Services, Trump Administration Announces Historically Low Medicare Advantage Premiums and New Payment Model to Make Insulin Affordable Again for Seniors, available at [Trump Administration Announces Historically Low Medicare Advantage Premiums and New Payment Model to Make Insulin Affordable Again for Seniors | CMS](#)

⁹ *Id.*

¹⁰ Better Medicare Alliance, State of Medicare Advantage May 2021, available at [BMA-State-of-MA-Report-2021.pdf\(bettermedicarealliance.org\)](#)

¹¹ *Id.*

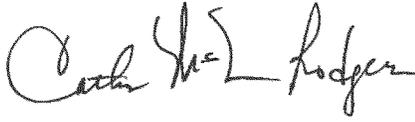
¹² *Id.*

¹³ Chris Pope, Filling the Wrong Gap, available at [Don't Expand Medicare to Cover Dental Benefits | City Journal \(city-journal.org\)](#)

¹⁴ Health Policy Institute & American Dental Association, Main Barriers to Getting Needed Dental Care All Relate to Affordability, available at [HPIBrief_0419_1.pdf\(ada.org\)](#)

¹⁵ American Dental Association, FAQ on the ADA's Medicare Benefit Proposal, available at [Frequently asked questions about efforts to include a dental benefit in the Medicare program. \(ada.org\)](#)

It is also notable that the reintroduction of the underlying H.R. 3 legislation in the 117th Congress removed these expansive new Medicare benefits (however, they were included in the prior H.R. 3 language in the 116th Congress), so these important questions were not given an opportunity for public discussion at any Committee hearings this Congress prior to the markup. We remain hopeful that future consideration of these provisions will include public discussion with affected providers, patients, as well as scholars and stakeholders who can speak to the financing of the Medicare program and how these expansive and duplicative set of new benefits would impact benefits for seniors now and in the future. As this Subtitle received bipartisan opposition from multiple Committee Democrats and all Committee Republicans, we hope the Majority will abandon this partisan exercise and work towards a real solution that does not jeopardize the already tenuous solvency of Medicare.



Cathy McMorris Rodgers
Ranking Member
Energy and Commerce Committee



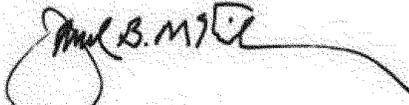
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I. EXPLANATION OF PROVISIONS

PART 1 – Health Care Infrastructure and Workforce

SECTION 31001. Funding to Support Core Public Health Infrastructure for State, Territorial, Local, and Tribal Health Departments at the Centers for Disease Control and Prevention.

Section 31001 provides \$7,000,000,000 in funding to support core public health infrastructure activities to strengthen the public health system through grants to state, territorial, local, or Tribal health departments, and expanding and improving activities of the Centers for Disease Control and Prevention (CDC). Such activities include: workforce capacity and competency; laboratory systems; all hazards public health and preparedness; testing capacity, including test platforms, mobile testing units, and personnel; health information, health information systems, and health information analysis; disease surveillance; contact tracing; communications; financing; among other activities.

SECTION. 31002. Funding for Hospital Infrastructure.

Section 31002 provides \$10,000,000,000 in funding to award grants for construction or modernization projects for purposes of increasing capacity and updating hospitals and other medical facilities in order to better serve communities in need. In awarding funds under this section, the Secretary of HHS shall give priority to projects that will include, by design, public health preparedness, natural disaster emergency preparedness, or cybersecurity against cyber threats.

SECTION. 31003. Funding for Community Health Center Capital Grants.

Section 31003 provides \$10,000,000,000 in funding to award grants and enter into cooperative agreements for capital projects to health centers and Federally qualified health centers.

SECTION. 31004. Funding for Community-Based Care Infrastructure.

Section 31004 provides \$500 million in funding to award grants to qualified teaching health centers, behavioral health care centers (including both substance abuse and mental health care facilities), and pediatric mental health care providers to support the improvement, renovation, or infrastructure at such centers.

SECTION. 31005. Funding for Schools of Medicine in Underserved Areas.

Section 31005 provides \$1 billion in funding for the establishment, improvement, or expansion of schools of medicine in particular in underserved communities.

SECTION. 31006. Funding for Nursing Education Enhancement and Modernization Grants in Underserved Areas.

Section 31006 provides \$1 billion in funding to enhance and modernize nursing education programs and increase in particular in underserved areas.

SECTION. 31007. Funding for Teaching Health Center Graduate Medical Education.

Section 31007 provides \$6 billion in funding for payments to teaching health centers that operate graduate medical education programs and the award of teaching health center development grants.

SECTION. 31008. Funding for Children's Hospitals that Operate Graduate Medical Education Programs.

Section 31008 appropriates \$250 million in funding to support Children Hospital Graduate Medical Education programs that support training of pediatric primary care, specialty, and dental providers.

SECTION. 31009. Funding for Nurse Corps.

Section 31009 provides \$300 million in funding for Nurse Corps, which provides loan repayment assistance to registered nurses (RNs) and advanced practice registered nurses (APRNs), in return for a commitment to work at eligible health care facilities with a critical shortage of nurses or serve as nurse faculty in eligible schools of nursing.

PART 2 – Pandemic Preparedness***SECTION. 31021. Funding for Laboratory Activities at the Centers for Disease and Control.***

Section 31021 provides \$5 billion in funding to support renovation, expansion, and modernization of state and local public health laboratory infrastructure; renovating, expanding, and modernizing laboratories of CDC; and enhancing the ability of CDC to monitor and exercise oversight over biosafety and biosecurity of state and local public health laboratories.

SECTION. 31022. Funding for Strengthening Vaccine Confidence.

Section 31022 provides \$1,250,000,000 in funding to award grants to strengthen vaccine confidence; strengthen routinely recommended vaccine programs; and improve rates of vaccination.

SECTION. 31023. Funding for Surveillance Activities at the Centers for Disease Control and Prevention.

Section 31023 provides \$1,000,000,000 in funding to award grants to enhance and strengthen early warning and detection systems; enhance and strengthen surveillance based in hospitals and other health care providers or facilities; and strengthen the antibiotic resistance initiative program.

SECTION. 31024. Funding for Data Modernization at the Centers for Disease Control and Prevention.

Section 31024 provides \$500,000,000 in funding to support public health data surveillance, aggregation, and analytics infrastructure modernization initiatives; enhance reporting and workforce core competencies in informatics and digital health; and expand and maintain efforts to modernize the United States disease warning system.

SECTION. 31025. Funding for Public Health and Preparedness Research, Development, and Countermeasure Capacity.

Section 31025 provides \$8,000,000,000 in funding to the Assistant Secretary for Preparedness and Response, to prepare for, and respond to, public health emergencies, including supporting surge capacity; supporting expanded global and domestic vaccine production capacity; supporting activities to mitigate supply chain risks and enhance supply chain elasticity and resilience; supporting activities conducted by the Biomedical Advanced Research and Development Authority; and supporting increased biosafety and biosecurity in research on infectious diseases.

PART 3 – Innovation**SECTION. 31031. Funding for Advanced Research Projects for Health.**

Section 31031 provides \$3,000,000,000 to establish the Advanced Research Projects Agency for Health (ARPA-H). Funding for ARPA-H seeks to make pivotal investments in breakthrough technologies and broadly applicable platforms, capabilities, resources, and solutions that have the potential to transform important areas of medicine and health that cannot readily be accomplished through traditional biomedical research or commercial activity.

PART 4 – Maternal Mortality***SECTION. 31041. Funding for Local Entities Addressing Social Determinants of Maternal Health.***

Section 31041 provides \$175,000,000 in funding to award grants to address social determinants of maternal health for pregnant and postpartum individuals.

SECTION. 31042. Funding to Grow and Diversify the Nursing Workforce in Maternal and Perinatal Health.

Section 31042 provides \$150,000,000 in funding to award grants to accredited schools of nursing to grow and diversify the perinatal nursing workforce.

SECTION. 31043. Funding to Grow and Diversify the Doula Workforce.

Section 31043 provides \$50,000,000 in funding to award grants to establish or expand programs to grow and diversify the doula workforce.

SECTION. 31044. Funding to Grow and Diversify the Maternal Mental Health and Substance Use Disorder Treatment Workforce.

Section 31044 provides \$75,000,000 in funding to award grants to establish or expand programs to grow and diversify the maternal mental health and substance use disorder treatment workforce.

SECTION. 31045. Funding for Maternal Mental Health Equity Grant Programs.

Section 31045 provides \$100,000,000 in funding to award grants to address maternal mental health conditions and substance use disorders with respect to pregnant, lactating, and postpartum individuals.

SECTION. 31046. Funding for Education and Training at Health Professions Schools to Identify and Address Health Risks Associated with Climate Change.

Section 31046 provides \$85,000,000 in funding to award grants to support the development and integration of education and training programs for identifying and addressing risks associated with climate change for pregnant, lactating, or postpartum individuals.

SECTION. 31047. Grants to Minority-Serving Institutions to Study Maternal Mortality, Severe Maternal Morbidity, and Adverse Maternal Health Outcomes.

Section 31047 provides \$50,000,000 in funding to award grants to minority-serving institutions to study maternal mortality, severe maternal morbidity, and adverse maternal health outcomes.

SECTION. 31048. *Funding for Identification of Maternity Care Health Professional Target Areas.*

Section 31048 provides \$25,000,000 in funding for identification of maternity care health professional target areas, as defined under section 332(k) of the Public Health Service Act.

SECTION. 31049. *Funding for Maternal Mortality Review Committees to Promote Representative Community Engagement.*

Section 31049 provides \$50,000,000 in funding to promote community engagement in maternal mortality review committees.

SECTION. 31050. *Funding for the Surveillance for Emerging Threats to Mothers and Babies.*

Section 31050 provides \$100,000,000 to carry out section 317K of the Public Health Service Act with respect to conducting surveillance for emerging threats to mothers and babies.

SECTION. 31051. *Funding for the Enhancing Reviews and Surveillance to Eliminate Maternal Mortality Program.*

Section 31051 provides \$30,000,000 to carry out the Enhancing Reviews and Surveillance to Eliminate Maternal Mortality program established under section 317K of the Public Health Service Act.

SECTION. 31052. *Funding for the Pregnancy Risk Assessment Monitoring System.*

Section 31052 provides \$15,000,000 to carry out section 317K of the Public Health Service Act with respect to the Pregnancy Risk Assessment Monitoring System.

SECTION. 31053. *Funding for the National Institute of Child Health and Human Development.*

Section 31053 provides \$15,000,000 to carry out section 301 of the Public Health Service Act and title IV of the Public Health Service Act with respect to child health and human development and to conduct or support research for interventions to mitigate the effects of the COVID-19 public health emergency on pregnant and postpartum individuals.

SECTION. 31054. *Grants to Expand the Use of Technology-Enabled Collaborative Learning and Capacity Models for Pregnant and Postpartum Individuals.*

Section 31054 provides \$30,000,000 in funding to award grants to expand the use of technology-enabled collaborative learning and capacity models for pregnant and postpartum individuals.

SECTION. 31055. *Grants to Promote Equity in Maternal Health Outcomes through Digital Tools.*

Section 31055 provides \$30,000,000 in funding to award grants to reduce racial and ethnic disparities in maternal health outcomes by increasing access to digital tools related to maternal health care.

SECTION. 31056. Funding for Antidiscrimination and Bias Training.

Section 31056 provides \$25,000,000 in funding to award grants to develop, disseminate, review, research, and evaluate training for health professionals and all staff who interact with patients to reduce discrimination and bias in the provision of health care.

PART 5 – Other Public Health Investments

SECTION. 31061. Funding for Mental Health and Substance Use Disorder Professionals.

Section 31061 provides \$50,000,000 in funding for the Minority Fellowship Program at the Substance Abuse and Mental Health Services Administration (SAMHSA), whose mission promotes culturally competent behavioral and mental health care for underserved communities.

SECTION. 31062. National Suicide Prevention Lifeline.

Section 31062 provides \$75,000,000 in funding for the National Suicide Prevention Lifeline programs, which seek to provide resources and support to individuals in crisis.

SECTION. 31063. Funding for Community Violence and Trauma Interventions.

Section 31063 provides \$2,500,000,000 in funding to support public health approaches to reduce community violence and trauma.

SECTION. 31064. Funding for HIV Health Care Services Programs.

Section 31064 provides \$150,000,000 in funding to support Ryan White HIV/AIDS program to provide care, support services, and medications to communities disproportionately affected by HIV/AIDS.

SECTION. 31065. Supplemental Funding for World Trade Center Health Program.

Section 31065 provides \$2,860,000,000 in supplemental funding to World Trade Center Health Program.

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #109

Bill: **Subtitle J**, Budget Reconciliation Legislative Recommendations Relating to Public Health

Amendment: An amendment to the amendment in the nature of a substitute (AMD-FCR_34) to Subtitle J by Mr. Palmer of Alabama, No. 1a

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise			
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #110

Bill: **Subtitle J**, Budget Reconciliation Legislative Recommendations Relating to Public Health

Amendment: An amendment to the amendment in the nature of a substitute (AMD-FCR_21) to Subtitle J by Mr. Carter of Georgia, No. 1b

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #111

Bill: **Subtitle J**, Budget Reconciliation Legislative Recommendations Relating to Public Health

Amendment: An amendment to the amendment in the nature of a substitute (AMD-FCR_38) to Subtitle J by Ms. Lesko of Arizona, No. 1c

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #112

Bill: **Subtitle J**, Budget Reconciliation Legislative Recommendations Relating to Public Health

Motion: A motion by Mr. Pallone of New Jersey to order **Subtitle J** transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 31 yeas to 27 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess		X	
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
Ms. Schakowsky	X			Mr. Guthrie		X	
Mr. Butterfield	X			Mr. McKinley		X	
Ms. Matsui	X			Mr. Kinzinger		X	
Ms. Castor	X			Mr. Griffith		X	
Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNeerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long		X	
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cárdenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
Mr. Peters	X			Mr. Duncan		X	
Mrs. Dingell	X			Mr. Palmer		X	
Mr. Veasey	X			Mr. Dunn		X	
Ms. Kuster	X			Mr. Curtis		X	
Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
Mr. McEachin	X			Mr. Crenshaw		X	
Ms. Blunt Rochester	X			Mr. Joyce		X	
Mr. Soto	X			Mr. Armstrong		X	
Mr. O'Halleran	X						
Ms. Rice	X						
Ms. Craig	X						
Ms. Schrier	X						
Ms. Trahan	X						
Ms. Fletcher	X						

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III. BUDGET EFFECTS OF THE PROVISION**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

IV. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS**

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to provide budget reconciliation legislative recommendations pursuant to reconciliation instructions from S. Con. Res. 14, and for other purposes.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

E. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

H. CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the constitutional authority for this legislation in Article I, section 8, clause 1, which grants Congress the power to provide for the “common Defence and general Welfare of the United States.”

V. CHANGES IN EXISTING LAW MADE BY THE COMMITTEE'S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

VI. MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

Republican Views

We object to the Democrats' Build More Inflation Act and using the Reconciliation process to pass it. This socialist agenda will destroy freedom and embolden our enemies on the backs of American families. This is a gargantuan, unnecessary bill that fundamentally changes American life and security for the worse.

In addition, the Democrats' Build More Inflation Act comes at a time when our economy is recovering from the damage done by COVID-19. Just seven months ago, Democrats used the Reconciliation process to pass the 1.9 trillion-dollar American Rescue Plan, which was on top of the approximately 3.5 trillion-dollar Congress appropriated in 2020. This is exactly the point made by one Energy and Commerce Committee Democrat during opening statements on the first day of our markup:

We need to stop spending. The economy is recovered. There are plenty of jobs out there. Wages are up dramatically. We just spent over 5 trillion dollars in the last 18 months on COVID alone – over three times what we spent on all defense and non-defense spending in one year, and we have not cut any of our regular appropriations. Indeed, we have increased it. . . . We're adding more to the deficit. This is insanity. It is fiscally irresponsible.

In addition, we recall the Committee Democrats' objections about regular order during the 2017 markup of the "Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; Title I—Energy and Commerce American Health Care Act of 2017."

In their Minority Views to that legislation, Committee Democrats summarizes their "deep concern" about the lack of regular order during that Reconciliation process, writing:

Despite the wide-ranging, serious implications of this legislation for the health and financial security of all Americans, the Committee did not hold a single hearing on the details and effect of the legislation. Notably, stakeholders have not had the ability to weigh in on the impacts of the bill to the health care system. In fact, the Committee received letters from hospitals, doctors, and patient and advocacy groups all outlining their significant concerns with the legislation. Additionally, despite Speaker Ryan's claims that the bill would be considered through regular order and through a transparent process, the repeal bill was drafted in secret and introduced less than two days before markup. The minority is deeply concerned by the decision to proceed to markup without first receiving the views of the CBO on the impact of this legislation on health insurance coverage, costs, and the Federal budget. Given the likelihood that millions of Americans will lose their health insurance as a result of this legislation, proceeding to markup without a CBO score is highly

irresponsible and deprives Committee members of a full understanding of the implications of the legislation before voting on it.¹

During the markup of that legislation, Committee Democrats were also vocal in their objections about regular order. There were complaints about the lack of hearings, complaints about the lack of subcommittee markups, complaints about the lack of a cost estimate from the Congressional Budget Office (CBO), complaints about the amount of time for opening statements, and of course, complaints about how long the legislative text had been available to members.

In an allusion to their scavenger hunt across Capitol Hill in the days before the markup, searching for that legislative text (which included the harassment of visitors and staff in the office of the Committee's then-Chairman), one Democratic member even said:

And so I am outraged, Mr. Chairman, many Americans are outraged, that this secretive healthcare plan was finally made public after being sequestered in the bowels of the Capitol less than 2 days before this markup. The legislative text – and we have heard that from other members – was literally under lock and key and protected by armed Capitol police officers.

But in their return to the Majority, the Energy and Commerce Democrats outrage and deep concern for regular order has waned. Just seven months ago, the Committee considered Reconciliation legislation for fiscal year 2021. Unfortunately, the Democratic majority held no hearings, no subcommittee markups, and had no CBO estimate before that legislation was considered by the Committee. And just a few days ago, the Committee wrapped up a three-day markup of the most consequential and most expensive legislation that it has ever considered.

Every area of the Committee's broad jurisdiction was impacted by this legislation. As with their first Reconciliation legislation this year, again, there were no hearings, no subcommittee markups, and no CBO estimate (and as the markup began on Monday morning at 11:00 a.m., the amendments in the nature of a substitute to the 16 subtitles that were considered by the Committee were not shared with the Minority until 11:00 a.m. on Sunday.).

As one Energy and Commerce Committee Democratic said, "It is a terrible process. In one month, we put together a 3.5 trillion-dollar bill that has no chance of passing the Senate. Virtually no Member input. No amendments supposed to pass. No hearing on this gargantuan bill. Members had no chance to represent their districts."

We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

Democrats joined with Committee Republicans to kill it. Democrats may feel pressure to include Subtitle E in whatever Reconciliation legislation is considered on the Floor. Without Subtitle E in their Reconciliation legislation, Democrats will be forced scale back their gargantuan socialist agenda.

But the Energy and Commerce Committee has spoken, and House Democrats should listen.

Subtitle J: Budget Reconciliation Legislative Recommendations Relating to Public Health

Strengthening public health infrastructure, reducing rates of maternal mortality, and investing in pandemic preparedness continue to be important issues to Americans. Republicans have shown a continued commitment to these initiatives. However, as with the American Rescue Plan Act of 2021, Republicans lament the fact that Democrats are again irresponsibly spending billions of dollars and abdicating their oversight responsibility of important public health programs. This Subtitle totals over \$61 billion in mandatory funds, despite the fact that the partisan American Rescue Plan Act already provided generous funding for many of these same programs and initiatives.

Republicans are disturbed that Subtitle J opens the door to Federal funding for elective abortions. The Hyde Amendment, notably missing from this legislation, prevents Federal funds from being used to fund abortions and coverage for abortions, except in the cases where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest. Since 1976, Hyde, and similar policies governing other Federal programs, have been supported and renewed annually on a bipartisan basis, multiple times, for decades. Because there are no Hyde Amendment protections, many provisions in Subtitle J could support elective abortions.

Lastly, Republicans are disappointed that the Democrats, in their haste to pass a partisan package, did not assess the true budgetary needs of these agencies and authorized funding duplicative of the American Rescue Plan Act and other initiatives. The exorbitant funding levels could lead to waste, a concern that is shared by at least one of our Democratic colleagues, who joined all Committee Republicans in opposing this Subtitle.

Part 1. Health Care Infrastructure and Workforce.

In general, Republicans are supportive of providing targeted allocations toward health care infrastructure and workforce improvements. The health care workforce was already dwindling, and the COVID-19 has only made the problem worse. Subtitle J provides \$7 billion in grants to public health departments. The state of the nation's public health infrastructure and workforce are a result of decades of neglect by state and local governments. Support for the building of the nation's health workforce and infrastructure is laudable and but should be accomplished by discretionary appropriations after a thoughtful review by Congress of the actual needs. The American Rescue Plan Act infused \$7.6 billion in mandatory funding to establish and expand a public health infrastructure,¹ so the additional \$7 billion is unnecessary.

Subtitle J authorizes \$10 billion in mandatory money for a slush fund for hospital infrastructure modernization and capital improvements. The Coronavirus Aid, Relief, and Economic Security (CARES) Act² established the Provider Relief Fund (PRF) and appropriated \$100 billion to "to reimburse, through grants or other mechanisms, eligible health care providers for health care related expenses or lost revenues that are attributable to coronavirus." The Paycheck Protection Program and Health Care Enhancement (PPHCE) Act³ added an additional \$75 billion to the

¹ Public Law No: 117-2, The American Rescue Plan Act, 2021. Sec. 2501 (a).

² Public Law No: 116-136, The Coronavirus Aid, Relief, and Economic Security (CARES) Act.

³ Public Law No: 116-139, The Paycheck Protection Program and Health Care Enhancement (PPHCEA) Act

PRF. The money that hospitals received through the PRF could be used for capital projects if they are used to respond to COVID-19. According to a Kaiser Health News analysis of Internal Revenue Service filings, nonprofit hospital systems held more than \$283 billion in stocks, hedge funds, private equity, venture funds and other investment assets in 2019.⁴ Though their tax-exempt status requires charitable efforts, nonprofit health systems rarely put humanitarian goals first when selecting investments, even when sitting on portfolios worth hundreds of millions of dollars or more. This is especially true regarding the amount of surplus cash spent by hospitals on lavish building projects. Thus, an additional \$10 billion in funding for capital improvements is duplicative and wasteful. A better use of taxpayer dollars would be to direct funding toward Federally-owned and operated hospital infrastructure projects, such as improving the health facilities of the Indian Health Service (IHS). Disparities in the health status of American Indians and Alaska Natives (AI/ANs) are impacted by access to quality health care services. The average age of IHS health care facilities is greater than 37 years, compared to nine to ten years in the private sector.⁵ Health care services are constrained by the limited capacities of existing IHS and Tribal health care facilities, as there is a significant need for expansion, renovation, or replacement of many of these buildings. Sadly, it is unlikely that any IHS facility will receive funding from this \$10 billion slush fund.

Subtitle J also provides \$10 billion for community health center capital projects. Community Health Centers are essential to providing affordable health care to underserved populations. In 2020, Community Health Centers have received \$2 billion in funding to respond to the COVID-19 pandemic through the Coronavirus Preparedness and Response Supplemental Appropriations Act,⁶ the CARES Act,⁷ and the PPPHCE Act.⁸ The CARES Act also included an extension of the Community Health Center Fund at the current funding level of \$4 billion annually, on top of the \$2 billion in COVID-19 relief. Republicans supported the COVID-19 relief initiatives. In addition, the American Rescue Plan Act included \$7.6 billion for Community Health Centers,⁹ which is still being distributed.

The bill also provides \$500 million to create a pilot program to award grants to qualified Teaching Health Centers (THCs) and behavioral health care centers to support the improvement, renovation, or modernization of infrastructure at such centers. This is in addition to \$6 billion for the Teaching Health Center Graduate Medical Education (THCGME) program. Republicans are concerned about the long-term health of critically important public health programs. In 2019, Committee Republicans supported the longest reauthorization of the THCGME program at record funding of \$126 million per year for fiscal years 2020 through 2023 in the Consolidated

⁴ Jordan Rau, *Mission and Money Clash in Nonprofit Hospitals' Venture Capital Ambitions*, KAISER HEALTH NEWS, August 24, 2021, <https://khn.org/news/article/mission-and-money-clash-in-nonprofit-hospitals-venture-capital-ambitions/>

⁵ H. Comm. On Natural Resources Hearing, "Examining Federal Facilities in Indian Country" (June 17, 2021), available at <https://www.ihs.gov/about/agencies/asl/testimony/2021/06/17/examining-federal-facilities-indian-country.html>.

⁶ Public Law No: 116-123, The Coronavirus Preparedness and Response Supplemental Appropriations Act. Title III.

⁷ Public Law No: 116-136, The Coronavirus Aid, Relief, and Economic Security (CARES) Act. Sec. 3831.

⁸ Public Law No: 116-139, The Paycheck Protection Program and Health Care Enhancement (PPHCEA) Act. Title I.

⁹ Public Law No: 117-2, The American Rescue Plan Act, 2021. Sec. 2601.

Appropriations Act, 2021.¹⁰ Additionally, the American Rescue Plan included \$330 million in funding for THCGME programs,¹¹ which is still being distributed. These are unsustainable funding levels, placing this program on an incredibly dangerous fiscal cliff.

Part 2. Pandemic Preparedness.

Subtitle J provides billions for the renovation, expansion, and modernization of state and local public health laboratories, money for surveillance and public health data modernization, and money for research and development of medical countermeasures to address public health emergencies. Congress has already provided funding for these very same initiatives through annual appropriations bills, in addition to emergency supplemental funding provided through the Coronavirus Preparedness and Response Supplemental Appropriations Act; CARES Act; and the PPPHCE Act.¹² Providing even more money for these same purposes, with no strings attached, and without any hearings or Congressional oversight to understand better the needs, is fiscally irresponsible.

The bill also provides unnecessary funding for the Centers for Disease Control and Prevention (CDC) to strengthen and improve vaccine confidence, vaccination rates, and routine vaccine programs. Since the beginning of the pandemic, the CDC has been given about \$7 billion in immunization awards.¹³ It is very unlikely that the CDC has spent all the money it was allocated through the American Rescue Plan. The purpose of providing this additional funding is unclear. Despite the pledge to follow the science, the CDC's missteps under the Biden Administration throughout the past year, from political interference of teachers' unions, to incomplete information, to confusing and mixed messaging, has resulted in a loss of public trust in the CDC and ultimately undermined vaccine confidence. Americans are far more likely to trust their health care providers and other community leaders on the safety and efficacy of vaccines than Federal bureaucrats.¹⁴

Part 3. Innovation.

The bill provides \$3 billion to establish the Advanced Research Projects Agency for Health (ARPA-H). ARPA-H was included in President Biden's budget (requested \$6.5 billion) and according to the National Institutes of Health (NIH), it would be tasked with building high-risk, high-reward platforms to drive biomedical breakthroughs. Committee Republicans are concerned about how this would be implemented. For example, the 21st Century Cures Act authorized the NIH Cures Acceleration Network¹⁵ to advance the development of high-need cures and reduce barriers to research and development as well as clinical trials. If the Acceleration Network, which was similar in concept to ARPA-H, cannot meet the goals of

¹⁰ Public Law No: 116-260, The Consolidated Appropriations Act, 2021.

¹¹ Public Law No: 117-2, The American Rescue Plan Act, 2021. Sec. 2604.

¹² CDC's COVID-19 Supplemental Funding.

¹³ COVID-19 Vaccination Program Operational Guidance. <https://www.cdc.gov/vaccines/covid-19/covid19-vaccination-guidance.html>.

¹⁴ Hamel, Kirzinger, Munana, Brodie. KFF COVID-19 Vaccine Monitor: December 2020. <https://www.kff.org/coronaviruses-covid-19/report/kff-covid-19-vaccine-monitor-december-2020/>.

¹⁵ NIH, National Center for Advancing Translational Sciences, Cures Acceleration Network. <https://ncats.nih.gov/funding/review/can>.

ARPA-H and does not have the independence and the authority that it needs to conduct bold research and develop technologies that could transform the marketplace, then NIH may not be the best place to house such an entity. Housing ARPA-H within the NIH also raises questions related to how ARPA-H would prioritize research projects and interact with the other NIH Institutes.

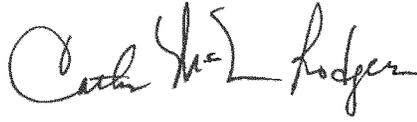
Part 4. Maternal Mortality.

This section provides about \$1 billion in funding to address maternal social determinants of health, diversify the maternal health workforce, and research emerging threats to mothers and babies. Republicans support addressing social determinants of health. Effectively addressing social determinants of health for all Americans will improve outcomes related to maternal social determinants of health, ultimately reducing maternal morbidity and mortality. However, rather than instituting more government programs, Congress should be supporting states, local communities, and health providers to engage with the private sector and come up with innovative solutions to address the issue. In July, the Committee advanced bipartisan legislation related to maternal health. Those bills would ensure pregnant and postpartum women are educated on immunization programs and authorize grant funding to identify best practices to improve maternal health quality and outcomes and eliminate preventable maternal mortality and morbidity. During the same markup in July, the Committee also advanced bills to help address social determinants of health. However, since July, Democrats have done nothing to get these important bipartisan initiatives enacted into law.

Part 5. Other Public Health Investments.

Part 5 directs billions in mandatory funding for various mental health, trauma, and substance use disorder programs, in addition to providing supplemental funding for HIV Health Care Services Programs. Committee Republicans also support additional funding for the prevention and treatment of mental health and substance use disorders. The COVID-19 pandemic and resulting economic downturn have significantly impacted the mental health and wellbeing of all Americans, especially where state and local officials chose to institute lengthy lockdowns and keep businesses and schools closed. Emergency funding for mental health and substance use disorders was already provided for in the American Rescue Plan Act, and no effort was made by the Democrats to account for the amount of time it will take for Federal agencies and states to spend the new resources. Democrats, in their irresponsible haste to pass partisan Reconciliation legislation, did not assess the true budgetary needs of the agencies.

The bill also provides \$2.86 billion to establish a World Trade Center Health Program Supplemental Fund and to remain available through fiscal year 2031. Republicans understand that enrollment in the program is increasing, along with the healthcare costs of enrollees. However, Republicans are disappointed that Democrats again embraced a partisan process instead of working in a bipartisan manner to address projected shortfalls. It is also not clear to Republicans why the required 10 percent match by New York City was struck in this proposal.



Cathy McMorris Rodgers
Ranking Member
Energy and Commerce Committee



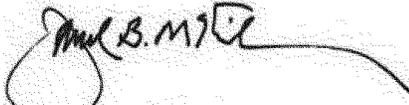
Fred Upton
Ranking Member
Subcommittee on Energy
Energy and Commerce Committee



Robert E. Latta
Ranking Member
Subcommittee on Communications
and Technology
Energy and Commerce Committee



Brett Guthrie
Ranking Member
Subcommittee on Health
Energy and Commerce Committee



David B. McKinley
Ranking Member
Subcommittee on Environment
and Climate Change
Energy and Commerce Committee



Gus M. Bilirakis
Ranking Member
Subcommittee on Consumer Protection
and Commerce
Energy and Commerce Committee

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I. EXPLANATION OF PROVISIONS

SECTION 31101. Deployment of Next Generation 9-1-1.

This section provides \$10 billion in funding for the National Telecommunications and Information Administration (NTIA) to make grants available to eligible entities to upgrade 9-1-1 infrastructure to Next Generation 9-1-1. Under this provision, eligible entities are permitted to use grant funds to implement, operate, and maintain Next Generation 9-1-1 at emergency communications centers and, on a limited basis, use grant funds to cover training costs for public safety telecommunications and others who would be responsible for operating Next Generation 9-1-1 equipment.

This section also provides \$10 million in funding for the Inspector General of the Department of Commerce to conduct oversight to combat waste, fraud, and abuse in the grant program.

SEC. 31102. Establishment of Next Generation 9-1-1 Cybersecurity Center.

This section provides \$80 million in funding for the NTIA to establish a Next Generation 9-1-1 Cybersecurity Center to share cybersecurity information, analyze cybersecurity threats, and share guidelines and best practices for intrusion detection and prevention as it relates to Next Generation 9-1-1.

SEC. 31103. Public Safety Next Generation 9-1-1 Advisory Board.

This section provides \$10 million in funding for the NTIA to establish a Public Safety Next Generation 9-1-1 Advisory Board to make recommendations to the Assistant Secretary for Communications and Information with respect to administering the Next Generation 9-1-1 grant program under section 31101.

SEC. 31104. Definitions.

This section provides definitions for the terms 9-1-1 fee or charge, Assistant Secretary, commonly accepted standards, cost related to planning and implementation, eligible entity, emergency communications center, interoperable, Next Generation 9-1-1, public safety organization, reliable, State, State or taxing jurisdiction, and sustainable funding mechanism.

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #56

Bill: **Subtitle K**, Budget Reconciliation Legislative Recommendations Relating to Next Generation 9-1-1

Amendment: An amendment (CT_13) to Subtitle K by Mr. Johnson of Ohio, No. 2

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess			
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

09/13/21

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #57

Bill: **Subtitle K**, Budget Reconciliation Legislative Recommendations Relating to Next Generation 9-1-1

Amendment: An amendment (CT_12) to Subtitle K by Mr. Griffith of Virginia, No. 3

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess			
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNemey		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long			
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin	X			Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

09/13/21

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #58

Bill: **Subtitle K**, Budget Reconciliation Legislative Recommendations Relating to Next Generation 9-1-1

Motion: An motion by Mr. Pallone of New Jersey to order **Subtitle K** transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 31 yeas to 25 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess			
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
Ms. Schakowsky	X			Mr. Guthrie		X	
Mr. Butterfield	X			Mr. McKinley		X	
Ms. Matsui	X			Mr. Kinzinger		X	
Ms. Castor	X			Mr. Griffith		X	
Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long			
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cárdenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
Mr. Peters	X			Mr. Duncan		X	
Mrs. Dingell	X			Mr. Palmer		X	
Mr. Veasey	X			Mr. Dunn		X	
Ms. Kuster	X			Mr. Curtis		X	
Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
Mr. McEachin	X			Mr. Crenshaw		X	
Ms. Blunt Rochester	X			Mr. Joyce		X	
Mr. Soto	X			Mr. Armstrong		X	
Mr. O'Halleran	X						
Ms. Rice	X						
Ms. Craig	X						
Ms. Schrier	X						
Ms. Trahan	X						
Ms. Fletcher	X						

09/13/21

III. BUDGET EFFECTS OF THE PROVISION**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

IV. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS**

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to provide budget reconciliation legislative recommendations pursuant to reconciliation instructions from S. Con. Res. 14, and for other purposes.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

E. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

H. CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the constitutional authority for this legislation in Article I, section 8, clause 1, which grants Congress the power to provide for the “common Defence and general Welfare of the United States.”

V. CHANGES IN EXISTING LAW MADE BY THE COMMITTEE'S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

VI. MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

Republican Views

We object to the Democrats' Build More Inflation Act and using the Reconciliation process to pass it. This socialist agenda will destroy freedom and embolden our enemies on the backs of American families. This is a gargantuan, unnecessary bill that fundamentally changes American life and security for the worse.

In addition, the Democrats' Build More Inflation Act comes at a time when our economy is recovering from the damage done by COVID-19. Just seven months ago, Democrats used the Reconciliation process to pass the 1.9 trillion-dollar American Rescue Plan, which was on top of the approximately 3.5 trillion-dollar Congress appropriated in 2020. This is exactly the point made by one Energy and Commerce Committee Democrat during opening statements on the first day of our markup:

We need to stop spending. The economy is recovered. There are plenty of jobs out there. Wages are up dramatically. We just spent over 5 trillion dollars in the last 18 months on COVID alone – over three times what we spent on all defense and non-defense spending in one year, and we have not cut any of our regular appropriations. Indeed, we have increased it. . . . We're adding more to the deficit. This is insanity. It is fiscally irresponsible.

In addition, we recall the Committee Democrats' objections about regular order during the 2017 markup of the "Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; Title I—Energy and Commerce American Health Care Act of 2017."

In their Minority Views to that legislation, Committee Democrats summarizes their "deep concern" about the lack of regular order during that Reconciliation process, writing:

Despite the wide-ranging, serious implications of this legislation for the health and financial security of all Americans, the Committee did not hold a single hearing on the details and effect of the legislation. Notably, stakeholders have not had the ability to weigh in on the impacts of the bill to the health care system. In fact, the Committee received letters from hospitals, doctors, and patient and advocacy groups all outlining their significant concerns with the legislation. Additionally, despite Speaker Ryan's claims that the bill would be considered through regular order and through a transparent process, the repeal bill was drafted in secret and introduced less than two days before markup. The minority is deeply concerned by the decision to proceed to markup without first receiving the views of the CBO on the impact of this legislation on health insurance coverage, costs, and the Federal budget. Given the likelihood that millions of Americans will lose their health insurance as a result of this legislation, proceeding to markup without a CBO score is highly

irresponsible and deprives Committee members of a full understanding of the implications of the legislation before voting on it.¹

During the markup of that legislation, Committee Democrats were also vocal in their objections about regular order. There were complaints about the lack of hearings, complaints about the lack of subcommittee markups, complaints about the lack of a cost estimate from the Congressional Budget Office (CBO), complaints about the amount of time for opening statements, and of course, complaints about how long the legislative text had been available to members.

In an allusion to their scavenger hunt across Capitol Hill in the days before the markup, searching for that legislative text (which included the harassment of visitors and staff in the office of the Committee's then-Chairman), one Democratic member even said:

And so I am outraged, Mr. Chairman, many Americans are outraged, that this secretive healthcare plan was finally made public after being sequestered in the bowels of the Capitol less than 2 days before this markup. The legislative text – and we have heard that from other members – was literally under lock and key and protected by armed Capitol police officers.

But in their return to the Majority, the Energy and Commerce Democrats outrage and deep concern for regular order has waned. Just seven months ago, the Committee considered Reconciliation legislation for fiscal year 2021. Unfortunately, the Democratic majority held no hearings, no subcommittee markups, and had no CBO estimate before that legislation was considered by the Committee. And just a few days ago, the Committee wrapped up a three-day markup of the most consequential and most expensive legislation that it has ever considered.

Every area of the Committee's broad jurisdiction was impacted by this legislation. As with their first Reconciliation legislation this year, again, there were no hearings, no subcommittee markups, and no CBO estimate (and as the markup began on Monday morning at 11:00 a.m., the amendments in the nature of a substitute to the 16 subtitles that were considered by the Committee were not shared with the Minority until 11:00 a.m. on Sunday.).

As one Energy and Commerce Committee Democratic said, "It is a terrible process. In one month, we put together a 3.5 trillion-dollar bill that has no chance of passing the Senate. Virtually no Member input. No amendments supposed to pass. No hearing on this gargantuan bill. Members had no chance to represent their districts."

We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

Democrats joined with Committee Republicans to kill it. Democrats may feel pressure to include Subtitle E in whatever Reconciliation legislation is considered on the Floor. Without Subtitle E in their Reconciliation legislation, Democrats will be forced scale back their gargantuan socialist agenda.

But the Energy and Commerce Committee has spoken, and House Democrats should listen.

Subtitle K: Budget Reconciliation Legislative Recommendations Relating to Next Generation 9-1-1

Section 31101. Deployment of Next-Generation 9-1-1.

This section funds a next-generation 9-1-1 (NG 9-1-1) program through a partisan Reconciliation process. The authorizing language lacks several safeguards and improvements that could have received bipartisan support. For example, this language lacks direction to the Assistant Secretary of the National Telecommunications and Information Administration (NTIA) for the scope of their duties, which could include information sharing and technical assistance. This language lacks language that would have increased transparency for the program, including requirements for regular reporting on key details of the program and on progress made. Additionally, this legislation lacks measures to penalize entities that knowingly submit false information, which would help ensure taxpayers funds are being spent effectively. This section could have been vastly improved if Democrats had worked with Republicans through regular order. Instead, they put politics before progress and turned a bipartisan issue – supporting public safety – into a partisan issue by rushing it through with minimal debate.

Section 31102. Establishment of Next-Generation 9-1-1 Cybersecurity Center.

This section spends \$80 million dollars for an NG9-1-1 cybersecurity center, the purpose of which is not defined nor clear. This vague language provides nearly unlimited authority to the Assistant Secretary of NTIA to determine the scope of the center. This provision also moves away from the longstanding, bipartisan policy of a federated, State-based approach to securing our 9-1-1 networks from cybersecurity risks, which is a unified position of public safety groups, as agreed to by the Federal Communications Commission’s Task Force on Optimal Public Safety Answering Point Architecture. Yet, rather than building on a bipartisan record of improving our cybersecurity, Democrats chose to advance legislation that blurs the roles and responsibilities between States and the Federal government in administering a nation-wide 9-1-1 system.

Section 31103. Public Safety Next Generation 9-1-1 Advisory Board.

This section wastes \$10 million dollars to create a public safety advisory board to advise the Assistant Secretary’s administration of a \$10 billion dollar government program. To make the grants available for the program, the Assistant Secretary already has ample authority and precedent for seeking public input and comment from all affected stakeholders, including the public safety community. Indeed, under the Federal Advisory Committee Act, NTIA already has the authority to establish such an advisory board. Moreover, it is unclear why the establishment of an advisory board would require \$10 million in appropriated funds. It appears this provision is just a reckless tax and spending spree by Democrats that will add to job-crushing inflation.

Telecommunications policy traditionally has been an area of bipartisanship at the Committee. So it is telling that Democrats have not held a single Communications and Technology Subcommittee markup this Congress and had to include what should have been bipartisan policies in an extreme partisan process.

This gargantuan spending is bad for America and so is the lack of Democratic leadership.

Finally, this Subtitle received bipartisan opposition during the markup, with a Committee Democrat voting against it.



Cathy McMorris Rodgers
Ranking Member
Energy and Commerce Committee



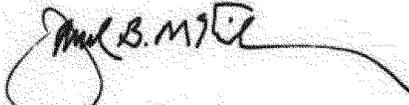
Fred Upton
Ranking Member
Subcommittee on Energy
Energy and Commerce Committee



Robert E. Latta
Ranking Member
Subcommittee on Communications
and Technology
Energy and Commerce Committee



Brett Guthrie
Ranking Member
Subcommittee on Health
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David B. McKinley
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and Climate Change
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Ranking Member
Subcommittee on Consumer Protection
and Commerce
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Recommendations, as Transmitted
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I. EXPLANATION OF PROVISIONS***SECTION 31201. Spectrum Auctions.***

Section 31201 would provide for a process of auctioning off at least 200 mhz of mid-band spectrum in the 3.1 to 3.45 GHz band and allow for additional opportunistic use of the spectrum where feasible elsewhere.

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #59

Bill: **Subtitle L**, Budget Reconciliation Legislative Recommendations Relating to Wireless Connectivity

Motion: A motion by Mr. Pallone of New Jersey to order **Subtitle L** transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 31 yeas to 26 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess		X	
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
Ms. Schakowsky	X			Mr. Guthrie		X	
Mr. Butterfield	X			Mr. McKinley		X	
Ms. Matsui	X			Mr. Kinzinger		X	
Ms. Castor	X			Mr. Griffith		X	
Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long			
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cárdenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
Mr. Peters	X			Mr. Duncan		X	
Mrs. Dingell	X			Mr. Palmer		X	
Mr. Veasey	X			Mr. Dunn		X	
Ms. Kuster	X			Mr. Curtis		X	
Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
Mr. McEachin	X			Mr. Crenshaw		X	
Ms. Blunt Rochester	X			Mr. Joyce		X	
Mr. Soto	X			Mr. Armstrong		X	
Mr. O'Halleran	X						
Ms. Rice	X						
Ms. Craig	X						
Ms. Schrier	X						
Ms. Trahan	X						
Ms. Fletcher	X						

09/13/21

III. BUDGET EFFECTS OF THE PROVISION**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

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Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to provide budget reconciliation legislative recommendations pursuant to reconciliation instructions from S. Con. Res. 14, and for other purposes.

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Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

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We object to the Democrats' Build More Inflation Act and using the Reconciliation process to pass it. This socialist agenda will destroy freedom and embolden our enemies on the backs of American families. This is a gargantuan, unnecessary bill that fundamentally changes American life and security for the worse.

In addition, the Democrats' Build More Inflation Act comes at a time when our economy is recovering from the damage done by COVID-19. Just seven months ago, Democrats used the Reconciliation process to pass the 1.9 trillion-dollar American Rescue Plan, which was on top of the approximately 3.5 trillion-dollar Congress appropriated in 2020. This is exactly the point made by one Energy and Commerce Committee Democrat during opening statements on the first day of our markup:

We need to stop spending. The economy is recovered. There are plenty of jobs out there. Wages are up dramatically. We just spent over 5 trillion dollars in the last 18 months on COVID alone – over three times what we spent on all defense and non-defense spending in one year, and we have not cut any of our regular appropriations. Indeed, we have increased it. . . . We're adding more to the deficit. This is insanity. It is fiscally irresponsible.

In addition, we recall the Committee Democrats' objections about regular order during the 2017 markup of the "Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; Title I—Energy and Commerce American Health Care Act of 2017."

In their Minority Views to that legislation, Committee Democrats summarizes their "deep concern" about the lack of regular order during that Reconciliation process, writing:

Despite the wide-ranging, serious implications of this legislation for the health and financial security of all Americans, the Committee did not hold a single hearing on the details and effect of the legislation. Notably, stakeholders have not had the ability to weigh in on the impacts of the bill to the health care system. In fact, the Committee received letters from hospitals, doctors, and patient and advocacy groups all outlining their significant concerns with the legislation. Additionally, despite Speaker Ryan's claims that the bill would be considered through regular order and through a transparent process, the repeal bill was drafted in secret and introduced less than two days before markup. The minority is deeply concerned by the decision to proceed to markup without first receiving the views of the CBO on the impact of this legislation on health insurance coverage, costs, and the Federal budget. Given the likelihood that millions of Americans will lose their health insurance as a result of this legislation, proceeding to markup without a CBO score is highly

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During the markup of that legislation, Committee Democrats were also vocal in their objections about regular order. There were complaints about the lack of hearings, complaints about the lack of subcommittee markups, complaints about the lack of a cost estimate from the Congressional Budget Office (CBO), complaints about the amount of time for opening statements, and of course, complaints about how long the legislative text had been available to members.

In an allusion to their scavenger hunt across Capitol Hill in the days before the markup, searching for that legislative text (which included the harassment of visitors and staff in the office of the Committee's then-Chairman), one Democratic member even said:

And so I am outraged, Mr. Chairman, many Americans are outraged, that this secretive healthcare plan was finally made public after being sequestered in the bowels of the Capitol less than 2 days before this markup. The legislative text – and we have heard that from other members – was literally under lock and key and protected by armed Capitol police officers.

But in their return to the Majority, the Energy and Commerce Democrats outrage and deep concern for regular order has waned. Just seven months ago, the Committee considered Reconciliation legislation for fiscal year 2021. Unfortunately, the Democratic majority held no hearings, no subcommittee markups, and had no CBO estimate before that legislation was considered by the Committee. And just a few days ago, the Committee wrapped up a three-day markup of the most consequential and most expensive legislation that it has ever considered.

Every area of the Committee's broad jurisdiction was impacted by this legislation. As with their first Reconciliation legislation this year, again, there were no hearings, no subcommittee markups, and no CBO estimate (and as the markup began on Monday morning at 11:00 a.m., the amendments in the nature of a substitute to the 16 subtitles that were considered by the Committee were not shared with the Minority until 11:00 a.m. on Sunday.).

As one Energy and Commerce Committee Democratic said, "It is a terrible process. In one month, we put together a 3.5 trillion-dollar bill that has no chance of passing the Senate. Virtually no Member input. No amendments supposed to pass. No hearing on this gargantuan bill. Members had no chance to represent their districts."

We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

Democrats joined with Committee Republicans to kill it. Democrats may feel pressure to include Subtitle E in whatever Reconciliation legislation is considered on the Floor. Without Subtitle E in their Reconciliation legislation, Democrats will be forced scale back their gargantuan socialist agenda.

But the Energy and Commerce Committee has spoken, and House Democrats should listen.

**Subtitle L: Budget Reconciliation Legislative Recommendations Relating to Wireless
Connectivity**

Section 31201. Spectrum Auctions and Innovation.

This section provides the Secretary of Commerce with \$50 million from the Spectrum Relocation Fund to invest in the appropriate analyses to repurpose Federal spectrum for commercial use. It also requires the Federal Communications Commission (FCC) to auction 200 MHz of spectrum in the 3.1 to 3.45 GHz band and extends FCC spectrum auction authority for 7 years to auction this band.

Spectrum resources are becoming scarce as the demand for spectrum continues to rise. Americans increasingly rely on connected devices in their daily lives while at the same time the demand for spectrum by Federal agencies remains. Spectrum policy has historically been bipartisan, and it is more important than ever before that we get this policy right. Rushing spectrum policy in a partisan Reconciliation process is irresponsible. Democrats are jeopardizing American innovation and economic security.

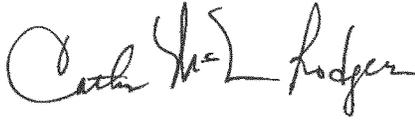
We also note that the auction of this spectrum will result in net income to the Treasury. While the Democrats may argue that this auction will offset some of the costs in Democrats' Build More Inflation Act, the Senate amendment to H.R. 3684, the Senate infrastructure bill, is also using this auction as an offset for the spending in that legislation. This clear duplication of offsets was raised by a Committee Democrat during the markup.

Given the gargantuan spending in the Democrats' Build More Inflation Act, it is clear that the Democrats believe the Federal government can sustain infinite spending without consequence. So it is no surprise that Democrats believe they can auction the same spectrum twice to pay for their socialist agenda. It is an interesting idea, but we do not think it will work out well for Americans.

Telecommunications policy traditionally has been an area of bipartisanship at the Committee. So it is telling that Democrats have not held a single Communications and Technology Subcommittee markup this Congress and had to include what should have been bipartisan policies in an extreme partisan process.

This gargantuan spending is bad for America and so is the lack of Democratic leadership.

Finally, this Subtitle received bipartisan opposition during the markup, with a Committee Democrat voting against it.



Cathy McMorris Rodgers
Ranking Member
Energy and Commerce Committee



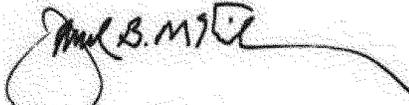
Fred Upton
Ranking Member
Subcommittee on Energy
Energy and Commerce Committee



Robert E. Latta
Ranking Member
Subcommittee on Communications
and Technology
Energy and Commerce Committee



Brett Guthrie
Ranking Member
Subcommittee on Health
Energy and Commerce Committee



David B. McKinley
Ranking Member
Subcommittee on Environment
and Climate Change
Energy and Commerce Committee



Gus M. Bilirakis
Ranking Member
Subcommittee on Consumer Protection
and Commerce
Energy and Commerce Committee

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- I.** Explanation of Provisions
- II.** Votes of the Committee
- III.** Budget Effects of the Provision
CBO Cost Estimate
- IV.** Other Matters to Be Discussed Under the Rules of the House
- V.** Changes in Existing Law Made by the Committee's Reconciliation Legislative Recommendations, as Transmitted
- VI.** Supplemental, Additional, Dissenting, or Minority Views

I. EXPLANATION OF PROVISIONS***SECTION 31301. Additional Support for Remote Learning.***

This section appropriates an additional \$4 billion to the Emergency Connectivity Fund established in the American Rescue Plan Act to allow schools and libraries to purchase internet services and devices for students, staff, and patrons for connectivity off of school or library premises. The legislation requires that out of the appropriation, \$500,000 shall be provided to the Federal Communication Commission's (Commission) Inspector General to provide oversight of the program.

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #60

Bill: **Subtitle M, Budget Reconciliation Legislative Recommendations Relating to Distance Learning**

Amendment: An amendment (CT_19) to Subtitle M by Mr. Carter of Georgia, No. 2

Disposition: **NOT AGREED TO** by a roll call vote of 23 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton			
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger			
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long			
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragan		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

09/13/21

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #61

Bill: **Subtitle M, Budget Reconciliation Legislative Recommendations Relating to Distance Learning**

Amendment: An amendment (CT_21) to Subtitle M by Mr. Walberg of Michigan, No. 3

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long			
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cardenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragan		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

09/13/21

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #62

Bill: **Subtitle M**, Budget Reconciliation Legislative Recommendations Relating to Distance Learning

Amendment: An amendment (CT_25) to Subtitle M by Mr. Latta of Ohio, No. 4

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long			
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
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Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
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Mr. McEachin		X		Mr. Crenshaw	X		
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Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
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Ms. Trahan		X					
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09/13/21

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ROLL CALL VOTE #63

Bill: **Subtitle M**, Budget Reconciliation Legislative Recommendations Relating to Distance Learning

Motion: A motion by Mr. Pallone of New Jersey to order **Subtitle M** transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 31 yeas to 26 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess		X	
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
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Ms. Matsui	X			Mr. Kinzinger		X	
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Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long			
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cárdenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
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Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
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Every area of the Committee's broad jurisdiction was impacted by this legislation. As with their first Reconciliation legislation this year, again, there were no hearings, no subcommittee markups, and no CBO estimate (and as the markup began on Monday morning at 11:00 a.m., the amendments in the nature of a substitute to the 16 subtitles that were considered by the Committee were not shared with the Minority until 11:00 a.m. on Sunday.).

As one Energy and Commerce Committee Democratic said, "It is a terrible process. In one month, we put together a 3.5 trillion-dollar bill that has no chance of passing the Senate. Virtually no Member input. No amendments supposed to pass. No hearing on this gargantuan bill. Members had no chance to represent their districts."

We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

Democrats joined with Committee Republicans to kill it. Democrats may feel pressure to include Subtitle E in whatever Reconciliation legislation is considered on the Floor. Without Subtitle E in their Reconciliation legislation, Democrats will be forced scale back their gargantuan socialist agenda.

But the Energy and Commerce Committee has spoken, and House Democrats should listen.

Subtitle M: Budget Reconciliation Legislative Recommendations Relating to Distance Learning

Section 31301. Additional Support for Remote Learning.

This section wastes \$4 billion dollars in taxpayer funding for purposes that Congress has already funded just 7 months ago. It provides funding for schools and libraries to buy and distribute Wi-Fi hotspots, modems, routers, and other devices for students to use for off-premise schoolwork. It also eliminates the requirement for this funding to be tied to the COVID-19 pandemic, which was the original rationale the Democrats used for creating a \$7.17 billion fund for this purpose, \$2 billion of which remains unspent. In addition, Congress appropriated a cumulative \$110 billion in 2020 to the Department of Education to respond to the coronavirus pandemic, and much of that money can be used for similar purposes. It is irresponsible for Congress to appropriate more money to this program before the existing money is spent and Congress can determine where, if any, gaps remain.

This program is also inconsistent with President Biden's goal to reopen schools because it encourages the continuation of remote learning. Similarly, it conflicts with the Administration's Centers for Disease Control and Prevention guidance, which states that it is safe for schools to reopen with appropriate measures in place and that they should do so as quickly as possible. This program is a handout to the teacher's unions and for the Democrats to show their support for the longstanding radical policies endorsed by the unions. This does not help our children.

During the Committee markup of this provision, Rep. Latta and Rep. Walberg offered amendments to provide long-term solutions to close the digital divide and incentivize schools to re-open for in-person learning. To provide a permanent solution to close the digital divide, Rep. Latta offered an amendment to redirect this funding to rural broadband deployment in unserved areas. Because Democrats are making this program permanent for the purposes of providing connectivity, these funds should be redirected into existing programs to provide permanent solutions to close the digital divide. Rep. Walberg offered an amendment to strike the Subtitle, given the duplicative nature of these funds with at least half a dozen other Federal broadband subsidy programs. Both proposals were unanimously opposed by the Democrats.

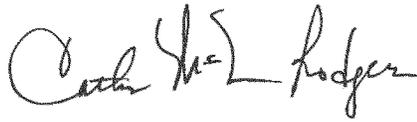
This is just another instance of wasteful spending that will contribute to the job-crushing inflation created by gargantuan Democratic spending. The only way to close the so-called "homework gap" is to invest in permanent broadband infrastructure that closes the digital divide between urban and rural America once and for all. In order to recover from this pandemic and ensure our students are not left behind, we need to focus on policies that reopen schools and the economy as quickly as possible. We are disappointed the Majority rejected bipartisanship and again embraced a partisan process that will waste billions of dollars on temporary, unreliable options such as hotspots, with no oversight and no accountability.

Telecommunications policy traditionally has been an area of bipartisanship at the Committee. So it is telling that Democrats have not held a single Communications and Technology

Subcommittee markup this Congress and had to include what should have been bipartisan policies in an extreme partisan process.

This gargantuan spending is bad for America and so is the lack of Democratic leadership.

Finally, there is bipartisan agreement that this Subtitle is wasteful, with a Committee Democrat joining Republicans in opposing it during the markup.



Cathy McMorris Rodgers
Ranking Member
Energy and Commerce Committee



Fred Upton
Ranking Member
Subcommittee on Energy
Energy and Commerce Committee



Robert E. Latta
Ranking Member
Subcommittee on Communications
and Technology
Energy and Commerce Committee



Brett Guthrie
Ranking Member
Subcommittee on Health
Energy and Commerce Committee



David B. McKinley
Ranking Member
Subcommittee on Environment
and Climate Change
Energy and Commerce Committee



Gus M. Bilirakis
Ranking Member
Subcommittee on Consumer Protection
and Commerce
Energy and Commerce Committee

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I. EXPLANATION OF PROVISIONS

SECTION 31401. Critical Manufacturing Supply Chain Resilience.

Subsection (a) appropriates \$10 billion to the Department of Commerce for fiscal year 2022 that will remain available until expended, except that no amounts may be expended after September 30, 2031, to support critical manufacturing supply chains and related administrative costs.

Subsection (b) specifies that funds appropriated under subsection (a) are available to the Secretary of Commerce for critical manufacturing supply chain mapping and monitoring; facilitating and supporting the establishment of voluntary standards, guidelines, and best practices; identifying, accelerating, promoting, and demonstrating technological advances for critical manufacturing supply chains; and providing grants and other financial assistance to eligible entities.

Subsection (c) specifies that the Secretary of Commerce may not use more than 3 percent of the funds appropriated under subsection (a) for related administrative expenses.

Subsection (d) defines entities eligible to receive grants or other financial assistance under subsection (b).

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #80

Bill: **Subtitle N**, Budget Reconciliation Legislative Recommendations Relating to Manufacturing Supply Chain

Amendment: An amendment (SLW_165_05) to Subtitle N by Mr. Burgess of Texas, No. 2

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #81

Bill: **Subtitle N**, Budget Reconciliation Legislative Recommendations Relating to Manufacturing Supply Chain

Amendment: An amendment (SLW_165_03) to Subtitle N by Mr. Bucshon of Indiana, No. 3

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

09/13/21

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #82

Bill: **Subtitle N**, Budget Reconciliation Legislative Recommendations Relating to Manufacturing Supply Chain

Motion: A motion by Mr. Pallone of New Jersey to order **Subtitle N** transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 31 yeas to 26 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess		X	
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
Ms. Schakowsky	X			Mr. Guthrie		X	
Mr. Butterfield	X			Mr. McKinley		X	
Ms. Matsui	X			Mr. Kinzinger		X	
Ms. Castor	X			Mr. Griffith		X	
Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long		X	
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cárdenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
Mr. Peters	X			Mr. Duncan		X	
Mrs. Dingell	X			Mr. Palmer		X	
Mr. Veasey	X			Mr. Dunn		X	
Ms. Kuster	X			Mr. Curtis		X	
Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
Mr. McEachin	X			Mr. Crenshaw		X	
Ms. Blunt Rochester	X			Mr. Joyce		X	
Mr. Soto	X			Mr. Armstrong			
Mr. O'Halleran	X						
Ms. Rice	X						
Ms. Craig	X						
Ms. Schrier	X						
Ms. Trahan	X						
Ms. Fletcher	X						

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III. BUDGET EFFECTS OF THE PROVISION**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

IV. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS**

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to provide budget reconciliation legislative recommendations pursuant to reconciliation instructions from S. Con. Res. 14, and for other purposes.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

E. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

H. CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the constitutional authority for this legislation in Article I, section 8, clause 1, which grants Congress the power to provide for the “common Defence and general Welfare of the United States.”

V. CHANGES IN EXISTING LAW MADE BY THE COMMITTEE'S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

VI. MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

Republican Views

We object to the Democrats' Build More Inflation Act and using the Reconciliation process to pass it. This socialist agenda will destroy freedom and embolden our enemies on the backs of American families. This is a gargantuan, unnecessary bill that fundamentally changes American life and security for the worse.

In addition, the Democrats' Build More Inflation Act comes at a time when our economy is recovering from the damage done by COVID-19. Just seven months ago, Democrats used the Reconciliation process to pass the 1.9 trillion-dollar American Rescue Plan, which was on top of the approximately 3.5 trillion-dollar Congress appropriated in 2020. This is exactly the point made by one Energy and Commerce Committee Democrat during opening statements on the first day of our markup:

We need to stop spending. The economy is recovered. There are plenty of jobs out there. Wages are up dramatically. We just spent over 5 trillion dollars in the last 18 months on COVID alone – over three times what we spent on all defense and non-defense spending in one year, and we have not cut any of our regular appropriations. Indeed, we have increased it. . . . We're adding more to the deficit. This is insanity. It is fiscally irresponsible.

In addition, we recall the Committee Democrats' objections about regular order during the 2017 markup of the "Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; Title I—Energy and Commerce American Health Care Act of 2017."

In their Minority Views to that legislation, Committee Democrats summarizes their "deep concern" about the lack of regular order during that Reconciliation process, writing:

Despite the wide-ranging, serious implications of this legislation for the health and financial security of all Americans, the Committee did not hold a single hearing on the details and effect of the legislation. Notably, stakeholders have not had the ability to weigh in on the impacts of the bill to the health care system. In fact, the Committee received letters from hospitals, doctors, and patient and advocacy groups all outlining their significant concerns with the legislation. Additionally, despite Speaker Ryan's claims that the bill would be considered through regular order and through a transparent process, the repeal bill was drafted in secret and introduced less than two days before markup. The minority is deeply concerned by the decision to proceed to markup without first receiving the views of the CBO on the impact of this legislation on health insurance coverage, costs, and the Federal budget. Given the likelihood that millions of Americans will lose their health insurance as a result of this legislation, proceeding to markup without a CBO score is highly

irresponsible and deprives Committee members of a full understanding of the implications of the legislation before voting on it.¹

During the markup of that legislation, Committee Democrats were also vocal in their objections about regular order. There were complaints about the lack of hearings, complaints about the lack of subcommittee markups, complaints about the lack of a cost estimate from the Congressional Budget Office (CBO), complaints about the amount of time for opening statements, and of course, complaints about how long the legislative text had been available to members.

In an allusion to their scavenger hunt across Capitol Hill in the days before the markup, searching for that legislative text (which included the harassment of visitors and staff in the office of the Committee's then-Chairman), one Democratic member even said:

And so I am outraged, Mr. Chairman, many Americans are outraged, that this secretive healthcare plan was finally made public after being sequestered in the bowels of the Capitol less than 2 days before this markup. The legislative text – and we have heard that from other members – was literally under lock and key and protected by armed Capitol police officers.

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Every area of the Committee's broad jurisdiction was impacted by this legislation. As with their first Reconciliation legislation this year, again, there were no hearings, no subcommittee markups, and no CBO estimate (and as the markup began on Monday morning at 11:00 a.m., the amendments in the nature of a substitute to the 16 subtitles that were considered by the Committee were not shared with the Minority until 11:00 a.m. on Sunday.).

As one Energy and Commerce Committee Democratic said, "It is a terrible process. In one month, we put together a 3.5 trillion-dollar bill that has no chance of passing the Senate. Virtually no Member input. No amendments supposed to pass. No hearing on this gargantuan bill. Members had no chance to represent their districts."

We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

Democrats joined with Committee Republicans to kill it. Democrats may feel pressure to include Subtitle E in whatever Reconciliation legislation is considered on the Floor. Without Subtitle E in their Reconciliation legislation, Democrats will be forced scale back their gargantuan socialist agenda.

But the Energy and Commerce Committee has spoken, and House Democrats should listen.

Subtitle N: Budget Reconciliation Legislative Recommendations Relating to Manufacturing Supply Chain

Section 31401. Critical Manufacturing Supply Chain Resilience.

Subtitle N is another disaster in the Democrats' Build More Inflation Act. Instead of working with Republicans to protect the U.S. supply chain and U.S. industry from the many threats they face, especially from international adversaries like China, the Democrats' monstrous bill would spend \$10 billion for the Department of Commerce (DOC) to "support the resilience, diversity, security, and strength of critical manufacturing supply chains." While a commendable purpose, the language lacks important guardrails and ignores constructive improvements which would have received bipartisan support. At a minimum, Democrats should have narrowed the overbroad list of eligible entities who can receive financing to avoid creating a DOC slush fund for personal, partisan projects that have nothing to do with supply chains.

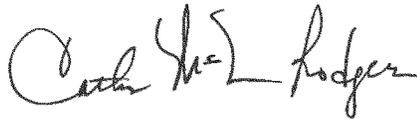
This program will be a gargantuan waste of taxpayer money, and it could not come at a worse time. Inflation is already a worry for many Americans. Inflation for used cars is up 31.9 percent, gasoline 42.7 percent, and food 3.7 percent.¹ At a time when billions of taxpayer funds from previous COVID-19 relief packages remain unexpended, market analysis portends a trend for even more inflation when market transactions return to more traditional levels.² Instead of continuing to throw money at the issue, the Committee should be working to craft bipartisan legislation to address supply chain insecurities and focus on the China threat.

American competition with the Chinese Communist Party (CCP) is a major challenge. Like the Biden Administration, this bill does not rise to that challenge. We need to know what access China has to the U.S. marketplace and how that may compromise Americans' jobs and safety. Moreover, there are important questions that must be addressed on permitting, access to critical materials, and regulatory and tax structures that allow for innovation and entrepreneurship. This Subtitle does nothing to address these questions.

The COVID-19 pandemic that originated in China revealed significant vulnerabilities in our supply chains. From semiconductors to active pharmaceutical agents to the most basic household items, we are dependent on international supply chains. There is bipartisan concern regarding the security and safety of our supply chains. This Committee should be working through regular order to construct bipartisan legislation, not rushing through a partisan Reconciliation package limited to throwing money at the problem and ceding decision-making authority to unelected officials, which at least one Committee Democrat agreed with when he voted with Republicans against this Subtitle.

¹ <https://www.bls.gov/news.release/cpi.nr0.htm>

² <https://fred.stlouisfed.org/series/M2V>



Cathy McMorris Rodgers
Ranking Member
Energy and Commerce Committee



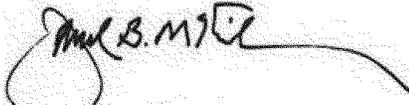
Fred Upton
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Subcommittee on Energy
Energy and Commerce Committee



Robert E. Latta
Ranking Member
Subcommittee on Communications
and Technology
Energy and Commerce Committee



Brett Guthrie
Ranking Member
Subcommittee on Health
Energy and Commerce Committee



David B. McKinley
Ranking Member
Subcommittee on Environment
and Climate Change
Energy and Commerce Committee



Gus M. Bilirakis
Ranking Member
Subcommittee on Consumer Protection
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- VI.** Supplemental, Additional, Dissenting, or Minority Views

I. EXPLANATION OF PROVISIONS***SECTION 31501. Federal Trade Commission Funding for a Privacy Bureau and Related Expenses.***

This section appropriates an additional \$1 billion to the Federal Trade Commission (FTC) beyond any funds otherwise available for fiscal year 2022 that will remain available until September 30, 2031, for the purpose of creating and operating a bureau, including hiring and retaining technologists, user experience designers, and other experts in the FTC's discretion, for the FTC's work related to unfair or deceptive acts or practices relating to privacy, data security, identity theft, data abuses, and related matters.

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #83

Bill: **Subtitle O**, Budget Reconciliation Legislative Recommendations Relating to FTC Privacy Enforcement

Amendment: An amendment (SLW_0132) to Subtitle O by Mrs. Rodgers of Washington, No. 2

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke				Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

09/13/21

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #84

Bill: **Subtitle O**, Budget Reconciliation Legislative Recommendations Relating to FTC Privacy Enforcement

Amendment: An amendment (R_AMDT_01) to Subtitle O by Mr. Bilirakis of Florida, No. 3

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #85

Bill: **Subtitle O**, Budget Reconciliation Legislative Recommendations Relating to FTC Privacy Enforcement

Amendment: An amendment (SLW_0143) to Subtitle O by Mr. Bilirakis of Florida, No. 4

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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(ratio: 32-26)

ROLL CALL VOTE #86

Bill: **Subtitle O**, Budget Reconciliation Legislative Recommendations Relating to FTC Privacy Enforcement

Amendment: An amendment (ARMSND_021) to Subtitle O by Mr. Armstrong of North Dakota, No. 5

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #87

Bill: **Subtitle O**, Budget Reconciliation Legislative Recommendations Relating to FTC Privacy Enforcement

Amendment: An amendment (SLW_0154) to Subtitle O by Ms. Lesko of Arizona, No. 6

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #88

Bill: **Subtitle O**, Budget Reconciliation Legislative Recommendations Relating to FTC Privacy Enforcement

Amendment: An amendment (SLW_0162) to Subtitle O by Mr. Walberg of Michigan, No. 7

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger	X		
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

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ROLL CALL VOTE #89

Bill: **Subtitle O**, Budget Reconciliation Legislative Recommendations Relating to FTC Privacy Enforcement

Motion: A motion by Mr. Pallone of New Jersey to order **Subtitle O** transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 31 yeas to 27 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess		X	
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
Ms. Schakowsky	X			Mr. Guthrie		X	
Mr. Butterfield	X			Mr. McKinley		X	
Ms. Matsui	X			Mr. Kinzinger		X	
Ms. Castor	X			Mr. Griffith		X	
Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNeerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long		X	
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cárdenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
Mr. Peters	X			Mr. Duncan		X	
Mrs. Dingell	X			Mr. Palmer		X	
Mr. Veasey	X			Mr. Dunn		X	
Ms. Kuster	X			Mr. Curtis		X	
Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
Mr. McEachin	X			Mr. Crenshaw		X	
Ms. Blunt Rochester	X			Mr. Joyce		X	
Mr. Soto	X			Mr. Armstrong		X	
Mr. O'Halleran	X						
Ms. Rice	X						
Ms. Craig	X						
Ms. Schrier	X						
Ms. Trahan	X						
Ms. Fletcher	X						

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III. BUDGET EFFECTS OF THE PROVISION**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

IV. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS**

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to provide budget reconciliation legislative recommendations pursuant to reconciliation instructions from S. Con. Res. 14, and for other purposes.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

E. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

H. CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the constitutional authority for this legislation in Article I, section 8, clause 1, which grants Congress the power to provide for the “common Defence and general Welfare of the United States.”

V. CHANGES IN EXISTING LAW MADE BY THE COMMITTEE'S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

VI. MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

Republican Views

We object to the Democrats' Build More Inflation Act and using the Reconciliation process to pass it. This socialist agenda will destroy freedom and embolden our enemies on the backs of American families. This is a gargantuan, unnecessary bill that fundamentally changes American life and security for the worse.

In addition, the Democrats' Build More Inflation Act comes at a time when our economy is recovering from the damage done by COVID-19. Just seven months ago, Democrats used the Reconciliation process to pass the 1.9 trillion-dollar American Rescue Plan, which was on top of the approximately 3.5 trillion-dollar Congress appropriated in 2020. This is exactly the point made by one Energy and Commerce Committee Democrat during opening statements on the first day of our markup:

We need to stop spending. The economy is recovered. There are plenty of jobs out there. Wages are up dramatically. We just spent over 5 trillion dollars in the last 18 months on COVID alone – over three times what we spent on all defense and non-defense spending in one year, and we have not cut any of our regular appropriations. Indeed, we have increased it. . . . We're adding more to the deficit. This is insanity. It is fiscally irresponsible.

In addition, we recall the Committee Democrats' objections about regular order during the 2017 markup of the "Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; Title I—Energy and Commerce American Health Care Act of 2017."

In their Minority Views to that legislation, Committee Democrats summarizes their "deep concern" about the lack of regular order during that Reconciliation process, writing:

Despite the wide-ranging, serious implications of this legislation for the health and financial security of all Americans, the Committee did not hold a single hearing on the details and effect of the legislation. Notably, stakeholders have not had the ability to weigh in on the impacts of the bill to the health care system. In fact, the Committee received letters from hospitals, doctors, and patient and advocacy groups all outlining their significant concerns with the legislation. Additionally, despite Speaker Ryan's claims that the bill would be considered through regular order and through a transparent process, the repeal bill was drafted in secret and introduced less than two days before markup. The minority is deeply concerned by the decision to proceed to markup without first receiving the views of the CBO on the impact of this legislation on health insurance coverage, costs, and the Federal budget. Given the likelihood that millions of Americans will lose their health insurance as a result of this legislation, proceeding to markup without a CBO score is highly

irresponsible and deprives Committee members of a full understanding of the implications of the legislation before voting on it.¹

During the markup of that legislation, Committee Democrats were also vocal in their objections about regular order. There were complaints about the lack of hearings, complaints about the lack of subcommittee markups, complaints about the lack of a cost estimate from the Congressional Budget Office (CBO), complaints about the amount of time for opening statements, and of course, complaints about how long the legislative text had been available to members.

In an allusion to their scavenger hunt across Capitol Hill in the days before the markup, searching for that legislative text (which included the harassment of visitors and staff in the office of the Committee's then-Chairman), one Democratic member even said:

And so I am outraged, Mr. Chairman, many Americans are outraged, that this secretive healthcare plan was finally made public after being sequestered in the bowels of the Capitol less than 2 days before this markup. The legislative text – and we have heard that from other members – was literally under lock and key and protected by armed Capitol police officers.

But in their return to the Majority, the Energy and Commerce Democrats outrage and deep concern for regular order has waned. Just seven months ago, the Committee considered Reconciliation legislation for fiscal year 2021. Unfortunately, the Democratic majority held no hearings, no subcommittee markups, and had no CBO estimate before that legislation was considered by the Committee. And just a few days ago, the Committee wrapped up a three-day markup of the most consequential and most expensive legislation that it has ever considered.

Every area of the Committee's broad jurisdiction was impacted by this legislation. As with their first Reconciliation legislation this year, again, there were no hearings, no subcommittee markups, and no CBO estimate (and as the markup began on Monday morning at 11:00 a.m., the amendments in the nature of a substitute to the 16 subtitles that were considered by the Committee were not shared with the Minority until 11:00 a.m. on Sunday.).

As one Energy and Commerce Committee Democratic said, "It is a terrible process. In one month, we put together a 3.5 trillion-dollar bill that has no chance of passing the Senate. Virtually no Member input. No amendments supposed to pass. No hearing on this gargantuan bill. Members had no chance to represent their districts."

We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

Democrats joined with Committee Republicans to kill it. Democrats may feel pressure to include Subtitle E in whatever Reconciliation legislation is considered on the Floor. Without Subtitle E in their Reconciliation legislation, Democrats will be forced scale back their gargantuan socialist agenda.

But the Energy and Commerce Committee has spoken, and House Democrats should listen.

Subtitle O: Budget Reconciliation Legislative Recommendations Relating to FTC Privacy Enforcement

Section 31501. Federal Trade Commission Funding for a Privacy Bureau and Related Expenses.

We hate to repeat ourselves, but Subtitle O is another disaster in the Democrats' Build More Inflation Act.

Before we discuss how flawed the drafting is, we note that Committee Democrats voted against a number of vital concerns the Federal Trade Commission (FTC) could focus on with its additional funding. This included child online protections, terrorist-sponsored content from the Taliban, and limits on health-related information shared with China. All were voted down.

These votes represent a reversal of the public facing rhetoric from Committee Democrats during hearings and markups this past year. Democratic members on the Committee enthusiastically expressed the need for increased protections for our children, especially from Big Tech. For instance, earlier this year, we had a hearing in this Committee with the CEOs of Facebook, Google, and Twitter, where there was clear bipartisan interest in addressing the negative impact that social media has on our kids.

One of our Democratic colleagues told the CEOs, "you know that the brain and social development of our kids is still evolving at a young age," and went on to appeal to Republicans on the Committee to join her and "hold the corporate executives accountable and give parents the tools that they need to take care and protect their kids."¹

Another of our Democratic colleagues took it a step further and correctly acknowledged that these tech companies have not been responsible stewards of their platforms, saying:

Google and Facebook are not only doing a poor job of keeping our children under 13 off of YouTube and Instagram...but [they] are actively onboarding our children onto [their] ecosystems with apps like YouTube Kids, Facebook Messenger Kids, and now we are hearing Instagram for Kids. These applications introduce our children to social media far too early and include manipulative design features intended to keep them hooked... please expect my office and many others to follow up, given what we know about Instagram's impact on teen mental health. We are all very concerned about our younger children.²

¹ See House Committee on Energy and Commerce hearing transcript from the Subcommittee on Consumer Protection and Commerce and Subcommittee on Communications and Technology joint hearing entitled, "Disinformation Nation: Social Media's Role in Promoting Extremism and Misinformation at <https://docs.house.gov/meetings/IF/IF16/20210325/111407/HHRG-117-IF16-Transcript-20210325.pdf>

² ^[1] See House Committee on Energy and Commerce hearing transcript from the Subcommittee on Consumer Protection and Commerce and Subcommittee on Communications and Technology joint hearing entitled,

That member went on to conclude that “[t]his Committee is ready to legislate to protect our children from your ambition.”³

Even the Chairman of the Committee said that “Facebook, Google, and Twitter have created business models that exploit the human brain’s preference for divisive content to get Americans hooked on their platform, at the expense of the public interest.”⁴

Based on these comments, Republicans offered an amendment to require the FTC to use a portion of the \$1 billion to hire child psychologists to inform their work related to unfair and deceptive acts or practices relating to the mental health impact of social media on adolescents. This amendment would have gone after practices perpetrated by social media platforms that deceive Americans into thinking there are no adverse effects of using their platforms – especially at a young age. Committee Democrats defeated this amendment.

As to the establishment of a privacy bureau, while we have shown our commitment to establishing a national privacy framework with a privacy bureau, we are curious how the establishment of a brand-new Federal entity in this bill can possibly satisfy the Byrd Rule in section 310 of the Budget Act. As subsection (b) states, the purpose of this section is “to create and operate a bureau, including by hiring and retaining technologists, user experience designers, and other experts” After all, on May 28, 2021, in the Federal Trade Commission’s (FTC) Budget Request for Fiscal Year 2022, the then acting-Chairwoman Rebecca Kelly Slaughter wrote:

To maintain its high level of performance in FY 2022, the FTC is requesting \$389,800,000 and 1,250 FTEs, which is an overall increase of \$38,800,000 and 110 FTEs compared to the FTC’s FY 2021 enacted appropriation. This submission assumes \$13 million in offsetting collections from Do Not Call fees and \$136 million from Hart Scott Rodino (HSR) filing fees under the current fee structure.

“Disinformation Nation: Social Media’s Role in Promoting Extremism and Misinformation at <https://docs.house.gov/meetings/IF/IF16/20210325/111407/HHRG-117-IF16-Transcript-20210325.pdf>

³ ^[1] See House Committee on Energy and Commerce hearing transcript from the Subcommittee on Consumer Protection and Commerce and Subcommittee on Communications and Technology joint hearing entitled, “Disinformation Nation: Social Media’s Role in Promoting Extremism and Misinformation at <https://docs.house.gov/meetings/IF/IF16/20210325/111407/HHRG-117-IF16-Transcript-20210325.pdf>

⁴ ^[2] See House Committee on Energy and Commerce hearing transcript from the Subcommittee on Consumer Protection and Commerce and Subcommittee on Communications and Technology joint hearing entitled, “Disinformation Nation: Social Media’s Role in Promoting Extremism and Misinformation at <https://docs.house.gov/meetings/IF/IF16/20210325/111407/HHRG-117-IF16-Transcript-20210325.pdf>

The bureau created by this section would have a budget that **2.5 times** larger than the FTC's current budget. Given the broad policy authority and hiring authority, the massive budget is certainly incidental to the to the non-budgetary components of the provision – establishing a new Federal entity. The only thing missing is a building to house the new bureau.

As to giving the FTC a war chest to intimidate businesses of every size, in every sector, at any time – all to implement the Democrats' socialist scheme -- it is a terrible idea, perhaps this is why the Democrats only shared the final text with Republicans just one day (a Sunday) before the markup began.

While the title of this section invokes a bipartisan staff draft concept from the last Congress, there have been no hearings this Congress on privacy, no legislative history on the funding amount, and no guarantees that funding will be dedicated to privacy. Without direction from Congress, the FTC has broad authority to implement this section.

Moreover, the legislation's real ambition lies behind two very consequential words – “related matters.” One can only imagine that this is intended to establish a fluctuating regulatory environment that will unnecessarily stress American businesses. As counsel for Committee Democrats noted at the markup, “related matters is not defined in the legislation.” So these funds are not bound to a privacy bureau.

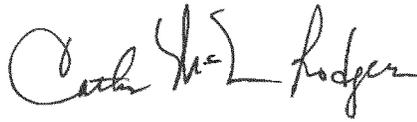
Enacting a Federal privacy law has been a Republican priority for several years. During the last Congress, Republicans worked with Democrats to develop a bipartisan staff draft establishing a bureau of privacy at the FTC, as this legislation purports to do. However, that bipartisan staff draft was far different than what Democrats delivered here. We agreed to establish this bureau, but only in tandem with a national privacy law to enforce. In failing to narrowly define its authority, the Democrats are unleashing this bureau with broad authority on the economy. We predict this will not end well for businesses, entrepreneurs, investor, and workers.

During the markup of the Democrats' Build More Inflation Act, Republicans offered an amendment to target these funds to the creation of a Bureau of Privacy at the FTC and the hiring of 250 additional employees to enforce a national privacy standard established by Congress. The amendment would have also created an office of small business to ensure parties can seek help as they need to understand and learn how to comply with a national law. Every Committee Democrat voted against the amendment.

As the new chair of the FTC continues to remove regulatory guardrails that have guided prior administrations of both parties, it appears Democrats in Congress and at the FTC have businesses large and small in their sights. If one were to picture this as a game in a virtual world, the attack on businesses commences by allowing a single player without any other team members to grab a “loot box,” and then conquer level after level to unlock the grand socialism prize at the end of the app. Unfortunately, this is all happening in the real world, and this “loot box” for the FTC chair is a \$1 billion, and the American people are the losers. Americans will be hurt the most by the inevitable inflation. Whether buying produce at the grocery store, a new car for a growing family, or an insurance plan to protect loved ones, prices will increase, scarcity will grow, and jobs and savings accounts will disappear. We are disappointed that the Democrats are

completely abdicating their legislative responsibilities to an “independent agency” and pursuing a partisan process to enact their socialist agenda.

Finally, this Subtitle (like every other Subtitle) received bipartisan opposition during the markup, with a Committee Democrat voting against it.



Cathy McMorris Rodgers
Ranking Member
Energy and Commerce Committee



Fred Upton
Ranking Member
Subcommittee on Energy
Energy and Commerce Committee



Robert E. Latta
Ranking Member
Subcommittee on Communications
and Technology
Energy and Commerce Committee



Brett Guthrie
Ranking Member
Subcommittee on Health
Energy and Commerce Committee



David B. McKinley
Ranking Member
Subcommittee on Environment
and Climate Change
Energy and Commerce Committee



Gus M. Bilirakis
Ranking Member
Subcommittee on Consumer Protection
and Commerce
Energy and Commerce Committee

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Recommendations, as Transmitted
- VI.** Supplemental, Additional, Dissenting, or Minority Views

I. EXPLANATION OF PROVISIONS

SECTION 31601. Funding for the Office of the Inspector General of the Department of Commerce.

This section appropriates \$10 million to the Office of the Inspector General of the Department of Commerce for fiscal year 2022, to remain available until September 30, 2031, for oversight of activities supported with funds appropriated to the Department of Commerce in this Act.

II. VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #90

Bill: **Subtitle P**, Budget Reconciliation Legislative Recommendations Relating to
Department of Commerce Inspector General

Amendment: An amendment to the amendment in the nature of a substitute (SLW_0158) to
Subtitle P by Mr. Joyce of Pennsylvania, No. 1a

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 32 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone		X		Mrs. Rodgers	X		
Mr. Rush		X		Mr. Upton	X		
Ms. Eshoo		X		Mr. Burgess	X		
Ms. DeGette		X		Mr. Scalise	X		
Mr. Doyle		X		Mr. Latta	X		
Ms. Schakowsky		X		Mr. Guthrie	X		
Mr. Butterfield		X		Mr. McKinley	X		
Ms. Matsui		X		Mr. Kinzinger			
Ms. Castor		X		Mr. Griffith	X		
Mr. Sarbanes		X		Mr. Bilirakis	X		
Mr. McNeerney		X		Mr. Johnson	X		
Mr. Welch		X		Mr. Long	X		
Mr. Tonko		X		Mr. Bucshon	X		
Ms. Clarke		X		Mr. Mullin	X		
Mr. Schrader		X		Mr. Hudson	X		
Mr. Cárdenas		X		Mr. Walberg	X		
Mr. Ruiz		X		Mr. Carter	X		
Mr. Peters		X		Mr. Duncan	X		
Mrs. Dingell		X		Mr. Palmer	X		
Mr. Veasey		X		Mr. Dunn	X		
Ms. Kuster		X		Mr. Curtis	X		
Ms. Kelly		X		Ms. Lesko	X		
Ms. Barragán		X		Mr. Pence	X		
Mr. McEachin		X		Mr. Crenshaw	X		
Ms. Blunt Rochester		X		Mr. Joyce	X		
Mr. Soto		X		Mr. Armstrong	X		
Mr. O'Halleran		X					
Ms. Rice		X					
Ms. Craig		X					
Ms. Schrier		X					
Ms. Trahan		X					
Ms. Fletcher		X					

09/13/21

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)

ROLL CALL VOTE #91

Bill: **Subtitle P**, Budget Reconciliation Legislative Recommendations Relating to
Department of Commerce Inspector General

Motion: A motion by Mr. Pallone of New Jersey to order **Subtitle P** transmitted favorably
to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 31 yeas to 26 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Pallone	X			Mrs. Rodgers		X	
Mr. Rush	X			Mr. Upton		X	
Ms. Eshoo	X			Mr. Burgess		X	
Ms. DeGette	X			Mr. Scalise		X	
Mr. Doyle	X			Mr. Latta		X	
Ms. Schakowsky	X			Mr. Guthrie		X	
Mr. Butterfield	X			Mr. McKinley		X	
Ms. Matsui	X			Mr. Kinzinger			
Ms. Castor	X			Mr. Griffith		X	
Mr. Sarbanes	X			Mr. Bilirakis		X	
Mr. McNeerney	X			Mr. Johnson		X	
Mr. Welch	X			Mr. Long		X	
Mr. Tonko	X			Mr. Bucshon		X	
Ms. Clarke	X			Mr. Mullin		X	
Mr. Schrader		X		Mr. Hudson		X	
Mr. Cárdenas	X			Mr. Walberg		X	
Mr. Ruiz	X			Mr. Carter		X	
Mr. Peters	X			Mr. Duncan		X	
Mrs. Dingell	X			Mr. Palmer		X	
Mr. Veasey	X			Mr. Dunn		X	
Ms. Kuster	X			Mr. Curtis		X	
Ms. Kelly	X			Ms. Lesko		X	
Ms. Barragán	X			Mr. Pence		X	
Mr. McEachin	X			Mr. Crenshaw		X	
Ms. Blunt Rochester	X			Mr. Joyce		X	
Mr. Soto	X			Mr. Armstrong		X	
Mr. O'Halleran	X						
Ms. Rice	X						
Ms. Craig	X						
Ms. Schrier	X						
Ms. Trahan	X						
Ms. Fletcher	X						

09/13/21

III. BUDGET EFFECTS OF THE PROVISION**A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

IV. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS**

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to provide budget reconciliation legislative recommendations pursuant to reconciliation instructions from S. Con. Res. 14, and for other purposes.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

E. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

H. CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the constitutional authority for this legislation in Article I, section 8, clause 1, which grants Congress the power to provide for the “common Defence and general Welfare of the United States.”

V. CHANGES IN EXISTING LAW MADE BY THE COMMITTEE’S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

VI. MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

Republican Views

We object to the Democrats' Build More Inflation Act and using the Reconciliation process to pass it. This socialist agenda will destroy freedom and embolden our enemies on the backs of American families. This is a gargantuan, unnecessary bill that fundamentally changes American life and security for the worse.

In addition, the Democrats' Build More Inflation Act comes at a time when our economy is recovering from the damage done by COVID-19. Just seven months ago, Democrats used the Reconciliation process to pass the 1.9 trillion-dollar American Rescue Plan, which was on top of the approximately 3.5 trillion-dollar Congress appropriated in 2020. This is exactly the point made by one Energy and Commerce Committee Democrat during opening statements on the first day of our markup:

We need to stop spending. The economy is recovered. There are plenty of jobs out there. Wages are up dramatically. We just spent over 5 trillion dollars in the last 18 months on COVID alone – over three times what we spent on all defense and non-defense spending in one year, and we have not cut any of our regular appropriations. Indeed, we have increased it. . . . We're adding more to the deficit. This is insanity. It is fiscally irresponsible.

In addition, we recall the Committee Democrats' objections about regular order during the 2017 markup of the "Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; Title I—Energy and Commerce American Health Care Act of 2017."

In their Minority Views to that legislation, Committee Democrats summarizes their "deep concern" about the lack of regular order during that Reconciliation process, writing:

Despite the wide-ranging, serious implications of this legislation for the health and financial security of all Americans, the Committee did not hold a single hearing on the details and effect of the legislation. Notably, stakeholders have not had the ability to weigh in on the impacts of the bill to the health care system. In fact, the Committee received letters from hospitals, doctors, and patient and advocacy groups all outlining their significant concerns with the legislation. Additionally, despite Speaker Ryan's claims that the bill would be considered through regular order and through a transparent process, the repeal bill was drafted in secret and introduced less than two days before markup. The minority is deeply concerned by the decision to proceed to markup without first receiving the views of the CBO on the impact of this legislation on health insurance coverage, costs, and the Federal budget. Given the likelihood that millions of Americans will lose their health insurance as a result of this legislation, proceeding to markup without a CBO score is highly

irresponsible and deprives Committee members of a full understanding of the implications of the legislation before voting on it.¹

During the markup of that legislation, Committee Democrats were also vocal in their objections about regular order. There were complaints about the lack of hearings, complaints about the lack of subcommittee markups, complaints about the lack of a cost estimate from the Congressional Budget Office (CBO), complaints about the amount of time for opening statements, and of course, complaints about how long the legislative text had been available to members.

In an allusion to their scavenger hunt across Capitol Hill in the days before the markup, searching for that legislative text (which included the harassment of visitors and staff in the office of the Committee's then-Chairman), one Democratic member even said:

And so I am outraged, Mr. Chairman, many Americans are outraged, that this secretive healthcare plan was finally made public after being sequestered in the bowels of the Capitol less than 2 days before this markup. The legislative text – and we have heard that from other members – was literally under lock and key and protected by armed Capitol police officers.

But in their return to the Majority, the Energy and Commerce Democrats outrage and deep concern for regular order has waned. Just seven months ago, the Committee considered Reconciliation legislation for fiscal year 2021. Unfortunately, the Democratic majority held no hearings, no subcommittee markups, and had no CBO estimate before that legislation was considered by the Committee. And just a few days ago, the Committee wrapped up a three-day markup of the most consequential and most expensive legislation that it has ever considered.

Every area of the Committee's broad jurisdiction was impacted by this legislation. As with their first Reconciliation legislation this year, again, there were no hearings, no subcommittee markups, and no CBO estimate (and as the markup began on Monday morning at 11:00 a.m., the amendments in the nature of a substitute to the 16 subtitles that were considered by the Committee were not shared with the Minority until 11:00 a.m. on Sunday.).

As one Energy and Commerce Committee Democratic said, "It is a terrible process. In one month, we put together a 3.5 trillion-dollar bill that has no chance of passing the Senate. Virtually no Member input. No amendments supposed to pass. No hearing on this gargantuan bill. Members had no chance to represent their districts."

We look forward the Democrats return to the Minority and rediscovery of their deep commitment to regular order.

We also note the bipartisan opposition to Subtitle E—Drug Pricing of the Reconciliation legislation during the markup. Subtitle E is bad for innovation, bad for health care, and bad for Americans, who will be denied important treatments and cures. This Subtitle will be directly responsible for the unnecessary suffering and deaths of Americans. It is so bad, three Committee

Democrats joined with Committee Republicans to kill it. Democrats may feel pressure to include Subtitle E in whatever Reconciliation legislation is considered on the Floor. Without Subtitle E in their Reconciliation legislation, Democrats will be forced scale back their gargantuan socialist agenda.

But the Energy and Commerce Committee has spoken, and House Democrats should listen.

**Subtitle P: Budget Reconciliation Legislative Recommendations Relating to Department of
Commerce Inspector General**

Section 31601. Funding for the Office of the Inspector General of the Department of Commerce.

This section directs \$10 million to the Inspector General (IG) of the Department of Commerce (DOC) to oversee the DOC provisions in the Democrats' Build More Inflation Act. Perhaps, instead of writing a gargantuan bill and spending \$3.5 trillion, Democrats could have given some thought to including some minimal constraints on the use of the money given to DOC. Since that was not an option, we apparently should be thankful that the Democrats saw fit to include a few dollars to watch for waste, fraud, and abuse.

Unfortunately, this funding for the IG is limited to DOC funding in the Democrats' Build More Inflation Act. While we are confident the IG's hands will be full just overseeing this spending, there are other area at the DOC that are worth of attention.

According to media reports,¹ recent actions by the DOC will have a serious impact on American manufacturing and should be reviewed by the IG. These reports suggest an easing of economic sanctions via the approval of licensing applications for Huawei Technologies Company to purchase semiconductor technology for its growing automotive interests. This will overly burden U.S. manufacturers who are already struggling to fill their own vehicle orders because of a semiconductor chip shortage.

We also note the Democrats' failure to support an autonomous vehicle (AV) framework for next generation automotive development is simply not rationale behavior. Three years after the House overwhelmingly passed AV legislation, it is a shame that the Democrats handed the keys for AV development to China. This failure will be borne on American autoworkers and manufacturers as they have their future determined by a hostile nation.

One final reminder: this Subtitle, like every other Subtitle, had bipartisan opposition with a Committee Democrat joining every Committee Republican in opposition.

¹ <https://www.reuters.com/business/autos-transportation/exclusive-us-approves-licenses-huawei-buy-auto-chips-sources-2021-08-25/>



Cathy McMorris Rodgers
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Energy and Commerce Committee



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Ranking Member
Subcommittee on Environment
and Climate Change
Energy and Commerce Committee



Gus M. Bilirakis
Ranking Member
Subcommittee on Consumer Protection
and Commerce
Energy and Commerce Committee

MAXINE WATERS, CA
CHAIRWOMAN

United States House of Representatives
Committee on Financial Services
2129 Rayburn House Office Building
Washington, D.C. 20515

PATRICK MCHENRY, NC
RANKING MEMBER

September 15, 2021

The Honorable John Yarmuth
Chairman
Committee on the Budget
204-E Cannon House Office Building
Washington, DC 20515

Dear Chairman Yarmuth:

Pursuant to section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, I hereby transmit these recommendations which have been approved by vote of the Committee on Financial Services, and the appropriate accompanying material including additional, supplemental or dissenting views, to the House Committee on the Budget. This submission is in order to comply with reconciliation directives included in the fiscal year 2022 budget resolution, and is consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974.

Sincerely,



MAXINE WATERS
Chairwoman

Cc: The Honorable Patrick McHenry

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SUMMARY OF THE COMMITTEE'S RECOMMENDATIONS IN THE COMMITTEE PRINT
(PROVIDING FOR RECONCILIATION PURSUANT TO S. CON. RES. 14, THE CONCURRENT
RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2022)

SECTION-BY-SECTION ANALYSIS

TITLE IV. COMMITTEE ON FINANCIAL SERVICES

Subtitle A—Creating and Preserving Affordable, Equitable and Accessible Housing for the 21st Century.

Section 40001. Public Housing Investments.

- This section provides \$77.25 billion to fully address the capital needs backlog of public housing. This section also provides \$2.75 billion in grants to make comprehensive investments in public housing and surrounding neighborhoods.

Section 40002. Investments in Affordable and Accessible Housing Production.

- This section provides \$35 billion for the HOME Investment Partnerships Program to fund the construction, purchase, or rehabilitation of affordable homes for low-income people. This section also provides \$37 billion for activities to support the preservation and creation of over 330,000 new rental homes affordable to the lowest income households.

Section 40003. Housing Investment Fund.

- This section provides \$10 billion to a new fund called the Housing Investment Fund within the Community Development Financial Institutions (CDFI) Fund to provide competitive grants to CDFIs and non-profit developers, which leverages private sector investment to create or preserve over 170,000 affordable homes.

Section 40004. Section 811 Supportive Housing for People with Disabilities.

- This section provides \$1 billion for HUD's Section 811 program which provides project-based rental assistance to very low- and extremely low-income persons with disabilities to live independently in integrated housing settings with community-based support and services.

Section 40005. Section 202 Supportive Housing for the Elderly.

- This section provides \$2.5 billion for the 202 Supportive Housing for the Elderly program, which expands the supply of affordable housing with supportive services for the elderly through capital advances and project rental assistance contracts to non-profit developers.

Section 40006. Improving Energy Efficiency or Water Efficiency or Climate Resilience of Affordable Housing.

- This section provides \$6 billion to establish a grant program for owners of federally assisted housing affordable housing to make energy efficiency upgrades, including electrification of systems and appliances, and installation of renewable energy types and improve property resiliency.

Section 40007. Revitalization of Distressed Multifamily Properties.

- This section provides \$4 billion to preserve, and improve safety conditions in, properties receiving Section 8 project-based rental assistance (PBRA).

Section 40008. Investments in Rural Rental Housing.

- This section provides \$4.8 billion to carry out new construction, make improvements to energy and water efficiency or climate resilience, to remove health and safety hazards, and to preserve housing under the Section 515 Rural Rental Housing and Section 514/516 Farm Labor Housing programs. This section also provides additional rental assistance to eligible households.

Section 40009. Housing Vouchers.

- This section provides \$75 billion to fund incremental Housing Choice Vouchers and supportive services. Of this funding, \$24 billion is provided for individuals and families experiencing or at risk of homelessness, and survivors of domestic violence, dating violence, sexual assault, stalking and human trafficking. \$750 million is provided for competitive grants for mobility-related services and \$500 million is provided for landlord incentives to participate in the program.

Section 40010. Project-Based Rental Assistance.

- This section provides \$15 billion to the Project Based Rental Assistance (PBRA) program, which provides rental assistance to eligible households, but unlike Housing Choice Vouchers, the assistance is fixed to a property rather than tied to the household. PBRA is instrumental in developing permanent supportive housing for people experiencing homelessness.

Section 40011. Investments in Native American Communities.

- This section provides \$2 billion to Native American, Alaska Native, and Native Hawaiian communities to address their most pressing housing and community development needs.

Subtitle B—21st Century Sustainable and Equitable Communities.Section 40101. Community Development Block Grant Funding for Affordable Housing and Infrastructure.

- This section provides \$8.5 billion for the Community Development Block Grant program (CDBG). This section includes \$1 billion and \$500 million to address the housing and community infrastructure needs of colonias and resident-owned manufactured housing communities, respectively.

Section 40102. Lead-Based Paint Hazard Control and Housing-Related Health and Safety Hazard Mitigation in Housing of Families with Lower Incomes.

- This section provides \$10 billion to address lead paint and other health hazards in the housing stock of the United States.

Section 40103. Unlocking Possibilities Program.

- This section provides \$4.5 billion in grants to States, units of general local government, and Native American tribes on a competitive basis improve and implement housing plans and strategies.

Section 40104. Strengthening Resilience Under National Flood Insurance Program.

- This section forgives \$20.5 billion in National Flood Insurance Program (NFIP) debt, provides \$3 billion to support flood mapping, and provides \$1 billion for FEMA to set up a means-tested assistance to NFIP policyholders with household incomes up to 120 percent of area median income.

Section 40105. Community Restoration and Revitalization Fund.

- This section provides a total of \$7.5 billion in competitive grants to eligible local partnerships that are led by nonprofits to conduct affordable, accessible housing activities and neighborhood revitalization activities in rural, suburban and urban localities, including in neighborhoods experiencing cycles of blight and abandonment.

Section 40106. Fair Housing Activities and Investigations.

- This section provides \$1 billion for the Fair Housing Initiatives Program, which supports local enforcement of fair housing laws.

Section 40107. Intergovernmental Fair Housing Activities and Investigations.

- This section provides \$250 million for the Fair Housing Assistance Program, which supports intergovernmental enforcement of fair housing laws.

Subtitle C—Homeownership Investments.

Section 40201. First-Generation Downpayment Assistance.

- This section provides first-time, first-generation homebuyers with the greater of \$20,000 or 10% of the purchase price of an eligible home in financial assistance, including for downpayment costs, closing costs, and costs to reduce the rates of interest. This section also provides \$500 million for housing counseling agencies.

Section 40202. Wealth-Building Home Loan Program.

- This section provides \$500 million to subsidize 20-year mortgages for first-generation homebuyers.

Section 40203. HUD-Insured Small Dollar Mortgage Demonstration Program.

- This section provides \$100 million for HUD to carry out a pilot program to expand small-dollar mortgage options to homebuyers seeking to purchase affordable homes priced at \$100,000 or less.

Section 40204. Investments in Rural Homeownership.

- This section provides \$200 million in grant funding through the Department of Agriculture's Section 502, 504, and 523 programs to help low-income homeowners in rural areas purchase, repair, upgrade, and preserve affordable homes, including manufactured homes.

Section 40205. Self Help Homeownership Opportunity Program.

- This section provides \$50 million to support sweat equity and volunteer-based homeownership programs for low-income households.

Subtitle D—HUD and Community Capacity.*Section 40301. Program Administration, Training, Technical Assistance, and Capacity-Building, and USICH.*

- This section provides \$2 billion for HUD to properly staff and oversee the administration of investments in this Act, and provide technical assistance. This section also provides funding for the HUD Inspector General and US Interagency Council on Homelessness.

Section 40302. Community-Led Capacity Building.

- This section provides \$100 million to nonprofit entities to provide technical assistance and capacity building.

Subtitle E—Economic Development.*Section 40401. Minority Business Development Agency.*

- This section provides \$3.1 billion to the Minority Business Development Agency. \$1.2 billion will be provided for agency administration, operations, support for business centers and programs to support manufacturing; \$200 million will be provided for establishing rural business centers, \$50 million for entrepreneurship education programs at minority serving institutions, \$150 million for administration of grants and \$1.5 billion will be provided for grants to business enterprises owned or controlled by one or more members of an underrepresented community.

Section 40402. Manufacturing Facility.

- This section provides \$1 billion through the State Small Business Credit Initiative (SSBCI) administered by the U.S. Department of the Treasury to provide up to \$10 billion in new loans and investments in small and medium enterprises to strengthen the resiliency of supply chains in critical industries and promote economic competitiveness in the United States.

COMMITTEE CONSIDERATION

The Committee on Financial Services met in open session on September 13, 2021 and September 14, 2021 and ordered the recommendations of the Committee to be transmitted to the Committee on the Budget by a vote of 30 yeas and 24 nays, a quorum being present.

COMMITTEE VOTES AND ROLL CALL VOTES

In compliance with the request of the Committee on the Budget and in compliance with clause 3(b) of Rule XIII of the Rules of the House of Representatives, the Committee advises that the following roll call votes occurred during the Committee's consideration of the Committee Print:

1w

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		
	Mrs. Maloney		
	Ms. Velázquez		
	Mr. Sherman		
	Mr. Meeks		
	Mr. Scott		
	Mr. Green		
	Mr. Cleaver		
	Mr. Perlmutter		
	Mr. Himes		
	Mr. Foster		
	Mrs. Beatty		
	Mr. Vargas		
	Mr. Gotthelmer		
	Mr. Gonzalez (TX)		
	Mr. Lawson		
	Mr. San Nicolas		
	Ms. Axne		
	Mr. Casten		
	Ms. Pressley		
	Mr. Torres		
	Mr. Lynch		
	Ms. Adams		
	Ms. Thab		
	Ms. Dean		
	Ms. Ocasio-Cortez		
	Mr. Garcia (IL)		
	Ms. Garcia (TX)		
	Ms. Williams (GA)		
	Mr. Auchincloss		
30			
	Mr. McHenry, <i>Ranking Member</i>		
	Mrs. Wagner		
	Mr. Lucas		
	Mr. Sessions		
	Mr. Posey		
	Mr. Luetkemeyer		
	Mr. Huelskamp		
	Mr. Barr		
	Mr. Williams (TX)		
	Mr. Hill		
	Mr. Emmer		
	Mr. Zeldin		
	Mr. Loudermilk		
	Mr. Mooney		
	Mr. Davidson		
	Mr. Budd		
	Mr. Kustoff		
	Mr. Hollingsworth		
	Mr. Gonzalez (OH)		
	Mr. Rose		
	Mr. Steil		
	Mr. Gooden		
	Mr. Tunnons		
	Mr. Taylor		
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure: Committee Print

Amendment No. 1w

Offered by: Wagner #2

Agreed To	Yes	No	Prsnt	Wdm
/	/			
Voice Vote		Ayes		Nays

Record Vote	FC

1b

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>	/	
	Mrs. Maloney	/	
	Ms. Velázquez	/	
	Mr. Sherman	/	
	Mr. Meeks	/	
	Mr. Scott	/	
	Mr. Green	/	
	Mr. Claver	/	
	Mr. Perlmutter	/	
	Mr. Himes	/	
	Mr. Foster	/	
	Mrs. Beatty	/	
	Mr. Vargas	/	
	Mr. Gotthelmer	/	
	Mr. Gonzalez (TX)	/	
	Mr. Lawson	/	
	Mr. San Nicolas	/	
	Ms. Axne	/	
	Mr. Casten	/	
	Ms. Pressley	/	
	Mr. Torres	/	
	Mr. Lynch	/	
	Ms. Adams	/	
	Ms. Tlaib	/	
	Ms. Dean	/	
	Ms. Ocasio-Cortez	/	
	Mr. Garcia (IL)	/	
	Ms. Garcia (TX)	/	
	Ms. Williams (GA)	/	
	Mr. Auchincloss	/	
30			
	Mr. McHenry, <i>Ranking Member</i>	/	
	Mrs. Wagner	/	
	Mr. Lucas	/	
	Mr. Sessions	/	
	Mr. Posey	/	
	Mr. Luetkemeyer	/	
	Mr. Huelskamp	/	
	Mr. Barr	/	
	Mr. Williams (TX)	/	
	Mr. Hill	/	
	Mr. Emmer	/	
	Mr. Zeldin	/	
	Mr. Loudermilk	/	
	Mr. Mooney	/	
	Mr. Davidson	/	
	Mr. Budd	/	
	Mr. Kustoff	/	
	Mr. Hollingsworth	/	
	Mr. Gonzalez (OH)	/	
	Mr. Rose	/	
	Mr. Steil	/	
	Mr. Gooden	/	
	Mr. Timmons	/	
	Mr. Taylor	/	
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure: CP

Amendment No. 10

Offered by: Waters

30

24

Agreed To	Yes	No	Prsnt	Wdm
/	30	24		
Voice Vote	Ayes 30		Nays 24	

Record Vote	FC

24

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		/
	Mrs. Maloney		/
	Ms. Velázquez		/
	Mr. Sherman		/
	Mr. Meeks		/
	Mr. Scott		/
	Mr. Green		/
	Mr. Cleaver		/
	Mr. Perlmutter		/
	Mr. Himes		/
	Mr. Foster		/
	Mrs. Beatty		/
	Mr. Vargas		/
	Mr. Gottheimer		/
	Mr. Gonzalez (TX)		/
	Mr. Lawson		/
	Mr. San Nicolas		/
	Ms. Axne		/
	Mr. Casten		/
	Ms. Pressley		/
	Mr. Torres		/
	Mr. Lynch		/
	Ms. Adams		/
	Ms. Tlaib		/
	Ms. Dean		/
	Ms. Ocasio-Cortez		/
	Mr. Garcia (IL)		/
	Ms. Garcia (TX)		/
	Ms. Williams (GA)		/
	Mr. Auchincloss		/
30			
	Mr. McHenry, <i>Ranking Member</i>		/
	Mrs. Wagner		/
	Mr. Lucas		/
	Mr. Sessions		/
	Mr. Posey		/
	Mr. Luetkemeyer		/
	Mr. Huelskamp		/
	Mr. Barr		/
	Mr. Williams (TX)		/
	Mr. Hill		/
	Mr. Emmer		/
	Mr. Zeldin		/
	Mr. Loudermilk		/
	Mr. Mooney		/
	Mr. Davidson		/
	Mr. Budd		/
	Mr. Kustoff		/
	Mr. Hollingsworth		/
	Mr. Gonzalez (OH)		/
	Mr. Rose		/
	Mr. Steil		/
	Mr. Gooden		/
	Mr. Timmons		/
	Mr. Taylor		/
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: _____

Measure: _____

Amendment No. En Bldc #1

Offered by: _____

30

Agreed To	Yes	No	Presnt	Wdrn
	23	30		
Voicr Vote	Ayes		Nays	

Record Vote	FC

23

lc

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		✓
	Mrs. Maloney		✓
	Ms. Velázquez		✓
	Mr. Sherman		✓
	Mr. Meeks		✓
	Mr. Scott		✓
	Mr. Green		✓
	Mr. Cleaver		✓
	Mr. Perlmutter		✓
	Mr. Himes		✓
	Mr. Foster		✓
	Mrs. Beatty		✓
	Mr. Vargas		✓
	Mr. Gottheimer		✓
	Mr. Gonzalez (TX)		✓
	Mr. Lawson		✓
	Mr. San Nicolas		✓
	Ms. Axne		✓
	Mr. Casten		✓
	Ms. Pressley		✓
	Mr. Torres		✓
	Mr. Lynch		✓
	Ms. Adams		✓
	Ms. Tlaib		✓
	Ms. Dean		✓
	Ms. Ocasio-Cortez		✓
	Mr. Garcia (IL)		✓
	Ms. Garcia (TX)		✓
	Ms. Williams (GA)		✓
	Mr. Auchincloss		✓
30			
	Mr. McHenry, <i>Ranking Member</i>	✓	
	Mrs. Wagner	✓	
	Mr. Lucas	✓	
	Mr. Sessions	✓	
	Mr. Posey	✓	
	Mr. Luetkeneyer	✓	
	Mr. Hultzenga	✓	
	Mr. Barr	✓	
	Mr. Williams (TX)	✓	
	Mr. Hill	✓	
	Mr. Emmer	✓	
	Mr. Zeldin	✓	
	Mr. Loudermilk	✓	
	Mr. Mooney	✓	
	Mr. Davidson	✓	
	Mr. Budd	✓	
	Mr. Kustoff	✓	
	Mr. Hollingsworth	✓	
	Mr. Gonzalez (OH)	✓	
	Mr. Rose	✓	
	Mr. Steil	✓	
	Mr. Gooden	✓	
	Mr. Timmons	✓	
	Mr. Taylor	✓	
24			
54			

Committee on Financial Services

Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure CP

Amendment No. lc

Offered by: McHenry

30

Agreed To	Yes	No	Prnt	Wdm
	23	30		
Voice Vote	Ayes		Nays	

23

Record Vote	FC

10

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		/
	Mrs. Maloney		/
	Ms. Velázquez		/
	Mr. Sherman		/
	Mr. Meeks		/
	Mr. Scott		/
	Mr. Green		/
	Mr. Cleaver		/
	Mr. Perlmutter		/
	Mr. Himes		/
	Mr. Foster		/
	Mrs. Beatty		/
	Mr. Vargas		/
	Mr. Gottheimer		/
	Mr. Gonzalez (TX)		/
	Mr. Lawson		/
	Mr. San Nicolas		/
	Ms. Axne		/
	Mr. Casten		/
	Ms. Pressley		/
	Mr. Torres		/
	Mr. Lynch		/
	Ms. Adams		/
	Ms. Tlaib		/
	Ms. Dean		/
	Ms. Ocasio-Cortez		/
	Mr. Garcia (IL)		/
	Ms. Garcia (TX)		/
	Ms. Williams (GA)		/
	Mr. Auchincloss		/
30			
	Mr. McHenry, <i>Ranking Member</i>	/	
	Mrs. Wagner	/	
	Mr. Lucas	/	
	Mr. Sessions	/	
	Mr. Posey	/	
	Mr. Luetkemeyer	/	
	Mr. Huelskamp	/	
	Mr. Barr	/	
	Mr. Williams (TX)	/	
	Mr. Hill	/	
	Mr. Emmer	/	
	Mr. Zeldin	/	
	Mr. Loudermilk	/	
	Mr. Mooney	/	
	Mr. Davidson	/	
	Mr. Budd	/	
	Mr. Kustoff	/	
	Mr. Hollingsworth	/	
	Mr. Gonzalez (OH)	/	
	Mr. Rose	/	
	Mr. Steil	/	
	Mr. Gooden	/	
	Mr. Timmons	/	
	Mr. Taylor	/	
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure: CP

Amendment No. 10

Offered by: McHenry #2

30

Agreed To	Yes	No	Psnt	Wdm
	24	30		
Voie Vote	Ayes		Nays	

24

Record Vote	FC
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1E

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		/
	Mrs. Maloney		/
	Ms. Velázquez		/
	Mr. Sherman		/
	Mr. Meeks		/
	Mr. Scott		/
	Mr. Green		/
	Mr. Cleaver		/
	Mr. Perlmutter		/
	Mr. Himes		/
	Mr. Foster		/
	Mrs. Beatty		/
	Mr. Vargas		/
	Mr. Gotthelmer		/
	Mr. Gonzalez (TX)		/
	Mr. Lawson		/
	Mr. San Nicolas		/
	Ms. Axne		/
	Mr. Casten		/
	Ms. Pressley		/
	Mr. Torres		/
	Mr. Lynch		/
	Ms. Adams		/
	Ms. Tlaib		/
	Ms. Dean		/
	Ms. Ocasio-Cortez		/
	Mr. Garcia (IL)		/
	Ms. Garcia (TX)		/
	Ms. Williams (GA)		/
	Mr. Auchincloss		/
30			
	Mr. McHenry, <i>Ranking Member</i>	/	
	Mrs. Wagner	/	
	Mr. Lucas	/	
	Mr. Sessions	/	
	Mr. Posey	/	
	Mr. Luetkemeyer	/	
	Mr. Huelskamp	/	
	Mr. Barr	/	
	Mr. Williams (TX)	/	
	Mr. Hill	/	
	Mr. Emmer	/	
	Mr. Zeldin	/	
	Mr. Loudermilk	/	
	Mr. Mooney	/	
	Mr. Davidson	/	
	Mr. Budd	/	
	Mr. Kustoff	/	
	Mr. Hollingsworth	/	
	Mr. Gonzalez (OH)	/	
	Mr. Rose	/	
	Mr. Stall	/	
	Mr. Gooden	/	
	Mr. Timmons	/	
	Mr. Taylor	/	
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure: CP

Amendment No. 1E

Offered by: Hill #1

24 29
~~30~~

Agreed To	Yes	No	Prnt	Wdm
	24	29		
Voice Vote	Ayes		Nays	

Record Vote	FC

IF

Present	Representatives	Ayes	Nays
	Mrs. Waters, <i>Chairwoman</i>		/
	Mrs. Maloney		/
	Ms. Velázquez		/
	Mr. Sherman		/
	Mr. Meeks		/
	Mr. Scott		/
	Mr. Green		/
	Mr. Claver		/
	Mr. Perlmutter		/
	Mr. Himes		/
	Mr. Foster		/
	Mrs. Beatty		/
	Mr. Vargas		/
	Mr. Gottheimer		/
	Mr. Gonzalez (TX)		/
	Mr. Lawson		/
	Mr. San Nicolas		/
	Ms. Axne		/
	Mr. Costen		/
	Ms. Pressley		/
	Mr. Torres		/
	Mr. Lynch		/
	Ms. Adams		/
	Ms. Tlaib		/
	Ms. Dean		/
	Ms. Ocasio-Cortez		/
	Mr. Garcia (IL)		/
	Ms. Garcia (TX)		/
	Ms. Williams (GA)		/
	Mr. Auchincloss		/
30			
	Mr. McHenry, <i>Ranking Member</i>		/
	Mrs. Wagner		/
	Mr. Lucas		/
	Mr. Sessions		/
	Mr. Posey		/
	Mr. Luetkemeyer		/
	Mr. Huelskamp		/
	Mr. Barr		/
	Mr. Williams (TX)		/
	Mr. Hill		/
	Mr. Emmer		/
	Mr. Zeldin		/
	Mr. Loudermilk		/
	Mr. Mooney		/
	Mr. Davidson		/
	Mr. Budd		/
	Mr. Kustoff		/
	Mr. Hollingsworth		/
	Mr. Gonzalez (OH)		/
	Mr. Rose		/
	Mr. Steil		/
	Mr. Gooden		/
	Mr. Timmons		/
	Mr. Taylor		/
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure CP

Amendment No. IF

Offered by: Hill #2

29

	24		29	
Agreed To	Yes	No	Present	Wdm
	24	29		
Voice Vote	Ayes		Nays	

24

Record Vote	FC
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16

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		/
	Mrs. Maloney		/
	Ms. Velázquez		/
	Mr. Sherman		/
	Mr. Meeks		/
	Mr. Scott		/
	Mr. Green		/
	Mr. Cleaver		/
	Mr. Perlmutter		/
	Mr. Himes		/
	Mr. Foster		/
	Mrs. Beatty		/
	Mr. Vargas		/
	Mr. Gotthelmer		/
	Mr. Gonzalez (TX)		/
	Mr. Lawson		/
	Mr. San Nicolas		/
	Ms. Axne		/
	Mr. Casten		/
	Ms. Pressley		/
	Mr. Torres		/
	Mr. Lynch		/
	Ms. Adams		/
	Ms. Thib		/
	Ms. Dean		/
	Ms. Ocasio-Cortez		/
	Mr. Garcia (IL)		/
	Ms. Garcia (TX)		/
	Ms. Williams (GA)		/
	Mr. Auchincloss		/
30			
	Mr. McHenry, <i>Ranking Member</i>		/
	Mrs. Wagner		/
	Mr. Lucas		/
	Mr. Sessions		/
	Mr. Posey		/
	Mr. Luetkemeyer		/
	Mr. Huelskamp		/
	Mr. Barr		/
	Mr. Williams (TX)		/
	Mr. Hill		/
	Mr. Emmer		/
	Mr. Zeldin		/
	Mr. Loudermilk		/
	Mr. Mooney		/
	Mr. Davidson		/
	Mr. Budd		/
	Mr. Kustoff		/
	Mr. Hollingsworth		/
	Mr. Gonzalez (OH)		/
	Mr. Rose		/
	Mr. Stel		/
	Mr. Gooden		/
	Mr. Timmons		/
	Mr. Taylor		/
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure: CP

Amendment No. 167

Offered by: Emmer

29

Agreed To	Yes	No	Prnt	Wdm
	24	29		
Voice Vote	Ayes		Nays	

24

Record Vote	FC
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11

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		/
	Mrs. Maloney		/
	Ms. Velázquez		/
	Mr. Sherman		/
	Mr. Meeks		/
	Mr. Scott		/
	Mr. Green		/
	Mr. Clapper		/
	Mr. Perlmutter		/
	Mr. Himes		/
	Mr. Foster		/
	Mrs. Beatty		/
	Mr. Vargas		/
	Mr. Gotthelmer		/
	Mr. Gonzalez (TX)		/
	Mr. Lawson		/
	Mr. San Nicolas		/
	Ms. Axne		/
	Mr. Casten		/
	Ms. Pressley		/
	Mr. Torres		/
	Mr. Lynch		/
	Ms. Adams		/
	Ms. Tlaib		/
	Ms. Dean		/
	Ms. Ocasio-Cortez		/
	Mr. Garcia (IL)		/
	Ms. Garcia (TX)		/
	Ms. Williams (GA)		/
	Mr. Auchincloss		/
30			
	Mr. McHenry, <i>Ranking Member</i>		/
	Mrs. Wagner		/
	Mr. Lucas		/
	Mr. Sessions		/
	Mr. Posey		/
	Mr. Luetkemeyer		/
	Mr. Huizenga		/
	Mr. Barr		/
	Mr. Williams (TX)		/
	Mr. Hill		/
	Mr. Emmert		/
	Mr. Zeldin		/
	Mr. Loudermilk		/
	Mr. Mooney		/
	Mr. Davidson		/
	Mr. Budd		/
	Mr. Kustoff		/
	Mr. Hollingsworth		/
	Mr. Gonzalez (OH)		/
	Mr. Rose		/
	Mr. Steil		/
	Mr. Gooden		/
	Mr. Timmons		/
	Mr. Taylor		/
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.19.2021

Measure: CP

Amendment No. 11

Offered by: Huizenga #1

28

Agreed To	Yes	No	Present	Withdrawn
	23	28		
Voice Vote	Ayes		Nays	

23

Record Vote	FC
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1M

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		/
	Mrs. Maloney		/
	Ms. Velázquez		/
	Mr. Sherman		/
	Mr. Meeks		/
	Mr. Scott		/
	Mr. Green		/
	Mr. Cleaver		/
	Mr. Perlmutter		/
	Mr. Himes		/
	Mr. Foster		/
	Mrs. Beatty		/
	Mr. Vargas		/
	Mr. Gotthimer		/
	Mr. Gonzalez (TX)		/
	Mr. Lawson		/
	Mr. San Nicolas		/
	Ms. Axne		/
	Mr. Casten		/
	Ms. Pressley		/
	Mr. Torres		/
	Mr. Lynch		/
	Ms. Adams		/
	Ms. Tlaib		/
	Ms. Dean		/
	Ms. Ocasio-Cortez		/
	Mr. Garcia (IL)		/
	Ms. Garcia (TX)		/
	Ms. Williams (GA)		/
	Mr. Auchincloss		/
30			
	Mr. McHenry, <i>Ranking Member</i>	/	
	Mrs. Wagner	/	
	Mr. Lucas	/	
	Mr. Sessions	/	
	Mr. Posey	/	
	Mr. Luetkemeyer	/	
	Mr. Huelskamp	/	
	Mr. Barr	/	
	Mr. Williams (TX)	/	
	Mr. Hill	/	
	Mr. Emmer	/	
	Mr. Zeldin	/	
	Mr. Loudenshock	/	
	Mr. Mooney	/	
	Mr. Davidson	/	
	Mr. Budd	/	
	Mr. Kustoff	/	
	Mr. Hollingsworth	/	
	Mr. Gonzalez (OH)	/	
	Mr. Ross	/	
	Mr. Steil	/	
	Mr. Gooden	/	
	Mr. Timmons	/	
	Mr. Taylor	/	
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure: CP

Amendment No. 1M

Offered by: Gonzalez (OH)

30

Agreed To	Yes	No	Prsent	Wdrn
	23	30		
Voice Vote	Ayes		Nays	

23

Record Vote	FC

IN

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		/
	Mrs. Maloney		/
	Ms. Velázquez		/
	Mr. Sherman		/
	Mr. Meeks		/
	Mr. Scott		/
	Mr. Green		/
	Mr. Cleaver		/
	Mr. Perlmutter		/
	Mr. Himes		/
	Mr. Foster		/
	Mrs. Beatty		/
	Mr. Vargas		/
	Mr. Gottheimer		/
	Mr. González (TX)		/
	Mr. Lawson		/
	Mr. San Nicolas		/
	Ms. Axne		/
	Mr. Casten		/
	Ms. Pressley		/
	Mr. Torres		/
	Mr. Lynch		/
	Ms. Adams		/
	Ms. Tlaib		/
	Ms. Dean		/
	Ms. Ocasio-Cortez		/
	Mr. García (IL)		/
	Ms. García (TX)		/
	Ms. Williams (GA)		/
	Mr. Auchincloss		/
30			
	Mr. McHenry, <i>Ranking Member</i>	/	
	Mrs. Wagner	/	
	Mr. Lucas	/	
	Mr. Sessions	/	
	Mr. Posey	/	
	Mr. Luetkemeyer	/	
	Mr. Huelskamp	/	
	Mr. Barr	/	
	Mr. Williams (TX)	/	
	Mr. Hill	/	
	Mr. Emmer	/	
	Mr. Zeldin	/	
	Mr. Loudermilk	/	
	Mr. Mooney	/	
	Mr. Davidson	/	
	Mr. Budd	/	
	Mr. Kustoff	/	
	Mr. Hollingsworth	/	
	Mr. González (OH)	/	
	Mr. Rose	/	
	Mr. Steil	/	
	Mr. Gooden	/	
	Mr. Timmons	/	
	Mr. Taylor	/	
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure: CP

Amendment No. IN

Offered by: TIMMONS #1

31

Agreed To	Yes	No	Prsnt	Wdrn
	21	31		
Voice Vote	Ayes		Nays	

Record Vote	FC
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31

10

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		/
	Mrs. Maloney		/
	Ms. Velázquez		/
	Mr. Sherman		/
	Mr. Meeks		/
	Mr. Scott		/
	Mr. Green		/
	Mr. Cleaver		/
	Mr. Perlmutter		/
	Mr. Hines		/
	Mr. Foster		/
	Mrs. Beutny		/
	Mr. Vargas		/
	Mr. Gotthelmer		/
	Mr. Gonzalez (TX)		/
	Mr. Lawson		/
	Mr. San Nicolas		/
	Ms. Axne		/
	Mr. Casten		/
	Ms. Pressley		/
	Mr. Torres		/
	Mr. Lynch		/
	Ms. Adams		/
	Ms. Tlaib		/
	Ms. Dean		/
	Ms. Ocasio-Cortez		/
	Mr. Garcia (IL)		/
	Ms. Garcia (TX)		/
	Ms. Williams (GA)		/
	Mr. Auchincloss		/
30			
	Mr. McHenry, <i>Ranking Member</i>	/	
	Mrs. Wagner	/	
	Mr. Lucas	/	
	Mr. Sessions	/	
	Mr. Posey	/	
	Mr. Luetkemeyer	/	
	Mr. Huelskamp	/	
	Mr. Barr	/	
	Mr. Williams (TX)	/	
	Mr. Hill	/	
	Mr. Emmer	/	
	Mr. Zeldin	/	
	Mr. Loudermilk	/	
	Mr. Mooney	/	
	Mr. Davidson	/	
	Mr. Budd	/	
	Mr. Kustoff	/	
	Mr. Hollingsworth	/	
	Mr. Gonzalez (OH)	/	
	Mr. Rose	/	
	Mr. Steil	/	
	Mr. Gooden	/	
	Mr. Timmons	/	
	Mr. Taylor	/	
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9/19/2021

Measure: CP

Amendment No. 10

Offered by: Zeldin

30

Agreed To	Yes 22	No 30	Print	Wdm
Voice Vote	Ayes		Nays	

22

Record Vote	FC
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IP

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		/
	Mrs. Maloney		/
	Ms. Velázquez		/
	Mr. Sherman		/
	Mr. Meeks	/	/
	Mr. Scott		/
	Mr. Green		/
	Mr. Cleaver		/
	Mr. Perlmutter		/
	Mr. Himes		/
	Mr. Foster		/
	Mrs. Beatty		/
	Mr. Vargas		/
	Mr. Gottheimer		/
	Mr. Gonzalez (TX)		/
	Mr. Lawson		/
	Mr. San Nicolas		/
	Ms. Axne		/
	Mr. Casten		/
	Ms. Pressley		/
	Mr. Torres		/
	Mr. Lynch		/
	Ms. Adams		/
	Ms. Tlaib		/
	Ms. Dean		/
	Ms. Ocasio-Cortez		/
	Mr. Garcia (IL)		/
	Ms. Garcia (TX)		/
	Ms. Williams (GA)		/
	Mr. Auchincloss		/
30			
	Mr. MoHenry, <i>Ranking Member</i>	/	/
	Mrs. Wagner	/	/
	Mr. Lucas	/	/
	Mr. Sessions	/	/
	Mr. Posey	/	/
	Mr. Luetkemeyer	/	/
	Mr. Huizenga	/	/
	Mr. Barr	/	/
	Mr. Williams (TX)	/	/
	Mr. Hill	/	/
	Mr. Emmer	/	/
	Mr. Zeldin	/	/
	Mr. Loudermilk	/	/
	Mr. Mooney	/	/
	Mr. Davidson	/	/
	Mr. Budd	/	/
	Mr. Kustoff	/	/
	Mr. Hollingsworth	/	/
	Mr. Gonzalez (OH)	/	/
	Mr. Rose	/	/
	Mr. Stiel	/	/
	Mr. Gooden	/	/
	Mr. Timmons	/	/
	Mr. Taylor	/	/
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure CP

Amendment No. IP

Offered by: Rose #3

30

Agreed To	Yes 23	No 30	Present	Wdn
Vote	Ayes		Nays	

Record Vote	FC
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23

12

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		
	Mrs. Maloney		
	Ms. Velázquez		
	Mr. Sherman		
	Mr. Meeks		
	Mr. Scott		
	Mr. Green		
	Mr. Cleaver		
	Mr. Perlmutter		
	Mr. Himes		
	Mr. Foster		
	Mrs. Beatty		
	Mr. Vargas		
	Mr. Gottheimer		
	Mr. Gonzalez (TX)		
	Mr. Lawson		
	Mr. San Nicolas		
	Ms. Axne		
	Mr. Casten		
	Ms. Pressley		
	Mr. Torres		
	Mr. Lynch		
	Ms. Adams		
	Ms. Tlaib		
	Ms. Dean		
	Ms. Ocasio-Cortez		
	Mr. Garcia (IL)		
	Ms. Garcia (TX)		
	Ms. Williams (GA)		
	Mr. Auchincloss		
30			
	Mr. McHenry, <i>Ranking Member</i>		
	Mrs. Wagner		
	Mr. Lucas		
	Mr. Sessions		
	Mr. Posey		
	Mr. Luetkemeyer		
	Mr. Huelskamp		
	Mr. Barr		
	Mr. Williams (TX)		
	Mr. Hill		
	Mr. Emmer		
	Mr. Zeldin		
	Mr. Loudermilk		
	Mr. Mooney		
	Mr. Davidson		
	Mr. Budd		
	Mr. Kustoff		
	Mr. Hollingsworth		
	Mr. Gonzalez (OH)		
	Mr. Rose		
	Mr. Steil		
	Mr. Gooden		
	Mr. Timmons		
	Mr. Taylor		
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9/13/2021
Measure: CP

Amendment No. 12
Offered by: Timmons - Wagner

30

Agreed To	Yes 24	No 30	Prsent	Wdrn
Voice Vote	Ayes		Nays	

Record Vote	FC
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24

12

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		
	Mrs. Maloney		
	Ms. Velázquez		
	Mr. Sherman		
	Mr. Meeks		
	Mr. Scott		
	Mr. Green		
	Mr. Cleaver		
	Mr. Perlmutter		
	Mr. Himes		
	Mr. Foster		
	Mrs. Beatty		
	Mr. Vargas		
	Mr. Gottheimer		
	Mr. Gonzalez (TX)		
	Mr. Lawson		
	Mr. San Nicolas		
	Ms. Azne		
	Mr. Caston		
	Ms. Pressley		
	Mr. Torres		
	Mr. Lynch		
	Ms. Adams		
	Ms. Thib		
	Ms. Dean		
	Ms. Ocasio-Cortez		
	Mr. Garcia (IL)		
	Ms. Garcia (TX)		
	Ms. Williams (GA)		
	Mr. Auchincloss		
30			
	Mr. McHenry, <i>Ranking Member</i>		
	Mrs. Wagner		
	Mr. Lucas		
	Mr. Sessions		
	Mr. Posey		
	Mr. Luetkemeyer		
	Mr. Huizenga		
	Mr. Barr		
	Mr. Williams (TX)		
	Mr. Hill		
	Mr. Emmer		
	Mr. Zeldin		
	Mr. Loudermilk		
	Mr. Mooney		
	Mr. Davidson		
	Mr. Budd		
	Mr. Kustoff		
	Mr. Hollingsworth		
	Mr. Gonzalez (OH)		
	Mr. Rose		
	Mr. Steil		
	Mr. Gooden		
	Mr. Timmons		
	Mr. Taylor		
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure: CP

Amendment No. 12

Offered by: Taylor #1

Agreed To	Yes	No	Prsnt	Wdm
	24	30		
Voice Vote	Ayes		Nays	

Record Vote	FC
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lv

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		/
	Mrs. Maloney		/
	Ms. Velázquez		/
	Mr. Sherman		/
	Mr. Meeks		/
	Mr. Scott		/
	Mr. Green		/
	Mr. Cleaver		/
	Mr. Perlmutter		/
	Mr. Himes		/
	Mr. Foster		/
	Mrs. Beaty		/
	Mr. Vargas		/
	Mr. Gotthelmer		/
	Mr. Gonzalez (TX)		/
	Mr. Lawson		/
	Mr. San Nicolas		/
	Ms. Amodeo		/
	Mr. Casten		/
	Ms. Pressley		/
	Mr. Torres		/
	Mr. Lynch		/
	Ms. Adams		/
	Ms. Tlaib		/
	Ms. Dean		/
	Ms. Ocasio-Cortez		/
	Mr. Garcia (IL)		/
	Ms. Garcia (TX)		/
	Ms. Williams (GA)		/
	Mr. Auchincloss		/
30			
	Mr. McHenry, <i>Ranking Member</i>	/	
	Mrs. Wagner	/	
	Mr. Lucas	/	
	Mr. Sessions	/	
	Mr. Posey	/	
	Mr. Luetkemeyer	/	
	Mr. Huelskamp	/	
	Mr. Barr	/	
	Mr. Williams (TX)	/	
	Mr. Hill	/	
	Mr. Amodeo	/	
	Mr. Zaldin	/	
	Mr. Loudermilk	/	
	Mr. Mooney	/	
	Mr. Davidson	/	
	Mr. Budd	/	
	Mr. Kustoff	/	
	Mr. Hollingsworth	/	
	Mr. Gonzalez (OH)	/	
	Mr. Rose	/	
	Mr. Steil	/	
	Mr. Gooden	/	
	Mr. Timmons	/	
	Mr. Taylor	/	
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure: CP

Amendment No. lv

Offered by: Barr #2

Agreed To	Yes 24	No 30	Prnt	Wdm
Voice Vote	Ayes		Nays	

Record Vote	FC
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lw

Present	Representatives	Ayes	Nays
	Mrs. Waters, <i>Chairwoman</i>		/
	Mrs. Maloney		/
	Ms. Velázquez		/
	Mr. Sherman		/
	Mr. Meeks		/
	Mr. Scott		/
	Mr. Green		/
	Mr. Cleaver		/
	Mr. Perlmutter		/
	Mr. Himes		/
	Mr. Foster		/
	Mrs. Beatty		/
	Mr. Vargas		/
	Mr. Gotthelmer		/
	Mr. Gonzalez (TX)		/
	Mr. Lawson		/
	Mr. San Nicolas		/
	Ms. Axne		/
	Mr. Casten		/
	Ms. Pressley		/
	Mr. Torres		/
	Mr. Lynch		/
	Ms. Adams		/
	Ms. Tlaib		/
	Ms. Dean		/
	Ms. Ocasio-Cortez		/
	Mr. Garcia (IL)		/
	Ms. Garcia (TX)		/
	Ms. Williams (GA)		/
	Mr. Auchincloss		/
30			
	Mr. McHenry, <i>Ranking Member</i>	/	
	Mrs. Wagner	/	
	Mr. Lucas	/	
	Mr. Sessions	/	
	Mr. Posey	/	
	Mr. Luskemeyer	/	
	Mr. Huelszenga	/	
	Mr. Barr	/	
	Mr. Williams (TX)	/	
	Mr. Hill	/	
	Mr. Emmer	/	
	Mr. Zeldin	/	
	Mr. Lundermilik	/	
	Mr. Mooney	/	
	Mr. Davidson	/	
	Mr. Budd	/	
	Mr. Kustoff	/	
	Mr. Hollingsworth	/	
	Mr. Gonzalez (OH)	/	
	Mr. Rose	/	
	Mr. Stall	/	
	Mr. Gooden	/	
	Mr. Timmons	/	
	Mr. Taylor	/	
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure: CP

Amendment No. 1W

Offered by: Posey #2

Agreed To	Yes	No	Prnt	Wdrn
	24	30		
Voice Vote	Ayes		Nays	

Record Vote	FC

1aa

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		/
	Mrs. Maloney		/
	Ms. Velázquez		/
	Mr. Sherman		/
	Mr. Meeks		/
	Mr. Scott		/
	Mr. Green		/
	Mr. Cleaver		/
	Mr. Perlmutter		/
	Mr. Himes		/
	Mr. Foster		/
	Mrs. Beatty		/
	Mr. Vargas		/
	Mr. Gottheimer	/	/
	Mr. Gonzalez (TX)		/
	Mr. Lawson		/
	Mr. San Nicolas		/
	Ms. Axne		/
	Mr. Casten		/
	Ms. Pressley		/
	Mr. Torres		/
	Mr. Lynch		/
	Ms. Adams		/
	Ms. Tlaib		/
	Ms. Dean		/
	Ms. Ocasio-Cortez		/
	Mr. Garcia (IL)		/
	Ms. Garcia (TX)		/
	Ms. Williams (GA)		/
	Mr. Auchincloss		/
30			
	Mr. McHenry, <i>Ranking Member</i>	/	
	Mrs. Wagner	/	
	Mr. Lucas	/	
	Mr. Sessions	/	
	Mr. Posey	/	
	Mr. Luetkemeyer	/	
	Mr. Huelskamp	/	
	Mr. Barr	/	
	Mr. Williams (TX)	/	
	Mr. Hill	/	
	Mr. Emmer	/	
	Mr. Zeldin	/	
	Mr. Loudermilk	/	
	Mr. Mooney	/	
	Mr. Davidson	/	
	Mr. Budd	/	
	Mr. Kustoff	/	
	Mr. Hollingsworth	/	
	Mr. Gonzalez (OH)	/	
	Mr. Rose	/	
	Mr. Steil	/	
	Mr. Gooden	/	
	Mr. Timmons	/	
	Mr. Taylor	/	
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure CP

Amendment No. 1aa

Offered by: Gonzalez (OH) #2

29

Agreed To	Yes	No	Prnt	Wdrn
	25	29		
Voice Vote	Ayes		Nays	

45

Record Vote	FC
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lab

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		1
	Mrs. Maloney		1
	Ms. Velázquez		1
	Mr. Sherman		1
	Mr. Meeks		1
	Mr. Scott		1
	Mr. Green		1
	Mr. Cleaver		1
	Mr. Perlmutter		1
	Mr. Himes		1
	Mr. Foster		1
	Mrs. Beatty		1
	Mr. Vargas		1
	Mr. Gotthelmer		1
	Mr. Gonzalez (TX)		1
	Mr. Lawson		1
	Mr. San Nicolas		1
	Ms. Axne		1
	Mr. Caston		1
	Ms. Pressley		1
	Mr. Torres		1
	Mr. Lynch		1
	Ms. Adams		1
	Ms. Tlaib		1
	Ms. Dean		1
	Ms. Ocasio-Cortez		1
	Mr. Garcia (IL)		1
	Ms. Garcia (TX)		1
	Ms. Williams (GA)		1
	Mr. Auchincloss		1
30			
	Mr. McHenry, <i>Ranking Member</i>		1
	Mrs. Wagner		1
	Mr. Lucas		1
	Mr. Sessions		1
	Mr. Posey		1
	Mr. Luetkemeyer		1
	Mr. Hutzenga		1
	Mr. Barr		1
	Mr. Williams (TX)		1
	Mr. Hill		1
	Mr. Emmer		1
	Mr. Zeldin		1
	Mr. Loudermilk		1
	Mr. Mooney		1
	Mr. Davidson		1
	Mr. Budd		1
	Mr. Kustoff		1
	Mr. Hollingsworth		1
	Mr. Gonzalez (OH)		1
	Mr. Rose		1
	Mr. Steil		1
	Mr. Gooden		1
	Mr. Timmons		1
	Mr. Taylor		1
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure: CP

Amendment No. ~~160~~ 165

Offered by: Steil #1

30

Agreed To	Yes	No	Prsnt	Wdn
	23	30		
Voices Vote	Ayes		Nays	

23

Record Vote	FC
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ba

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>		
	Mrs. Maloney		
	Ms. Velázquez		
	Mr. Sherman		
	Mr. Meeks		
	Mr. Scott		
	Mr. Green		
	Mr. Cleaver		
	Mr. Perlmutter		
	Mr. Himes		
	Mr. Foster		
	Mrs. Beatty		
	Mr. Vargas		
	Mr. Gotthelmer		
	Mr. Gonzalez (TX)		
	Mr. Lawson		
	Mr. San Nicolás		
	Ms. Axne		
	Mr. Casten		
	Ms. Pressley		
	Mr. Torres		
	Mr. Lynch		
	Ms. Adams		
	Ms. Tlaib		
	Ms. Dean		
	Ms. Ocasio-Cortez		
	Mr. Garcia (IL)		
	Ms. Garcia (TX)		
	Ms. Williams (GA)		
	Mr. Auchtinloss		
30			
	Mr. McHenry, <i>Ranking Member</i>		
	Mrs. Wagner		
	Mr. Lucas		
	Mr. Sessions		
	Mr. Posey		
	Mr. Luetkemeyer		
	Mr. Hutzenga		
	Mr. Barr		
	Mr. Williams (TX)		
	Mr. Hill		
	Mr. Emmer		
	Mr. Zeldin		
	Mr. Loudermilk		
	Mr. Mooney		
	Mr. Davidson		
	Mr. Budd		
	Mr. Kustoff		
	Mr. Hollingsworth		
	Mr. Gonzalez (OH)		
	Mr. Ross		
	Mr. Steil		
	Mr. Gooden		
	Mr. Timmons		
	Mr. Taylor		
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure: Committee Print

Amendment No. AMS

Offered by: Waters

Agreed To	Yes	No	Present	Wdn
	/			
Voice Vote	Ayes		Nays	
	/			

Record Vote	FC

Present	Representatives	Ayes	Nays
	Ms. Waters, <i>Chairwoman</i>	/	
	Mrs. Maloney	/	
	Ms. Velázquez	/	
	Mr. Sherman	/	
	Mr. Meeks	/	
	Mr. Scott	/	
	Mr. Green	/	
	Mr. Cleaver	/	
	Mr. Perlmutter	/	
	Mr. Himes	/	
	Mr. Foster	/	
	Mrs. Beatty	/	
	Mr. Vargas	/	
	Mr. Gottheimer	/	
	Mr. Gonzalez (TX)	/	
	Mr. Lawson	/	
	Mr. San Nicolas	/	
	Ms. Axne	/	
	Mr. Casten	/	
	Ms. Pressley	/	
	Mr. Torres	/	
	Mr. Lynch	/	
	Ms. Adams	/	
	Ms. Tlaib	/	
	Ms. Dean	/	
	Ms. Ocasio-Cortez	/	
	Mr. Garcia (IL)	/	
	Ms. Garcia (TX)	/	
	Ms. Williams (GA)	/	
	Mr. Auchincloss	/	
30			
	Mr. McHenry, <i>Ranking Member</i>	/	
	Mrs. Wagner	/	
	Mr. Lucas	/	
	Mr. Sessions	/	
	Mr. Posey	/	
	Mr. Luetkemeyer	/	
	Mr. Huelskamp	/	
	Mr. Barr	/	
	Mr. Williams (TX)	/	
	Mr. Hill	/	
	Mr. Emmer	/	
	Mr. Zeldin	/	
	Mr. Loudermilk	/	
	Mr. Mooney	/	
	Mr. Davidson	/	
	Mr. Budd	/	
	Mr. Kustoff	/	
	Mr. Hollingsworth	/	
	Mr. Gonzalez (OH)	/	
	Mr. Rose	/	
	Mr. Stoll	/	
	Mr. Gooden	/	
	Mr. Timmons	/	
	Mr. Taylor	/	
24			
54			

Committee on Financial Services
Full Committee
117th Congress (1st Session)

Date: 9.13.2021

Measure: Committee fund

Amendment No. _____

Offered by: Ms. Waters

Agreed To	Yes 30	No 24	Presnt	Wdm
Vote	Ayes		Nays	

Record Vote	FC
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COMMITTEE ESTIMATE OF BUDGETARY EFFECTS

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

NEW BUDGET AUTHORITY AND CBO COST ESTIMATE

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a statement as to whether this/these provision(s) contain(s) any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with the request of the Committee on the Budget and pursuant to clause 3(c)(1) of Rule XIII and clause 2(b)(1) of Rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF PERFORMANCE GOALS AND OBJECTIVES

In compliance with the request of the Committee on the Budget and pursuant to clause 3(c) of Rule XIII of the Rules of the House of Representatives, the goals of the Committee's recommendations are to make vital investments in affordable housing, community development, ending homelessness, climate resiliency, supply chain resilience, and small and minority-owned businesses based in the United States.

DUPLICATION OF FEDERAL PROGRAMS

In compliance with the request of the Committee on the Budget, and pursuant to clause 3(c)(5) of Rule XIII of the Rules of the House of Representatives, the Committee states that no provision of the Committee Print establishes or reauthorizes a program of the Federal Government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or

a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

EARMARK STATEMENT

In compliance with the request of the Committee on the Budget and pursuant to clause 9 of Rule XXI of the Rules of the House of Representatives, the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as described in clauses 9(e), 9(f), and 9(g) of Rule XXI of the Rules of the U.S. House of Representatives.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by the recommendations in the Committee Print.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

STATEMENT OF CONSTITUTIONAL AUTHORITY

Congress has the power to enact the provisions contained in the Committee Print pursuant to the following:

- Article I, Section 8, cl. 1, To pay debts and provide for the common Defense and General Welfare of the United States.
- Article I, Section 8 cl. 3, To regulate Commerce with Foreign Nations, Among the Several States, and with the Indian Tribes.
- Article I, Section 8, cl. 18, To make all laws which shall be necessary and proper for carrying into Execution the powers enumerated under section 8 and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

CHANGES TO EXISTING LAW

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

The Committee Print, like the massive \$3.5 trillion spending package, ignores the most pressing issues facing our country today. On September 30, 2021, the government will run out of money. Just last week, the Treasury Secretary informed Congress that the United States government will exceed its debt limit soon thereafter. Last Friday, the Labor Department reported that the producer price index rose 8.3 percent year over year – the largest increase since November 2010. This is on top of a weak August job report revealing that 235,000 Americans went back to work - a quarter of the number in June and July. And, for this Committee, the bill ignores a real response to the Supreme Court's recent decision to strike down the Biden Administration's ill-conceived eviction moratorium.

Yet rather than focus on these pressing issues, Democrats want to double down on \$3.5 trillion in cradle to grave handout programs, which create more dependence on federal government and diminish individual exceptionalism in this country.

Just look at the most pressing issue facing our property owners today – payment of back rent. Did Committee Democrats provide a solution in this bill? No. Committee Democrats pushed mom and pop property owners aside in favor of a progressive wish list of policies that will destroy our economy and fabric of society as we know it.

The reason – it didn't fit with progressives' list of policy demands. It didn't necessitate hundreds of billions of dollars in government handouts.

Enactment of this bill and the massive \$3.5 trillion spending plan will only perpetuate the cycle of poverty in this country. This bill continues the failed policies that have led to the deterioration of our public housing system. The health and physical condition of America's public housing stock has dramatically declined. This decline has less to do with funding and more to do an intentional shift over the last 40 years towards modern housing programs.

Republicans believe there is little justification to put enormous amounts of new funding into a Public Housing system that is dangerously mismanaged and fiscally outdated when better, more modern alternatives exist and are working.

Modern and innovative solutions to these issues do exist. Programs like the Rental Assistance Demonstration (RAD), the Section 8 Housing Choice Voucher (HCV) Program, and the Moving-to-Work (MTW) program are all bipartisan, proven solutions that allow residents greater choice and economic mobility. At the same time, they give local housing authorities the financial flexibility to provide decent, safe, and sanitary housing.

Before Congress considers any significant increase in federal funding for public and assisted housing programs, including voucher assistance programs, significant reform is needed to reflect 21st century models that empower low-income people toward upward economic mobility.

Committee Republicans believe we should be thoughtful and strategic about how to address housing issues today, as well as ways to support all communities. Giving hundreds of billions of dollars to the federal government to put money into an antiquated system that benefits activists and stakeholders over tenants is not the solution. Moreover, by failing to address the benefit cliffs, the Democrats ignore one of the most basic failings of the social safety net. The goal of the

programs should be focused on transiting into good paying, full-time employment. This failure calls into question Democrats' commitment to that objective. The Committee Print is the fulfillment of campaign promises. It will do nothing to change the problems this country is facing, including the viscous cycle of poverty many Americans face.

Patrick J. McHenry

Ann Wagner

Frank D. Lucas

Chris Gossling

Bill Poy

Wendy

Bill Hinz

Andy Ba

Robert Keenan's

J. French Hill

Tom Funken

L.H.

Boyd

Alan X. Mooney

Warren Davidson

Teal Budd

David Kestoff

Ray Williams

Amber

John W. Rose

By Stat

Lance Hooden

William R. Timmons II

Van Taylor

Rep. McHenry

Rep. Wagner

Rep. Lucas

Rep. Sessions

Rep. Posey

Rep. Luetkemeyer

Rep. Huizenga

Rep. Barr

Rep. Williams

Rep. Hill

Rep. Emmer

Rep. Zeldin

Rep. Loudermilk

Rep. Mooney

Rep. Davidson

Rep. Budd

Rep. Kustoff

Rep. Hollingsworth

Rep. Gonzalez (OH)

Rep. Rose (TN)

Rep. Steil

Rep. Gooden

Rep. Timmons

Rep. Taylor

BENNIE G. THOMPSON, MISSISSIPPI
CHAIRMAN



JOHN KATKO, NEW YORK
RANKING MEMBER

One Hundred Seventeenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

September 15, 2021

The Honorable John Yarmuth
Chairman
Committee on the Budget
204-E Cannon House Office Building
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Yarmuth:

Pursuant to section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, I hereby transmit these recommendations which have been approved by vote of the Committee on Homeland Security and the appropriate accompanying material, including additional, supplemental, minority, or dissenting views, to the Committee on the Budget.

This submission is in order to comply with reconciliation directives included in S. Con. Res. 14, the fiscal year 2022 budget resolution, and is consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974.

Sincerely,

A handwritten signature in black ink that reads "Bennie G. Thompson".

Bennie G. Thompson
Chairman
Committee on Homeland Security

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EXPLANATION OF PROVISIONS

Sec. 50001. Cybersecurity and Infrastructure Security Agency.

This section invests \$865 million in the Cybersecurity and Infrastructure Security Agency (CISA), a component of the Department of Homeland Security (DHS). These funds would enhance CISA's cybersecurity activities and programs for the 10-year period of fiscal years 2022 through 2031 by providing resources above the regular appropriations process. These investments would accelerate CISA's efforts to improve Federal network security, support State and local cybersecurity efforts, drive strategic collaboration with critical infrastructure owners and operators, and address cyber workforce challenges. This legislation provides increased resources to fund the Multi-State Information Sharing and Analysis Center, implementation of Executive Order 14028, *Improving the Nation's Cybersecurity*, the Crossfeed program, the Federal Continuity of the Economy Plan, international partnerships to secure critical infrastructure, and cybersecurity education and workforce development programs.

This section divides the \$865 million in increased funding for CISA in the following ways:

1. \$50,000,000 to CISA for support of the Multi-State Information Sharing and Analysis Center (MS-ISAC). The MS-ISAC supports the overall cybersecurity posture of the Nation's State, local, Tribal, and Territorial governments through focused cyber threat prevention, protection, response, and recovery services and support.
2. \$25,000,000 to CISA for operating a cyber range, a training environment used to simulate real-world security incidents for cybersecurity professionals. It serves as a valuable training tool as cyber incidents grow more frequent and more sophisticated.
3. \$25,000,000 to CISA for the execution of a national multi-factor authentication (MFA) campaign. This enhances funding for CISA's ongoing efforts to improve adoption of MFA, a cybersecurity practice requiring users to present a combination of two or more credentials to verify identity for login. MFA increases security because even if one credential becomes compromised, unauthorized users will be unable to meet the second authentication requirement and will not be able to access the targeted physical space, computing device, network, or database.
4. \$400,000,000 to CISA for the implementation of Executive Order 14028, *Improving the Nation's Cybersecurity*, including the implementation of MFA, endpoint detection and response (EDR), improved logging, and securing cloud systems at Federal agencies. Among other things, this funding will accelerate CISA's efforts to complete the deployment of EDR capabilities across the Federal enterprise and develop the necessary infrastructure to enable CISA to execute its persistent cyber threat hunt mission.
5. \$50,000,000 to CISA for expansion and operation of the Crossfeed program. Crossfeed is a CISA program used to monitor and gather

information about vulnerabilities on public-facing assets supporting national critical functions.

6. \$75,000,000 to CISA for its CyberSentry program, a voluntary program that leverages commercial off-the-shelf technologies, such as network intrusion detection tools, to identify malicious activity in critical infrastructure industrial control systems and corporate networks.

7. \$10,000,000 to CISA for performing activities in support of the development of the continuity of the economy plan required under section 9603(a) of title XCVI of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 6 U.S.C. 322). These resources enhance efforts to evaluate the risks to the economy from National Critical Function failures and develop mitigation strategies related to functional continuity in the face of threats, including supply and demand shifts, availability of commodities, and the ability of essential workers to work.

8. \$20,000,000 to CISA for expanding programs working with international partners on the protection of critical infrastructure. These funds invest in CISA's efforts to liaise with, support, and advise select international governments, industry partners, and civil society groups in the development and expansion of critical infrastructure protection knowledge and capacity, allowing them to effectively detect threats, assess impact potential, and take appropriate response actions to mitigate risk. The direct benefits of this expansion include stronger partnerships with allied countries, new and strengthened relationships with emerging partners, increased security and resilience of the overseas critical infrastructure assets and systems upon which the U.S. depends, and increased understanding of the global critical infrastructure threat and risk landscape. The indirect benefits of this expansion include increased trust and influence among partner countries, a more effective countering of the influence of U.S. adversaries, and increased reach and effectiveness of U.S. global critical infrastructure policy- and standard-setting efforts.

9. \$50,000,000 to CISA for researching and developing systems to secure operational technology, including industrial control systems, against cybersecurity vulnerabilities. These resources should accelerate CISA's efforts to address cybersecurity challenges associated with industrial control systems. Industrial control systems are generally more specialized to their industries and can be challenging to patch and update because of their direct effect on physical operations. This investment will support CISA's research to better detect threats and vulnerabilities to operational technology, prevent incidents, and respond when incidents do occur.

10. \$100,000,000 to CISA for workforce development and education, including providing education, training, and capacity development, in collaboration with historically Black colleges and universities, other minority-serving institutions, and community colleges, and to the Cybersecurity Education and Training Program for cybersecurity training and upskilling veterans; implementing cybersecurity apprenticeships at the Agency; and cybersecurity programs for underserved communities, as a focus for activities authorized under section 2217 of the Homeland Security Act of 2002 (6 U.S.C. 665f). These resources will provide cyber training and education programs to address cybersecurity workforce shortages in both the Federal government and the private sector, including by expanding existing programs to provide additional training to K–12 students and veterans.

11. \$60,000,000 to CISA for enhancing the cloud architecture, migration advisory services, and cloud threat hunting capabilities of the Agency. With the rapid shift toward cloud computing, many of CISA's existing security services do not fully account for recent changes in

technology. These necessary investments provide CISA with the capacity to keep up with current technology and respond to threats, specifically the ability to improve threat hunting in commercial cloud environments and to better advise its partners and incident response victims.

VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the Committee report.

The Committee met on September 14, 2021, a quorum being present, to consider the Committee Print providing for reconciliation pursuant to section 2002 of S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022.

The Committee considered and adopted the following amendments to the Committee Print:

- An amendment in the nature of a substitute offered by Mr. Thompson of Mississippi, which made technical corrections to the Committee Print, and was adopted by voice vote, as amended.
- An amendment to the amendment in the nature of a substitute offered by Ms. Slotkin of Michigan to insert a new paragraph that would provide \$60,000,000 to CISA for enhancing the cloud architecture, migration advisory services, and cloud threat hunting capabilities of the Agency, offset by a reduction in funds for general operations and support. The amendment was adopted by a recorded vote of 19 ayes to 13 noes (Rollcall No. 20).
- An amendment to the amendment in the nature of a substitute offered by Ms. Clarke of New York to insert a new paragraph that would provide \$75,000,000 to CISA for its CyberSentry program, offset by a reduction in funds for general operations and support. The amendment was adopted by a recorded vote of 18 ayes to 15 noes (Rollcall No. 22).
- An amendment to the amendment in the nature of a substitute offered by Ms. Clarke of New York to insert, at page 2, line 22, the following: “, including in collaboration with historically Black college and universities, other minority-serving institutions, and community colleges,” which clarified CISA’s education and workforce development programs. The amendment was adopted by voice vote.
- An amendment to the amendment in the nature of a substitute offered by Ms. Jackson Lee of Texas to insert a new paragraph that would provide \$50,000,000 to CISA for researching and developing means to secure operational technology, including industrial control systems, against cybersecurity vulnerabilities, offset by a reduction in funds for general operations and support. The amendment was adopted by a recorded vote of 18 ayes to 15 noes (Rollcall No. 24).
- An amendment to the amendment in the nature of a substitute offered by Mr. Torres of New York to insert a new paragraph that would provide \$25,000,000 to CISA for operating a cyber range, offset by a reduction in funds for general operations and support. The amendment was adopted by voice vote.

The Committee considered the following amendments to the Committee Print:

- An amendment to the amendment in the nature of a substitute offered by Mr. Katko of New York to insert a new section and provide \$210,000,000 to CISA to address cybersecurity threats, including ransomware mitigation. The amendment failed by a recorded vote of 14 ayes to 18 noes (Rollcall No. 21).
- An amendment to the amendment in the nature of a substitute offered by Mr. Garbarino of New York to strike paragraph (8) and direct \$210,000,000 to CISA general operations and support, including \$120,000,000 for threat hunting activities and \$10,000,000 for exercises and activities of the Joint Cyber Planning Office. The amendment failed by a recorded vote of 15 ayes to 18 noes (Rollcall No. 23).
- An amendment to the amendment in the nature of a substitute offered by Mr. Van Drew of New Jersey to direct \$8,000,000 of funds designated for CISA general operations and support to programs to mitigate the risk posed by terrorists to soft targets and crowded spaces. The amendment failed by a recorded vote of 16 ayes to 17 noes (Rollcall No. 25).
- An amendment to the amendment in the nature of a substitute offered by Mr. LaTurner of Kansas to direct \$20,000,000 of funds designated for CISA general operations and support to vulnerability management. The amendment failed by a recorded vote of 15 ayes to 18 noes (Rollcall No. 26).
- An amendment to the amendment in the nature of a substitute offered by Mrs. Harshbarger of Tennessee to limit the availability of funds in the title to the acquisition of software that complies with section 4 of Executive Order 14028. The amendment failed by a recorded vote of 15 ayes to 18 noes (Rollcall No. 27).
- An amendment to the amendment in the nature of a substitute offered by Mr. Clyde of Georgia to insert a new section to provide for an audit by the Comptroller General of the funds appropriated pursuant to the title 1 year after enactment of the title and every 2 years thereafter and submit a report to the House Committee on Homeland Security and the Senate Committee on Homeland Security and Governmental Affairs on the use of funds appropriated by the title. The amendment failed by a recorded vote of 15 ayes to 19 noes (Rollcall No. 28).

After consideration of the Committee Print, the Committee adopted a motion by Mr. Langevin of Rhode Island to transmit the recommendations of the Committee and all appropriate accompanying material including additional, supplemental, minority, or dissenting views to the Committee on the Budget, in order to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14, and consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974. The motion was agreed to by a recorded vote of 19 ayes to 14 noes (Rollcall No. 29).

In order, the rollcalls of the Committee are as follows:

[“2A_Homeland_Vote_Sheet_Insert”]

COMMITTEE ESTIMATE OF BUDGETARY
EFFECTS

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974. The Committee has requested but not received from the Director of the Congressional Budget Office a cost estimate for the Committee's provisions.

NEW BUDGET AUTHORITY AND C.B.O. COST
ESTIMATE

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a statement as to whether these provisions contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

COMMITTEE OVERSIGHT FINDINGS AND
RECOMMENDATIONS

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF GENERAL PERFORMANCE GOALS
AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the goals and objectives of this Committee Print are to provide additional resources to the Cybersecurity and Infrastructure Security Agency to invest in the Agency's efforts to improve Federal network security, support State and local cybersecurity efforts, drive strategic collaboration with critical infrastructure owners and operators, and address cyber workforce challenges.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

CONGRESSIONAL EARMARKS, LIMITED TAX
BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

FEDERAL MANDATES STATEMENT

An estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

CHANGES IN EXISTING LAW MADE BY THE
COMMITTEE'S RECONCILIATION LEGISLATIVE
RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(l) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows:

[“2B_Homeland_Minority Views_Insert”]

JERROLD NADLER, New York
CHAIRMAN

JIM JORDAN, Ohio
RANKING MEMBER

ONE HUNDRED SEVENTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON THE JUDICIARY
2138 RAYBURN HOUSE OFFICE BUILDING
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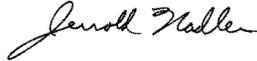
September 15, 2021

The Honorable John Yarmuth Chairman
Committee on the Budget
204-E Cannon House Office Building
Washington, DC 20515

Dear Chairman Yarmuth:

Pursuant to Section 2002(f) of the Concurrent Resolution on the Budget for Fiscal Year 2022, I hereby transmit these recommendations which have been approved by the Committee on the Judiciary, and the appropriate accompanying material including additional, supplemental, or dissenting views, to the House Committee on the Budget. This submission is in order to comply with reconciliation directives included in S. Con. Res. 14, the fiscal year 2022 budget resolution and is consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. § 641).

Sincerely,



Jerrold Nadler
Chairman

Cc: The Honorable Jason Smith, Ranking Member, Committee on the Budget
The Honorable Jim Jordan, Ranking Member, Committee on the Judiciary

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EXPLANATION OF PROVISIONS

SECTION-BY-SECTION SUMMARY

SUBTITLE A –IMMIGRATION PROVISIONS

Sec. 60001. Lawful Permanent Residence for Certain Entrants.

Sec. 60001(a) amends the Immigration and Nationality Act (INA) to add a new section 245B, providing an opportunity for certain individuals to apply for adjustment to Lawful Permanent Resident (LPR) status.

New Sec. 245B(a) provides the Secretary of Homeland Security the authority to adjust the status of an individual described in subsection (b), if such individual (1) submits an application for such adjustment; (2) pays a supplemental fee of \$1,500; and (3) completes, to the satisfaction of the Secretary, security and law enforcement background checks and a medical examination.

New Sec. 245B(b) sets forth the populations eligible for adjustment to LPR status under section 245B.

New Sec. 245B(b)(1) states that an individual is eligible for adjustment to LPR status if such individual: (A) has been continuously physically present in the United States since January 1, 2021; (B) was 18 years of age or younger on the date of their entry and has continuously resided in the United States since such entry; and (C) demonstrates—

- (i) a record of honorable service in the Uniformed Services of the United States;
- (ii) attainment of or completion of at least 2 years, in good standing, of a program leading to—
 - (I) a degree from a United States institution of higher education; or
 - II) a postsecondary credential from an area career and technical education school in the United States; or
- (iii) within the 3-year period preceding the submission of the application, a consistent record of earned income in the United States; or

(iv) enrollment in a program described in clause (ii) and confirmation of current employment, or participation in an internship, apprenticeship, or similar training program.

New Sec. 245B(b)(2) states that an individual is eligible for adjustment to LPR status if such individual:

(A) has been continuously physically present in the United States since January 1, 2021; and

(B) demonstrates a consistent record of earned income in the United States as an essential critical infrastructure worker, as defined by Department of Homeland Security guidance dated August 10, 2021. Such work must have taken place during the period that begins on January 31, 2020 and ends on August 24, 2021.

New Sec. 245B(b)(3) states that an individual is eligible for adjustment to LPR status if such individual:

(A) has been continuously physically present in the United States for at least 3 years; and

(B) is a national of a foreign state with a TPS designation on January 1, 2017 who had or was otherwise eligible for TPS on such date and has not engaged in conduct since that date that would render the individual ineligible for TPS.

New Sec. 245B(b)(4) states that an individual is eligible for adjustment to LPR status if such individual:

(A) has been continuously physically present in the United States for at least 3 years; and

(B) was eligible for deferred enforced departure (DED) as of January 20, 2021 and has not engaged in conduct since that date that would render the individual ineligible for DED.

New Sec. 245B(c)(1) states that an individual seeking adjustment of status under this section must demonstrate that he or she—

(A) is not inadmissible under paragraph (2), (3), (6)(E), (6)(G), (8), (10)(A), (10)(C), or (10)(D) of section 212(a) of the INA;

(B) has not participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion;

(C) other than State offenses involving immigration status, has not been convicted of a single felony or 3 or more misdemeanors, if each such misdemeanor conviction occurred on different dates and resulted in imprisonment for an aggregate of 90 days or more; and

(D) has registered with the military selective service, if required to register.

New Sec. 245B(c)(2) provides the Secretary of Homeland Security with discretion to waive the grounds of inadmissibility under paragraph (2), (6)(E), (6)(G), or (10)(D) of section 212(a) of the INA for humanitarian purposes, family unity, or if otherwise in the public interest.

New Sec. 245B(c)(3) requires the Secretary of Homeland Security to evaluate expunged convictions on a case-by-case basis, taking into consideration the nature and severity of the offense to determine whether the individual should be eligible for adjustment to LPR status.

New Sec. 245B(d)(1) requires the Secretary of Homeland Security to provide a reasonable opportunity to an individual who is in removal proceedings or subject to a final order of removal or an order of voluntary departure, to apply for relief under this section if such individual requests an opportunity to apply or appears to be prima facie eligible for such relief.

New Sec. 245B(d)(2) requires the Secretary of Homeland Security to stay the removal of any individual who:

- (A) meets the age, continuous physical presence, and continuous residence requirements under new section 245B(b)(1);
- (B) is not ineligible under section 245B(c); and
- (C) is enrolled in an early childhood education program, an elementary school, a secondary school, or a program assisting students in obtaining a high school diploma or its equivalent.

New Sec. 245B(e) establishes the effective date of this section as the earlier of 180 days from the date of the enactment of this section or May 1, 2022.

Sec. 60001(b) makes a conforming amendment to the table of contents of the INA.

Sec. 60002. Recapture of Unused Immigrant Visa Numbers.

Sec. 60002 amends section 201(c)(1) of the INA to prevent future loss of unused employment-based visas. It also amends section 201 of the INA to recapture family-sponsored and employment-based visas that went unused during fiscal years 1992 through 2021. This section also allows certain individuals who were selected to apply for diversity visas in fiscal years 2017, 2018, 2019, 2020, or 2021, but who were refused a visa or denied admission to the United States because of specific executive orders, or who were unable to complete the visa or admissions process because of COVID-19-related restrictions, to reapply for such visas.

Sec. 60003. Adjustment of Status.

Sec. 60003 creates a new section 245(n) of the INA.

New Sec. 245(n)(1) allows an individual who is eligible for adjustment of status but who is waiting for a visa number to become available, to submit an application for adjustment to LPR status if such individual pays a supplemental fee of \$1,500 (plus \$250 for each derivative beneficiary).

New Sec. 245(n)(2) allows an individual to receive an exemption from the per-country and worldwide limitations on immigrant visas and have their status adjusted to LPR by the Secretary of Homeland Security if such individual—

- (A) is the beneficiary of an approved family-based visa petition that bears a priority date that is more than 2 years before the date the alien requests a waiver of the numerical limitations and pays a supplemental fee of \$2,500;

(B) is the beneficiary of an employment-based first, second, or third preference visa petition that bears a priority date that is more than 2 years before the date the alien requests a waiver of the numerical limitations and pays a supplemental fee of \$5,000;

(C) is the beneficiary of an employment-based fifth preference petition that bears a priority date that is more than 2 years before the date the alien requests a waiver of the numerical limitations and pays a supplemental fee of \$50,000.

New Sec. 245(n)(3) establishes the effective date of this subsection as the earlier of the date that is 180 days after the date of enactment of this subsection or May 1, 2022. This subsection sunsets on September 30, 2031.

Sec. 60004. Additional Supplemental Fees.

Sec. 60004 provides that the supplemental fees established in this subtitle shall be deposited in the general fund of the Treasury. This section also establishes additional supplemental fees as follows:

- \$100 for family-sponsored immigrant visa petitions (not including immediate relatives);
- \$800 for immigrant visa petitions under the employment-based first, second, and third preference categories; and
- \$15,000 for employment-based fifth-preference immigrant visa petitions.

Sec. 60005. U.S. Citizenship and Immigration Services.

Sec. 60005 appropriates \$2.8 billion to U.S. Citizenship and Immigration Services (USCIS) in fiscal year 2022, to remain available until expended, for the purpose of increasing the capacity of USCIS to efficiently adjudicate applications described in sections 60001 and 60003 and to reduce case processing backlogs.

SUBTITLE B – COMMUNITY VIOLENCE PREVENTION

Sec. 61001. Funding for Community-Based Violence Intervention Programs

Sec. 61001. Section 61001 provides funding for Community-Based Violence Intervention Initiatives.

Sec. 61001 (a). Section 61001(a) appropriates \$2.5 billion to the Attorney General to remain available until September 30, 2031 for purposes outlined in (b).

Sec. 61001 (b). Use of Funding. Section 61001(b) provides that the Attorney General, through the Assistant Attorney General of the Office of Justice Programs, the Director of the Office of Community Oriented Policing Services, and the Director of the Office on Violence Against Women, shall use the appropriated amount of \$2.5M in subsection (a).

Section 61001(b)(1) states that the funding in (a) shall be used to award competitive grants or contracts to various entities as determined by the Attorney General, to support evidence-informed intervention strategies to reduce community violence.

Section 61001(b)(2) states that the appropriated amount in (a) shall be used to support training, technical assistance, research, evaluation, and data collection on the strategies that are most effective at reducing community violence and ensuring public safety.

Section 61001(b)(3) states that the appropriated amount in (a) shall be used to support research, evaluation, and data collection on the differing impact of community violence on demographic categories

Sec. 61001 (c). Expenditure Requirement. Section 61001(c) provides that all expenditures made pursuant to subsection (a) shall be made on or before September 30, 2031.

VOTES OF THE COMMITTEE

Clause 3(b) of rule XIII of the Rules of the House of Representatives provides that, for each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report.

In compliance with clause 3(b) of House Rule XIII, the following rollcall votes occurred during the Committee's consideration of Committee Print 117-2:

1. An amendment to the amendment in the nature of a substitute offered by Mr. McClintock to prohibit the Attorney General, under Subtitle B section 61001, from discriminating against any entity that disregards or challenges vaccine mandates on employers when awarding competitive grants or contracts to units of local government, States, Indian Tribes, nonprofit community-based organizations, victim services providers, or other entities, to support evidence-informed intervention strategies to reduce community violence defeated by a rollcall vote of 19-24. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_1"]

Roll Call No. 1

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 1 (ANS) to CP 117-2 offered by Rep. McClintock

 PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)			
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	19	24	

2. An amendment to the amendment in the nature of a substitute offered by Mr. Steube to delay the effective date of section 60003 to 180 days after the date on which the Secretary of Homeland Security submits a report to the Committee on the Judiciary of the House of Representatives on the effect of the fall of Afghanistan to the Taliban and southern border crossings on national security defeated by a rollcall vote of 19-23. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_2"]

Roll Call No. 2

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 3 (ANS) to CP 117-2 offered by Rep. Steube

 PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)			
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)			
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	19	23	

3. A motion to table the appeal of the ruling of the Chair on the germaneness of an amendment made by Mr. Fitzgerald passed by a vote of 24-19. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_3"]

Roll Call No. 3

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Subject: Motion to table the appeal of the ruling of the Chair on the germaneness of amendment #4

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)	✓		
Zoe Lofgren (CA-19)	✓		
Sheila Jackson Lee (TX-18)	✓		
Steve Cohen (TN-09)	✓		
Hank Johnson (GA-04)	✓		
Ted Deutch (FL-22)	✓		
Karen Bass (CA-37)	✓		
Hakeem Jeffries (NY-08)			
David Cicilline (RI-01)	✓		
Eric Swalwell (CA-15)	✓		
Ted Lieu (CA-33)	✓		
Jamie Raskin (MD-08)	✓		
Pramila Jayapal (WA-07)	✓		
Val Demings (FL-10)	✓		
Lou Correa (CA-46)	✓		
Mary Gay Scanlon (PA-05)	✓		
Sylvia Garcia (TX-29)	✓		
Joseph Neguse (CO-02)	✓		
Lucy McBath (GA-06)	✓		
Greg Stanton (AZ-09)	✓		
Madeleine Dean (PA-04)	✓		
Veronica Escobar (TX-16)	✓		
Mondaire Jones (NY-17)	✓		
Deborah Ross (NC-02)	✓		
Cori Bush (MO-01)	✓		
	AYES	NOS	PRES.
Jim Jordan (OH-04)		✓	
Steve Chabot (OH-01)		✓	
Louie Gohmert (TX-01)		✓	
Darrell Issa (CA-50)		✓	
Ken Buck (CO-04)		✓	
Matt Gactz (FL-01)		✓	
Mike Johnson (LA-04)		✓	
Andy Biggs (AZ-05)		✓	
Tom McClintock (CA-04)		✓	
Greg Steube (FL-17)		✓	
Tom Tiffany (WI-07)		✓	
Thomas Massie (KY-04)		✓	
Chip Roy (TX-21)		✓	
Dan Bishop (NC-09)		✓	
Michelle Fischbach (MN-07)		✓	
Victoria Spartz (IN-05)		✓	
Scott Fitzgerald (WI-05)		✓	
Cliff Bentz (OR-02)		✓	
Burgess Owens (UT-04)		✓	
	AYES	NOS	PRES.
TOTAL	24	19	

4. An amendment to the amendment in the nature of a substitute offered by Mr. Buck to prohibit individuals who have participated in criminal street gang activity from being granted lawful permanent resident status under section 245B of the Immigration and Nationality Act, as added by section 60001, and to specify that the Secretary of Homeland Security may rely on information obtained from State or Federal gang databases in making this assessment defeated by a rollcall vote of 19-22. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_4"]

Roll Call No. 4

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 5 (ANS) to CP 117-2 offered by Rep. Buck

 PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)			
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)			
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)			
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	19	22	

5. An amendment to the amendment in the nature of a substitute offered by Mr. Bentz to prohibit individuals who have a single conviction for a misdemeanor offense relating to a firearm or destructive device from being granted lawful permanent resident status under section 245B of the Immigration and Nationality Act, as added by section 60001, defeated by a rollcall vote of 19-24. The vote was as follows:

["2A_ Judiciary_Vote_Sheet_Insert_5"]

Roll Call No. 5

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 6 (ANS) to CP 117-2 offered by Rep. Bentz

PASSED
 FAILED

	AYES	NOS	PRES
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)			
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES
TOTAL	19	24	

6. An amendment to the amendment in the nature of a substitute offered by Mr. Fitzgerald to prohibit individuals who have been convicted of offenses that require them to register on a sex offender registry from being granted lawful permanent resident status under section 245B of the Immigration and Nationality Act, as added by section 60001, defeated by a rollcall vote of 18-25. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_6"]

Roll Call No. 6

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 7 (ANS) to CP 117-2 offered by Rep. Fitzgerald

 PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)			
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	18	25	

7. An amendment to the amendment in the nature of a substitute offered by Mr. Johnson of Louisiana to prohibit individuals who have a single conviction for driving while intoxicated from being granted lawful permanent resident status under section 245B of the Immigration and Nationality Act, as added by section 60001, defeated by a rollcall vote of 19-24. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_7"]

Roll Call No. 7

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 8 (ANS) to CP 117-2 offered by Rep. Johnson (LA)

 PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)			
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	19	24	

8. An amendment to the amendment in the nature of a substitute offered by Mr. Johnson of Louisiana to prohibit individuals who have two or more convictions for driving while intoxicated from being granted lawful permanent resident status under section 245B of the Immigration and Nationality Act, as added by section 60001, defeated by a rollcall vote of 19-23. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_8"]

Roll Call No. 8

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

*House of Representatives
117th Congress*

Amendment # 9 (ANS) to CP 117-2 offered by Rep. Johnson (LA)

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)			
Karen Bass (CA-37)			
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	19	23	

9. An amendment to the amendment in the nature of a substitute offered by Mr. Johnson of Louisiana to prohibit individuals who have 10 or more convictions for driving while intoxicated from being granted lawful permanent resident status under section 245B of the Immigration and Nationality Act, as added by section 60001, defeated by a rollcall vote of 19-24. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_9"]

Roll Call No. 9

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 10 (ANS) to CP 117-2 offered by Rep. Johnson (LA)

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)			
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	19	24	

10. An amendment to the amendment in the nature of a substitute offered by Mr. Biggs to strike the provision granting the Secretary of Homeland Security discretion to waive certain grounds of inadmissibility for purposes of eligibility under section 245B of the Immigration and Nationality Act, as added by section 60001, defeated by a rollcall vote of 19-25. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_10"]

Roll Call No. 10

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 11 (ANS) to CP 117-2 offered by Rep. Biggs

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	19	25	

11. An amendment to the amendment in the nature of a substitute offered by Mr. Biggs to change the bars to eligibility for adjustment of status under section 245B of the Immigration and Nationality Act, as added by section 60001, provide that the Secretary of Homeland Security's discretion to waive inadmissibility is nondelegable, and require the Secretary to post on a publicly available website a description of each waiver granted under section 60001 defeated by a rollcall vote of 19-21. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_11"]

Roll Call No. 11

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 12 (ANS) to CP 117-2 offered by Rep. Biggs

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)			
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)			
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)			
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)			
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	19	21	

12. A motion to table the appeal of the ruling of the Chair on the germaneness of an amendment offered by Mr. Johnson of Louisiana passed by a vote of 24-18. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_12"]

Roll Call No. 12

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Subject: Motion to table the appeal of the ruling of the Chair on the germaneness of amendment #13

PASSED
 FAILED

	AYES	NOS	PRES
Jerrold Nadler (NY-10)	✓		
Zoe Lofgren (CA-19)	✓		
Sheila Jackson Lee (TX-18)	✓		
Steve Cohen (TN-09)	✓		
Hank Johnson (GA-04)	✓		
Ted Deutch (FL-22)	✓		
Karen Bass (CA-37)	✓		
Hakeem Jeffries (NY-08)			
David Cicilline (RI-01)	✓		
Eric Swalwell (CA-15)	✓		
Ted Lieu (CA-33)	✓		
Jamie Raskin (MD-08)	✓		
Pramila Jayapal (WA-07)	✓		
Val Demings (FL-10)	✓		
Lou Correa (CA-46)	✓		
Mary Gay Scanlon (PA-05)	✓		
Sylvia Garcia (TX-29)	✓		
Joseph Neguse (CO-02)	✓		
Lucy McBath (GA-06)	✓		
Greg Stanton (AZ-09)	✓		
Madeleine Dean (PA-04)	✓		
Veronica Escobar (TX-16)	✓		
Mondaire Jones (NY-17)	✓		
Deborah Ross (NC-02)	✓		
Cori Bush (MO-01)	✓		
	AYES	NOS	PRES
Jim Jordan (OH-04)		✓	
Steve Chabot (OH-01)		✓	
Louie Gohmert (TX-01)		✓	
Darrell Issa (CA-50)		✓	
Ken Buck (CO-04)			
Matt Gaetz (FL-01)		✓	
Mike Johnson (LA-04)		✓	
Andy Biggs (AZ-05)		✓	
Tom McClintock (CA-04)		✓	
Greg Steube (FL-17)		✓	
Tom Tiffany (WI-07)		✓	
Thomas Massie (KY-04)		✓	
Chip Roy (TX-21)		✓	
Dan Bishop (NC-09)		✓	
Michelle Fischbach (MN-07)		✓	
Victoria Spartz (IN-05)		✓	
Scott Fitzgerald (WI-05)		✓	
Cliff Bentz (OR-02)		✓	
Burgess Owens (UT-04)		✓	
	AYES	NOS	PRES
TOTAL	24	18	

13. An amendment to the amendment in the nature of a substitute offered by Mr. Bishop to prohibit the Attorney General from awarding a competitive grant or contract to a unit of local government, State, or Indian Tribe that decreases the budget for their law enforcement agency defeated by a rollcall vote of 18-25. The vote was as follows:

["2A_ Judiciary_Vote_Sheet_Insert_13"]

Roll Call No. 13

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

*House of Representatives
117th Congress*

Amendment # 14 (ANS) to CP 117-2 offered by Rep. Bishop

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)			
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	18	25	

14. An amendment to the amendment in the nature of a substitute offered by Mr. Massie to prohibit any amounts made available under Subtitle B of Title VI of Committee Print 117-2 from being used in any manner that results in the denial, without due process, of an individual's exercise of any right under the Second Amendment to the Constitution defeated by a rollcall vote of 18-25. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_14"]

Roll Call No. 14

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 15 (ANS) to CP 117-2 offered by Rep. Massie

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)			
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	18	25	

15. An amendment to the amendment in the nature of a substitute offered by Mr. Johnson of Louisiana to prohibit the use of funds collected as supplemental fees in Subtitle A, to transport aliens to any destination other than a detention center unless the Secretary of Homeland Security notifies and receives the approval of the chief executives of the States and units of local government to which the alien will be paroled and in which there is a pass-through location defeated by a rollcall vote of 18-25. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_15"]

Roll Call No. 15

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 17 (ANS) to CP 117-2 offered by Rep. Johnson (LA)

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)			
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	18	25	

16. An amendment to the amendment in the nature of a substitute offered by Mr. Tiffany to create new bars to eligibility for relief under section 245B and paragraph 245(n) of the Immigration and Nationality Act, as added by sections 60001 and 60003, respectively, and to change the prohibition on adjustment of status under section 60001 for 3 offenses for which the individual was convicted on different dates and imprisoned for at least 90 days to 2 such offenses defeated by a rollcall vote of 18-25. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_16"]

Roll Call No. 16

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

*House of Representatives
117th Congress*

Amendment # 18 (ANS) to CP 117-2 offered by Rep. Tiffany

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)			
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	18	25	

17. An amendment to the amendment in the nature of a substitute offered by Mr. Biggs to prohibit any regulation, policy, memoranda, or guidance issued to implement Subtitle A from taking effect unless a law is enacted which expressly approves of such regulation, policy, memoranda, or guidance defeated by a rollcall vote of 18-25. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_17"]

Roll Call No. 17

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 19 (ANS) to CP 117-2 offered by Rep. Biggs

 PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)			
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	18	25	

18. An amendment to the amendment in the nature of a substitute offered by Mr. Bishop to prohibit the provisions of Title VI from taking effect until the Migrant Protection Protocols have been fully implemented, in accordance with the opinion of the court in the case, *The State of Texas, the State of Missouri v. Joseph R. Biden Jr. et al.* defeated by a rollcall vote of 18-23. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_18"]

Roll Call No. 18

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 20 (ANS) to CP 117-2 offered by Rep. Bishop

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)			
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)			
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)			
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	18	23	

19. A motion to table the appeal of the ruling of the Chair on the germaneness of an amendment offered by Mr. Bishop passed by a vote of 25-18. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_19"]

Roll Call No. 19

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress**Subject:** Motion to table the appeal of the ruling of the Chair on the germaneness of amendment #21

	AYES	NOS	PRES
Jerrold Nadler (NY-10)	✓		
Zoe Lofgren (CA-19)	✓		
Sheila Jackson Lee (TX-18)	✓		
Steve Cohen (TN-09)	✓		
Hank Johnson (GA-04)	✓		
Ted Deutch (FL-22)	✓		
Karen Bass (CA-37)	✓		
Hakeem Jeffries (NY-08)	✓		
David Cicilline (RI-01)	✓		
Eric Swalwell (CA-15)	✓		
Ted Lieu (CA-33)	✓		
Jamie Raskin (MD-08)	✓		
Pramila Jayapal (WA-07)	✓		
Val Demings (FL-10)	✓		
Lou Correa (CA-46)	✓		
Mary Gay Scanlon (PA-05)	✓		
Sylvia Garcia (TX-29)	✓		
Joseph Neguse (CO-02)	✓		
Lucy McBath (GA-06)	✓		
Greg Stanton (AZ-09)	✓		
Madcleine Dean (PA-04)	✓		
Veronica Escobar (TX-16)	✓		
Mondaire Jones (NY-17)	✓		
Deborah Ross (NC-02)	✓		
Cori Bush (MO-01)	✓		
	AYES	NOS	PRES
Jim Jordan (OH-04)		✓	
Steve Chabot (OH-01)		✓	
Louie Gohmert (TX-01)		✓	
Darrell Issa (CA-50)		✓	
Ken Buck (CO-04)		✓	
Matt Gaetz (FL-01)		✓	
Mike Johnson (LA-04)		✓	
Andy Biggs (AZ-05)		✓	
Tom McClintock (CA-04)		✓	
Greg Steube (FL-17)		✓	
Tom Tiffany (WI-07)		✓	
Thomas Massie (KY-04)		✓	
Chip Roy (TX-21)			
Dan Bishop (NC-09)		✓	
Michelle Fischbach (MN-07)		✓	
Victoria Spartz (IN-05)		✓	
Scott Fitzgerald (WI-05)		✓	
Cliff Bentz (OR-02)		✓	
Burgess Owens (UT-04)		✓	
	AYES	NOS	PRES
TOTAL	25	18	

 PASSED

 FAILED

20. An amendment to the amendment in the nature of a substitute offered by Mr. Buck to give the Secretary of Homeland Security access to the Interstate Identification Index (III) System and to require such system to be utilized when conducting background checks on individuals who apply for adjustment to lawful permanent resident status under section 245B of the Immigration and Nationality Act, as added by section 60001, defeated by a rollcall vote of 17-23. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_20"]

Roll Call No. 20

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 22 (ANS) to CP 117-2 offered by Rep. Buck

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)			
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)			
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)			
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)			
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	17	23	

21. An amendment to the amendment in the nature of a substitute offered by Mr. Fitzgerald to restrict the Attorney General from awarding a competitive grant or contract under section 61001 to any local government, State, or Indian Tribe that has in place a policy that prohibits prosecuting a crime of violence as defined in section 16 of title 18 U.S.C. defeated by a rollcall vote of 17-23. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_21"]

Roll Call No. 21

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 23 (ANS) to CP 117-2 offered by Rep. Fitzgerald

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)			
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)			
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)			
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)			
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	17	23	

22. An amendment to the amendment in the nature of a substitute offered by Mr. Tiffany to limit the Secretary of Homeland Security's parole authority under Section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) defeated by a rollcall vote of 19-23. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_22"]

Roll Call No. 22

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

*House of Representatives
117th Congress*

Amendment # 24 (ANS) to CP 117-2 offered by Rep. Tiffany

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)			
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)			
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	19	23	

23. An amendment to the amendment in the nature of a substitute offered by Ms. Fischbach to add the Pain-Capable Unborn Child Protection Act to Title VI of Committee Print 117-2 defeated by a rollcall vote of 19-24. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_23"]

Roll Call No. 23

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 25 (ANS) to CP 117-2 offered by Rep. Fischbach

 PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)			
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	19	24	

24. An amendment to the amendment in the nature of a substitute offered by Mr. Biggs to prohibit States that limit cooperation with federal immigration enforcement authorities from receiving funds under Subtitle B defeated by a rollcall vote of 19-25. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_24"]

Roll Call No. 24

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 26 (ANS) to CP 117-2 offered by Rep. Biggs

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	19	25	

25. An amendment to the amendment in the nature of a substitute offered by Mr. Johnson of Louisiana to strike section 201(g)(3) of the Immigration and Nationality Act, as added by section 60002, allowing certain individuals to reapply for diversity visas defeated by a rollcall vote of 18-24. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_25"]

Roll Call No. 25

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 27 (ANS) to CP 117-2 offered by Rep. Johnson (LA)

 PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)			
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)			
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	18	24	

26. An amendment to the amendment in the nature of a substitute offered by Mr. Gohmert to strike Subtitle A defeated by a rollcall vote of 19-25. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_26"]

Roll Call No. 26

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

*House of Representatives
117th Congress*

Amendment # 28 (ANS) to CP 117-2 offered by Rep. Gohmert

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	19	25	

27. A motion to move the previous question on the amendment in the nature of a substitute passed by a rollcall vote of 25-19. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_27"]

Roll Call No. 27

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Subject: Motion to move the previous question on the amendment in the nature of a substitute

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)	✓		
Zoe Lofgren (CA-19)	✓		
Sheila Jackson Lee (TX-18)	✓		
Steve Cohen (TN-09)	✓		
Hank Johnson (GA-04)	✓		
Ted Deutch (FL-22)	✓		
Karen Bass (CA-37)	✓		
Hakeem Jeffries (NY-08)	✓		
David Cicilline (RI-01)	✓		
Eric Swalwell (CA-15)	✓		
Ted Lieu (CA-33)	✓		
Jamie Raskin (MD-08)	✓		
Pramila Jayapal (WA-07)	✓		
Val Demings (FL-10)	✓		
Lou Correa (CA-46)	✓		
Mary Gay Scanlon (PA-05)	✓		
Sylvia Garcia (TX-29)	✓		
Joseph Neguse (CO-02)	✓		
Lucy McBath (GA-06)	✓		
Greg Stanton (AZ-09)	✓		
Madeleine Dean (PA-04)	✓		
Veronica Escobar (TX-16)	✓		
Mondaire Jones (NY-17)	✓		
Deborah Ross (NC-02)	✓		
Cori Bush (MO-01)	✓		
	AYES	NOS	PRES.
Jim Jordan (OH-04)		✓	
Steve Chabot (OH-01)		✓	
Louie Gohmert (TX-01)		✓	
Darrell Issa (CA-50)		✓	
Ken Buck (CO-04)		✓	
Matt Gaetz (FL-01)		✓	
Mike Johnson (LA-04)		✓	
Andy Biggs (AZ-05)		✓	
Tom McClintock (CA-04)		✓	
Greg Steube (FL-17)		✓	
Tom Tiffany (WI-07)		✓	
Thomas Massie (KY-04)		✓	
Chip Roy (TX-21)		✓	
Dan Bishop (NC-09)		✓	
Michelle Fischbach (MN-07)		✓	
Victoria Spartz (IN-05)		✓	
Scott Fitzgerald (WI-05)		✓	
Cliff Bentz (OR-02)		✓	
Burgess Owens (UT-04)		✓	
	AYES	NOS	PRES.
TOTAL	25	19	

28. A motion to transmit Committee Print 117-2, as amended, to the Committee on the Budget passed by a rollcall vote of 25-19. The vote was as follows:

["2A_Judiciary_Vote_Sheet_Insert_28"]

Roll Call No. 28

Date: September 13, 2021

COMMITTEE ON THE JUDICIARY

*House of Representatives
117th Congress***Final Passage on: Committee Print 117-2**

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)	✓		
Zoe Lofgren (CA-19)	✓		
Sheila Jackson Lee (TX-18)	✓		
Steve Cohen (TN-09)	✓		
Hank Johnson (GA-04)	✓		
Ted Deutch (FL-22)	✓		
Karen Bass (CA-37)	✓		
Hakeem Jeffries (NY-08)	✓		
David Cicilline (RI-01)	✓		
Eric Swalwell (CA-15)	✓		
Ted Lieu (CA-33)	✓		
Jamie Raskin (MD-08)	✓		
Pramila Jayapal (WA-07)	✓		
Val Demings (FL-10)	✓		
Lou Correa (CA-46)	✓		
Mary Gay Scanlon (PA-05)	✓		
Sylvia Garcia (TX-29)	✓		
Joseph Neguse (CO-02)	✓		
Lucy McBath (GA-06)	✓		
Greg Stanton (AZ-09)	✓		
Madeleine Dean (PA-04)	✓		
Veronica Escobar (TX-16)	✓		
Mondaire Jones (NY-17)	✓		
Deborah Ross (NC-02)	✓		
Cori Bush (MO-01)	✓		
	AYES	NOS	PRES.
Jim Jordan (OH-04)		✓	
Steve Chabot (OH-01)		✓	
Louie Gohmert (TX-01)		✓	
Darrell Issa (CA-50)		✓	
Ken Buck (CO-04)		✓	
Matt Gaetz (FL-01)		✓	
Mike Johnson (LA-04)		✓	
Andy Biggs (AZ-05)		✓	
Tom McClintock (CA-04)		✓	
Greg Steube (FL-17)		✓	
Tom Tiffany (WI-07)		✓	
Thomas Massie (KY-04)		✓	
Chip Roy (TX-21)		✓	
Dan Bishop (NC-09)		✓	
Michelle Fischbach (MN-07)		✓	
Victoria Spartz (IN-05)		✓	
Scott Fitzgerald (WI-05)		✓	
Cliff Bentz (OR-02)		✓	
Burgess Owens (UT-04)		✓	
	AYES	NOS	PRES.
TOTAL	25	19	

BUDGET EFFECTS OF THE PROVISION

A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974. The Committee has requested but not received from the Director of the Congressional Budget Office a cost estimate for the Committee's provisions.

**B. NEW BUDGET AUTHORITY AND COST ESTIMATE PREPARED BY THE
CONGRESSIONAL BUDGET OFFICE**

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received from the Director of the Congressional Budget Office a statement of whether these provisions contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE

A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the goals and objectives of this Committee Print are to make investments in 1) individuals who are already contributing to our society and economy, by providing them a path to legal residence and improving the green card process, and 2) communities, by providing funding to the Department of Justice for community violence intervention activities.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the Committee Print is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

E. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

F. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

H. CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the constitutional authority for this legislation in Article I, section 8, clauses 4 and 18, which give Congress the power to establish a uniform rule of naturalization and to make all necessary and proper laws, respectively.

CHANGES IN EXISTING LAW MADE BY THE COMMITTEE'S RECONCILIATION LEGISLATIVE RECOMMENDATIONS, AS TRANSMITTED

Clause 3(e) of rule XIII of the Rules of the House of Representatives requires that each report of a committee on a bill or joint resolution contain the text of statutes that are proposed to be repealed and a comparative print of that part of the bill proposed to be amended whenever the bill repeals or amends any statute. A comparative print of changes in existing law made by the Committee Print has been requested but not received.

MINORITY VIEWS

Clause 2(c) of rule XIII of the Rules of the House of Representatives requires each report by a committee on a public matter to include any additional, minority, supplemental, or dissenting views submitted pursuant to clause 2(1) of rule XI of the Rules of the House of Representatives by one or more members of the committee. The minority views of members of the Committee are as follows: