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REPUBLICAN VIEWS

Legislative proposals 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)

September 15, 2021

The budget reconciliation process is properly meant to allow Congress to confront the fiscal challenges facing our country. In their reconciliation proposal pursuant to S. Con. Res. 14, however, Committee Democrats outright ignore our mounting financial and economic problems. Instead, Democrats are abusing the reconciliation process to spend \$3.5 trillion and to raise taxes for American citizens—all in an effort to pass radical far-left policies that include granting amnesty to at least eight million illegal aliens.

Our country faces serious challenges at home and abroad. As a result of President Biden's radical agenda, American families are spending more on household goods,¹ violent crime is surging in major cities,² and our fundamental freedoms are under attack.³ An unprecedented number of illegal aliens are streaming across our unsecured southern border, incentivized and encouraged by the Biden Administration's radical policies.⁴ President Biden directed an incompetent and chaotic withdrawal of U.S. troops from Afghanistan, abandoning Americans behind enemy lines and leaving the country in the hands of terrorists and jihadists.⁵ Now eight months into his Administration, President Biden has been harsher on his fellow American citizens than he has been on radical Islamic terrorists.

The Democrats' reconciliation proposal reflects the out-of-touch progressive priorities of Washington Democrats. Rather than secure our southern border, Chairman Nadler and Committee Democrats prioritize illegal immigrants over American citizens. Rather than protect our cities and neighborhoods, Committee Democrats operationalize their dangerous "defund the police" rhetoric with soft-on-crime community violence intervention programs. These policies do nothing to address our country's pressing challenges including the fact that many law enforcement officers are leaving their jobs in cities hit hardest by increases in violent crime.⁶

The process by which Committee Democrats pursued this reconciliation package is also seriously flawed. Chairman Nadler and Committee Democrats have adopted a pretext that the legislation's amnesty provisions are budgetary in nature. But just six months ago, when the

¹ See U.S. BUREAU OF LABOR STATISTICS, CONSUMER PRICE INDEX SUMMARY (Aug. 11, 2021).

² See, e.g., Emma Tucker & Peter Nickeas, *The US saw significant crime rise across major cities in 2020. And it's not letting up*, CNN (April 3, 2021); MAJOR CITY CHIEFS ASSOCIATION (MCCA), VIOLENT CRIME NATIONAL TOTALS, MIDYEAR COMPARISON, JANUARY 1 TO JUNE 30, 2021 AND 2020 2-4 (2021).

³ See, e.g., Michael D. Shear & Noam Scheiber, *Biden tests the limits of presidential power in pushing vaccinations*, N.Y. TIMES (Sept. 11, 2021); Chris Talgo, *Biden White House admits to using Big Tech to silence Americans*, THE DAILY SIGNAL (July 21, 2021).

⁴ Nick Miroff, *July was busiest month for illegal border crossings in 21 years, CBP data shows*, WASH. POST (Aug. 12, 2021).

⁵ See, e.g., Allie Bice, *'Around' 100 Americans left in Afghanistan, Klain says*, POLITICO (Sept. 5, 2021).

⁶ See, e.g., Jemima McEvoy, *Historic Police Exodus In Cities Most Impacted By Racial Justice Unrest, New Data Shows*, FORBES (APRIL 29, 2021).

House debated similar amnesty legislation, there was no mention of these budgetary effects and Chairman Nadler emphasized the humanitarian and moral importance of the policies.

In addition, Chairman Nadler artificially limited Committee consideration of the proposals and prevented a thorough debate on the measure. Republicans put forward dozens of thoughtful amendments during the Committee’s consideration of the Democrats’ reconciliation proposals. Republicans sought to amend the legislation to ensure that our police departments are properly funded; to preserve Americans’ Second Amendment rights; to prevent criminal aliens with DUI, sex offense, and firearms convictions from getting amnesty, and to prevent criminal gang members from getting amnesty. However, in the middle of the night, with many Republican amendments still left to consider, Chairman Nadler and Committee Democrats cut off debate and moved to transmit the Democrats’ reconciliation submission.

Americans should not be fooled by the Democrats’ radical reconciliation proposal. This legislation is not about fixing the failing Biden economy or reining in wasteful liberal spending priorities. This legislation is about advancing far-left immigration policy to give amnesty to at least eight million illegal aliens. This is a clear abuse of the reconciliation process to bring about a fundamental change to American society without serious legislative deliberation or bipartisanship.

I. Committee Democrats abused the reconciliation process to pursue a far-left policy agenda.

The Congressional Budget and Impoundment Control Act of 1974 created the budget reconciliation process.⁷ As described by the Congressional Research Service, reconciliation is intended to “enhance Congress’s ability to bring existing spending, revenue, and debt limit laws into compliance with current fiscal priorities and goals.”⁸ Reconciliation is also subject to certain limitations in the Senate—known as the “Byrd Rule” for former Democrat Senator Robert C. Byrd—that prevent Congress from including non-budgetary material in a reconciliations package.⁹ While the application of the Byrd Rule is complex and subject to the contours of Senate precedent, the rule generally applies if, among other things, a provision does not have a budgetary impact or has only an incidental budgetary impact.¹⁰

There is no question that the provisions in the Democrats’ reconciliation package have—at most—only an incidental budgetary impact. The amnesty provisions, in particular, are long-held Democrat policy priorities. In fact, Democrats in the House passed very similar amnesty legislation earlier this year, in March 2021.¹¹ Democrats also passed that same amnesty legislation in the 116th Congress.¹²

⁷ Pub. L. 93-344, 88 Stat. 297 (1974).

⁸ MEGAN S. LYNCH, CONG. RES. SERV., R44058, THE BUDGET RECONCILIATION PROCESS: STAGES OF CONSIDERATION (January 2021).

⁹ See BILL HENIFF JR., CONG. RES. SERV., RL30862, THE BUDGET RECONCILIATION PROCESS: THE SENATE’S “BYRD RULE” 1 (May 2021).

¹⁰ See *Id.* at 5; see also 2 U.S.C. § 644(b)(1)(A).

¹¹ H.R. 6, 117th Cong. (2021).

¹² H.R. 6, 116th Cong. (2019).

Democrats' justification for passing amnesty legislation has dramatically shifted from earlier debates to the Committee's current consideration—likely in an attempt to pass muster under the Byrd Rule. During floor debate on the amnesty legislation in March 2021, there was no mention during debate about the “economic gains” or budgetary effects of the amnesty.¹³ Instead, Chairman Nadler explained the legislation's policy purpose as a humanitarian effort to “finally deliver[] on our promise to America's Dreamers and others who are equally deserving of our protection.”¹⁴ Now, just six months later Chairman Nadler has embraced a newfound emphasis on the purported “economic gains” of amnesty and “investments in human infrastructure,” as he described in his opening statement at the Committee's business meeting.¹⁵ It is plainly obvious that the Chairman's newfound emphasis on budgetary and economic effects is solely an effort to comply with the Byrd Rule.

It is clear that Committee Democrats' new embrace of the budgetary effects of amnesty are merely a pretext to shoehorn the package's immigration policy provisions into the reconciliation process. But even accepting at face value Chairman Nadler's newfound reasoning, any budgetary effects of amnesty are—at best—second- or third-order effects. Unlike tax legislation or legislation to reduce mandatory spending, the amnesty provisions will have no first-order effect on the country's fiscal health.

A. Committee Democrats will grant amnesty to at least eight million illegal aliens.

The exact number of illegal aliens in the U.S. is unknown. The Department of Homeland Security's (DHS) most recent report about the population size of illegal aliens estimates that there were 11.4 million illegal aliens living in the U.S. as of January 2018.¹⁶ That number, of course, has likely risen in the time since then.

The Democrats' reconciliation legislation includes a path to citizenship for the following categories of foreign nationals:

- An alien who has been continuously present in the U.S. since January 1, 2021; was 18 years old or younger when the alien entered the U.S. (legally or illegally) and has continuously resided in the U.S. since entry; and (i) served honorably in the U.S. military or attained a degree from, or completed at least two years in, a program that can lead to a college degree or a degree from a technical institute; (ii) demonstrates a three-year period of “earned income” in the U.S.; or (iii) enrolls in college or a technical school and is employed or participating in an internship or apprenticeship, or training program.
- An alien who has been continuously physically present in the U.S. since January 1, 2021 (legally or illegally) and demonstrates a “consistent record of earned income” in the U.S.

¹³ 167 Cong. Rec. H1503, H1507-27 (Mar. 18, 2021).

¹⁴ *Id.* at H1513.

¹⁵ Press Release, H. Comm. on the Judiciary, Chairman Nadler Opening Statement for Markup of Build Back Better Act (Sept. 13, 2021).

¹⁶ U.S. Department of Homeland Security, Office of Immigration Statistics, *Population Estimates: Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2015 – January 2018*, (Jan. 2021), https://www.dhs.gov/sites/default/files/publications/immigration-statistics/Pop_Estimate/UnauthImmigrant/unauthorized_immigrant_population_estimates_2015_-_2018.pdf.

in an occupation determined by the Biden Administration to be “Critical Infrastructure” work during the COVID-19 response for the time period between January 31, 2020, and August 24, 2021.

- An alien who has been continuously physically present in the U.S. for not less than three years, is a national of a country that was designated for Temporary Protected Status as of January 1, 2017, and is not ineligible for TPS based on the TPS inadmissibility grounds (whether or not the alien ever applied for or was granted TPS).
- An alien who has been continuously physically present in the U.S. for not less than three years, was eligible for Deferred Enforced Departure as of January 20, 2021, and remains eligible for DED.¹⁷

These provisions reflect the amnesty categories covered by other legislation introduced this Congress. The Migration Policy Institute estimated that “[t]he American Dream and Promise Act of 2021 introduced in the U.S. House of Representatives on March 3, 2021 could make a maximum of 4,438,000 DREAMers, individuals eligible for Temporary Protected Status (TPS) or Deferred Enforced Departure (DED), and legal DREAMers eligible for permanent residence.”¹⁸ Senator Alex Padilla (D-CA), the sponsor of the Citizenship for Essential Workers Act, stated that the bill would create a pathway to citizenship for “over 5 million essential workers” who worked during the COVID-19 pandemic.¹⁹

Of course, the number of illegal aliens ultimately provided amnesty by any given piece of legislation depends on the eligibility requirements, the documents accepted by DHS to prove identity and compliance with the eligibility requirements, and the propensity (or lack thereof) of DHS to detect fraud in the application process.

Previous amnesties have resulted in an alarming rate of fraudulent applications. For instance, one of the amnesty programs in the Immigration Reform and Control Act of 1986 (IRCA) provided a path to citizenship for illegal alien farm workers who had worked in agriculture at least 90 days prior to the enactment of the bill.²⁰ That “special agricultural worker” (SAW) program ultimately amnestied 1.1 million illegal aliens.²¹

¹⁷ Amendment in the Nature of a Substitute to the Committee Print Offered by Mr. Nadler of New York, to Legislative Proposals 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).

¹⁸ *American Dream and Promise Act of 2021: Who is Potentially Eligible*, MIGRATION POLICY INSTITUTE (Mar. 2021), <https://www.migrationpolicy.org/content/american-dream-and-promise-act-2021-eligibility>.

¹⁹ Press Release, *Padilla Announces Pathway to Citizenship for Essential Workers in First Bill as Senator*, U.S. Senator Alex Padilla, (Fe. 26, 2021), <https://www.padilla.senate.gov/press-releases/padilla-announces-pathway-to-citizenship-for-essential-workers-in-first-bill-as-senator/>.

²⁰ P.L. 99-603.

²¹ Muzaffar Chishti, Doris Meissner, and Claire Bergeron, *At Its 25th Anniversary, IRCA’s Legacy Lives On*, MIGRATION POLICY INSTITUTE (Nov. 16, 2011), <https://www.migrationpolicy.org/article/its-25th-anniversary-ircas-legacy-lives>.

According to University of California, Davis Professor Philip Martin, up to two-thirds of the applications for SAW status were fraudulent,²² as aliens submitted fraudulent affidavits and documents from employers to substantiate their claim that they had engaged in prior agricultural employment, as required.²³ Most fraudulent applications were approved, including a terrorist. Mahmud Abouhalima, who participated in the 1993 World Trade Center attack, received SAW status, despite the fact that he was a New York City taxi driver—not a farm worker—when he applied for SAW status.²⁴

Thus, it is important for amnesty legislation to specify the documents acceptable by DHS to prove an alien applicant's identity and compliance with the eligibility requirements. The Democrats have no such requirements in their legislation.²⁵

The Democrats claim their bill precludes criminal and other bad-actor aliens from eligibility for amnesty. However, the bill's own provisions ensure that criminal aliens and other bad actors are eligible for the amnesty. For instance, the bill authorizes the DHS Secretary to waive any criminal ground of inadmissibility, alien smuggling ground, student visa violation ground, or unlawful voting ground for "humanitarian purposes," "family unity," or if it is in the public interest to do so.²⁶ In addition, an alien's expunged conviction does not automatically count as a conviction for immigration purposes (as current policy requires) and the DHS Secretary must evaluate whether, despite the expunged conviction, the alien is eligible for amnesty.²⁷

Furthermore, Democrats falsely assert that an applicant for amnesty "is disqualified if she or he has . . . more than two misdemeanors of any kind."²⁸ However, in reality an alien could have many misdemeanor convictions and still be eligible for the amnesty, as long as those convictions occurred on the same date.²⁹

B. Committee Democrats will drastically increase the number of U.S. green card holders

²² Philip Martin, *Harvest of Confusion: Immigration Reform and California Agriculture*, 24 *Inter. Migration Rev.* 69, 83 (1990).

²³ Report of the Commission on Agricultural Workers, Commission on Agricultural Workers (Nov. 1992).

²⁴ National Commission on Terrorist Attacks Upon the United States, *9/11 and Terrorist Travel: A Staff Report of the National Commission on Terrorist Attacks Upon the United States*, (2004) (Mahmud Abouhalima, a participant in the 1993 attack on the World Trade Center, received SAW status as an agricultural worker.).

²⁵ Amendment in the Nature of a Substitute to the Committee Print Offered by Mr. Nadler of New York, to Legislative Proposals 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).

²⁶ *Id.*

²⁷ *Id.*

²⁸ Statement of Chairman Jerold Nadler, Markup of Legislative Proposals 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), H. Comm. on the Judiciary, 117th Congress (Sept. 13, 2021).

²⁹ Amendment in the Nature of a Substitute to the Committee Print Offered by Mr. Nadler of New York, to Legislative Proposals 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).

The Democrats reconciliation legislation also increases the number of green cards currently available to foreign nationals each year. It does so through a process called “recapture” and through an adjustment of status-related procedure.

Section 60002 of the bill allows the issuance of additional green cards, beyond the current statutorily limited annual number, by “recapturing” green cards deemed as having been available but “unused” during certain previous fiscal years. It does so in several ways.

First, currently, the ceiling on the number of family-based green cards that may be issued in a fiscal year (FY) must be at least 226,000. The Democrats’ bill would set the annual family-based green card limit going forward at no less than 226,000 *plus* the number of employment-based green cards that were “unused” in the previous FY.³⁰

Second, beginning in FY 22, the bill generally adds to the annual family-based green card limit a number of green cards equal to the number of family-based green cards authorized between FYs 1992 and 2021 minus the number of family-based green cards issued during those years.³¹

Third, beginning in FY 22, the bill generally adds to the annual employment-based green card limit a number of green cards equal to the number of employment-based green cards authorized between FYs 1992 and 2021 minus the number of green cards issued during those years.³²

The Center for Immigration Studies has estimated that the above provisions would combine to make available “*at least* 793,455 green cards” noting that the FY 2020 data which will increase that number, is unavailable publicly at this time.³³

Finally, with regard to recapture, the bill allows the DHS Secretary, notwithstanding the annual limit or the fact that there may not have been any unused Diversity (i.e. visa lottery) green cards in a given year, to issue additional green cards. Specifically, the bill requires the Secretary to make a green card available to any alien selected through the visa lottery process in any of FYs 2017-2021 who was denied a Diversity green card or not able to come to the U.S. based on the travel bans issued during the Trump Administration or due to certain processing or travel limitations caused by the COVID-19 pandemic.³⁴ The number of aliens to whom this provision could apply is unknown, but no doubt it is significant.

Section 60003 of the bill exempts certain aliens from the annual green card statutory limits. Specifically, it authorizes DHS to accept an application for adjustment of status for aliens who have an approved green card petition and who pay \$1,500, regardless of whether or not a

³⁰ *Id.* at Sec. 60002.

³¹ *Id.*

³² *Id.*

³³ Robert Law, *Legal Immigration Will Explode Under ‘Budget Reconciliation’ Bill*, CENTER FOR IMMIGRATION STUDIES (Sept. 14, 2021).

³⁴ Amendment in the Nature of a Substitute to the Committee Print Offered by Mr. Nadler of New York, to Legislative Proposals 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) at Sec. 60003.

green card is available for the alien at the time the application is filed.³⁵ Because DHS regulations allow aliens with pending adjustment applications to receive employment authorization, the practical effect is that any alien with an approved immigrant petition will become eligible for unrestricted employment authorization potentially many years before they actually are able to receive a green card.

Section 60003 also requires the DHS Secretary to exempt an alien from the annual green card limits and authorizes DHS to adjust the status of the alien and the alien's spouse and children to lawful permanent resident status if the alien submits an application for such exemption and the alien pays a fee ranging from \$2,500 to \$50,000 and otherwise meets certain requirements. The exact number of aliens to whom this provision will apply is unknown but surely will be significant.

C. Committee Democrats prioritize criminals over law-abiding Americans.

The Democrats' reconciliation package appropriates \$2.5 billion over the next decade for "community-based violence intervention programs" which will fund grants administered by the Office of Justice Programs (OJP), the Office of Community Oriented Policing Services (COPS), and the Office of Violence Against Women (OVW). The bill, however, includes no definition of "community-based violence intervention programs" and grants could be used to support evidence-informed intervention strategies to reduce community violence. Eligible recipients include units of local government, States, Indian Tribes, nonprofit community-based organizations, victim services providers, or other entities as determined by the Attorney General. In other words, grants can flow to any number of organizations to provide these ill-defined services.

The Committee has yet to hear from experts indicating whether these intervention programs are effective. Spending \$2.5 billion over the next decade on these ill-defined programs may not be the wisest use of limited resources to stem the tide of violence cascading across our communities. The Democrats did nothing to put a halt to the dangerous practice of defunding the police in which many Democrat-run cities have recklessly engaged. In fact, when Rep. Dan Bishop offered an amendment to prohibit the Attorney General from awarding grants to jurisdictions that defund their police, every Democrat who voted on the amendment rejected the proposal.

Additionally, Committee Republicans are concerned that these ill-defined grant programs could be used to fund groups that oppose the Second Amendment or compensate jurisdictions to pass laws that deny Americans their due process rights when taking away their Second Amendment right. For instance, last year, this Committee considered a bill that would deprive law-abiding Americans of their due process rights while taking away their Second Amendment rights.³⁶ Rep. Thomas Massie offered an amendment to ensure that law-abiding Americans would not lose their Constitutional rights without due process. This amendment was unanimously rejected by Committee Democrats.

³⁵ *Id.*

³⁶ H.R. 1236 116th Cong. (2019)

II. Committee Democrats artificially limited debate and restricted Republican opportunities to amend the legislation.

Despite Democrat attempts to suggest that they acted to safeguard the ability of Republicans to participate fully in the markup of the Democrats' reconciliation package, the Committee's markup was charade designed to prevent full consideration of both the Democrats' proposals and Republican amendments. For starters, the Democrats failed to schedule the markup until what they represented was the last possible day for Committee action, despite at least a half dozen other House committees beginning consideration of the reconciliation package in the prior weeks.

The Democrats were also under apparent directions to only participate sparingly in debate, with Chairman Nadler going so far as to admonish one Democrat Member who sought to speak that he should do so "briefly." Representative Cohen then promised to "not take all five [minutes]" to which he was entitled. Unlike his often-robust participation in committee markups, Rep. Steve Cohen did not speak for the remainder of the markup, other than to vote down Republican amendments and vote on the Democrats' partisan reconciliation proposal. In fact, aside from the Chair of the full committee and two subcommittee Chairs, the rest of the Democrat Members did not participate in the markup other than to vote or, the case of Rep. Veronica Escobar, to shut down debate by moving the previous question.

The Democrats then argued that the markup was required to end before midnight in order to protect Republicans' right to file minority views to the legislative report, going so far as to cut off debate in the middle of an amendment despite knowing that several additional Republicans still sought recognition to not only speak on that amendment but also to offer additional amendments. This contrived justification for forcing the markup to end is inconsistent with current practice and House precedent. Committees have routinely delayed reporting reconciliation packages in order to provide additional time for consideration. In fact, the Committee on Energy and Commerce, the Committee on Transportation and Infrastructure, and the Committee on Ways and Means continued their markups of their legislative proposals under S. Con. Res. 14's instructions as late as Wednesday, September 15—well past this Committee Democrats' supposed deadline.³⁷ As of 3:00 P.M. on September 15, both the Energy and Commerce and the Ways and Means Committees were still debating their legislative proposals.

A. Committee Democrats uniformly opposed amendments offered by Republicans.

The following is a list of common-sense amendments offered by Republicans during the Committee's consideration of the Democrats' reconciliation legislation. The Democrats opposed each of these proposals.

- Rep. Tom McClintock (CA) offered an amendment to ban the Justice Department from discriminating against potential grant recipients and partners that reject the Biden

³⁷ See MEGAN S. LYNCH, CONG. RES. SERV., R41151, BUDGET RECONCILIATION PROCESS: TIMING OF COMMITTEE RESPONSES TO RECONCILIATION DIRECTIVES (2016); see also Alice Miranda Ollstein et al., *Centrists throw wrench in House Democrats' drug pricing plans*, POLITICO (Sept. 14, 2021); see also Brian Faler, *40-plus tax increases: A rundown of House Dems' \$2 trillion tax plan*, POLITICO (Sept. 14, 2021).

Administration's unlawful and unconstitutional vaccine mandate. The Democrats rejected the amendment.

- Rep. Darrell Issa (CA) offered an amendment to preclude aliens who are not fully vaccinated against the SARS-CoV-2 virus from being eligible for amnesty under the bill. The Democrats rejected the amendment.
- Rep. Greg Steube (FL) offered an amendment to require the DHS Secretary to report to the House of Representative on the effect that the Taliban overthrowing the Afghan government and the high rate of illegal crossings on the southern U.S. border will have on U.S. national security and the potential for an alien with ties to the Taliban or an associated terrorist organization to obtain a visa pursuant to the legislation. The Democrats rejected the amendment.
- Rep. Scott Fitzgerald (WI) offered an amendment to preclude funds appropriated under the bill from being used until the Secretary of State certifies that each U.S. citizen in Afghanistan on the date of enactment has been provided the opportunity to return to the United States on an aircraft at no cost to the individual. The Democrats rejected the amendment.
- Rep. Ken Buck (CO) offered an amendment to 1) preclude aliens who are members of a criminal street gang and knowingly participated in the activities of a criminal street gang from being eligible for the amnesty, and 2) allow the DHS Secretary to consider any and all credible evidence of membership or participation in a criminal street gang when determining whether an alien is eligible for the amnesty under the bill. The Democrats rejected the amendment.
- Rep. Cliff Bentz (OR) offered an amendment to preclude aliens with a misdemeanor conviction relating to a firearm or destructive device from being eligible for amnesty under the bill. The Democrats rejected the amendment.
- Rep. Scott Fitzgerald (WI) offered an amendment to preclude aliens with a conviction for any offense (other than public urination or defecation) that required the alien to register as a sex offender from being eligible for amnesty under the bill. The Democrats rejected the amendment.
- Rep. Mike Johnson (LA) offered an amendment to preclude illegal aliens with a single conviction for driving while intoxicated from being eligible for amnesty under the bill. The Democrats rejected the amendment.
- Rep. Mike Johnson (LA) offered an amendment to preclude illegal aliens with two or more convictions for driving while intoxicated from being eligible for amnesty under the bill. The Democrats rejected the amendment.

- Rep. Mike Johnson (LA) offered an amendment to preclude illegal aliens with ten or more convictions for driving while intoxicated from being eligible for amnesty under the bill. The Democrats rejected the amendment.
- Rep. Andy Biggs (AZ) offered an amendment to strike from the bill, the authority of the DHS Secretary to waive grounds of alien inadmissibility for purposes of amnesty eligibility. The Democrats rejected the amendment.
- Rep. Andy Biggs (AZ) offered an amendment to make the DHS Secretary's authority to waive grounds of alien inadmissibility nondelegable and to require the DHS Secretary to pose on a publicly available website each waiver granted including the ground of inadmissibility waived and the reason for each waiver. The Democrats rejected the amendment.
- Rep. Mike Johnson (LA) offered an amendment to prohibit the use of federal taxpayer dollars from funding abortions or funding health benefit plans that cover abortion services. The Democrats rejected the amendment.
- Rep. Dan Bishop (NC) offered an amendment to prohibit the Attorney General from awarding grants to jurisdictions that defund their police. The Democrats rejected the amendment.
- Rep. Thomas Massie (KY) offered an amendment to ensure that law-abiding Americans would not lose their Second Amendment rights without due process. The Democrats rejected the amendment.
- Rep. Mike Johnson (LA) offered an amendment to require DHS to provide the chief executive of a state or locality to which DHS plans to transport illegal aliens with 36-hours notice in advance of such transportation and to get approval from the chief executives prior to such transportation. The amendment also requires that the DHS Secretary notify the relevant members of Congress of the transport. The Democrats rejected the amendment.
- Rep. Tom Tiffany (WI) offered an amendment to prohibit aliens convicted of a crime involving moral turpitude from being eligible for the amnesty or other green cards under the bill. The amendment also reduces from three to two the number of allowable convictions for purposes of eligibility for amnesty. The Democrats rejected the amendment.
- Rep. Andy Biggs (AZ) offered an amendment to require all regulations, policy, memoranda, or guidance issued by the DHS Secretary related to the immigration provisions of the bill, to be enacted into law prior to such regulations, policy, memoranda or guidance taking effect. The Democrats rejected the amendment.
- Rep. Dan Bishop (NC) offered an amendment to preclude implementation of the provisions of the bill until the Migrant Protection Protocols are fully implemented, in

accordance with the opinion of the court in the case of *The State of Texas, the State of Missouri v. Joseph R. Biden, Jr. et. al.* The Democrats rejected the amendment.

- Rep. Dan Bishop (NC) offered an amendment to preclude implementation of the provisions of the bill until \$2.2 billion is appropriated for the construction of a physical barrier along the international land border between the United States and Mexico that will prevent illegal entry and will assist in gaining operational control of the border (as defined in section 2(b) of the Secure Fence Act of 2006 (8 U.S.C. 1701 note; 12 Public Law 109–367)). The Democrats rejected the amendment.
- Rep. Ken Buck (CO) offered an amendment to expand and enhance the ability of the DHS Secretary to conduct background checks on aliens seeking amnesty. The Democrats rejected the amendment.
- Rep. Scott Fitzgerald (WI) offered an amendment to prohibit the Attorney General from awarding grants to jurisdictions that refuse to prosecute individuals for crimes of violence. The Democrats rejected the amendment.
- Rep. Tom Tiffany (WI) offered an amendment to allow the grant of parole by the DHS Secretary only in the following circumstances: 1) in the case of a medical emergency for which the alien cannot seek treatment in the foreign country, 2) in the case of an alien donating an organ to a family member in the U.S. 3) in the case of an alien assisting the U.S. government in criminal or national security matters, or 4) if the alien’s life will be threatened based on the religion or the perceived religion of the alien. The Democrats rejected the amendment.
- Rep. Michelle Fischbach (MN) offered an amendment to prohibit abortions of unborn children capable of feeling pain. The Democrats rejected the amendment.
- Rep. Andy Biggs (AZ) offered an amendment to prohibit the use of funds under Subtitle B of the bill from going to sanctuary jurisdictions that hinder the federal government from enforcing immigration laws. The Democrats rejected the amendment.
- Rep. Mike Johnson (LA) offered an amendment to strike the diversity visa section of the bill and insert language forbidding the use of federal funds to administer the diversity visa program. The Democrats rejected the amendment.
- Rep. Gohmert (TX) offered an amendment to strike the immigration-related provisions of the bill. The Democrats rejected the amendment.

B. Committee Democrats prevented a full consideration of all Republican amendments.

In addition to uniformly opposing all Republican amendments, Chairman Nadler cut off Committee debate without allowing the Committee to consider all Republican amendments. At

the time when the Chairman cut off debate, Republicans had many more amendments still to offer, including the following:

- An amendment to strike Section 60003 of the bill.
- An amendment to strike Section 60002 of the bill.
- An amendment to require aliens to prove that the fees paid pursuant to the bill were not derived from activities of the Chinese Communist Party, or another communist or totalitarian party.
- An amendment to preclude the DHS Secretary from accepting affidavits as documentation to prove compliance with the amnesty eligibility requirements under the bill.
- An amendment to prevent an alien's earned income from counting toward fulfillment of the amnesty requirements if that income was accumulated using the stolen identity of a U.S. citizen, lawful permanent resident, or nonimmigrant visa holder.
- An amendment to prevent an alien's earned income from counting toward fulfillment of the amnesty requirements if no income taxes were paid on that income.
- An amendment to make the continuously physically present date for amnesty eligibility June 15, 2007, the same as the Deferred Action for Childhood Arrivals (DACA) standard.
- An amendment to preclude appeal of a denial of an amnesty application or the denial of a waiver of the inadmissibility grounds.
- An amendment to make the expunged conviction provision applicable only to expungements as of the date of introduction.
- An amendment to apply the amnesty only to DACA recipients.
- An amendment to prohibit amnesty for an alien who failed to appear at an immigration court hearing.
- An amendment to prohibit amnesty to an alien who failed to comply with a final order of removal or order of voluntary departure.
- An amendment to prohibit amnesty for an alien who made a false claim to U.S. citizenship.
- An amendment to preclude the DHS Secretary from being able to waive for the purposes of amnesty, the unlawful voting ground of inadmissibility.

- An amendment to permit the information derived from an application for amnesty, to be used for law enforcement and immigration enforcement purposes.
- An amendment to prohibit funding under the bill from being used to assist aliens with their amnesty applications.
- An amendment to prevent aliens who improperly received public benefits from receiving immigration benefits under the bill.
- An amendment to take the funds appropriated under the bill for U.S. Citizenship and Immigration Services (USCIS) and divide them evenly between Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection.
- An amendment to preclude implementation of the amnesty provisions until the DHS Secretary certifies that aliens currently in the United States under final orders of removal have been removed from the country or have otherwise departed the country.
- An amendment to preclude illegal aliens from eligibility for the child tax credit.
- An amendment to provide the funds appropriated for USCIS under the bill to be allocated to ICE for the purpose of civil immigration enforcement, detention, and removal of aliens.
- An amendment to preclude the DHS Secretary from being able to waive the human smuggling ground of inadmissibility.
- An amendment to preclude the DHS Secretary from being able to waive the ground of inadmissibility for student visa abusers.
- An amendment to preclude the stay of removal for an alien with a final order of removal.
- An amendment to require that no alien who is or was a member of the Chinese Communist Party is eligible for adjustment of status under the bill.
- An amendment to ensure that in no case shall a Diversity visa be issued pursuant to Section 60002 if the green card would cause the number of green cards issued in FY 2017, 2018, 2019, 2020, or 2021, whichever year the alien was selected pursuant to the visa lottery, to exceed 55,000.
- An amendment to clarify that the grants in Subpart B would not be used to promote gun control.
- An amendment to ban the Justice Department from discriminating against potential grant recipients and partners that reject any *future* encroachments on American liberties akin to the Biden Administration's unlawful and unconstitutional vaccine mandate.

- An amendment to ban the Justice Department from discriminating against entities in regions where Americans or American businesses have been, are being, or will be harmed by the Biden Administration’s unlawful and unconstitutional vaccine mandate.
- An amendment to prohibit funds collected or appropriated under the bill from being used for abortions of unborn children with a heartbeat.
- An amendment to prohibit funds collected or appropriated under the bill from being used for dismemberment abortions.

* * *

The nonpartisan Government Accountability Office reported in March 2021 that “[i]n the long term, the [nation’s] fiscal outlook poses serious economic, security, and social challenges if not addressed.”³⁸ It warned that “[t]he unsustainable fiscal path is straining the federal budget and contributing to growing debt. The longer that action to address this issue is delayed, increasingly drastic changes will be needed.”³⁹ Deficit spending reached a record high of \$3.1 trillion in 2020, which is more than double the previous record of \$1.4 trillion set in 2009.⁴⁰ The Congressional Budget Office (CBO) estimates the federal deficit will reach \$3.0 trillion in 2021—nearly the triple the deficit in 2019.⁴¹

Amid this serious fiscal crisis, Washington Democrats aim to use the reconciliation process to make fundamental, non-budgetary changes to federal law. Democrats on this Committee, in particular, aim to grant amnesty to at least eight million illegal immigrants. This legislation speaks volumes to the misplaced priorities of Washington Democrats: taxing Americans, rewarding law-breakers, harming American workers, ignoring the violent crime plaguing American communities, and ultimately putting America last.



Jim Jordan
Ranking Member

³⁸ GAO, GAO-21-275SP, THE NATION’S FISCAL HEALTH: AFTER PANDEMIC RECOVERY, FOCUS NEEDED ON ACHIEVING LONG-TERM FISCAL SUSTAINABILITY (March 2021).

³⁹ *Id.*

⁴⁰ CLAIRE HANSEN, U.S. NEWS & WORLD REPORT, FEDERAL BUDGET DEFICIT SKYROCKETS TO ALL-TIME RECORD HIGH OF \$3.1 TRILLION, (October 16 2020), available at: <https://www.usnews.com/news/national-news/articles/2020-10-16/federal-budget-deficit-skyrockets-to-all-time-record-high-of-31-trillion>.

⁴¹ CBO, AN UPDATE TO THE BUDGET AND ECONOMIC OUTLOOK: 2021 TO 2031 (July 2021).

RAÚL M. GRIJALVA OF ARIZONA
CHAIRMAN

DAVID WATKINS
STAFF DIRECTOR

BRUCE WESTERMAN OF ARKANSAS
RANKING REPUBLICAN

VIVIAN MOEGLER
REPUBLICAN STAFF DIRECTOR

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

September 15, 2021

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

Dear Chair 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 Natural Resources, 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,



Raúl M. Grijalva
Chair
Committee on Natural Resources

<http://naturalresources.house.gov>

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EXPLANATION OF PROVISIONS

Section-by-Section

TITLE VII – COMMITTEE ON NATURAL RESOURCES

SUBTITLE A – BUREAU OF INDIAN AFFAIRS AND INDIAN HEALTH SERVICE

Section 70101. Tribal Consultation

Section 70101 provides \$30,000,000 to the Department of the Interior, to remain available until September 30, 2031, to conduct consultation with tribal governments.

Section 70102. Bureau of Indian Affairs

(a) Bureau of Indian Affairs Road Maintenance

Subsection (a) provides \$300,000,000 to the Bureau of Indian Affairs, to remain available until September 30, 2031, to address the deferred maintenance backlog in the Bureau of Indian Affairs’ Road Maintenance program. Funds may be allocated towards road maintenance, routine maintenance, bridge maintenance, snow and ice removal, emergency maintenance, ferry boat operation, and program management.

(b) Bureau of Indian Affairs Public Safety

Subsection (b) provides \$200,000,000 to the Bureau of Indian Affairs, to remain available until September 30, 2031, for public safety and justice construction activities, including facility replacement, facility improvement, facility repair, staffing and related projects at detention, correctional, tribal court, and law enforcement facilities.

(c) Bureau of Indian Affairs Climate Resilience

Subsection (c) provides \$1,000,000,000 to the Bureau of Indian Affairs, to remain available until September 30, 2031, for Tribal climate resilience and adaptation programs. Funds may be allocated towards the program’s Tribal Climate Adaption grants, Alaska Village Relocation grants.

(d) Tribal Housing

Subsection (d) provides \$500,000,000 to the Bureau of Indian Affairs, to remain available until September 30, 2031, to conduct tribal housing improvement activities through the Bureau of Indian Affairs' Housing Program, including housing repairs, renovations of existing homes, construction of replacement homes, electrification of tribal homes lacking electricity including home repairs, retrofitting for renewable energy systems, and construction of homes for families who do not own a home but have ownership or lease of sufficient land suitable for housing.

(e) Tribal Energy

Subsection (e) provides \$35,000,000 to the Bureau of Indian Affairs, to remain available until September 30, 2031, for tribal energy programs.

Section 70103. Indian Health Service

(a) Indian Health Service Information Technology

Subsection (a) provides \$140,000,000 to the Indian Health Service, to remain available until September 30, 2031, to modernize the electronic health records system.

(b) Urban Indian Health

Subsection (b) provides \$42,000,000 to the Indian Health Service, to remain available until September 30, 2031, to construct and renovate urban Indian healthcare facilities.

(c) Indian Health Service Facilities Maintenance

Subsection (c) provides \$610,000,000 to the Indian Health Service, to remain available until September 30, 2031, to maintain and improve Indian Health Service and tribal healthcare facilities.

(d) Green Infrastructure

Subsection (d) provides \$10,000,000 to the Indian Health Service, to remain available until September 30, 2031, for the incorporation of sustainability features in existing construction projects.

(e) Inpatient and Community Health Facilities

Subsection (e) provides \$40,000,000 to the Indian Health Service, to remain available until September 30, 2031, for the inpatient and community health facilities design and construction.

(f) Medical Equipment

Subsection (f) provides \$150,000,000 to the Indian Health Service, to remain available until September 30, 2031, for the replacement and maintenance of healthcare facilities equipment.

(g) Small Ambulatory Construction

Subsection (g) provides \$60,000,000 to the Indian Health Service, to remain available until September 30, 2031, for the operation of the small ambulatory construction program.

(h) Personnel Quarters Construction

Subsection (h) provides \$278,000,000 to the Indian Health Service, to remain available until September 30, 2031, for the construction and improvement of personnel quarters.

(i) Indian Health Service Priority Health Care Facilities

Subsection (i) provides \$2,000,000,000 to the Indian Health Service, to remain available until September 30, 2031, to support the remaining projects on the 1993 Indian Health Service Healthcare Facilities Construction Priority List.

(j) Facilities Support

Subsection (j) provides \$170,000,000 to the Indian Health Service, to remain available until September 30, 2031, for environmental health and facilities support activities of the Indian Health Service.

SUBTITLE B—SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS***Section 70201. Oak Flat Withdrawal***

Section 70201 repeals Section 3003 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for fiscal year 2015 (16 U.S.C. 539p) and withdraws 2,422 acres of National Forest System land. Subject to valid rights in existence on the date of enactment, the 2,422-acre parcel is withdrawn from all forms of disposal under the public land laws and location, entry, and patent under the mining law.

Section 70202. Civilian Climate Corps*(a) National Park Service Civilian Climate Corps*

Subsection (a) provides \$1,700,000,000 to the National Park Service, to remain available until September 30, 2031, to carry out education and job training and conservation projects with corps programs on Public Lands. No more than 2 percent of the funds provided by this subsection are to be used for administrative expenses.

(b) Bureau of Land Management Civilian Climate Corps

Subsection (b) provides \$900,000,000 to the Bureau of Land Management, to remain available until September 30, 2031, for carrying out education and job training projects and conservation projects on Public Lands. No more than 2 percent of the funds provided by this subsection are to be used for administrative expenses.

(c) United States Fish and Wildlife Service Civilian Climate Corps

Subsection (c) provides \$400,000,000 to the U.S. Fish and Wildlife Service, to remain available until September 30, 2031, for carrying out education and job training projects and conservation projects on Public Lands. No more than 2 percent of the funds provided by this subsection are to be used for administrative expenses.

(d) Tribal Civilian Climate Corps

Subsection (d) provides \$500,000,000 to the Bureau of Indian Affairs, to remain available until September 30, 2031, for carrying out education and job training projects and conservation projects for the benefit of Indian Tribes and Native Hawaiians. None of the funds provided by this subsection shall be subject to cost-share requirements. No more than 2 percent of the funds provided by this subsection are to be used for administrative expenses.

Section 70203. Presidio Trust

Section 70203 provides \$200,000,000 to the Presidio Trust, to remain available until September 30, 2026, for the completion of projects in accordance with the purposes outlined in the Presidio Trust Act (16 U.S.C. 460bb).

Section 70204. Grand Canyon

Section 70204 withdraws approximately 1,054,923 acres of federal land or interest in land from disposal under the public land laws and location, entry, and patent under the mining law. The section provides \$1,500,000 to the Bureau of Land Management, to remain available until September 30, 2026, for the administration and implementation of the withdrawal.

Section 70205. Wildfire*(a) Protecting Communities and Ecosystems from Wildfire*

Subsection (a) provides \$900,000,000 to the Bureau of Land Management, to remain available until September 30, 2031, to reduce wildfire risk on landscapes and for communities through fire preparedness, fire science and research, including improved firehazard mapping and management, emergency rehabilitation, rural fire assistance, non-commercial fuels management activities in the wildland-urban interface, the renovation or construction of fire facilities, and for expenses necessary to support firefighter workforce reforms. None of the funds provided by this subsection are available for salvage logging.

(b) Tribal Wildfire Prevention

Subsection (b) provides \$100,000,000 to the Bureau of Indian Affairs, to remain available until September 30, 2031, to carry out the National Indian Forest Resources Management Act (25 U.S.C. 3101 et seq.) and to protect tribal forest lands from wildfire.

(c) Forest Technology Improvements

Subsection (c) provides \$1,000,000 to the Office of Wildland Fire Management, to remain available until September 30, 2031, to carry out a research, development, and testing pilot program

for new reforestation technologies, including the use of unpiloted aerial systems, geospatial, and remote sensing technologies. The section directs this funding to accelerate the deployment of these new technologies in collaborations with States, Tribes, and private organizations.

Section 70206. Urban Parks

Section 70206 provides \$100,000,000 to the National Park Service, to remain available until September 30, 2026, to carry out direct, competitive grants to localities to create or enhance access to parks or outdoor recreation facilities in urban areas in compliance with specified existing laws and limitations.

Section 70207. Every Kid Outdoors

Section 70207 provides \$100,000,000 to the National Park Service, to remain available until September 30, 2031, to carry out the purposes outlined under Sec. 9001(b)(3)(D) of P.L. 116-9, and for the issuance and administration of passes for any fourth, fifth, or sixth-grade student or home-schooled learner ten years of age residing in the United States that allows free access for the student and three accompanying adults to any publicly accessible federal land or water under the jurisdiction of the National Park Service. The passes may be issued at the request of a student and remain effective during the period beginning on September 1 and ending on August 31 of the following year.

Section 70208. National Park Service Climate Resilience

Section 70208 provides \$115,000,000 to the National Park Service, to remain available until September 30, 2031, for the protection, restoration, and resiliency of National Park Service-managed lands and resources. None of the funds provided in this section shall be subject to cost-share requirements.

Section 70209. Bureau of Land Management Climate Resilience

Section 70209 provides \$110,000,000 to the Bureau of Land Management, to remain available until September 30, 2031, for the protection, restoration, and resiliency of Bureau of Land Management-managed lands and resources. None of the funds provided in this section shall be subject to cost-share requirements.

Section 70210. Historic Preservation

Section 70210 provides \$75,000,000 to the Director of the National Park Service, to remain available until September 30, 2031, to carry out preservation or historic preservation activities as defined by the National Historic Preservation Act (54 U.S.C. 300315).

Section 70211. Thompson Divide

Section 70211 withdraws approximately 200,000 acres of federal land or interest in land from all forms of disposal under the public land laws, location, entry, and patent under the mining laws, and operation of the mineral leasing, mineral materials, and geothermal leasing laws. Subsection (b) provides \$500,000 to the Bureau of Land Management, to remain available until September 30, 2026, to acquire, from willing sellers, the rights to oil and gas leases within the

withdrawal area. Subsection (c) of Section 70211 provides \$1,000,000 to the Bureau of Land Management, to remain available until September 30, 2031, to carry out a pilot program to inventory and lease, capture, mitigate, or sequester methane emissions from active, inactive, or abandoned coal mines in the Greater Thompson Divide area.

Section 70212. Chaco Canyon

Section 70212 withdraws approximately 316,076 acres of federal land or interest in land in the Chaco Cultural Heritage Withdrawal Area from all forms of disposal under the public land laws, location, entry, and patent under the mining laws, and operation of the mineral leasing, mineral materials, and geothermal leasing laws. Pursuant to the Mineral Leasing Act, this section also invests in the termination of non-producing leases within the withdrawal area.

SUBTITLE C – DROUGHT RESPONSE AND PREPAREDNESS

Section 70301. Bureau of Reclamation Water Settlement Funding

Section 70301 provides \$2,000,000,000 for deposit to the Reclamation Water Settlements Fund in fiscal year 2022, to remain available until September 30, 2031. Requires the Secretary of the Interior to expend these and all previously authorized deposits to the Reclamation Water Settlements Fund by the end of fiscal year 2031 or to direct any remaining funds to grants for tribal clean water access. Permanently extends annual deposits into the Reclamation Water Settlements Fund, providing \$370,000,000 annually to be deposited into the Fund beginning in fiscal year 2032, to remain available until expended.

Section 70302. Emergency Drought Relief

Section 70302 provides \$1,000,000,000 to the Bureau of Reclamation, to remain available until September 30, 2026, for near-term drought response actions carried out under specified authorities to provide near-term drought relief to western communities.

Section 70303. Emergency Drought Relief for Tribes

Section 70303 provides \$150,000,000 to the Bureau of Reclamation, to remain available until September 30, 2026, for near-term drought response actions to mitigate drought impacts for tribes.

Section 70304. Salton Sea Projects

Section 70304 provides \$250,000,000 to the Bureau of Reclamation, to remain available until September 30, 2031, for projects at the Salton Sea in California to improve air quality, habitat, and water quality. Funds may be provided for construction, operation, maintenance, permitting, and design activities, as well as dust suppression projects.

Section 70305. Water Resources Research and Technology Institutes

Section 70305 provides \$75,000,000 to the United States Geological Survey, to remain available until September 30, 2031, to support the water resources research institutes established in accordance with the Water Resources Research Act of 1984 (42 U.S.C. 10303).

Section 70306. Federal Priority Streamgages

Section 70306 provides \$150,000,000 to the United States Geological Survey, to remain available until September 30, 2031, to make operational streamgages that are identified by the Secretary of the Interior as federal priority streamgages. Funds made available under this section shall be expended to leverage non-federal funds.

Section 70307. Snow Water Supply Forecasting

Section 70307 provides \$50,000,000 to the Bureau of Reclamation, to remain available until September 30, 2031, to support snow water supply forecasting.

Section 70308. Water Technology Investment

Section 70308 provides \$50,000,000 to the Bureau of Reclamation, to remain available until September 30, 2031, for the research of brine management in desalination projects.

Section 70309. Aquatic Ecosystem Restoration

Section 70309 provides \$250,000,000 to the Bureau of Reclamation to support the Aquatic Ecosystem Restoration program. The funds provided to carry out this section shall be available beginning in fiscal year 2027, to remain available until September 30, 2031.

Section 70310. Large Scale Water Reuse

Section 70310 provides \$100,000,000 to the Bureau of Reclamation to fund the planning, design, and construction of large-scale water recycling projects that have a total estimated cost of at least \$500 million. Projects eligible for funding must provide multiple benefits, including water supply reliability benefits for drought-stricken states and communities, fish and wildlife benefits, and water quality improvements, among other requirements. Federal funding is limited to 25 percent of the total cost of the eligible project, with no total dollar cap. The federal cost-share can be increased to up to 75 percent if the project advances at least a proportionate share of nonreimbursable federal benefits. The funds provided to carry out this section shall be available beginning in fiscal year 2027, to remain available until September 30, 2031.

Section 70311. Conveyance Repairs and Build Back Better Funds for Solar Canal Integration

Section 70311 provides \$100,000,000 to the Bureau of Reclamation to provide competitive grants for the planning, design, and construction of projects that make major repairs to water delivery canals in need of emergency restoration. Provides an additional \$100,000,000 to the Bureau of Reclamation to integrate solar panels over repaired canals if such solar projects are found feasible or for other solar projects associated with Bureau of Reclamation water projects.

Section 70312. Rio Grande Pueblos Irrigation Infrastructure Grants

Section 70312 provides \$200,000,000 to the Bureau of Reclamation, to remain available until September 30, 2031, for irrigation infrastructure grants pursuant to Section 9106(d) of the Omnibus Public Land Management Act of 2009.

SUBTITLE D – EFFICIENT AND EFFECTIVE NEPA IMPLEMENTATION***Section 70401. Efficient and Effective NEPA Implementation***

Section 70401 provides \$150,000,000 to the Department of the Interior, to remain available until September 30, 2031, to provide for more efficient and more effective environmental reviews under the National Environmental Policy Act of 1969, including through the hiring and training of additional personnel, development of programmatic assessments or templates, procurement of technical or scientific services, development of data or technology systems, stakeholder and community engagement, and the purchase of new equipment.

SUBTITLE E – NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION***Section 70501. Coastal and Great Lakes Restoration and Technical Assistance***

Section 70501 provides \$9,500,000,000 to the National Oceanic and Atmospheric Administration, to remain available until September 30, 2031, to provide funding, grants, and cooperative agreements for projects that restore marine, estuarine, coastal, and Great Lakes habitats or increase the resilience of those habitats. Funds may not be subject to cost-share or matching requirements.

Section 70502. Pacific Coastal Salmon Recovery Fund

Section 70502 provides \$400,000,000 to the National Oceanic and Atmospheric Administration, to remain available until 2026, for habitat restoration and other projects to aid in the recovery of Pacific salmon populations. Funds may not be subject to cost-share or matching requirements.

Section 70503. NOAA Stock Assessments

Section 70503 provides \$200,000,000 to the National Oceanic and Atmospheric Administration, to remain available until September 30, 2031, for carrying out fishery stock assessments, science, surveys, and ecosystem-based assessments under section 401 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1881) and section 117 of the Marine Mammal Protection Act (16 U.S.C. 1386).

Section 70504. Coastal Hazards and Sea Level Rise

Section 70504 provides \$500,000,000 to the National Oceanic and Atmospheric Administration, to remain available until September 30, 2031, under the Integrated Coastal and Ocean Observation System Act of 2009, as amended (33 U.S.C. 3603), the Digital Coast Act (16 U.S.C. 1467), the Coastal Zone Management Act of 1972 (16 U.S.C. 1456c), the Hydrographic Services Improvement Act of 1988 (33 U.S.C. 892a), and Coast and Geodetic Survey Act of 1947 (33 U.S.C. 883a and 33 U.S.C. 883b). Funds are to be used for updating the Integrated Ocean Observing System and Shoreline Mapping Program, developing and sharing data and tools to address coastal hazards and sea-level rise, and providing technical assistance to end-users to plan and prepare for sea-level rise and other coastal hazards.

Section 70505. Blue Carbon

Section 70505 provides \$95,000,000 to the National Oceanic and Atmospheric Administration, to remain available until September 30, 2031, under the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1891a) and National Marine Sanctuaries Act (16 U.S.C. 1440). Funds are to be used for science, protection, and restoration of blue carbon ecosystems.

Section 70506. Coastal Hazards in United States Insular Areas

Section 70506 provides \$50,000,000 to the National Oceanic and Atmospheric Administration, to remain available until September 30, 2031, under the Integrated Coastal and Ocean Observation System Act of 2009, as amended (33 U.S.C. 3601), the Digital Coast Act (16 U.S.C. 1467, and the Hydrographic Services Improvement Act (33 U.S.C. 892a). Funds are to be used for improving weather and oceanic data collection and to provide technical assistance and data to reduce severe weather impacts in the Insular Areas of the United States.

Section 70507. NMFS Shoreside Facilities

Section 70507 provides \$150,000,000 to the National Oceanic and Atmospheric Administration, to remain available until September 30, 2031, to replace, renovate, or maintain aging facilities in need of repair or replacement, including piers, fisheries laboratories, and laboratory facilities used to carry out fishery research under the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1881c-1884).

Section 70508. NOAA Vessel Recapitalization

Section 70508 provides \$300,000,000 to the National Oceanic and Atmospheric Administration, to remain available until September 30, 2031, for vessel recapitalization needs.

Section 70509. Civilian Climate Corps at NOAA

Section 70509 provides \$120,000,000 to the National Oceanic and Atmospheric Administration, to remain available until September 30, 2026, to provide funding, grants, and cooperative agreements for education and job-training projects that contribute to the conservation and restoration of natural, cultural, historical, archaeological, recreational, or scenic resources. Funds may not be subject to cost-share or matching requirements.

Section 70510. NOAA Hatcheries

Section 70510 provides \$250,000,000 to the National Oceanic and Atmospheric Administration, to remain available until September 30, 2026, to provide grants to states and tribes to repair, replace, and upgrade fish hatchery infrastructure. Funds may not be subject to cost-share or matching requirements, and non-tribal grantees must abide by prevailing wage requirements.

Section 70511. Electronic Monitoring

Section 70511 provides \$75,000,000 to the National Oceanic and Atmospheric Administration, to remain available until September 30, 2031, to support the continued deployment of electronic monitoring and fishing effort reporting.

Section 70512. Working Waterfronts

Section 70512 provides \$160,000,000 to the National Oceanic and Atmospheric Administration, to remain available until September 30, 2031, to provide funding, grants, and cooperative agreements for projects that preserve and protect coastal access for water-dependent commercial activities through the Coastal Zone Management Act Coastal Enhancement Grants (16 U.S.C. 1465b). Grantees must abide by prevailing wage requirements.

Section 70513. Marine Sanctuary and National Estuarine Research Reserve Maintenance Backlog

Section 70513 provides \$98,000,000 to the National Oceanic and Atmospheric Administration, to remain available until September 30, 2031, to provide funding for construction, maintenance, and renovation of National Marine Sanctuary and National Estuarine Research Reserve facilities.

Section 70514. Seafood Import Monitoring Program Expansion

Section 70514 provides \$2,000,000 to the National Oceanic and Atmospheric Administration, to remain available until September 30, 2031, to provide funding for the agency to expand the Seafood Import Monitoring Program to include all seafood and seafood products.

SUBTITLE F – UNITED STATES FISH AND WILDLIFE SERVICE***Section 70601. Endangered Species Act Recovery Plans***

Section 70601 provides \$75,000,000 to the U.S. Fish and Wildlife Service, to remain available until September 30, 2031, for developing and carrying out recovery plans under section 4(f) of the Endangered Species Act. Section 70601 also provides \$75,000,000 to the U.S. Fish and Wildlife Service, to remain available until September 30, 2031, for developing Candidate Conservation Agreements and Candidate Conservation Agreements with Assurances under section 10 of the Endangered Species Act.

Section 70602. Endangered Species Act Habitat Conservation

Section 70602 provides \$50,000,000 to the U.S. Fish and Wildlife Service, to remain available until September 30, 2031, for grants, development, and the administration of Habitat Conservation Plans (section 10(a)(2)) and state conservation programs (section 6(d)) under the Endangered Species Act.

Section 70603. Endangered Species Act Interagency Consultations

Section 70603 provides \$40,000,000 to the U.S. Fish and Wildlife Service, to remain available until September 30, 2031, for carrying out consultations under section 7 of the Endangered Species Act.

Section 70604. Funding for Island Plant Conservation

Section 70604 provides \$25,000,000 to the U.S. Fish and Wildlife Service, to remain available until September 30, 2031, to conserve endangered and threatened species of plants in the Hawaiian Islands and the Pacific Island Territories of the United States.

Section 70605. Funding for Pollinator Conservation

Section 70605 provides \$25,000,000 to the U.S. Fish and Wildlife Service, to remain available until September 30, 2031, to conserve endangered and threatened species of pollinators in the United States.

Section 70606. Funding for Mussel Conservation

Section 70606 provides \$25,000,000 to the U.S. Fish and Wildlife Service, to remain available until September 30, 2031, to conserve endangered and threatened species of freshwater mussels in the United States.

Section 70607. Funding for Desert Fish Conservation

Section 70607 provides \$25,000,000 to the U.S. Fish and Wildlife Service, to remain available until September 30, 2031, to conserve endangered and threatened species of desert fish in the southwestern United States.

Section 70608. Funding for the United States Fish and Wildlife Service to Address Climate-Induced Weather Events

Section 70608 provides \$100,000,000 to the U.S. Fish and Wildlife Service, to remain available until September 30, 2031, to rebuild and restore infrastructure and habitats and control invasive species on U.S. Fish and Wildlife Service lands and state wildlife conservation areas. These projects should increase the resilience of habitats and infrastructure to future climate change-induced impacts.

Section 70609. Funding for the United States Fish and Wildlife Service for Wildlife Corridor Conservation

Section 70609 provides \$10,000,000 to the U.S. Fish and Wildlife Service, to remain available until September 30, 2026, to map and restore wildlife corridors, including corridors on state and tribal lands.

Section 70610. Funding for the United States Fish and Wildlife Service for Grassland Restoration

Section 70610 provides \$100,000,000 to the U.S. Fish and Wildlife Service, to remain available until September 30, 2026, for funding, grants, and cooperative agreements for grassland restoration and conservation projects.

SUBTITLE G – INSULAR AFFAIRS

Section 70701. Insular Affairs Hospital and Other Critical Health Infrastructure Funding

Section 70701 provides \$993,000,000 to the Department of the Interior’s Office of Insular Affairs, to remain available until September 30, 2031, for critical capital infrastructure in the U.S. Territories under its jurisdiction. Amounts made available under this section shall be divided between the territories.

Section 70702. Office of Insular Affairs Climate Change Technical Assistance

Section 70702 provides \$25,000,000 to the Office of Insular Affairs, to remain available until September 30, 2026, to offer technical assistance for climate change planning, mitigation, adaptation, and resilience to the U.S. Territories and Freely Associated States under its jurisdiction.

Section 70703. Settlement of Claims Against the United States for Certain Residents of the Island of Vieques, Puerto Rico

Section 70703 provides \$300,000,000 to the Office of Insular Affairs, to remain available until September 30, 2031, to compensate through a Special Master the municipality of Vieques, and an individual claimant who is or was a resident, the child of a resident, or an immediate heir of a deceased claimant on the island of Vieques in the period or after the time that the U.S. Navy used the island of Vieques for military readiness.

Section 70704. Definitions

Section 70704 provides definitions that apply throughout the subtitle.

SUBTITLE H – ENERGY AND MINERAL RESOURCES

Section 70801. Offshore Wind for the Territories

Section 70801 raises revenue by requiring the Department of the Interior to hold offshore wind lease sales in federal waters around American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands.

Section 70802. Leasing on the Outer Continental Shelf

Section 70802 raises revenue by restoring the ability of the Department of the Interior to hold offshore wind lease sales in federal waters in the Eastern Gulf of Mexico and the Atlantic off the coast of North Carolina, South Carolina, Georgia, and Florida.

Section 70803. United States Geological Survey*(a) 3D Elevation Program*

Subsection (a) provides \$50,000,000 to the United States Geological Survey, to remain available until September 30, 2031, for its Digital High-Resolution Elevation Collection (3DEP) Program.

(b) Climate Adaptation Science Centers

Subsection (b) provides \$100,000,000 to the United States Geological Survey, to remain available until September 30, 2031, for the National and Regional Climate Adaptation Science Centers to provide localized information to help regions, states, tribes, and local governments respond to climate change.

Section 70804. Fossil Fuel Resources*(a) Repeal of the Arctic National Wildlife Refuge Oil and Gas Program*

Subsection (a) repeals section 20001 of the 2017 Tax Act (P.L. 115-97), which established the Arctic National Wildlife Refuge oil and gas leasing program, cancels the leases sold in January 2021, and returns the payments to the lessees.

(b) Protection of the Eastern Gulf, Atlantic, and Pacific Coasts

Subsection (b) permanently bans new offshore oil and gas leasing along the entire Atlantic and Pacific coasts and in the Eastern Gulf of Mexico.

(c) Onshore Fossil Fuel Royalty Rates

Subsection (c) raises the minimum onshore royalty rates to 20 percent for all new oil, gas, and coal leases. The federal onshore oil and gas royalty rate of 12.5 percent has not been adjusted in over a century and is considerably below royalty rates charged by states.

(d) Offshore Oil and Gas Royalty Rate

Subsection (d) raises the minimum offshore royalty rate to 20 percent for all new oil and gas leases. The statutory minimum is 12.5 percent, but the Bureau of Ocean Energy Management currently sets rates at 12.5 percent for shallow water leases and 18.75 percent for deepwater leases.

(e) Oil and Gas Minimum Bid

Subsection (e) raises the current onshore oil and gas minimum bid from \$2 to \$10 and requires it to be indexed to inflation. The current minimum bid amount for onshore oil and gas leases has not been adjusted since 1987.

(f) Deferred Coal Bonus Payments

Subsection (f) repeals the requirement that the Bureau of Land Management offers at least 50 percent of total acreage for coal leasing in any one year under a deferred bonus payment system.

(g) Fossil Fuel Rental Rates

Subsection (g) raises the minimum coal rental rate to \$100 per acre (to match the minimum coal leasing bid amount) and the minimum onshore rental rate for oil and gas leases from their current values of \$1.50 for the first five years and \$2 for the second five years, to \$3 for the first two years and \$5 in each subsequent year.

(h) Fossil Fuel Lease Term Length

Subsection (h) shortens the primary onshore oil and gas lease term from ten to five years and the primary coal lease term from 20 to ten years.

(i) Expression of Interest Fee

Subsection (i) requires the Bureau of Land Management to charge a cost-recovery fee to each person that submits an oil and gas Expression of Interest and requires the fee to be at least \$15 per acre. The fee would be regularly adjusted to reflect inflation and if the Secretary determines a higher fee is necessary to enhance financial returns to the United States.

(j) Elimination of Noncompetitive Leasing

Subsection (j) eliminates noncompetitive oil and gas leasing on public lands. If a parcel of public land does not receive a bid during a competitive auction, it is made available for noncompetitive leasing on a first-come, first-serve basis the following business day, at which point companies can obtain a lease without having to pay a bonus bid, only paying the yearly rental fee and an administrative fee.

(k) Oil and Gas Bonding Requirements

Subsection (k) increases the minimum bond amounts for a single lease from \$10,000 to \$150,000, and for all of an operator's leases in a state from \$25,000 to \$500,000. Subsection (k) also requires the Bureau of Land Management to initiate a rulemaking that requires oil and gas leaseholders on public land to provide the agency with a bond, surety, or another financial instrument that ensures the complete and timely reclamation of the lease tract and restoration of land and waters adversely affected by lease operations.

(l) Per-Acre Lease Fees

Subsection (l) establishes a \$4 per-acre per-year Conservation of Resource Fee for all new producing onshore and offshore oil and gas leases and establishes a \$6 per-acre per-year Speculative Leasing Fee for all new non-producing onshore and offshore oil and gas leases.

(m) Onshore Oil and Gas Inspection Fees

Subsection (m) requires companies to pay annual user fees to cover the cost of the onshore oil and gas inspection program.

(n) Offshore Oil and Gas Inspection Fees

Subsection (n) requires companies to pay annual user fees to cover the cost of the offshore oil and gas inspection program.

(o) Severance Fees

Subsection (o) requires the Secretary of the Interior to collect annual, non-refundable fees on fossil fuels produced from federal lands and the Outer Continental Shelf in amounts of not less than \$0.50 per barrel of oil equivalent on oil and gas production and not less than \$2 per metric ton on coal production.

(p) Idled Well Fees

Subsection (p) requires oil and gas operators to pay an annual fee for idled wells on federal land. The yearly fee for each well increases the longer the well has been idle on federal land, starting at \$500 for wells idle between 1 and 5 years, and ending at \$7,500 for wells idle at least 15 years.

(q) Annual Pipeline Owners Fee

Subsection (q) requires the Bureau of Safety and Environmental Enforcement to charge owners of offshore oil and gas pipelines annual fees of not less than \$10,000 per mile for pipelines in water depths of 500 feet or greater and \$1,000 per mile for pipelines in water depths less than 500 feet.

(r) Royalties on All Extracted Methane

Subsection (r) eliminates the royalty waiver for natural gas produced and used on the lease, and, with limited exceptions, requires royalties to be paid on all gas vented, flared, or lost through leakage.

(s) Elimination of Royalty Relief

Subsection (s) repeals royalty relief provisions in the Outer Continental Shelf Lands Act (OCSLA) and the Mineral Leasing Act (MLA), and repeals shallow-water-deep-gas, deep-water, and Alaskan Outer Continental Shelf royalty relief programs.

Section 70805. Civil and Criminal Penalties*(a) Mineral Leasing Act*

Subsection (a) raises civil and criminal penalties in the MLA.

(b) Federal Oil and Gas Royalty Management Act of 1982

Subsection (b) raises civil and criminal penalties in the Federal Oil and Gas Royalty Management Act (FOGRMA).

(c) Outer Continental Shelf Lands Act

Subsection (c) raises civil and criminal penalties in the OCSLA.

Section 70806. Technical Amendments to FOGRMA

(a) Amendments to Definitions

Subsection (a) amends FOGRMA by adding new definitions to simplify and strengthen royalty payment oversight.

(b) Compliance Reviews

Subsection (b) provides statutory authority for the Secretary of the Interior to conduct compliance reviews of royalty payments and requires any uncovered discrepancies to be referred to an auditor.

(c) Liability for Royalty Payments

Subsection (c) clarifies that designees are liable for royalty payments under a lease, and those lease owners and operators are liable for their prorated share of payment obligations under a lease.

(d) Recordkeeping

Subsection (d) requires oil and gas records to be kept by payors for seven years instead of the current six, which aligns that timeframe with the statute of limitations for the government established under the Royalty Fairness and Simplification Act of 1995 (P.L. 104-185) to collect unpaid royalties.

(e) Adjustments and Refunds

Subsection (e) eliminates the opportunity for lessees to make adjustments to their royalty obligations after a compliance review or audit is completed on a lease in question and limits the ability to make adjustments to four years after the date royalties were initially due. Currently, lessees are allowed to make adjustments for a full six years even after the Office of Natural Resources Revenue has already completed a compliance review or audit.

(f) Obligation Period

Subsection (f) establishes that, in the case of an adjustment made by a lessee that results in an underpayment, the lessee would be obligated to repay that amount (plus interest) from the date the lessee makes the adjustment, thus extending the statute of limitations on that royalty payment. This will enable DOI to audit such leases during the ensuing six-year cycle.

(g) Appeals

Subsection (g) extends the timeframe for the Secretary of the Interior to issue final decisions on any appeals on demands or orders to pay royalties or penalties to 48 months, from the current 33 months.

(h) Penalty for Late or Incorrect Reporting of Data

Subsection (h) establishes a penalty for companies that file late or incorrect data, to be set at a level the Secretary of the Interior determines is sufficient to ensure that companies file correct data on time, but no less than \$10 per incorrect line of data.

(i) Shared Penalties

Subsection (i) eliminates a disincentive for states and tribes to diligently pursue royalty violators.

(j) Adjustments and Refunds

Subsection (j) eliminates the opportunity for lessees to make adjustments to their royalty obligations after a compliance review or audit is completed on a lease in question and limits the ability to make adjustments to four years after the date royalties were initially due. Currently, lessees are allowed to make adjustments for a full six years even after ONRR has already completed a compliance review or audit.

(k) Tolling Agreements and Subpoenas

Subsection (k) allows the Secretary of the Interior to correspond only with the lease designee in the case of subpoenas or agreements to pause the statute of limitations, as opposed to having to contact each lessee individually. This strengthens the Department of the Interior's ability to collect the revenues owed to the government resulting from mineral development on a federal lease.

(l) Required Recordkeeping for Natural Gas Plants

Subsection (l) requires the Secretary of the Interior to promulgate a regulation that requires purchasers of federal natural gas to maintain and provide records. This will strengthen the Secretary's ability to pursue royalty violators and collect the revenues owed to the government resulting from mineral development on a federal lease.

(m) Entitlements

Subsection (m) requires the Secretary of the Interior to publish final regulations regarding procedures for reporting royalties on entitled shares of production from unitized leases when lessees do not actually sell their share of production from that lease.

Section 70807. Hardrock Mining

(a) Abandoned Mine Land Cleanup

Subsection (a) provides \$2,500,000,000 in additional funding to the Bureau of Land Management, to remain available until September 30, 2031, to clean up and reclaim abandoned hardrock mines.

(b) Royalty

Subsection (b) raises revenue by establishing a hardrock mineral royalty on both existing mines (4 percent of gross income) and future mines (8 percent of gross income). There is an exemption for small miners with an annual gross income from mining below \$100,000. This section also includes provisions to prevent fraud and abuse and ensures that the Department of the Interior receives all appropriate payments.

(c) Reclamation Fee

Subsection (c) raises revenue by establishing a reclamation fee of seven cents per ton of displaced materials from hardrock mining operations. There is a waiver for small miners with an annual gross income from mining below \$100,000.

(d) Claim Maintenance Fee

Subsection (d) raises revenue by increasing the annual claim maintenance fee from \$165 to \$200 per claim. There is a waiver for small miners.

(e) Funding to Prevent Environmental Damage from Mining

Subsection (e) provides \$3,000,000 to the Bureau of Land Management, to remain available until September 30, 2031, to revise rules and regulations to prevent undue degradation of public lands due to hardrock mining activities as authorized by the Mining Law of 1872 and the Federal Land Policy and Management Act.

SUBTITLE I – OFFICE OF NATIVE HAWAIIAN RELATIONS***Section 70901. Native Hawaiian Consultation***

Section 70901 provides \$3,000,000 to the Office of Native Hawaiian Relations, to remain available until September 30, 2031, for conducting consultations with Native Hawaiian people.

Section 70902. Native Hawaiian Climate Resilience

Section 70902 provides \$30,000,000 to the Office of Native Hawaiian Relations, to remain available until September 30, 2031, to provide funding and technical assistance for climate resilience and adaptation programs that serve Native Hawaiian people.

SUBTITLE J– ACCOUNTABILITY FOR FUNDS***Section 71001. Oversight***

Section 71001 directs one-half of one percent of the amounts made available under the title to be used for oversight and accountability of expenditures of such funds.

Section 71002. Limitation

Section 71002 allows no more than 2 percent of funds in sections 70301, 70303, 70310, 70504, 70505, 70506, 70507, 70508, 70510, 70512, 70513, 70514, 60601, 70602, 70603, 70609, and 70610 to be used for administrative costs.

Section 71003. Limitation

Section 71003 does not allow funds provided under the title to be used to close the Bureau of Land Management national office in Grand Junction, Colorado.

VOTES OF THE COMMITTEE¹

The Committee on Natural Resources met on Thursday, September 2, 2021, to consider a committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022.

Ranking Member Bruce Westerman (R-AR) offered a motion to postpone consideration of the Committee Print until September 14, 2021. Chair Raúl M. Grijalva (D-AZ) offered a motion to table Ranking Member Westerman's motion. Chair Grijalva's motion was agreed to by a roll call vote of 26 yeas and 17 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#1”]

Rep. Lauren Boebert (R-CO) offered an amendment designated Boebert #24. The amendment was agreed to by unanimous consent.

Rep. Boebert offered an amendment designated Boebert #210. The amendment was agreed to by unanimous consent.

Ranking Member Westerman offered an amendment designated Westerman #1. The amendment was agreed to by unanimous consent.

Rep. Cliff Bentz (R-OR) offered an amendment designated Bentz #1. The amendment was agreed to by unanimous consent.

Rep. Blake Moore (R-UT) offered an amendment designated Moore #044. The amendment was agreed to by unanimous consent.

Rep. Moore offered an amendment designated Moore #048. Chair Grijalva offered an amendment designated Grijalva #2 to Rep. Moore amendment #048. Chair Grijalva's amendment #2 was agreed to by unanimous consent. Rep. Moore's amendment #048, as amended, was agreed to by unanimous consent.

Ranking Member Westerman offered an amendment designated Westerman #2. The amendment was agreed to by unanimous consent.

Rep. Garret Graves (R-LA) offered an amendment designated Graves #7. The amendment was agreed to by unanimous consent.

¹ Rep. Jody Hice (R-GA) requested, after the closing of the following votes, that the record reflect that had he been present he would have voted “yea” on Bentz amd #7, Gosar amd #6, Tiffany amd #3, Graves amd #13, Graves amd #14, Graves amd #28, Westerman amd #1, and Boebert amd #7, and would have voted “nay” on Grijalva ANS #1 and the final passage of the Committee Print, as amended.

Chair Grijalva offered a manager's amendment designated Grijalva #1. The amendment was agreed to by a roll call vote of 25 yeas and 20 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#2"]

Rep. Boebert offered an amendment designated Boebert #25. The amendment was not agreed to by a roll call vote of 19 yeas and 25 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#3"]

Rep. Boebert offered an amendment designated Boebert #218. The amendment was not agreed to by a roll call vote of 18 yeas and 27 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#4"]

Rep. Boebert offered an amendment designated Boebert #223. The amendment was not agreed to by a roll call vote of 19 yeas and 26 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#5"]

Rep. Aumua Amata Coleman Radewagen (R-AS) offered an amendment designated Radewagen #1. The amendment was withdrawn.

Rep. Boebert offered an amendment designated Boebert #1. The amendment was not agreed to by a roll call vote of 20 yeas and 26 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#6"]

Rep. Pete Stauber (R-MN) offered an amendment designated Stauber #1. The amendment was not agreed to by a roll call vote of 20 yeas and 26 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#7"]

Rep. Stauber offered an amendment designated Stauber #2. The amendment was not agreed to by a roll call vote of 20 yeas and 26 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#8"]

Rep. Stauber offered an amendment designated Stauber #3. The amendment was not agreed to by a roll call vote of 20 yeas and 26 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#9"]

Rep. Stauber offered an amendment designated Stauber #4. The amendment was not agreed to by a roll call vote of 19 yeas and 26 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#10"]

Rep. Stauber offered an amendment designated Stauber #5. The amendment was not agreed to by a roll call vote of 19 yeas and 26 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#11"]

Rep. Stauber offered an amendment designated Stauber #6. The amendment was not agreed to by a roll call vote of 19 yeas and 26 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#12"]

Ranking Member Westerman offered an amendment designated Westerman #6. The amendment was agreed to by unanimous consent.

Rep. Paul Gosar (R-AZ) offered an amendment designated Gosar #3. The amendment was not agreed to by a roll call vote of 16 yeas and 26 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#13"]

Rep. Gosar offered an amendment designated Gosar #4. The amendment was not agreed to by a roll call vote of 16 yeas and 26 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#14"]

Rep. Gosar offered an amendment designated Gosar #5. The amendment was not agreed to by a roll call vote of 18 yeas and 26 nays, as follows:²

["2A_HNRC_Vote_Sheet_Insert_#15"]

Rep. Gosar offered an amendment designated Gosar #115. The amendment was not agreed to by a roll call vote of 18 yeas and 26 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#16"]

Rep. Gosar offered an amendment designated Gosar #116. The amendment was not agreed to by a roll call vote of 18 yeas and 25 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#17"]

Rep. Yvette Herrell (R-NM) offered an amendment designated Herrell #3. The amendment was not agreed to by voice vote.

Rep. Herrell offered an amendment designated Herrell #4. The amendment was not agreed to by a roll call vote of 18 yeas and 26 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#18"]

Rep. Herrell offered an amendment designated Herrell #5. The amendment was not agreed to by a roll call vote of 18 yeas and 26 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#19"]

Rep. Herrell offered an amendment designated Herrell #6. The amendment was not agreed to by a roll call vote of 18 yeas and 25 nays, as follows:

² During the markup, the total on this vote was announced incorrectly. The numbers here on the clerk's tally sheet are accurate and accord with the clerk's roll call.

["2A_HNRC_Vote_Sheet_Insert_#20"]

Rep. Herrell offered an amendment designated Herrell #031. The amendment was not agreed to by a roll call vote of 19 yeas and 26 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#21"]

Rep. Herrell offered an amendment designated Herrell #032. The amendment was not agreed to by voice vote.

Rep. Boebert offered amendments designated Boebert #2, Boebert #3, Boebert #4, and Boebert #5. Rep. Jerry L. Carl (R-AL) offered amendments designated Carl #1 and Carl #2. Rep. Stauber offered on behalf of Rep. Don Young (R-AK) an amendment designated Young #1. Rep. Tom Tiffany (R-WI) offered an amendment designated Tiffany #1. Rep. Jenniffer González-Colón (R-PR) offered amendments designated González-Colón #1 and González-Colón #2. Rep. Moore offered amendments designated Moore #1, Moore #2 (Revised), and Moore #3. Recorded votes on these amendments were postponed.

The Committee adjourned.

The Committee on Natural Resources met on Thursday, September 9, 2021, to continue its consideration of the committee print.

Rep. Graves offered a motion to postpone consideration of the committee print indefinitely. The motion was withdrawn.

Rep. Boebert previously offered an amendment designated Boebert #2. The amendment was not agreed to by a roll call vote of 18 yeas and 23 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#22"]

Rep. Boebert previously offered an amendment designated Boebert #3. The amendment was not agreed to by a roll call vote of 19 yeas and 23 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#23"]

Rep. Boebert previously offered an amendment designated Boebert #4. The amendment was not agreed to by a roll call vote of 18 yeas and 24 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#24"]

Rep. Boebert previously offered an amendment designated Boebert #5. The amendment was not agreed to by a roll call vote of 17 yeas and 24 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#25"]

Rep. Carl previously offered an amendment designated Carl #1. The amendment was not agreed to by a roll call vote of 17 yeas and 24 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#26"]

Rep. Carl previously offered an amendment designated Carl #2. The amendment was not agreed to by a roll call vote of 17 yeas and 25 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#27"]

Rep. Stauber previously offered on behalf of Rep. Young an amendment designated Young #1. The amendment was not agreed to by a roll call vote of 18 yeas and 24 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#28"]

Rep. Tom Tiffany (R-WI) previously offered an amendment designated Tiffany #1. The amendment was not agreed to by a roll call vote of 19 yeas and 24 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#29"]

Rep. González-Colón previously offered an amendment designated González-Colón #1. The amendment was not agreed to by a roll call vote of 18 yeas and 23 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#30"]

Rep. Moore previously offered an amendment designated Moore #1. The amendment was not agreed to by a roll call vote of 19 yeas and 25 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#31"]

Rep. Moore previously offered an amendment designated Moore #2 (Revised). The amendment was not agreed to by a roll call vote of 19 yeas and 25 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#32"]

Rep. Moore previously offered an amendment designated Moore #3. The amendment was not agreed to by a roll call vote of 19 yeas and 25 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#33"]

Rep. González-Colón previously offered an amendment designated González-Colón #2. The amendment was not agreed to by a roll call vote of 19 yeas and 24 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#34"]

Chair Grijalva offered an amendment in the nature of a substitute to the committee print.

Ranking Member Westerman offered a motion to table the amendment in the nature of a substitute to the committee print. The motion was not agreed to by a roll call vote of 18 yeas and 25 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#35"]

Chair Grijalva offered an amendment designated Grijalva #14 to the amendment in the nature of a substitute. The amendment was agreed to by unanimous consent.

Rep. Boebert offered an amendment designated Boebert #01 to the amendment in the nature of a substitute. Rep. Graves offered an amendment designated Graves #03 to the amendment in the nature of a substitute. Rep. Tiffany offered an amendment designated Tiffany #4 to the amendment in the nature of a substitute. Ranking Member Westerman offered an amendment designated Westerman #02 to the amendment in the nature of a substitute. Rep. Bentz offered an amendment designated Bentz #6 to the amendment in the nature of a substitute. Rep. Stauber offered on behalf of Rep. Jay Obernolte (R-CA) an amendment designated Obernolte #06 to the amendment in the nature of a substitute. Ranking Member Westerman on behalf of Rep. Obernolte offered an amendment designated Obernolte #1 to the amendment in the nature of a substitute. Rep. Tom McClintock (R-CA) offered an amendment designated McClintock #2 to the amendment in the nature of a substitute. Rep. Stauber offered an amendment designated Stauber #7 to the amendment in the nature of a substitute. Rep. Graves offered an amendment designated Graves #06 to the amendment in the nature of a substitute. Rep. Carl offered an amendment designated Carl #3 to the amendment in the nature of a substitute. Rep. Louie Gohmert (R-TX) offered an amendment designated Gohmert #10 to the amendment in the nature of a substitute. Rep. Bentz offered an amendment designated Bentz #11 to the amendment in the nature of a substitute. Ranking Member Westerman offered an amendment designated Westerman #07 (Revised) to the amendment in the nature of a substitute. Rep. Matt Rosendale (R-MT) offered an amendment designated Rosendale #08 to the amendment in the nature of a substitute. Ranking Member Westerman offered an amendment designated Westerman #12 to the amendment in the nature of a substitute. Recorded votes on these amendments were postponed.

Rep. Graves offered an amendment designated Graves #2 (Revised) to the amendment in the nature of a substitute. The amendment was not agreed to by voice vote.

Rep. Graves offered an amendment designated Graves #29 (Revised 2) to the amendment in the nature of a substitute. Rep. Graves offered an amendment designated Graves #30 (Revised 2) to the amendment in the nature of a substitute. Ranking Member Westerman offered an amendment designated Westerman #13 to the amendment in the nature of a substitute. Rep. Bentz offered an amendment designated Bentz #7 to the amendment in the nature of a substitute. Rep. Gosar offered an amendment designated Gosar #6 to the amendment in the nature of a substitute. Rep. Tiffany offered an amendment designated Tiffany #3 to the amendment in the nature of a substitute. Rep. Graves offered an amendment designated Graves #13 (Revised) to the amendment in the nature of a substitute. Rep. Graves offered an amendment designated Graves #14 to the amendment in the nature of a substitute. Rep. Graves offered an amendment designated Graves #28 to the amendment in the nature of a substitute. Recorded votes on these amendments were postponed.

Rep. Rosendale offered an amendment designated Rosendale #2 to the amendment in the nature of a substitute. The amendment was not agreed to by voice vote.

Ranking Member Westerman offered an amendment designated Westerman #11 to the amendment in the nature of a substitute. Rep. Boebert offered an amendment designated Boebert

#7 to the amendment in the nature of a substitute. Recorded votes on these amendments were postponed.

Chair Grijalva offered a motion to move the previous question on the Grijalva amendment in the nature of a substitute. The motion was agreed to by a roll call vote of 25 yeas and 15 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#36”]

The amendment designated Boebert #01 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 17 yeas and 25 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#37”]

The amendment designated Graves #03 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 18 yeas and 25 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#38”]

The amendment designated Tiffany #4 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 18 yeas and 25 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#39”]

The amendment designated Westerman #02 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 18 yeas and 25 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#40”]

The amendment designated Bentz #6 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 19 yeas and 24 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#41”]

The amendment designated Obernolte #06 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 18 yeas and 24 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#42”]

The amendment designated Obernolte #1 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 18 yeas and 23 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#43”]

The amendment designated McClintock #2 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 18 yeas and 23 nays, as follows:³

[“2A_HNRC_Vote_Sheet_Insert_#44”]

³ During the markup, the total on this vote was announced incorrectly. The numbers here on the clerk’s tally sheet are accurate and accord with the clerk’s roll call.

The amendment designated Stauber #7 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 17 yeas and 25 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#45”]

The amendment designated Graves #06 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 18 yeas and 24 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#46”]

The amendment designated Carl #3 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 18 yeas and 24 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#47”]

The amendment designated Gohmert #10 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 16 yeas and 24 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#48”]

The amendment designated Bentz #11 to the amendment in the nature of a substitute was not agreed to roll call vote of 15 yeas and 24 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#49”]

The amendment designated Westerman #07 (Revised) to the amendment in the nature of a substitute was not agreed to by a roll call vote of 16 yeas and 24 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#50”]

The amendment designated Rosendale #08 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 16 yeas and 22 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#51”]

The amendment designated Westerman #12 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 17 yeas and 23 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#52”]

The amendment designated Graves #29 (Revised 2) to the amendment in the nature of a substitute was not agreed to by a roll call vote of 18 yeas and 21 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#53”]

The amendment designated Graves #30 (Revised 2) to the amendment in the nature of a substitute was not agreed to by a roll call vote of 17 yeas and 23 nays, as follows:

[“2A_HNRC_Vote_Sheet_Insert_#54”]

The amendment designated Westerman #13 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 16 yeas and 24 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#55"]

The amendment designated Bentz #7 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 16 yeas and 23 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#56"]

The amendment designated Gosar #6 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 16 yeas and 24 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#57"]

The amendment designated Tiffany #3 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 16 yeas and 24 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#58"]

The amendment designated Graves #13 (Revised) to the amendment in the nature of a substitute was not agreed to by a roll call vote of 16 yeas and 24 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#59"]

The amendment designated Graves #14 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 16 yeas and 23 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#60"]

The amendment designated Graves #28 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 16 yeas and 23 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#61"]

The amendment designated Westerman #11 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 17 yeas and 24 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#62"]

The amendment designated Boebert #7 to the amendment in the nature of a substitute was not agreed to by a roll call vote of 16 yeas and 23 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#63"]

The amendment in the nature of a substitute offered by Chair Grijalva, as amended, was agreed to by a roll call vote of 25 yeas and 14 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#64"]

The committee print, as amended, was adopted and ordered favorably transmitted to the Committee on the Budget by a roll call vote of 24 yeas and 13 nays, as follows:

["2A_HNRC_Vote_Sheet_Insert_#65"]

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

Pursuant to 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its 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 provision(s).

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 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.

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 for the Committee 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, consistent with Section 310 of the Congressional Budget and Impoundment Control Act of 1974.

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), and 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 would be created by this committee print.

G. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the committee print 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 authorizes Congress to raise revenue and enact spending.

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, to the full House of Representatives, 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.

DISSENTING VIEWS

["2D_HNRC_Views_Insert"]

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Chair Grijalva – Motion made to table Ranking Member Westerman's motion to postpone the markup

Amendment:

Disposition: Was agreed to by a roll call vote of 26 yeas and 17 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA	X		
2	Mr. Case, HI	X		
3	Mr. Cohen, TN	X		
4	Mr. Costa, CA	X		
5	Ms. DeGette, CO	X		
6	Mrs. Dingell, MI	X		
7	Mr. Gallego, AZ	X		
8	Mr. García, IL	X		
9	Mr. Grijalva, AZ (<i>Chair</i>)	X		
10	Mr. Huffman, CA	X		
11	Ms. Leger Fernández, NM	X		
12	Mr. Levin, CA	X		
13	Mr. Lowenthal, CA	X		
14	Ms. McCollum, MN	X		
15	Mr. McEachin, VA	X		
16	Mrs. Napolitano, CA	X		
17	Mr. Neguse, CO	X		
18	Ms. Porter, CA	X		
19	Mr. Sablan, MP	X		
20	Mr. San Nicolas, GU	X		
21	Mr. Soto, FL	X		
22	Ms. Stansbury, NM	X		
23	Ms. Tlaib, MI	X		
24	Mr. Tonko, NY	X		
25	Ms. Trahan, MA	X		
26	Ms. Velázquez, NY	X		
	REP. MEMBERS (22)			
1	Mr. Bentz, OR		X	
2	Mrs. Boebert, CO		X	
3	Mr. Carl, AL		X	
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX		X	
6	Miss González-Colón, PR		X	
7	Mr. Gosar, AZ		X	
8	Mr. Graves, LA		X	
9	Ms. Herrell, NM		X	
10	Mr. Hice, GA		X	
11	Mr. Lamborn, CO		X	
12	Mr. McClintock, CA		X	
13	Mr. Moore, UT			
14	Mr. Oberholte, CA		X	
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT		X	
17	Mr. Stauber, MN		X	
18	Mr. Tiffany, WI			
19	Mr. Webster, FL		X	
20	Mr. Westerman, AR (RM)		X	
21	Mr. Wittman, VA		X	
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 23	26	17	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Chair Grijalva – Manager's Amendment #1**Amendment:****Disposition:** Not agreed to by a roll call vote of 25 yeas and 20 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA	X		
2	Mr. Case, HI	X		
3	Mr. Cohen, TN	X		
4	Mr. Costa, CA	X		
5	Ms. DeGette, CO	X		
6	Mrs. Dingell, MI	X		
7	Mr. Gallego, AZ	X		
8	Mr. Garcia, IL	X		
9	Mr. Grijalva, AZ (<i>Chair</i>)	X		
10	Mr. Huffman, CA	X		
11	Ms. Leger Fernández, NM	X		
12	Mr. Levin, CA	X		
13	Mr. Lowenthal, CA	X		
14	Ms. McCollum, MN	X		
15	Mr. McEachin, VA	X		
16	Mrs. Napolitano, CA	X		
17	Mr. Neguse, CO	X		
18	Ms. Porter, CA	X		
19	Mr. Sablan, MP	X		
20	Mr. San Nicolas, GU	X		
21	Mr. Soto, FL	X		
22	Ms. Stansbury, NM	X		
23	Ms. Tlaib, MI	X		
24	Mr. Tonko, NY			
25	Ms. Trahan, MA	X		
26	Ms. Velázquez, NY	X		
	REP. MEMBERS (22)			
1	Mr. Bentz, OR		X	
2	Mrs. Boebert, CO		X	
3	Mr. Carl, AL		X	
4	Mr. Fulcher, ID		X	
5	Mr. Gohmert, TX		X	
6	Miss González-Colón, PR		X	
7	Mr. Gosar, AZ		X	
8	Mr. Graves, LA		X	
9	Ms. Herrell, NM		X	
10	Mr. Hice, GA		X	
11	Mr. Lamborn, CO		X	
12	Mr. McClintock, CA		X	
13	Mr. Moore, UT		X	
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS		X	
16	Mr. Rosendale, MT		X	
17	Mr. Stauber, MN		X	
18	Mr. Tiffany, WI		X	
19	Mr. Webster, FL		X	
20	Mr. Westerman, AR (RM)		X	
21	Mr. Wittman, VA		X	
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	25	20	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res.14, Concurrent Resolution on the Budget for Fiscal Year 2022
Amendment: Rep. Boebert amendment #25

Disposition: Not agreed to by a roll call vote of 19 yeas and 25 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA			
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger-Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL			
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 18 / Report: 25	19	25	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022
Amendment: Rep. Boebert amendment #218

Disposition: Not agreed to by a roll call vote of 18 yeas and 27 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA			
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL		X	
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	18	27	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res.14, Concurrent Resolution on the Budget for Fiscal Year 2022
Amendment: Rep. Boebert amendment #223

Disposition: Not agreed to by a roll call vote of 19 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger-Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA			
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
Total: 48 / Quorum: 18 / Report: 26		19	26	
TOTALS		YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Boebert amendment #1

Disposition: Not agreed to by a roll call vote of 20 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	20	26	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Stauber amendment #1

Disposition: Not agreed to by a roll call vote of 20 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 26	20	26	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res.14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Stauber amendment #2

Disposition: Not agreed to by a roll call vote of 20 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger-Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	20	26	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res.14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Stauber amendment #3

Disposition: Not agreed to by a roll call vote of 20 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	20	26	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Stauber amendment #4

Disposition: Not agreed to by a roll call vote of 19 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX			
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obermole, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	19	26	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res.14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Stauber amendment #5

Disposition: Not agreed to by a roll call vote of 19 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX			
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 28	19	26	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res.14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Stauber amendment #6

Disposition: Not agreed to by a roll call vote of 19 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX			
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	19	26	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022
Amendment: Rep. Gosar amendment #3

Disposition: Not agreed to by a roll call vote of 16 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO			
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX			
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI			
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	16	26	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Gosar amendment #4

Disposition: Not agreed to by a roll call vote of 16 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO			
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX			
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA			
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI			
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	16	26	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Gosar amendment #5

Disposition: Not agreed to by a roll call vote of 18 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO			
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA			
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	18	26	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022
Amendment: Rep. Gosar amendment #115

Disposition: Not agreed to by a roll call vote of 18 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO			
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA			
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	18	26	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res.14, Concurrent Resolution on the Budget for Fiscal Year 2022
Amendment: Rep. Gosar amendment #116

Disposition: Not agreed to by a roll call vote of 18 yeas and 25 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL			
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger-Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO			
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA			
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25		18	25	
TOTALS		YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022
Amendment: Rep. Herrell amendment #4

Disposition: Not agreed to by a roll call vote of 18 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO			
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA			
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25		18	26	
TOTALS		YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022
Amendment: Rep. Herrell amendment #5

Disposition: Not agreed to by a roll call vote of 18 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO			
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA			
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	18	26	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res.14, Concurrent Resolution on the Budget for Fiscal Year 2022
Amendment: Rep. Herrell amendment #6

Disposition: Not agreed to by a roll call vote of 18 yeas and 25 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI			
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger-Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO			
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA			
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	18	25	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 2, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee Print proving for reconciliation pursuant to S. Con. Res.14, Concurrent Resolution on the Budget for Fiscal Year 2022
Amendment: Rep. Herrell amendment #031

Disposition: Not agreed to by a roll call vote of 19 yeas and 26 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. García, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA			
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 26	19	26	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Boebert amendment #2

Disposition: Not agreed to by a roll call vote of 18 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY			
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	18	23	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Boebert amendment #3

Disposition: Not agreed to by a roll call vote of 19 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI			
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	19	23	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Boebert amendment #4

Disposition: Not agreed to by a roll call vote of 18 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA			
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obermole, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	18	24	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Boebert amendment #5

Disposition: Not agreed to by a roll call vote of 17 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	17	24	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Carl amendment #1

Disposition: Not agreed to by a roll call vote of 17 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obermole, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	17	24	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Carl amendment #2

Disposition: Not agreed to by a roll call vote of 17 yeas and 25 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	17	25	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Young amendment #1

Disposition: Not agreed to by a roll call vote of 18 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA			
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 18 / Report: 25	18	24	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Tiffany amendment #1

Disposition: Not agreed to by a roll call vote of 19 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI			
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obermole, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	19	24	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. González-Colón amendment #1

Disposition: Not agreed to by a roll call vote of 18 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO			
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP			
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI			
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obermole, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT		X	
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	18	23	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Moore amendment #1

Disposition: Not agreed to by a roll call vote of 19 yeas and 25 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obermole, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	19	25	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Moore amendment #2 (revised)

Disposition: Not agreed to by a roll call vote of 19 yeas and 25 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	19	25	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Moore amendment #3

Disposition: Not agreed to by a roll call vote of 19 yeas and 25 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obermole, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	19	25	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. González-Colón amendment #2

Disposition: Not agreed to by a roll call vote of 19 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP	X		
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA			
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obermole, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25		19	24	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Ranking Member Westerman motion to table Chair Grijalva amendment in the nature of a substitute to the committee print.

Amendment:

Disposition: Not agreed to by a roll call vote of 18 yeas and 25 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger-Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA			
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obermole, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (<i>RM</i>)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	18	25	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Chair Grijalva motion for the previous question on the Grijalva amendment in the nature of a substitute to the committee print.

Amendment:

Disposition: Agreed to by a roll call vote of 25 yeas and 15 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA	X		
2	Mr. Case, HI	X		
3	Mr. Cohen, TN	X		
4	Mr. Costa, CA	X		
5	Ms. DeGette, CO	X		
6	Mrs. Dingell, MI	X		
7	Mr. Gallego, AZ			
8	Mr. García, IL	X		
9	Mr. Grijalva, AZ (<i>Chair</i>)	X		
10	Mr. Huffman, CA	X		
11	Ms. Leger Fernández, NM	X		
12	Mr. Levin, CA	X		
13	Mr. Lowenthal, CA	X		
14	Ms. McCollum, MN	X		
15	Mr. McEachin, VA	X		
16	Mrs. Napolitano, CA	X		
17	Mr. Neguse, CO	X		
18	Ms. Porter, CA	X		
19	Mr. Sablan, MP	X		
20	Mr. San Nicolas, GU	X		
21	Mr. Soto, FL	X		
22	Ms. Stansbury, NM	X		
23	Ms. Tlaib, MI	X		
24	Mr. Tonko, NY	X		
25	Ms. Trahan, MA	X		
26	Ms. Velázquez, NY	X		
	REP. MEMBERS (22)			
1	Mr. Bentz, OR		X	
2	Mrs. Boebert, CO		X	
3	Mr. Carl, AL		X	
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX			
6	Miss González-Colón, PR		X	
7	Mr. Gosar, AZ			
8	Mr. Graves, LA		X	
9	Ms. Herrell, NM		X	
10	Mr. Hice, GA		X	
11	Mr. Lamborn, CO			
12	Mr. McClintock, CA		X	
13	Mr. Moore, UT			
14	Mr. Oberholte, CA		X	
15	Mrs. Radewagen, AS		X	
16	Mr. Rosendale, MT		X	
17	Mr. Stauber, MN		X	
18	Mr. Tiffany, WI			
19	Mr. Webster, FL		X	
20	Mr. Westerman, AR (RM)		X	
21	Mr. Wittman, VA		X	
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	25	15	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Boebert amendment #01 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 17 yeas and 25 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX			
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ			
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	17	25	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Graves amendment #3 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 18 yeas and 25 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ			
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 26	18	25	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Tiffany amendment #04 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 18 yeas and 25 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ			
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25		18	25	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Ranking Member Westerman amendment #02 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 18 yeas and 25 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ			
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obermole, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	18	25	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Bentz amendment #6 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 19 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA	X		
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ			
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25				
TOTALS		YEAS	NAYS	PRESENT
		19	24	

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Obernolte amendment #06 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 18 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI			
7	Mr. Gallego, AZ			
8	Mr. García, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ			
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	18	24	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Obernolte amendment #1 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 18 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA			
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA			
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ			
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	18	23	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. McClintock amendment #2 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 18 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA	X		
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ			
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25		18	23	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Stauber amendment #7 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 17 yeas and 25 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. García, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ			
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25		17	25	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Graves amendment #6 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 18 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25		18	24	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Carl amendment #3 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 18 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	18	24	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Gohmert amendment #10 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 16 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL			
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	16	24	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Bentz amendment #11 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 15 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL			
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25		15	24	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

- Bill / Motion:** Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022
- Amendment:** Ranking Member Westerman amendment #07 (Revised) to the amendment in the nature of a substitute.
- Disposition:** Not agreed to by a roll call vote of 16 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Oberholte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	16	24	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Rosendale amendment #8 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 16 yeas and 22 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI			
24	Mr. Tonko, NY			
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM			
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
22	Mr. Young, AK			
	Total: 48 / Quorum: 15 / Report: 25	16	22	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Ranking Member Westerman amendment #12 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 17 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. García, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN			
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bertz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25		17	23	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Graves amendment #29 (Revised 2) to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 18 yeas and 21 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI			
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN			
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY	X		
	REP. MEMBERS (22)			
1	Mr. Bertz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obermole, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 26	18	21	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Graves amendment #30 (Revised 2) to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 17 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN			
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bertz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obermole, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 26		17	23	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

- Bill / Motion:** Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022
- Amendment:** Ranking Member Westerman amendment #13 to the amendment in the nature of a substitute.
- Disposition:** Not agreed to by a roll call vote of 16 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25		16	24	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Bentz amendment #7 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 16 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. García, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN			
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25		16	23	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res.14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Gosar amendment #6 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 16 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 26		16	24	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Tiffany amendment #3 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 16 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 26		16	24	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Graves amendment #13 (Revised) to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 16 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Oberholte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25		16	24	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Graves amendment #14 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 16 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA			
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obermole, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25		16	23	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Graves amendment #28 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 16 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA			
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO			
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obermole, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
	Total: 46 / Quorum: 16 / Report: 25	16	23	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Ranking Member Westerman amendment #11 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 17 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bertz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 26		17	24	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Boebert amendment #7 to the amendment in the nature of a substitute.

Disposition: Not agreed to by a roll call vote of 16 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN			
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
REP. MEMBERS (22)				
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX			
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT			
14	Mr. Obenholte, CA			
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK			
Total: 48 / Quorum: 16 / Report: 25		16	23	
TOTALS		YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14,
Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment: Rep. Grijalva amendment in the nature of a substitute, as amended.

Disposition: Agreed to by a roll call vote of 25 yeas and 14 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA	X		
2	Mr. Case, HI	X		
3	Mr. Cohen, TN	X		
4	Mr. Costa, CA	X		
5	Ms. DeGette, CO	X		
6	Mrs. Dingell, MI	X		
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL	X		
9	Mr. Grijalva, AZ (<i>Chair</i>)	X		
10	Mr. Huffman, CA	X		
11	Ms. Leger Fernández, NM	X		
12	Mr. Levin, CA	X		
13	Mr. Lowenthal, CA	X		
14	Ms. McCollum, MN	X		
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA	X		
17	Mr. Neguse, CO	X		
18	Ms. Porter, CA	X		
19	Mr. Sablan, MP	X		
20	Mr. San Nicolas, GU	X		
21	Mr. Soto, FL	X		
22	Ms. Stansbury, NM	X		
23	Ms. Tlaib, MI	X		
24	Mr. Tonko, NY	X		
25	Ms. Trahan, MA	X		
26	Ms. Velázquez, NY	X		
	REP. MEMBERS (22)			
1	Mr. Bentz, OR		X	
2	Mrs. Boebert, CO		X	
3	Mr. Carl, AL			
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX			
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ		X	
8	Mr. Graves, LA		X	
9	Ms. Herrell, NM		X	
10	Mr. Hice, GA			
11	Mr. Lamborn, CO		X	
12	Mr. McClintock, CA		X	
13	Mr. Moore, UT			
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS		X	
16	Mr. Rosendale, MT		X	
17	Mr. Stauber, MN		X	
18	Mr. Tiffany, WI		X	
19	Mr. Webster, FL		X	
20	Mr. Westerman, AR (RM)		X	
21	Mr. Wittman, VA		X	
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	25	14	
	TOTALS	YEAS	NAYS	PRESENT

Date: September 9, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: Committee print providing for reconciliation pursuant to S. Con. Res. 14, Concurrent Resolution on the Budget for Fiscal Year 2022

Amendment:

Disposition: Final Passage: Committee print, as amended, was adopted and ordered favorably transmitted to the Committee on the Budget by a roll call vote of 24 yeas and 13 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA	X		
2	Mr. Case, HI	X		
3	Mr. Cohen, TN	X		
4	Mr. Costa, CA	X		
5	Ms. DeGette, CO	X		
6	Mrs. Dingell, MI	X		
7	Mr. Gallego, AZ			
8	Mr. Garcia, IL	X		
9	Mr. Grijalva, AZ (Chair)	X		
10	Mr. Huffman, CA	X		
11	Ms. Leger Fernández, NM	X		
12	Mr. Levin, CA	X		
13	Mr. Lowenthal, CA	X		
14	Ms. McCollum, MN	X		
15	Mr. McEachin, VA			
16	Mrs. Napolitano, CA	X		
17	Mr. Neguse, CO	X		
18	Ms. Porter, CA	X		
19	Mr. Sablan, MP	X		
20	Mr. San Nicolas, GU	X		
21	Mr. Soto, FL	X		
22	Ms. Stansbury, NM	X		
23	Ms. Tlaib, MI	X		
24	Mr. Tonko, NY	X		
25	Ms. Trahan, MA	X		
26	Ms. Velázquez, NY	X		
	REP. MEMBERS (22)			
1	Mr. Bentz, OR		X	
2	Mrs. Boebert, CO		X	
3	Mr. Carl, AL			
4	Mr. Fulcher, ID			
5	Mr. Gohmert, TX			
6	Miss González-Colón, PR		X	
7	Mr. Gosar, AZ		X	
8	Mr. Graves, LA		X	
9	Ms. Herrell, NM		X	
10	Mr. Hice, GA			
11	Mr. Lamborn, CO		X	
12	Mr. McClintock, CA		X	
13	Mr. Moore, UT			
14	Mr. Obernolte, CA			
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT		X	
17	Mr. Stauber, MN			
18	Mr. Tiffany, WI		X	
19	Mr. Webster, FL		X	
20	Mr. Westerman, AR (RM)		X	
21	Mr. Wittman, VA		X	
22	Mr. Young, AK			
	Total: 48 / Quorum: 16 / Report: 25	24	13	
	TOTALS	YEAS	NAYS	PRESENT

Dissenting Views on the Committee Print

In the face of multiple crises facing America – a disastrous withdrawal from Afghanistan with the abandonment of hundreds of American behind enemy lines, illegal immigrants flooding a porous Southern border, devastating hurricanes, historic wildfires, severe drought, skyrocketing inflation – Natural Resources Committee Democrats ignored all these actual issues facing Americans and instead prioritized partisan wish lists in a multi-billion-dollar reconciliation bill. The majority had an opportunity to advance legislation to address the real needs of our country, get Americans back to work, and make our natural resources healthier and more resilient for the future. Unfortunately, Committee Democrats achieved none of those goals in this legislation.

By shutting down debate and forcing this highly partisan legislation forward, the majority ensured that Americans would continue facing rising energy costs, energy and mineral dependence and many other crippling issues, all while using taxpayer dollars for pet projects, including a \$200 million payout to the rich and famous in Speaker Pelosi's district. While Committee Democrats claim to be "Building Back Better," their actions ultimately speak louder than words.

Civilian Climate Corps

The reconciliation legislation provides over \$3.6 billion to create a new Civilian Climate Corps (CCC), including \$1.7 billion for the National Park Service, \$900 million for the Bureau of Land Management, \$400 million for the Fish and Wildlife Service, \$500 million for a Tribal CCC, and \$120 million for the National Oceanic and Atmospheric Administration. This section is a prime example of virtue signaling from Committee Democrats as the term "climate" does not even appear in the CCC's enacting legislation beyond the headers. At a time when so many employers are trying to fill jobs, it is unfathomable that the federal government would spend billions to create a new bureaucracy to compete with small, struggling businesses.¹ It is even more egregious that Democrats are purporting to create jobs through this misguided section, when the overall effect of the legislation will decimate thousands of existing, high-paying jobs in the energy sector.

Resurrecting a 1930's style federal work program under the guise of addressing climate change will achieve nothing but bloating an already bloated federal workforce. The vague, confusing language of the legislation doesn't outline what exactly could be considered a "conservation project" and doesn't even bother defining what an "education and job training project" is at all.² This confusion is compounded by the fact that the text does nothing to alleviate concerns about how this new CCC will interact with the hundreds of existing private corps networks that are already meeting the demand for these projects. Democrats rejected several Republican amendments to address basic concerns with the CCC, such as tying the program to unemployment, defining what projects should be allowed, and mandating that funds only go to legal U.S. citizens. Democrats rejected these amendments on the concern they could create

¹ NBC News. "The jobs are coming back — but the workers are not." June 9, 2021.

<https://www.nbcnews.com/business/economy/jobs-are-coming-back-workers-are-not-n1270168>.

² Committee Print, as Reported by the Committee on Natural Resources (Providing for reconciliation pursuant to S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022, page 12.

“procedural issues” in the Senate, while conveniently ignoring the actual procedural issue their own price tag creates for the Democratic Chairman of the Senate Committee that will be receiving these very instructions.³

Pelosi Presidio Payout

The reconciliation legislation also provides \$200 million in taxpayer funding for the Presidio Trust, an agency that manages roughly 1,200 acres in San Francisco, exclusively located in Speaker Nancy Pelosi’s district. Just five miles from the San Francisco Financial District and nestled among multi-million-dollar mansions, the Presidio has miles of pristine trails, bike routes, scenic overlooks, and even a posh golf course all along the California coast.⁴

Despite a proclamation on the Trust’s website stating that park is managed “at no cost to the taxpayers” and its original enabling statute, which mandates the agency become self-sufficient by FY 2012, Congress has authorized \$30 million in loans to the Trust and is now on the verge of providing hundreds of millions of dollars via direct appropriation.⁵ These taxpayer funds will likely get used to redevelop the 20-acre Fort Scott site, which boasts stunning views of the Golden Gate Bridge, into “a place for change.”⁶ According to the Trust CEO Jean Fraser, the Trust envisioned renovating “these buildings so that people who are working in the environmental or social justice areas would have a place to do great work in this magnificent setting.”⁷ The original plan laid out by the Presidio Trust in 2018 was to find a wealthy philanthropist to fund this \$200 million dollar project. It is clear her plan never materialized, and now the Trust has found a new philanthropist to fund this liberal “place for change” in the form of the American taxpayer.

During the Committee’s markup, Republicans offered several amendments redirecting these funds to causes such as giving a well-deserved pay raise to wildland firefighters, providing recreation opportunities to veterans, military service members, and Gold Star Families, improving forest management to reduce the risk and severity of catastrophic wildfires, addressing the National Park Service’s deferred maintenance backlog, and providing grants to remember and honor those we lost on September 11, 2001. Republicans also offered an amendment to prohibit funds from being spent on the Presidio’s pristine golf course, high-end hotels, and luxury homes and apartments. Democrats unanimously rejected these amendments, instead voting to give Speaker Pelosi and millionaires in her district a slush fund at the taxpayer’s expense.

³ Manchin, Joe. “Why I Won’t Support Spending Another \$3.5 Trillion.” *Wall Street Journal*. <https://www.wsj.com/articles/manchin-pelosi-biden-3-5-trillion-reconciliation-government-spending-debt-deficit-inflation-11630605657>. Note: this article was published on September 2, 2021, during day 1 of the Committee’s markup.

⁴ A weekend tee time will cost you \$120. <https://www.presidiogolf.com/rates-reservations/>.

⁵ About the Presidio Trust, Presidio Trust (2021), <https://www.presidio.gov/presidio-trust/about> (last visited Sep 13, 2021); Person. “Powerful Patrons Duel over California Projects in Final Spending Package.” Roll Call, Roll Call, 12 Dec. 2019, www.rollcall.com/2019/12/11/powerful-patrons-duel-over-california-projects-in-final-spending-package/.

⁶ Levi, Ryan. “For \$200 Million, You Can Change the World at The Presidio’s Fort Scott.” KQED, KQED, 22 Apr. 2018, www.kqed.org/news/11663954/for-200m-you-can-change-the-world-at-the-presidios-fort-scott.

⁷ *Id.*

Failure to Address the Crisis at our Federal Border

Illegal immigration has produced long-term environmental consequences for federal lands. Despite this fact, Democrats allocated no funding toward mitigating the impacts of illegal border crossers. The degradation of public lands will become an even more pressing issue as President Biden’s policies continue to exacerbate a crisis at the Southern border. In July 2021, for the first time in 21 years, Customs and Border Protection detained more than 200,000 people trying to illegally cross the Southwest border.⁸ In addition to the individuals detained, border officials reported more than 1,000 daily “got-aways” in recent months.⁹

Previously, illegal immigration resulted in the creation of illegal trails, spreading wildfires, and destruction of critical habitat. Officials estimate that damage to federal lands will rise, as the number of individuals attempting to cross the Southern border continues to reach historic levels. Restoring public lands and erecting protections to deter further damage requires funding. Despite this, none of the \$31.7 billion in the Committee’s reconciliation package is directed toward mitigating the predictable harms caused by illegal border crossers.

Although Committee Democrats initially supported funding U.S. Fish and Wildlife Service Civilian Climate Corps projects to rehabilitate the harms caused by illegal border crossers, the majority later backtracked and removed the Republican language to address this important issue. Similarly, the majority declined to dedicate funding for the National Park Service’s or Bureau of Land Management’s Civilian Climate Corps to rehabilitate federal lands along the Southern border. In addition, the majority refused to consider providing resources to private landowners and ranchers to address the adverse impacts illegal immigration has on their lands. Committee Democrats have repeatedly and willfully ignored predictable damages and failed to allocate a single penny to mitigate harms to federal lands along the Southern border. Sensitive areas and critical wildlife habitats will suffer as a result.

Endangered Species Act and Wildlife Provisions

This reconciliation legislation represents a lost opportunity to achieve real results for the American people. It throws billions of taxpayer dollars at programs that are duplicative, ineffective, or buried in the ideologies of the past. Rather than empower states, tribes, localities and the private sector, it throws money – which will be added to our massive federal debt – at longstanding problems without any commonsense, long-term solutions.

For example, the legislation directs funding toward Endangered Species Act (16 U.S.C. 1531 et seq., ESA) programs, some of which even the Biden Administration testified are unnecessary and duplicative. The ESA, a well-intended but broad 1973 law aimed at protecting endangered and threatened species, is a law in great need of reform. One only needs to look at the San Joaquin Valley of California or the Klamath area in Oregon and California as a microcosm of what has gone wrong with the ESA over time: as more water is diverted from communities for

⁸ Nick Miroff, July was Busiest Month for Illegal Border Crossing in 21 Years, CBP Data Shows, THE WASHINGTON POST (Aug. 12, 2021), https://www.washingtonpost.com/national/record-numbers-illegal-border-crossings/2021/08/12/e3d305e2-facd-11eb-b8dd-0e376fba55f2_story.html.

⁹ *Id.*

the three-inch endangered Delta smelt, sucker fish, or salmon, the long-term result is that both species and communities continue to suffer, especially during these times of historic drought. The ESA status quo is simply not working for species and people.

The ESA can be updated and modernized to both better protect truly endangered species and the human communities often impacted by the draconian ESA regulations and decisions made by the federal bureaucracies. Democrats had this opportunity but failed miserably not only in the underlying text, but also in voting party-line against multiple ESA-related amendments offered by Committee Republicans. Mr. Bentz offered an amendment to preserve critical habitat designations made under the prior administration which would have led to increased forest restoration projects, created jobs, and protected the Northern Spotted Owl from catastrophic wildfire. Mr. Carl offered an amendment to protect lobstermen and others from a recent and punitive Right Whale rule and restrictive marine protected areas. Both amendments were opposed by Democrats in party line votes.

Overall reforms aimed at improving ESA implementation met the same fate. An amendment offered by Mr. Gosar attempted to codify five different ESA rules aimed at defining critical habitat, streamlining the law's consultation process, and requiring robust economic analysis failed in a party-line vote. Since a few litigious groups have weaponized the ESA to sue the federal government and receive hundreds of millions in attorneys' fees that are then used for additional lawsuits, Mr. Westerman's amendment would have prohibited these organizations from getting any ESA-related grants under the bill. The majority sided party-line with the litigious environmental extremists.

Doing further harm to wildlife conservation, the majority effectively sided with the serial litigation/instigation movement which has petitioned the Biden Administration to ban the importation, acquisition, transfer, or possession of ALL wildlife and wildlife products or parts. In an August 26, 2021 letter to the administration, 36 diverse wildlife hunting organizations and state fish and wildlife agencies wrote that the petition was "federal overreach," risks the "financial stability" of state-led conservation funding, would create "bureaucratic hurdles" for non-resident hunting, and that the sweeping ban "under the guise of preventing future pandemic threats is beyond comprehension." While Committee Republicans universally agreed with Mr. Tiffany's amendment prohibiting funding for such a ban, the majority voted party-line to leave the door open for a potentially devastating ban.

Drought Response and Preparedness Provisions

Committee Democrats also missed opportunities to help many affected by this year's historic western drought. For generations, multi-purpose reservoirs in the American West have captured water in "wet" times to use during the "dry" times. More than ever, increased water storage is needed to capture additional runoff. While the majority voted against Republican amendments to add short-term funding for "drought relief" under the reconciliation bill, Committee Democrats also voted against three Republican amendments aimed at providing long-term water storage and other solutions. Mr. Bentz's amendment to reauthorize the successful Subtitle J of the Water Infrastructure Improvements for the Nation (WIIN) Act and Mr. McClintock's amendment to fund the Shasta Dam Raise were both defeated. Mr. Obernolte's amendment

adding water storage, water recycling and desalination projects under the WIIN Act recommendation process was rejected on a party-line vote, even though the funding for the projects had been recently recommended by the Biden Administration. The Majority's willingness to defeat these amendments is another telling example how they have no long-term, serious plan to avoid the next drought, and represents yet another missed opportunity in their partisan exercise.

Conventional and Renewable Energy Provisions

This legislation amends the Mineral Leasing Act of 1920 (30 U.S.C. 181 et seq., MLA), the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq., OCSLA), and the Federal Oil and Gas Royalty Management Act (30 U.S.C. 1701 et. seq.) to raise rental rates, fees, and royalty rates for conventional energy leases on federal lands and waters. The text would discourage oil and gas leasing on federal lands by eliminating leasing policies that provide certainty to operators and states, as well as by imposing duplicative regulatory reviews and onerous reporting requirements. The result is a loss of good-paying American jobs.

Nearly every existing fee for oil and gas production is increased under this legislation, and several new ones are created. First, the minimum royalty rate for onshore and offshore oil and gas production is raised from 12.5% to 20% and reinstated onshore lease royalties raised from 16 $\frac{2}{3}$ % to 25%. This change alone immediately makes federal lands and waters significantly less attractive for operators compared to states and private lands. The extensive changes to the leasing process under this legislation also include the following: raising the minimum national bid to \$10 per acre, increasing rental rates for onshore oil and gas from \$2 to \$3 for the first 5 years and from \$3 to \$5 every year thereafter, eliminating noncompetitive leasing, applying a royalty on all methane released, establishing an expression of interest fee, reducing standard lease terms from 10 years to 5 years, imposing new inspection fees onshore and increasing existing inspection fees offshore, creating an idled well fee, establishing an annual fee for offshore pipelines, increasing bonding requirements, removing flexibility for deferred coal bonus bid payments, eliminating the possibility of royalty relief, and many other changes.

In addition to raising royalties and fees, this legislation also threatens American energy security by locking up vast areas both onshore and offshore. First, the text permanently prohibits leasing on the Outer Continental Shelf (OCS) in the Atlantic, Pacific and Eastern Gulf of Mexico Planning Areas, removing the potential for future development. Another de-facto withdrawal is created by repealing Section 20001 of the Tax Cuts and Jobs Act of 2017, which authorized oil and gas production in the 1002 Area of the Arctic National Wildlife Refuge and required two lease sales. The Trump Administration finalized the first lease sale in 2020, but the Biden Administration has halted implementation of the leasing program.

While this legislation hamstring conventional energy development, it also does nothing to support renewable energy, leaving a question about where our energy supply will come from. Wind leasing is authorized in the territories under this text, although no revenue-sharing mechanisms were included for the benefit of the territories. There is also a provision to exempt wind energy from Trump-era energy leasing moratoria offshore Florida, Georgia and the Carolinas. While Committee Republicans support wind leasing in these areas, this legislation

should not pick “winners and losers” in the energy sector, and should instead allow market forces to dictate which resources are developed in these areas. The text contains no improvements at all for onshore renewables, which already lag notoriously behind renewable development on state and private lands.

These changes serve to make conventional energy production less profitable and more challenging, decreasing the competitiveness of domestic development on federal lands and waters. The burden will fall especially hard on small operators, at a time when unemployment remains exceptionally high. Gas prices are at their highest level in 7 years,¹⁰ and making domestic production harder will exacerbate this problem for Americans across the country.

Hardrock Mineral Provisions

This text makes multiple changes to the existing hardrock mining system that would be devastating to current and future domestic production. First, the legislation assesses a new 8% gross royalty on new mines and a new 4% gross royalty on existing mines. These punitive royalties threaten the economic viability of new and existing mines, and could even constitute a takings claim against the federal government. Additionally, the text establishes a new “displaced material” reclamation fee of seven cents per ton. This fee would be based on the amount of crude ore and waste material moved during the mining process, often known as the “dirt tax.” These new royalties and fees would be in addition to the existing claim maintenance fee already charged by the government.¹¹

While new royalties and fees are purportedly intended to raise money, several mining-related provisions would also reduce expected revenues to the federal government, in addition to causing major harm to domestic mineral supply chains. The most expensive provision is the establishment of an abandoned mine fund, which calls for \$2.5 billion for the inventory and remediation of abandoned hardrock mines for 10 years. More troubling for future production are two major mineral withdrawals contained in this legislation. The first repeals 16 U.S.C. 539p, the Southeast Arizona land exchange and conservation, which was enacted as part of the FY 2015 NDAA and establishes a mineral withdrawal in the area. This provision is intended to prevent the Resolution Copper mining project from going forward, banning development of some of the most valuable copper resources in the nation and eliminating thousands of potential jobs associated with the mine. The second withdrawal in this bill would permanently ban mineral development on approximately 1 million acres of public lands in Northern Arizona. This withdrawal area is far outside the Grand Canyon and would prevent development of the largest tract of uranium deposits in the country.¹² Finally, this text provides \$3 million to BLM to revise rules and regulations “to prevent undue degradation of public lands due to hardrock mining activities” for a period of 10 years, which is likely intended to impose onerous regulations on hardrock mining.

¹⁰ <https://www.cbsnews.com/news/gas-prices-highest-in-7-years/>

¹¹ Bureau of Land Management. “Mining Claim Fees.” <https://www.blm.gov/programs/energy-and-minerals/mining-and-minerals/locatable-minerals/mining-claims/fees>

¹² Letter to Secretary Zinke from the Congressional Western Caucus, re: Arizona Uranium Mineral Withdrawal. July 27, 2018.

Indian Health Service

Democrats' partisan, lopsided budget reconciliation legislation is a missed opportunity to address critical needs at Indian Health Service (IHS) hospitals and facilities. The total estimated IHS facility construction need is approaching \$20 billion. The United States has a federal trust responsibility to ensure American Indians and Alaska Native communities have access to adequate, safe, and reliable health facilities.

In 1990, the IHS revised the Health Care Facilities Construction Priority System (HFCPS).¹³ The remaining health care facilities projects on the HFCPS list today, including those partially funded, total approximately \$2 billion as of March 2020.¹⁴ At the current rate of facility construction appropriations, if a new facility were built today, it would not be replaced for 400 years. With an extraordinary need beyond the 1990 HFCPS, Democrats' proposal of only \$2 billion is a missed opportunity. In recent years, several reports to Congress have highlighted the dire conditions of many IHS facilities. Additionally, this proposal does not contain any policies that will require the IHS develop new construction need methodologies to ensure the construction list reflects the greatest needs throughout Indian country.

Although there is bipartisan agreement in Congress of the need for robust healthcare infrastructure investment in Indian Country, the proposals contained in this section, fall short of adequately and properly addressing critical needs within Indian Country.

Ranking Member Westerman offered an amendment to reallocate an additional \$1 billion to IHS facilities construction to better address our healthcare responsibilities in Indian Country. The amendment was defeated by a party line vote. Committee Democrats continue the trend of prioritizing climate change talking points and partisan slush funds over the health and well-being of Americans.

Bureau of Indian Affairs

Conditions throughout Indian Country are, at best, subpar. Democrats had a real opportunity to work on critical needs for Indian Country. Unfortunately, the Bureau of Indian Affairs (BIA) provisions found in this Committee print do not adequately address the real needs in tribal communities.

For instance, the majority's plan includes a new \$1 billion program to address tribal climate resiliency, adaptation, and community relocation planning, design, and implementation of projects which address the varying climate challenges facing tribal communities. This amount is nearly twice the amount of the annual appropriations to the entire BIA budget. The BIA Climate Resilience program is supposed to send resources to Federally recognized tribes to build capacity and resilience through both technical and financial assistance, support the delivery of data and

¹³ <https://www.ihs.gov/dfpc/resources>

¹⁴ https://www.ihs.gov/sites/dfpc/themes/responsive2017/display_objects/documents/projects/Planned_Construction_Priorities.pdf

tools, access to training and workshops and facilitates planning associated with impacts posed by harmful environmental trends. However, there is little indication that tribes have been adequately consulted on how this new BIA program would be implemented or if this initiative is even a priority in Indian Country.

Committee Democrats' "Blue New Deal" legislation (H.R. 3764) includes similar legislative proposals for climate change resiliency enhancements within the Department of the Interior. There is limited information as to whether these efforts to direct federal funding for climate resiliency programs will improve tribal economies throughout the nation.

The budget reconciliation Committee print includes a provision that addresses public safety in Indian Country. The Bureau of Indian Affairs Public Safety section would authorize \$200 million for carrying out programs under the BIA Office of Justice Services. This office is tasked with managing BIA's law enforcement, corrections, and tribal court programs, including construction. Indian Country currently faces some of the highest rates of crime. Tribal citizens are nearly 2.5 times more likely to become victims of violent crimes, and unfortunately, Native women are subject to even higher rates of domestic violence and abuse. The federal government is not providing the necessary resources to combat crime in Indian Country, and the Democrats' plan of only providing \$200 million for public safety is disheartening.

Although there is bipartisan agreement in Congress regarding the need for robust public safety and justice investment in Indian Country, the proposals contained in this section fall far short of adequately and properly addressing those critical needs.

Ranking Member Westerman offered an amendment that would reallocate \$1 billion originally set aside for tribal climate resiliency and adaptation and redirect it to the BIA's Public Safety and Justice programs. The amendment was defeated by Committee Democrats on a party line vote. This amendment would have provided additional funding for BIA law enforcement, creating safer detention facilities and providing sound justice to all tribal members. This is yet another instance where the Democrat majority has voted against critical funding for law enforcement, public safety, and justice infrastructure.

Vieques Compensation

The section proposes placing a Special Master in charge of determining if a claimant or heir is eligible for compensation for exposure to contamination in Vieques, Puerto Rico.

Although federal public health assessments have suggested low levels of direct exposure, both the Puerto Rican government and independent documentation have detected the presence in the environment of Vieques of levels of heavy metals as a result of the expended ordnance over 62 years of military operations, being absorbed into the vegetation and crops, creating a potential pathway of exposure for civilians. Residents have raised claims of increased incidence of chronic health problems.

The majority's proposal, unlike bipartisan legislative proposals of H.R. 1126 and H.R. 1317,

provides no guidance as to dollar amounts a claimant(s) or heir(s) would be eligible nor about the specific criteria for determining that eligibility either regarding residency in Vieques or health condition, nor further research into the environmental health situation. In addition, the funding authorized under this section would flow through the Department of the Interior rather than from the Judgement Fund at the Department of Justice. The lack of structure contained in this section and proposal to include a federal agency that does not even have oversight of Puerto Rico creates additional bureaucratic and implementation challenges instead of a solution to claimants.

Insular Hospital Infrastructure

The legislation proposes \$993 million for Hospitals and Health Infrastructure in the Insular Areas. Of that, 35 percent of the amount made available under this section will be available for Guam, 35 percent to the U.S. Virgin Islands, 20 percent to the Commonwealth of the Northern Mariana Islands and 10 percent to American Samoa for public hospital infrastructure.

Conditions at the LBJ hospital in American Samoa are dire due to a lack of adequate funding and a chronic backlog of infrastructure maintenance. While the Department of Interior's Office of Insular Affairs (OIA) Capital Improvement Program has provided infrastructure funding to the LBJ hospital, current needs are estimated to be more than \$100 million for modernization, and three-quarters of a billion for complete replacement of the facility.

Similarly, the main wings of the Guam Memorial hospital were built in 1978 and need replacement. In April 2020, the U.S. Army Corps of Engineers issued a report stating that the hospital is in an overall state of failure due to age, environmental exposure, lack of financial resources to support pre-planned capital infrastructure replacements, and lack of previous facilities design adherence to building codes. The Army Corps estimated the cost of replacement is \$743 million. While the government of Guam has set aside approximately half of the needed funds, investment will ensure Guam has an adequate health facility, as recommended by the U.S. Corps to meet accreditation standards.

In 2017, two hospitals in the U.S. Virgin Islands were damaged by hurricanes Maria and Irma. In 2019, FEMA announced it would direct \$80 million to aid in the reconstruction of the two hospitals. The remaining cost to rebuild the hospitals would be \$170 million.

In 2018, Super Typhoon Yutu caused significant damage to health infrastructure in the Commonwealth of the Northern Marianas. Approximately \$20 million will be set aside for hospital infrastructure reconstruction, despite no comprehensive estimate of need at the hospital.

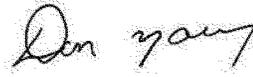
While there is bipartisan support for investment in health infrastructure in the U.S. territories, the percentage allocations proposed by the majority are artificial and do not support equitable funding across the territories. The lopsided funding structure contained in this section does nothing to consider territory population or total healthcare need.

For these many reasons, we oppose the Committee Print as ordered reported.

Sincerely,



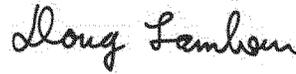
Bruce Westerman
Ranking Member



Don Young
Member of Congress



Louie Gohmert
Member of Congress



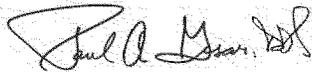
Doug Lamborn
Member of Congress



Robert J. Wittman
Member of Congress



Tom McClintock
Member of Congress



Paul A. Gosar, D.D.S.
Member of Congress



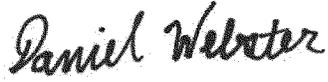
Garret Graves
Member of Congress



Jody Hice
Member of Congress



Aumua Amata C. Radewagen
Member of Congress



Daniel Webster
Member of Congress



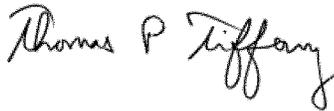
Jenniffer González-Colón
Member of Congress



Russ Fulcher
Member of Congress



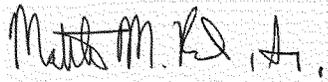
Pete Stauber
Member of Congress



Tom Tiffany
Member of Congress



Jerry L. Carl
Member of Congress



Matthew Rosendale, Sr.
Member of Congress



Blake Moore
Member of Congress



Yvette Herrell
Member of Congress



Lauren Boebert
Member of Congress

Handwritten signature of Jay Obernolte in cursive script.

Jay Obernolte
Member of Congress

Handwritten signature of Cliff Bentz in cursive script.

Cliff Bentz
Member of Congress

CAROLYN B. MALONEY, NEW YORK
CHAIRWOMAN

ONE HUNDRED SEVENTEENTH CONGRESS

JAMES COMER, KENTUCKY
RANKING-MINORITY MEMBER

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

Maloney: 2021-2025
Comer: 2021-2025
<https://oversight.house.gov>

September 9, 2021

The Honorable John 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 Oversight and Reform, 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,


Carolyn B. Maloney
Chairwoman

cc: The Honorable James Comer, Ranking Member

TRANSMITTAL OF THE COMMITTEE ON OVERSIGHT AND REFORM TO THE COMMITTEE ON THE BUDGET PURSUANT TO S. CON. RES. 14, THE CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2021

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Minority Views

EXPLANATION OF PROVISIONS

TITLE VIII—COMMITTEE ON OVERSIGHT AND REFORM

SEC. 80001. General Services Administration Clean Vehicle Fleet

This section would provide the General Services Administration (GSA) \$5 billion, to remain available until expended, for the procurement of electric vehicles and related support infrastructure for the federal fleet. For the purposes of this section, the federal fleet does not include any vehicles of the United States Postal Service but does include non-tactical vehicles of the Department of Defense.

SEC. 80002. General Services Administration Office of the Inspector General Clean Vehicle Fleet Oversight

This section would provide the GSA Office of the Inspector General \$2.5 million, to remain available until expended, for oversight of the procurement of electric vehicles and related support infrastructure for the federal fleet.

SEC. 80003. United States Postal Service Clean Vehicle Fleet

This section would provide the United States Postal Service \$7 billion, to remain available until expended, to acquire electric vehicles and related support infrastructure. Three billion dollars would be used for the acquisition of the Postal Service’s Next Generation Delivery Vehicle, and \$4 billion would be used for the purchase of necessary charging infrastructure.

SEC. 80004. United States Postal Service Office of the Inspector General Clean Vehicle Fleet Procurement Oversight

This section would provide the Office of the Inspector General of the Postal Service \$23 million, to remain available until expended, to perform oversight of the Postal Service's acquisition of electric vehicles and related support infrastructure.

SEC. 80005. National Archives and Records Administration

This section would provide the National Archives and Records Administration \$60 million, to remain available until expended, to address backlogs in responding to requests from veterans for military personnel records, improve cyber security, improve digital preservation and access to federal records, and address Freedom of Information Act request backlogs.

SEC. 80006. Funding for Government Accountability Office

This section would provide the Government Accountability Office (GAO) \$25 million, to remain available until expended, to conduct oversight of the receipt and disbursement of funds in this Act. This oversight shall include oversight of the equitable distribution and use of funds and their economic, social, and environmental impacts.

SEC. 80007. Funding for the Office of Management for Implementation of Justice40

This section would provide the Office of Management and Budget (OMB) \$4 million, to remain available until September 30, 2026, for additional personnel and data management expenses to provide assistance to other agencies in developing and implementing methodologies to measure benefits, for the development of a database to track agency benefits to disadvantaged communities, and for a public-facing scorecard detailing agency environmental justice performance measures to support the implementation of the Justice40 Initiative set forth in Executive Order No. 14008, "Executive Order on Tackling the Climate Crisis at Home and Abroad."

SEC. 80008. District of Columbia Clean Vehicle Fleet

This section would provide the District of Columbia \$10 million, to remain available until expended, for the procurement of electric vehicles and related infrastructure.

SEC. 80009. Funding for Technology Modernization Fund

This section would provide the Technology Modernization Fund \$1 billion, to remain available until September 30, 2031.

SEC. 80010. Funding for General Services Administration Federal Citizen Services Fund

This section would provide GSA \$2 billion, to remain available until September 30, 2031, for the Federal Citizen Services Fund.

SEC. 80011. Funding for Information Technology Oversight and Reform (ITOR) Account

This section would provide OMB's Information Technology Oversight and Reform account within the Executive Office of the President \$350 million, to remain available until September 30, 2031.

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 nine recorded votes occurred during consideration of the Committee Print:

1. Amendment (#1) to the amendment in the nature of a substitute (ANS) to the Committee Print, offered by Ms. Mace, was ruled not germane. The motion to table the motion to appeal the ruling of the chair passed by a recorded vote of 24 to 17.
2. Amendment (#1) to the ANS to the Committee Print offered by Mr. LaTurner, was ruled not germane. The motion to table the motion to appeal the ruling of the chair passed by a recorded vote of 24 to 18.
3. En bloc package of amendments (Mr. Clyde #1, Mr. Keller #2, Mr. Sessions #1, and Mr. Higgins #2) to the ANS to the Committee Print failed by a recorded vote of 19 to 24.
4. Amendment (#1) to the ANS to the Committee Print, offered by Mr. Cloud, failed by a recorded vote of 19 to 25.
5. Amendment (#1) to the ANS to the Committee Print, offered by Mr. Gosar, failed by a recorded vote of 18 to 25.
6. Amendment (#2) to the ANS to the Committee Print, offered by Mr. Gosar, failed by a recorded vote of 18 to 25.
7. Amendment (#1) to the ANS to the Committee Print, offered by Mr. Biggs, failed by a recorded vote of 18 to 25.
8. Amendment (#2) to the ANS to the Committee Print, offered by Mr. Biggs, failed by a recorded vote of 17 to 25.
9. The Committee Print providing for reconciliation pursuant to S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022, as amended, was agreed to by a recorded vote of 25 to 18.

COMMITTEE ON OVERSIGHT AND REFORM

117TH CONGRESS

RATIO 25-20

ROLL CALL

Vote on: Rep. Johnson moved to table Rep. Cloud's appeal on the ruling of the Chair to the Amendment to the ANS offered by Rep. Mace (SC)

Date: Sept. 2, 2021

VOTE #: 1

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) <i>(Chairwoman)</i>	X			MR. COMER (KY) <i>(Ranking Member)</i>		X	
MS. NORTON (DC)	X			MR. JORDAN (OH)			
MR. LYNCH (MA)	X			MR. GOSAR (AZ)		X	
MR. COOPER (TN)	X			MS. FOXX (NC)		X	
MR. CONNOLLY (VA)	X			MR. HICE (GA)		X	
MR. KRISHNAMOORTHY (IL)	X			MR. GROTHMAN (WI)		X	
MR. RASKIN (MD)	X			MR. CLOUD (TX)		X	
MR. KHANNA (CA)	X			MR. GIBBS (OH)		X	
MR. MFUME (MD)	X			MR. HIGGINS (LA)		X	
MS. OCASIO-CORTEZ (NY)	X			MR. NORMAN (SC)			
MS. TLAIB (MI)	X			MR. SESSIONS (TX)		X	
MS. PORTER (CA)	X			MR. KELLER (PA)			
MS. BUSH (MO)	X			MR. BIGGS (AZ)		X	
MR. DAVIS (IL)	X			MR. CLYDE (GA)		X	
MS. WASSERMAN SCHULTZ (FL)	X			MS. MACE (SC)		X	
MR. WELCH (VT)	X			MR. FRANKLIN (FL)		X	
MR. JOHNSON (GA)	X			MR. LATURNER (KS)		X	
MR. SARBANES (MD)	X			MR. FALLON (TX)		X	
MS. SPEIER (CA)				MS. HERRELL (NM)		X	
MS. KELLY (IL)	X			MR. DONALDS (FL)		X	
MS. LAWRENCE (MI)	X						
MR. DESAULNIER (CA)	X						
MR. GOMEZ (CA)	X						
MS. PRESSLEY (MA)	X						
MR. QUIGLEY (IL)	X						

Roll Call Totals: Ayes: 24 Nays: 17 Present:

Passed:

Failed:

(REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM

117TH CONGRESS

RAIO 25-20

ROLL CALL

Vote on: Rep. Johnson moved to table Rep. LaTurner's appeal on the ruling of the Chair to the Amendment to the ANS offered by Rep. LaTurner (KS)

Date: Sept. 2, 2021

VOTE #: 2

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) <i>(Chairwoman)</i>	X			MR. COMER (KY) <i>(Ranking Member)</i>		X	
MS. NORTON (DC)	X			MR. JORDAN (OH)			
MR. LYNCH (MA)	X			MR. GOSAR (AZ)		X	
MR. COOPER (TN)	X			MS. FOXX (NC)		X	
MR. CONNOLLY (VA)	X			MR. HICE (GA)		X	
MR. KRISHNAMOORTHY (IL)	X			MR. GROTHMAN (WI)		X	
MR. RASKIN (MD)	X			MR. CLOUD (TX)		X	
MR. KHANNA (CA)	X			MR. GIBBS (OH)		X	
MR. MFUME (MD)	X			MR. HIGGINS (LA)		X	
MS. OCASIO-CORTEZ (NY)	X			MR. NORMAN (SC)			
MS. TLAIB (MI)	X			MR. SESSIONS (TX)		X	
MS. PORTER (CA)	X			MR. KELLER (PA)		X	
MS. BUSH (MO)	X			MR. BIGGS (AZ)		X	
MR. DAVIS (IL)	X			MR. CLYDE (GA)		X	
MS. WASSERMAN SCHULTZ (FL)	X			MS. MACE (SC)		X	
MR. WELCH (VT)	X			MR. FRANKLIN (FL)		X	
MR. JOHNSON (GA)	X			MR. LATURNER (KS)		X	
MR. SARBANES (MD)	X			MR. FALLON (TX)		X	
MS. SPEIER (CA)				MS. HERRELL (NM)		X	
MS. KELLY (IL)	X			MR. DONALDS (FL)		X	
MS. LAWRENCE (MI)	X						
MR. DESAULNIER (CA)	X						
MR. GOMEZ (CA)	X						
MS. PRESSLEY (MA)	X						
MR. QUIGLEY (IL)	X						

Roll Call Totals: Ayes: 24 Nays: 18 Present:

Passed: X

Failed: _____

(REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM

117TH CONGRESS

RATO 25-20

ROLL CALL

Vote on: Amendments offered by Clyde, Keller #2, Sessions, & Higgins #2 to the ANS Voted on En Bloc

Date: 09-02-2021

VOTE #: 3

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) (Chairwoman)		X		MR. COMER (KY) (Ranking Member)	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)			
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHY (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)		X		MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)	X		
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ (FL)		X		MS. MACE (SC)	X		
MR. WELCH (VT)				MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)	X		
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
MR. QUIGLEY (IL)		X					

Roll Call Totals: Ayes: 19 Nays: 24 Present:

Passed: _____ Failed: ___X_____

(REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM

117TH CONGRESS

RATO 25-20

ROLL CALL

Vote on: Rep. Cloud Amendment to the ANS

Date: 09-02-2021

VOTE #: 4

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) <i>(Chairwoman)</i>		X		MR. COMER (KY) <i>(Ranking Member)</i>	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)			
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHY (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)		X		MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)	X		
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ (FL)		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)	X		
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
MR. QUIGLEY (IL)		X					

Roll Call Totals: Ayes: 19 Nays: 25 Present:

Passed: _____ Failed: X _____

COMMITTEE ON OVERSIGHT AND REFORM

117TH CONGRESS

RAT0 25-20

ROLL CALL

Vote on: Rep. Gosar's Amendment # 1 to the ANS

Date: 09-02-2021

VOTE #: 5

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) <i>(Chairwoman)</i>		X		MR. COMER (KY) <i>(Ranking Member)</i>	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)			
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHY (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)		X		MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ (FL)		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)	X		
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
MR. QUIGLEY (IL)		X					

Roll Call Totals: Ayes: 18 Nays: 25 Present:

Passed: _____ Failed: X _____

COMMITTEE ON OVERSIGHT AND REFORM

117TH CONGRESS

RATO 25-20

ROLL CALL

Vote on: Rep. Gosar's Amendment # 2 to the ANS

Date: 09-02-2021

VOTE #: 6

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) <i>(Chairwoman)</i>		X		MR. COMER (KY) <i>(Ranking Member)</i>	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)			
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHY (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)		X		MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ (FL)		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)	X		
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
MR. QUIGLEY (IL)		X					

Roll Call Totals: Ayes: 18 Nays: 25 Present:

Passed: _____ Failed: X _____

COMMITTEE ON OVERSIGHT AND REFORM

117TH CONGRESS

RATO 25-20

ROLL CALL

Vote on: Rep. Biggs' Amendment #1 to the ANS

Date: 09-02-2021

VOTE #: 7

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) (Chairwoman)		X		MR. COMER (KY) (Ranking Member)	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)			
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHY (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)		X		MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ (FL)		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)	X		
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
MR. QUIGLEY (IL)		X					

Roll Call Totals: Ayes: 18 Nays: 25 Present:

Passed: _____ Failed: X _____

COMMITTEE ON OVERSIGHT AND REFORM

117TH CONGRESS

RATIO 25-20

ROLL CALL

Vote on: Rep. Biggs' Amendment #2 to the ANS

Date: 09-02-2021

VOTE #: 8

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) (Chairwoman)		X		MR. COMER (KY) (Ranking Member)	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)			
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHY (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)		X		MR. CLOUD (TX)			
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ (FL)		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)	X		
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
MR. QUIGLEY (IL)		X					

Roll Call Totals: Ayes: 17 Nays: 25 Present:

Passed: _____ Failed: X _____

COMMITTEE ON OVERSIGHT AND REFORM

117TH CONGRESS

RATIO 25-20

ROLL CALL

Vote on: Final Passage on Committee Print to Implement the Instructions provided by S. Con. Res. 14, the
Concurrent Resolution on the Budget for Fiscal Year 2022

Date: 09-02-2021

VOTE #: 9

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) (Chairwoman)	X			MR. COMER (KY) (Ranking Member)		X	
MS. NORTON (DC)	X			MR. JORDAN (OH)			
MR. LYNCH (MA)	X			MR. GOSAR (AZ)		X	
MR. COOPER (TN)	X			MS. FOXX (NC)		X	
MR. CONNOLLY (VA)	X			MR. HICE (GA)		X	
MR. KRISHNAMOORTHY (IL)	X			MR. GROTHMAN (WI)		X	
MR. RASKIN (MD)	X			MR. CLOUD (TX)		X	
MR. KHANNA (CA)	X			MR. GIBBS (OH)		X	
MR. MFUME (MD)	X			MR. HIGGINS (LA)		X	
MS. OCASIO-CORTEZ (NY)	X			MR. NORMAN (SC) (Vote UC'd-off Camera)		X	
MS. TLAIB (MI)	X			MR. SESSIONS (TX)			
MS. PORTER (CA)	X			MR. KELLER (PA)		X	
MS. BUSH (MO)	X			MR. BIGGS (AZ)		X	
MR. DAVIS (IL)	X			MR. CLYDE (GA)		X	
MS. WASSERMAN SCHULTZ (FL)	X			MS. MACE (SC)		X	
MR. WELCH (VT)	X			MR. FRANKLIN (FL)		X	
MR. JOHNSON (GA)	X			MR. LATURNER (KS)		X	
MR. SARBANES (MD)	X			MR. FALLON (TX)		X	
MS. SPEIER (CA)	X			MS. HERRELL (NM)		X	
MS. KELLY (IL)	X			MR. DONALDS (FL)		X	
MS. LAWRENCE (MI)	X						
MR. DESAULNIER (CA)	X						
MR. GOMEZ (CA)	X						
MS. PRESSLEY (MA)	X						
MR. QUIGLEY (IL)	X						

Roll Call Totals: Ayes: 25 Nays: 18 Present:

Passed: X _____ Failed: _____

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

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 this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

The Committee's performance goals and objectives of this Committee Print are reflected in this report.

C. DUPLICATION OF FEDERAL PROGRAMS

No provision of this 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 GAO 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.

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 MANDATE 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 ACT

The Committee Print does not establish or authorize the establishment of an advisory committee within the definition of section 5(b) of the appendix to title V, United States Code.

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 that Congress has the authority to enact the provisions of the Committee Print, 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

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.

**House Committee on Oversight and Reform
Budget Reconciliation Committee Print**

MINORITY VIEWS

S. Con. Res. 14 (the Concurrent Resolution on the Budget for Fiscal Year 2022) represents the work of a congressional Majority out of touch with American priorities. The Oversight Committee’s business meeting to consider the \$7.5 billion designated to it in the Committee Print was theater: The Majority’s amendments—representing billions of additional spending—are not addressing the crises created by the Biden Administration. The Minority disagrees with the Majority’s priorities for spending American taxpayer dollars.

Over the course of the Committee business meeting, the Majority’s amendments more than doubled the Committee’s \$7.5 billion portion of the budget, which ballooned to over \$15 billion. This does not bode well for the entire \$3.5 trillion budget package.

The Committee Print does not pass scrutiny based on simple arithmetic alone. Of the \$7.5 billion designated for the Committee in the budget reconciliation, \$7.4 billion is earmarked for buying electric vehicles (EVs) and requisite EV infrastructure for the U.S. Postal Service (USPS) (\$2.4 billion)¹ and the remainder of the federal government via the General Services Administration (GSA) (\$5 billion).² As a threshold matter, \$7.4 billion does not approach the amount of funding electrifying the federal fleet would require. According to GSA, for Fiscal Year (FY) 2020, the entire federal fleet for all agencies is made up of 657,506 vehicles, 447,937 of which are owned by federal agencies, are part of GSA’s own fleet (203,922), or are subject to

¹ H. Comm. on Oversight and Reform, Amendment in the Nature of a Substitute to the Committee Print, offered by the Hon. Carolyn B. Maloney (Sept. 2, 2021) (hereinafter ANS), sec. 80003.

² ANS, sec. 80001.

a commercial lease (5,647).³ Of that number, 225,545 vehicles comprise the USPS fleet.⁴ The USPS fleet, then, represents about one-third of the entire federal fleet.

The Postmaster General has indicated the cost of electrifying 70% of the USPS fleet by 2030 could cost over \$8.5 billion and would require another \$2.3 billion for “additional fleet investments” after 2030.⁵ The Postmaster General has demonstrated enthusiasm for electrifying the USPS fleet, and the recent contract for the Next Generation Delivery Vehicle includes provisions requiring a minimum acquisition of EVs through USPS’s own funding sources.⁶ This is consistent with USPS’s mandate: Since the Postal Reorganization Act of 1970, USPS is required to be a self-funded independent agency.⁷ Though the \$2.4 billion figure is far short of the \$8 billion for USPS to maximize (but not totally replace its entire fleet with) EV use, it is seemingly based on the \$8 billion figure, and represents only a first batch of vehicles. The \$2.4 billion, then, amounts to only a sunk cost of embarking on a wasteful venture—an amount that can slip through the reconciliation process and which will require a much larger sum in the near future to effectuate the policy.

Electrifying just the USPS fleet would cost more than the combined allocation that the Committee Print contemplates for an entire federal fleet. The Majority recognizes the shortfall. Rep. Lynch (D-MA) introduced an amendment that would appropriate \$7 billion instead of \$2.4 billion to USPS for EVs, which passed with no Minority support and significantly increased the price of the Committee Print.⁸ Rep. Lynch’s amendment at least recognizes the actual cost of an

³ U.S. General Services Administration, *Fiscal Year 2020 Federal Fleet Report*, Vehicle Management Library (last accessed Sept. 7, 2021).

⁴ *Id.*

⁵ “Fleet Projections for the Coming Decades” slide, U.S. Postal Service (available upon request).

⁶ Reuters and David Shepardson, *U.S. Postal Chief Commits to 10% of New Delivery Fleet as Electric Vehicles*, REUTERS (Feb. 24, 2021).

⁷ Pub.L. 91-375.

⁸ Amend. offered by Rep. Stephen Lynch (D-MA) to the Committee Print ANS (Sept. 2, 2021).

electrified USPS fleet. The cost of an entire federal fleet would be many times the cost contemplated by the Committee Print.

The Committee Print sets aside the remaining \$100 million for miscellaneous funding that the Majority Members used to offer exorbitant amendments. Mr. Connolly (D-VA) offered an amendment that added \$1 billion to the price considered by the Committee Print for the Technology Modernization Fund, \$2 billion for the Federal Citizen Services Fund, and \$350 million for the Office of Management and Budget's Information Technology Oversight and Reform account.⁹ This spending is unnecessary. The Majority took \$7.5 billion of funding mostly for electric vehicles and more than doubled it to over \$15.5 billion for additional pet projects.

The unseriousness of the Majority in offering amendments is consistent with its general abdication of substantive legislative work. Instead of examining the Biden Administration's failure in Afghanistan and on the southern border, the Majority continues its superfluous spending spree. Along with receiving a failing grade for its oversight work,¹⁰ the Committee Majority now seems determined to neglect its legislative work and burden other congressional committees with the task of undoing the mess the Oversight Committee left them. Indeed, the Majority barely provided the Committee Print to the Minority within 24 hours of the business meeting.

The Majority's lack of awareness of Americans' concerns was on full display when the Majority refused to accept any amendments from the Minority aimed at mitigating the disastrous repercussions of the Biden Administration's withdrawal from Afghanistan, including the deaths

⁹ Amend. offered by Rep. Gerald Connolly (D-VA) to the Committee Print ANS (Sept. 2, 2021).

¹⁰ H. Comm. on Oversight and Reform Projected Grade for the 117th Cong.: F (last updated Jul. 31, 2021), available at <https://oversight-index.the Lugar Center.org/committee-d292d5cc-2db8-4365-b929-ef4756f5fa2ef>.

of thirteen servicemembers and the abandonment of American citizens behind enemy lines without military support.¹¹ The Majority refused to work with the Minority to pass amendments that would respond to the Biden Administration's failings in Afghanistan. For example, President Biden's Afghanistan withdrawal appears deeply flawed and warrants an in-depth review by the intelligence community. Ranking Member James Comer (R-KY) proposed an amendment to direct the Inspector General of the intelligence community to conduct a report assessing the decision-making process of the Biden Administration's draw-down planning.¹² This amendment was rejected by every member of the Majority.

Rep. Nancy Mace (R-SC) offered an amendment which would divert assistance to the Department of Defense Inspector General to track and recoup all lost U.S. military equipment and fuel.¹³ This amendment was rejected by every member of the Majority.

Rep. Jake LaTurner (R-KS) offered an amendment which would require the U.S. Government Accountability Office to produce a full account of Americans still stranded in Afghanistan.¹⁴ This amendment was rejected by every member of the Majority.

The Majority refused any attempt to use the Oversight Committee's time and resources to aid Americans and our allies the Biden Administration stranded in Afghanistan. Instead, the Committee Majority passed amendments on an enormous (but nowhere near sufficient), \$7.5 billion package mostly for electric vehicles. Any attempt by the Minority to rein in the spending—including amendments offered by Reps. Grothman (R-WI), Clyde (R-GA), Keller (R-PA), Higgins (R-LS), Cloud (R-TX), Gosar (R-AZ), Sessions (R-TX), and Biggs (R-AZ)—was

¹¹ See, e.g., Caroline Vakil, *Klain Estimates Around 100 Americans Still in Afghanistan*, *The Hill* (Sept. 5, 2021), available at <https://thehill.com/homenews/sunday-talk-shows/570915-klain-estimates-around-100-americans-still-in-afghanistan>.

¹² Amend. offered by Ranking Member James Comer (R-KY) to the Committee Print ANS (Sept. 2, 2021).

¹³ Amend. offered by Rep. Nancy Mace (R-SC) to the Committee Print ANS (Sept. 2, 2021).

¹⁴ Amend. offered by Rep. Jake LaTurner (R-KS) to the Committee Print ANS (Sept. 2, 2021).

rejected without a single member of the Majority voting in favor of a more reasonable Committee Print.

The Minority denounces the Committee Print as a prime example of a Majority wasting resources while the nation faces true disaster overseas and compounding domestic problems. While inflation balloons, COVID-19 hospitalizations increase, and the southern border is inundated with a tidal wave of illegal crossings, the Majority discusses electric cars. While Americans are stranded in Afghanistan, the Majority rejects any attempt to provide congressional assistance. The Minority deems this Committee Print an inappropriate use of Congress's time and the American people's money.

A handwritten signature in black ink that reads "Jemer Comer". The signature is written in a cursive, flowing style.

EDDIE BERNICE JOHNSON, Texas
CHAIRWOMAN

FRANK D. LUCAS, Oklahoma
RANKING MEMBER

Congress of the United States
House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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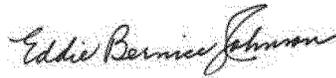
September 14, 2021

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 Science, Space, and Technology, 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,



Eddie Bernice Johnson
Chairwoman
Committee on Science, Space, and Technology

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
REPORT OF
COMMITTEE PRINT TO COMPLY WITH THE 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.

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EXPLANATION OF PROVISIONS**SEC. 90001. DEPARTMENT OF COMMERCE REGIONAL INNOVATION**

Provides \$5 billion to the Department of Commerce for regional innovation initiatives.

SEC. 90002. FUNDING FOR DEPARTMENT OF ENERGY LABORATORY INFRASTRUCTURE

Provides \$12.25 billion, including support for: all major scientific facility and equipment construction carried out by the Department of Energy (DOE) Office of Science; high priority facility and infrastructure projects at DOE's 13 science and applied energy laboratories; and support for smaller, general infrastructure projects at these labs and the laboratory overseen by DOE's Office of Environmental Management.

SEC. 90003. DEPARTMENT OF ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION ACTIVITIES

Provides \$2 billion for research activities carried out by the Office of Science pursuant to prior enacted authorizations. Provides \$1.11 billion for demonstration projects carried out by DOE's Office of Energy Efficiency and Renewable Energy (EERE). Provides \$70 million to establish one new Clean Energy Manufacturing Innovation Institute carried out by EERE. Provides \$52.5 million to support research reactor infrastructure at universities. Provides \$10M to carry out demonstration projects to reduce the environmental impacts of produced water. Provides \$20M support for DOE's Office of Economic Impact and Diversity to improve diversity across the Department's research, development, and demonstration activities. Provides \$50 million for DOE's Office of the Inspector General.

SEC. 90004. ENVIRONMENTAL PROTECTION AGENCY CLIMATE CHANGE RESEARCH AND DEVELOPMENT

This section provides \$264,000,000 to the EPA to conduct environmental research and development activities related to climate change.

SEC. 90005. FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTER GRANTS

Provides \$718 million to FEMA for fire and EMS department facility construction, upgrades, and modifications, and \$80 million for PFAS-free equipment.

SEC. 90006. FIREFIGHTER GRANTS OVERSIGHT

Provides \$2 million to the Department of Homeland Security to fund oversight of activities funded in Section 90005.

SEC. 90007. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION INFRASTRUCTURE

Provides \$4,000,000,000 to NASA for repair, recapitalization, and modernization of physical infrastructure and facilities, including related administrative expenses.

SEC. 90008. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION CLIMATE CHANGE RESEARCH AND DEVELOPMENT

Provides to NASA \$388,000,000 for climate change research and development, of which \$85,000,000 is for climate research and development-related activities to understand, observe, and mitigate global climate change and its impacts; \$28,000,000 is for investments in data management and processing to support climate research and development activities; \$50,000,000 is for research and development to support the wildfire community and improve wildfire fighting operations; and \$225,000,000 is for advancing aeronautics research and development on sustainable aviation.

SEC. 90009. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION OVERSIGHT AND CYBERSECURITY

Provides to NASA \$7,000,000 for information technology security and cybersecurity activities, and provides \$5,000,000 for the Office of Inspector General to provide oversight over the management of funds appropriated under sections 90007 and 90008.

SEC. 90010. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY RESEARCH

Provides \$1.195 billion to NIST for science and technology research priorities, of which \$150,000,000 is for cybersecurity research and activities.

SEC. 90011. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY SUPPORTING AMERICAN MANUFACTURING

Provides \$2 billion to NIST for manufacturing activities, divided equally between the Hollings Manufacturing Extension Partnership and advanced manufacturing research programs, of which \$150,000,000 is for semiconductor manufacturing programs.

SEC. 90012. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY RESEARCH FACILITIES

Provides \$1 billion to NIST for construction of new facilities as well as renovation and maintenance of existing facilities.

SEC. 90013. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY OVERSIGHT

Provides \$5 million for the Department of Commerce to fund oversight of NIST activities funded under the Title.

SEC. 90014. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION WEATHER, OCEAN, AND CLIMATE RESEARCH AND FORECASTING

Provides \$1,240,000,000 to NOAA to conduct weather, ocean, and climate research, and to acquire high performance computing and other technology assets.

SEC. 90015. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION CLIMATE ADAPTATION AND RESILIENCE ACTIVITIES

Provides \$765,000,000 to NOAA for climate adaptation and resilience activities, of which \$265,000,000 is to increase end user understanding of climate risks, and \$500,000,000 is to recruit, educate, and train a climate-ready workforce.

SEC. 90016. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION HIGH PERFORMANCE COMPUTING

Provides \$70,000,000 to NOAA to procure and enhance high performance computing, data management, and storage capabilities.

SEC. 90017. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION PHASED ARRAY RADAR

Provides \$224,000,000 to NOAA to advance the understanding of phased array radar as a potential future radar technology to improve weather forecasts.

SEC. 90018. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION HURRICANE HUNTER AIRCRAFT

Provides \$1,024,000,000 to procure hurricane hunters and develop and acquire airborne phased array radar.

SEC. 90019. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION UNCREWED SYSTEMS

Provides \$12,000,000 to NOAA to support uncrewed systems development and application in support of NOAA research and research to operations mission priorities.

SEC. 90020. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION RESEARCH INFRASTRUCTURE

Provides \$743,000,000 to NOAA to conduct deferred maintenance of facilities and to improve scientific equipment and instruments.

SEC. 90021. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SPACE WEATHER

Provides \$173,000,000 to NOAA to accelerate the development and launch of a mission-critical space weather satellite.

SEC. 90022. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OVERSIGHT

Provides \$5,000,000 to the Department of Commerce for oversight by the Department of Commerce Office of Inspector General of NOAA activities for which funding is provided in the above sections.

SEC. 90023. NATIONAL SCIENCE FOUNDATION INFRASTRUCTURE

Provides \$3.43 billion to NSF for research enabling equipment, facilities, and infrastructure, including \$1 billion for academic research facility modernization (including \$300,000,000 for historically Black colleges and universities and other minority serving institutions) and \$25,000,000 for research security activities.

SEC. 90024. NATIONAL SCIENCE FOUNDATION RESEARCH AND DEVELOPMENT

Provides \$7.55 billion to NSF for research awards, scholarships, and fellowships across all STEM and STEM education disciplines, including \$400 million for climate change research and \$700 million for research at historically Black colleges and universities and other minority serving institutions.

SEC. 90025. NATIONAL SCIENCE FOUNDATION OVERSIGHT

Provides \$50 million to NSF for oversight of projects funded under the Title.

SEC. 90026. WAGE RATE REQUIREMENTS

Requires prevailing wages be paid in the construction activities funded in the Title.

SEC. 90027. FORCED LABOR PROHIBITION

Prohibits funds provided in the Title being awarded to entities listed pursuant to the Uyghur Human Rights Policy Act of 2020.

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 record votes are as follows:

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
MARKUP

September 9, 2021
Markup Results

Committee Print 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.

No.	Amendment	Summary	Results
1 (017)	Amendment offered by Chairwoman Johnson	Amendment in the Nature of a Substitute	Agreed to by voice vote
2 (R5)	Amendment offered by Mr. LaTurner	Funding minimum for EPSCoR locales	Agreed to by voice vote
3 (R7)	Amendment offered by Mr. Weber	Reduces renewable energy appropriations and climate change R&D appropriations and raises nuclear energy appropriations	Defeated by recorded vote: Aye-17 – No-20
4 (009)	Amendment offered by Ranking Member Lucas	Allocates funds for covid- disruption research relief at NSF, DOE, NOAA, and makes allowance for those purposes through NASA funding	Defeated by recorded vote: Aye-17 – No-20
5 (R10)	Amendment offered by Ranking Member Lucas	Adds nuclear, hydrogen, and fossil to the list of eligible technologies for Energy Demonstration Funding	Defeated by recorded vote: Aye-17 – No-20
6 (085)	Amendment offered by Mr. Posey	Supports the development of domestic supplies of materials and equipment needed for solar energy production	Agreed to by voice vote
7 (022)	Amendment offered by Mr. Feenstra	Adds Biofuels to Bioenergy technologies DOE demonstrations	Agreed to by voice vote

8 (R13)	Amendment offered by Ms. Bice	Directs NASA to fund earth science research to support agriculture and forestry issues	Defeated by recorded vote: Aye-17 – No-19
9 (029)	Amendment offered by Mr. Babin	Allow NASA to spend all of the NASA funding in the bill on infrastructure AND exploration	Defeated by recorded vote: Aye-17 – No-19
10 (030)	Amendment offered by Mr. Babin	Direct commercial data buys with earth science/climate funding	Defeated by recorded vote: Aye-17 – No-20
11 (024)	Amendment offered by Mr. Feenstra	Including biofuels in NASA sustainable aviation research	Agreed to by voice vote
12 (001)	Amendment offered by Mr. Ellzey	NASA funding set aside for “sustainable aviation” to also research aviation safety; and, prevent funding that could lead to WTO violations and tariffs	Defeated by recorded vote: Aye-17 – No-21
13 (084)	Amendment offered by Mr. Posey	Requires NASA Inspector General to establish interagency task force of Inspectors General to investigate Chinese interference	Defeated by recorded vote: Aye-17 – No-21
14 (054)	Amendment offered by Mr. Sherman	Clarifies that scientific and technical research for Artificial Intelligence includes AI safety and control	Agreed to by voice vote
15 (R6)	Amendment offered by Mr. Ellzey	This supports research funding through 2021 NDAA for semiconductor research at NIST	Defeated by recorded vote: Aye-17 – No-21
16 (R11)	Amendment offered by Mr. Meijer	Reallocates \$150 million set aside for advanced manufacturing R&D and testbeds to fund a Manufacturing USA institute that is focused on semiconductor manufacturing	Agreed to by voice vote
17 (010)	Amendment offered by Mr. Baird	\$150M of NIST funds to be directed to cybersecurity activities	Agreed to by voice vote

18 (031)	Amendment offered by Mr. Babin	To facilitate the transfer of the Office of Space Commerce from NOAA to the Department of Commerce, and allocate \$20 million towards commercial space situational awareness data buys	Defeated by recorded vote: Aye-17 – No-21
19 (018)	Amendment offered by Ms. Bice	\$50 million to the National Mesonet Program to enter agreements to acquire data, install new stations, or modify existing stations	Defeated by recorded vote: Aye-17 – No-20
20 (019)	Amendment offered by Ms. Bice	\$50M of NOAA Research Infrastructure towards an expansion of the National Weather Center	Defeated by recorded vote: Aye-17 – No-21
21 (010)	Amendment offered by Ranking Member Lucas	Allocates \$25,000,000 to carry out the activities of the pilot program for obtaining commercial sector space weather data authorized in section 2 of the PROSWIFT Act	Defeated by voice vote
22 (R8)	Amendment offered by Ms. Bice	Sets aside 20% of the \$3.43 billion that the package provides for research infrastructure at NSF to be used for projects in states that are eligible for EPSCOR	Agreed to by voice vote
23 (010)	Amendment offered by Ms. Kim	Study the impacts of inflation on U.S. economy	Defeated by recorded vote: Aye-17 – No-20
24 (063)	Amendment offered by Mr. Waltz	Sets aside \$25 million for NSF's Office of Research Security Strategy and Policy	Agreed to by voice vote
25 (064)	Amendment offered by Mr. Waltz	Sets aside \$15 million for environmental cleanup at Arecibo Observatory and \$454 million for the construction of the Next Generation Arecibo Telescope and other repairs at the facility	Withdrawn
26 (R4)	Amendment offered by Mr. Baird	\$500M of NSF Funds to be Directed to Semiconductor Research	Defeated by recorded vote: Aye-17 – No-21

27 (R9)	Amendment offered by Mr. Feenstra	NSF EPSCoR 20 percent allocation	Defeated by recorded vote: Aye-17 – No-21
28 (008)	Amendment offered by Ranking Member Lucas	Provides that no funds provided in this section shall be spent to establish the 'Directorate for Technology Innovation	Defeated by recorded vote: Aye-17 – No-21
29 (xx)	Amendment offered by Mr. Babin	Prohibits funding from going to Confucius Institute-affiliated education systems	Defeated by recorded vote: Aye-17 – No-20
30 (020)	Amendment offered by Ms. Bice	Requires commercial scale projects to prepare an analysis of the impact of the project on consumer energy costs for the Secretary of Energy	Defeated by recorded vote: Aye-17 – No-21
31 (023)	Amendment offered by Mr. Feenstra	Adds reporting requirement to sustain new programs or <u>infrastructure</u>	Defeated by voice vote
32 (021)	Amendment offered by Mr. Garcia	Prohibits funding to entities controlled by the People's Republic of China and to research occurring in the People's Republic of China	Defeated by recorded vote: Aye-17 – No-21
33 (033)	Amendment offered by Mr. Gonzalez	States that no funds in the bill may be used to support forced labor under the Uyghur Human Rights Policy Act	Agreed by recorded vote: Aye-19 – No-18
34 (R2)	Amendment offered by Mr. Obernolte	Conflicts of interest certification	Defeated by recorded vote: Aye-17 – No-21
35 (R1)	Amendment offered by Mr. Waltz	Prohibits funds from being used to construct, finance, support, or maintain energy projects with materials or labor sourced from or manufactured in the People's Republic of China or Afghanistan	Defeated by recorded vote: Aye-17 – No-20
36 (R3)	Amendment offered by Mr. Weber	Limitation of funds related to the continued use of fossil fuels	Defeated by recorded vote: Aye-18 – No-20

Recommendations favorably transmitted to House Committee on the Budget, by recorded vote:
Aye-21 — Nay-17

Committee on Science, Space, and Technology

Roll Call Vote No.1

Amendment #3 offered by Mr. Weber

Defeated by recorded vote: Aye-17 – No-20

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin				Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		20					

Committee on Science, Space, and Technology
 Roll Call Vote No.2
 Amendment #4 offered by Ranking Member Lucas
 Defeated by recorded vote: Aye-17 – No-20

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin				Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		20					

Committee on Science, Space, and Technology
 Roll Call Vote No.3
 Amendment #5 offered by Ranking Member Lucas
 Defeated by recorded vote: Aye-17 – No-20

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin				Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		20					

Committee on Science, Space, and Technology

Roll Call Vote No.4

Amendment #8 offered by Ms. Bice

Defeated by recorded vote: Aye-17 – No-19

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin				Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania							
Lizzie Fletcher, Texas		x					
Total		19					

Committee on Science, Space, and Technology

Roll Call Vote No.5

Amendment #9 offered by Mr. Babin

Defeated by recorded vote: Aye-17 – No-19

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin				Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania							
Lizzie Fletcher, Texas		x					
Total		19					

Committee on Science, Space, and Technology

Roll Call Vote No.6

Amendment #10 offered by Mr. Babin

Defeated by recorded vote: Aye-17 – No-20

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin				Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		20					

Committee on Science, Space, and Technology

Roll Call Vote No.7

Amendment #12 offered by Mr. Ellzey

Defeated by recorded vote: Aye-17 – No-21

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	17		
Dan Kildee, Michigan		x					
Susan Wild		x					
Lizzie Fletcher, Texas		x					
Total		21					

Committee on Science, Space, and Technology

Roll Call Vote No.8

Amendment #13 offered by Mr. Posey

Defeated by recorded vote: Aye-17 – No-21

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		21					

Committee on Science, Space, and Technology

Roll Call Vote No.9

Amendment #15 offered by Mr. Ellzey

Defeated by recorded vote: Aye-17 – No-21

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		21					

Committee on Science, Space, and Technology

Roll Call Vote No.10

Amendment #18 offered by Mr. Babin

Defeated by recorded vote: Aye-17 – No-21

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		21					

Committee on Science, Space, and Technology

Roll Call Vote No.11

Amendment #19 offered by Ms. Bice

Defeated by recorded vote: Aye-17 – No-20

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia				Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		20					

Committee on Science, Space, and Technology

Roll Call Vote No.12

Amendment #20 offered by Ms. Bice

Defeated by recorded vote: Aye-17 – No-21

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		21					

Committee on Science, Space, and Technology

Roll Call Vote No.13

Amendment #23 offered by Ms. Kim

Defeated by recorded vote: Aye-17 – No-20

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin				Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		20					

Committee on Science, Space, and Technology

Roll Call Vote No.14

Amendment #26 offered by Mr. Baird

Defeated by recorded vote: Aye-17 – No-21

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		21					

Committee on Science, Space, and Technology

Roll Call Vote No.15

Amendment #27 offered by Mr. Feenstra

Defeated by recorded vote: Aye-17 – No-21

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		21					

Committee on Science, Space, and Technology
 Roll Call Vote No.16
 Amendment #28 offered by Ranking Member Lucas
 Defeated by recorded vote: Aye-17 – No-21

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		21					

Committee on Science, Space, and Technology

Roll Call Vote No.17

Amendment #29 offered by Mr. Babin

Defeated by recorded vote: Aye-17 – No-20

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey	x			Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida			
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total	1	20					

Committee on Science, Space, and Technology

Roll Call Vote No.18

Amendment #30 offered by Ms. Bice

Defeated by recorded vote: Aye-17 – No-21

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		21					

Committee on Science, Space, and Technology

Roll Call Vote No.19

Amendment #32 offered by Mr. Garcia

Defeated by recorded vote: Aye-17 – No-21

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		21					

Committee on Science, Space, and Technology

Roll Call Vote No.20

Amendment #33 offered by Mr. Gonzalez

Agreed to by recorded vote: Aye-19 – No-18

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas			
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey	x			Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California	x			Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida	x			Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	16		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total	3	18					

Committee on Science, Space, and Technology

Roll Call Vote No.21

Amendment #34 offered by Mr. Obernolte

Defeated by recorded vote: Aye-17 – No-21

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		21					

Committee on Science, Space, and Technology

Roll Call Vote No.22

Amendment #35 offered by Mr. Waltz

Defeated by recorded vote: Aye-17 – No-20

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin				Total	17		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas		x					
Total		21					

Committee on Science, Space, and Technology

Roll Call Vote No.23

Amendment #36 offered by Mr. Weber

Defeated by recorded vote: Aye-18 – No-20

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson		x		Frank Lucas, Oklahoma, Ranking Member	x		
Zoe Lofgren, California		x		Mo Brooks, Alabama	x		
Suzanne Bonamici, Oregon		x		Bill Posey, Florida	x		
Ami Bera, California				Randy Weber, Texas	x		
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas	x		
Mikie Sherrill, New Jersey		x		Anthony Gonzalez, Ohio	x		
Jamaal Bowman, New York		x		Michael Waltz, Florida	x		
Melanie Stansbury, New Mexico		x		Jim Baird, Indiana	x		
Brad Sherman, California		x		Daniel Webster, Florida	x		
Ed Perlmutter, Colorado		x		Mike Garcia, California	x		
Jerry McNerney, California		x		Stephanie Bice, Oklahoma	x		
Paul Tonko, New York		x		Young Kim, California	x		
Bill Foster, Illinois		x		Randy Feenstra, Iowa	x		
Donald Norcross, New Jersey		x		Jake LaTurner, Kansas	x		
Don Beyer, Virginia		x		Carlos Gimenez, Florida			
Charlie Crist, Florida		x		Jay Obernolte, California	x		
Sean Casten, Illinois		x		Peter Meijer, Michigan	x		
Conor Lamb, Pennsylvania		x		Jake Ellzey, Texas	x		
Deborah Ross, North Carolina		x		<i>Vacancy</i>			
Gwen Moore, Wisconsin		x		Total	18		
Dan Kildee, Michigan		x					
Susan Wild, Pennsylvania		x					
Lizzie Fletcher, Texas	x						
Total	1	20					

Committee on Science, Space, and Technology

Motion to Transmit

Agreed to by recorded vote: Aye-21 – No-17

Majority	Aye	No	Present	Minority	Aye	No	Present
Chairwoman Johnson	x			Frank Lucas, Oklahoma, Ranking Member		x	
Zoe Lofgren, California	x			Mo Brooks, Alabama		x	
Suzanne Bonamici, Oregon	x			Bill Posey, Florida		x	
Ami Bera, California				Randy Weber, Texas		x	
Haley Stevens, Michigan Vice Chair				Brian Babin, Texas		x	
Mikie Sherrill, New Jersey	x			Anthony Gonzalez, Ohio		x	
Jamaal Bowman, New York	x			Michael Waltz, Florida		x	
Melanie Stansbury, New Mexico	x			Jim Baird, Indiana		x	
Brad Sherman, California	x			Daniel Webster, Florida		x	
Ed Perlmutter, Colorado	x			Mike Garcia, California		x	
Jerry McNerney, California	x			Stephanie Bice, Oklahoma		x	
Paul Tonko, New York	x			Young Kim, California		x	
Bill Foster, Illinois	x			Randy Feenstra, Iowa		x	
Donald Norcross, New Jersey	x			Jake LaTurner, Kansas		x	
Don Beyer, Virginia	x			Carlos Gimenez, Florida			
Charlie Crist, Florida	x			Jay Obermole, California		x	
Sean Casten, Illinois	x			Peter Meijer, Michigan		x	
Conor Lamb, Pennsylvania	x			Jake Ellzey, Texas		x	
Deborah Ross, North Carolina	x			<i>Vacancy</i>			
Gwen Moore, Wisconsin	x			Total		17	
Dan Kildee, Michigan	x						
Susan Wild, Pennsylvania	x						
Lizzie Fletcher, Texas	x						
Total	21						

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 provision(s).

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 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.

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 increase investments in research, development, demonstration, and other 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 Print contains no unfunded mandates as described in 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 authorizes Congress to provide for general Welfare of the United States.

**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:

It is the view of the minority that a \$3.5 trillion partisan reconciliation legislative package, including \$45.5 billion in the House Committee on Science, Space, and Technology's jurisdiction, is reckless and irresponsible. While there are some provisions in the Science Committee's reconciliation title that have bipartisan support, it is the view of the minority that this package is not the right way to fund those priorities. The minority is concerned about billions of spending allocated to agencies with little policy direction from Congress. The minority is also concerned about the impact on long-term science and the scientific workforce by the funding cliff that will be created when the funding in this bill expires in five to ten years. The minority is also concerned that the Science Committee title ignores important bipartisan Committee priorities, including NASA funding human exploration and Covid-disruption research relief across federal research agencies.

It is also the view of the minority that at a time when energy costs are skyrocketing, it is concerning that this bill rejects an all-of-the-above approach to energy research and instead focuses almost entirely on renewables. The minority believes that we will not be able to address climate change unless we take a comprehensive approach to developing new energy technologies, including nuclear, hydrogen, and natural gas.

The minority is disappointed that many common-sense amendments from committee members were rejected on a partisan basis. The Majority rejected an amendment (Lucas #009) to dedicate funding to covid-related relief for the research industry. On a partisan basis, the Committee opposed an amendment (Lucas #R10) supporting all-of-the-above clean energy technologies by adding nuclear, hydrogen, and clean fossil projects to the list of renewable technologies eligible for energy demonstration funding. The Majority also rejected an amendment (Babin #029) to prioritize both human space exploration and NASA infrastructure funding in the bill, which would meet critical needs for our space program. The Majority opposed prioritizing development of advanced semiconductors and addressing the global chip shortage, including amendments (Ellzey, #R6, Baird #R4), to set aside funds at both NSF and NIST. And the majority on a partisan basis also rejected amendments (Garcia #021, Waltz #R1, Babin #XX) to combat the threat of the Chinese Communist Party (CCP) and protect American research from theft and influence by the CCP.

Rep. Frank Lucas, Ranking Member

Rep. Randy Weber, Ranking Member, Energy Subcommittee

Rep. Brian Babin, Ranking Member, Space Subcommittee

Rep. Michael Waltz, Ranking Member, Research and Technology Subcommittee

Rep. Stephanie Bice, Ranking Member, Environment Subcommittee

Rep. Jay Obernolte, Ranking Member, Investigations and Oversight Subcommittee

Jack D. Lass

Randy K. Walker

Chris Colman

Michael White

Stephanie L. Brie

Jay Alvarado

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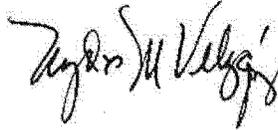
September 13, 2021

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 Small Business, 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Nydia M. Velázquez". The signature is written in a cursive style with a large initial "N".

Nydia M. Velázquez
Chairwoman
Committee on Small Business

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REPORT

OF THE

COMMITTEE ON SMALL BUSINESS

ON

COMMITTEE PRINT

(PROVIDING FOR RECONCILIATION PURSUANT TO S. CON.

RES. 14, THE CONCURRENT RESOLUTION ON THE BUDGET

FOR FISCAL YEAR 2022)

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I. EXPLANATION OF PROVISIONS**TITLE X: COMMITTEE ON SMALL BUSINESS****SUBTITLE A—INCREASING FEDERAL CONTRACTING OPPORTUNITIES FOR SMALL BUSINESSES****SEC. 100101. VETERAN FEDERAL PROCUREMENT ENTREPRENEURSHIP TRAINING PROGRAM**

This section provides \$35 million for the creation of a grant for non-profits to operate federal procurement entrepreneurship training programs to assist veteran small business contractors from fiscal years 2022 through 2028.

SEC. 100102. EXPANDING SURETY BOND PROGRAM

This section provides funding to raise SBA's guarantee on federal contracts from \$10 million to \$20 million, raise the guarantee on non-federal contracts from \$6.5 million to \$10 million, and directly appropriates \$100 million to the Surety Bond Guarantees Revolving Fund to remain available until September 30, 2031.

SEC. 100103. UPLIFT ACCELERATOR AND BUSINESS DEVELOPMENT ACADEMY

This section establishes the Uplift Accelerator and Business Development Academy program, which are designed to invest in small business contractors.

Subsection (a) provides \$1 billion over a 10-year period to establish the Uplift Accelerator Program, a national network of government contracting incubators at Historically Black Colleges and Universities (HBCUs) and Minority Serving Institutions (MSIs) for underrepresented small businesses.

Subsection (b) provides \$725 million over a 10-year period to establish the Business Development Academy, a grant program for HBCUs and MSIs to develop and establish a 12-month executive mentoring and training program for small business contractors.

SEC. 100104. PATHWAY TO PRIME GRANT PROGRAM

This section invests \$525 million over 10 years to implement the Pathway to Prime Grant Program to provide more assistance to small subcontractors in an effort to enhance their ability to become prime government contractors. Specifically, it provides \$75 million for HBCU and MSI grantees and \$450 million for state, local, and Tribal government grantees to assist small business subcontractors to become prime contractors in a hub and spoke model.

SUBTITLE B—EMPOWERING SMALL BUSINESS CREATION AND EXPANSION IN UNDERREPRESENTED COMMUNITIES**SEC. 100201. GRANTS FOR BUSINESS INCUBATORS**

This section provides \$1 billion over a 10-year period to establish a national network of business incubators. The program establishes a program to support incubator spaces for Main Street small businesses to spur economic development in underrepresented communities and grow the nation's next generation of entrepreneurs across the country.

SEC. 100202. OFFICE OF NATIVE AMERICAN AFFAIRS

This section invests \$20 million over a 10-year period to enhance the Small Business Administration's Office of Native American Affairs to establish a Native American Outreach Program to target SBA programs and assistance to these communities.

SEC. 100203. OFFICE OF RURAL AFFAIRS

This section provides \$20 million over a 10-year period to establish Rural Small Business Conferences within the Small Business Administration's Office of Rural Affairs to promote policies and programs to support rural businesses and entrepreneurs.

SEC. 100204. OFFICE OF EMERGING MARKETS

This section provides \$20 million over 10 years and establishes an Office of Emerging Markets within the Office of Capital Access to coordinate all access to capital initiatives dealing with small businesses in emerging markets.

SEC. 100205. STATE TRADE EXPANSION PROGRAM

This section provides \$120 million over a four-year period to the Small Business Administration's State Trade Expansion Program (STEP) which provides grants to states to assist small businesses in export development.

SUBTITLE C—ENCOURAGING SMALL BUSINESSES TO FULLY ENGAGE IN THE INNOVATION ECONOMY

SEC. 100301. GROWTH ACCELERATOR COMPETITION

This section provides \$400 million over 10 years to provide cash grants of not less than \$100,000 to growth accelerators to expand their capabilities to assist small businesses focused on technology, research, and development. The grant recipient must assist at new small businesses and specifically prioritize small business owners that are underrepresented.

SEC. 100302. BUILDING A NATIONAL INNOVATION SUPPORT ECOSYSTEM NETWORK

This section provides \$525 million to establish a national innovation support ecosystem network by making grants to, or entering into contracts or cooperative agreements with universities, resource partners, growth accelerators and business incubators to address the needs of eligible businesses to expand, accelerate, and grow the pipeline of innovative startups.

This section invests \$150 million to facilitate fellowships and internships in the fields of science, technology, engineering, and mathematics, prioritizing underrepresented individuals through partnerships with or supplemental grants or awards to provide opportunities at the Undergraduate, Baccalaureate, Graduate, and Postdoctoral levels.

SUBTITLE D—INCREASING EQUITY OPPORTUNITIES FOR SMALL MANUFACTURERS

SEC. 100401. INCREASING EQUITY INVESTMENT BY THE SBIC PROGRAM

This section creates subprograms of the Small Business Investment Company (SBIC) program.

The first subsection provides \$9.5 billion to establish a subprogram within the SBIC program to provide patient capital to underserved markets and critical industries, such as infrastructure,

child care, and manufacturing, titled the Venture Small Business Investment Companies (VSBICs) program.

The second subsection provides \$20 million to implement the Emerging Managers Program which is a mentorship program to pair less-experienced fund managers interested in getting their first SBIC license with highly-experienced SBIC managers to provide guidance and advice.

SEC. 100402. MICROCAP SMALL BUSINESS INVESTMENT COMPANY LICENSE

This section provides \$40 million to implement the MicroCap SBIC license subprogram to increase SBIC diversity. This license allows for less initial private sector investment to receive SBA leverage, requires a percentage of investments be made in underserved markets, and increases the pool of eligible fund manager applicants.

SEC. 100403. FUNDING FOR SBIC OUTREACH AND EDUCATION

This section invests \$2.5 million to be used for outreach and education to expand awareness and utilization of the program.

SEC. 100404. SBIC WORKING GROUP

This section provides \$2 million to establish a group to provide recommendations to Congress on how to increase demographic and geographic diversity in the management and investments of SBIC funds.

SUBTITLE E—INCREASING ACCESS TO LENDING AND INVESTMENT CAPITAL

SEC. 100501. FUNDING FOR COMMUNITY ADVANTAGE LOAN PROGRAM

This section provides \$600 million over 10 years to enhance, improve, and expand the Community Advantage program. It also gives SBA authority to partner with mission-oriented, nonprofit lenders to deliver capital through the 7(a) Loan Program. It invests \$5 million into free or low-cost program training.

SEC. 100502. FUNDING FOR CREDIT ENHANCEMENT AND SMALL DOLLAR LOAN FUNDING

This section provides \$4.465 billion over a 10-year period to fund a direct loan product under the current 7(a) lending program administered by the SBA.

SEC. 100503. EXTENSION OF TEMPORARY FEE REDUCTIONS

This section invests an additional \$1 billion to the temporary fee reduction levels enacted in the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, which apply to the SBA 7(a) and 504 lending programs. Funding is available until September 30, 2026 to reduce waiver fees.

SEC. 100504. FUNDING FOR COOPERATIVES

This section provides \$500 million to fund a pilot program for eligible cooperatives and employee-owned businesses to receive SBA loan products without the requirement of a personal or entity guarantee.

SEC. 100505. FUNDING FOR DIRECT DEBENTURES

This section invests \$2.746 billion over 10 years to establish a direct lending subprogram under the 504/CDC lending program to allow CDCs to make loans to small contractors, small manufacturers, and small businesses in underrepresented markets without financing from third parties.

SUBTITLE F-SUPPORTING ENTREPRENEURIAL SECOND CHANCES

SEC. 100601. REENTRY ENTREPRENEURSHIP COUNSELING AND TRAINING FOR INCARCERATED AND FORMERLY INCARCERATED INDIVIDUALS

This section provides \$70 million over 7 years to invest in initiatives through Women Business Centers, Small Business Development Centers, and other entities for formally incarcerated individuals.

The first subsection provides funding for assistance to incarcerated and formerly incarcerated individuals through trainings covering how to start or expand a small business and the tools, skills, and knowledge necessary to identify a business opportunity.

The second subsection provides funding for mentoring formerly incarcerated individuals in their small business ventures and connecting them to local resources and SBA programs.

SEC. 100602. NEW START ENTREPRENEURIAL DEVELOPMENT PROGRAM FOR FORMERLY INCARCERATED INDIVIDUALS

This section provides \$35 million over a 7-year period for the SBA to establish a pilot program to award grants to organizations or partnerships of organizations to support existing entrepreneurial development programs for formerly incarcerated individuals to gain assistance to job training, business assistance, and access to capital.

SUBTITLE G—ADMINISTRATIVE AND OVERSIGHT FUNDING

SEC. 100701. ADMINISTRATIVE FUNDING

This section provides \$1.25 billion to the Small Business Administration over 10 years to carry out Title X, including issuing rules. This section includes rescission language to ensure all money is spent or rescinded within the 10-year window.

SEC. 100702. SBA OFFICE OF INSPECTOR GENERAL FUNDING

This section provides \$25 million for SBA's Office of Inspector General for oversight, to remain available until September 30, 2031.

II. COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the following are summaries of the recorded votes of the Committee on Small Business in its consideration of the Committee Print (providing for reconciliation pursuant to S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022) on September 9, 2021.

MOTION TO TRANSMIT RECOMMENDATIONS

The Committee Print, as amended, was ordered favorably transmitted by a roll call vote of 15 yeas to 12 nays (with a quorum being present). The vote was as follows:

MAJORITY MEMBERS	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman	X		
Mr. Jared Golden	X		
Mr. Jason Crow	X		
Ms. Sharice Davids	X		
Mr. Kweisi Mfume	X		
Mr. Dean Phillips	X		
Ms. Marie Newman	X		
Ms. Carolyn Bourdeaux	X		
Mr. Troy Carter	X		
Ms. Judy Chu	X		
Mr. Dwight Evans	X		
Mr. Antonio Delgado	X		
Ms. Chrissy Houlahan	X		
Mr. Andy Kim	X		
Ms. Angie Craig	X		

MINORITY MEMBERS	AYE	NO	NOT VOTING
Mr. Blaine Luetkemeyer, Ranking Member		X	
Mr. Roger Williams		X	
Mr. Jim Hagedorn		X	
Mr. Pete Stauber		X	
Mr. Dan Meuser		X	
Ms. Claudia Tenney		X	
Mr. Andrew Garbarino		X	
Ms. Young Kim		X	
Ms. Beth Van Duyne		X	
Mr. Byron Donalds		X	
Ms. Maria Salazar		X	
Mr. Scott Fitzgerald		X	

VOTE ON ADOPTION OF COMMITTEE PRINT, AS AMENDED

The Committee Print, as amended, was agreed to by a voice vote.

VOTES ON AMENDMENTS

A roll call vote was conducted on the following amendments to the Chairwoman's Amendment in the Nature of a Substitute.

The Chairwoman's Amendment in the Nature of a Substitute was agreed to by a roll call vote of 15 yeas to 12 nays (with a quorum being present). The vote was as follows:

MAJORITY MEMBERS	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman	X		
Mr. Jared Golden	X		
Mr. Jason Crow	X		
Ms. Sharice Davids	X		
Mr. Kweisi Mfume	X		
Mr. Dean Phillips	X		
Ms. Marie Newman	X		
Ms. Carolyn Bourdeaux	X		
Mr. Troy Carter	X		
Ms. Judy Chu	X		
Mr. Dwight Evans	X		
Mr. Antonio Delgado	X		
Ms. Chrissy Houlahan	X		
Mr. Andy Kim	X		
Ms. Angie Craig	X		

MINORITY MEMBERS	AYE	NO	NOT VOTING
Mr. Blaine Luetkemeyer, Ranking Member		X	
Mr. Roger Williams		X	
Mr. Jim Hagedorn		X	
Mr. Pete Stauber		X	
Mr. Dan Meuser		X	
Ms. Claudia Tenney		X	
Mr. Andrew Garbarino		X	
Ms. Young Kim		X	
Ms. Beth Van Duyne		X	
Mr. Byron Donalds		X	
Ms. Maria Salazar		X	
Mr. Scott Fitzgerald		X	

En Bloc #1 (Luetkemeyer 2v1, Hagedorn 2v1, Stauber 1v1, Stauber 2v1, Meuser 2v1, Young Kim 1v1, Donalds 1v1, Donalds 2v1, and Fitzgerald 1v1) was not agreed to by a roll call vote of 15 nays to 12 yeas (with a quorum being present). The vote was as follows:

MAJORITY MEMBERS	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman		X	
Mr. Jared Golden		X	
Mr. Jason Crow		X	
Ms. Sharice Davids		X	
Mr. Kweisi Mfume		X	
Mr. Dean Phillips		X	
Ms. Marie Newman		X	
Ms. Carolyn Bourdeaux		X	
Mr. Troy Carter		X	
Ms. Judy Chu		X	
Mr. Dwight Evans		X	
Mr. Antonio Delgado		X	
Ms. Chrissy Houlahan		X	
Mr. Andy Kim		X	
Ms. Angie Craig		X	

MINORITY MEMBERS	AYE	NO	NOT VOTING
Mr. Blaine Luetkemeyer, Ranking Member	X		
Mr. Roger Williams	X		
Mr. Jim Hagedorn	X		
Mr. Pete Stauber	X		
Mr. Dan Meuser	X		
Ms. Claudia Tenney	X		
Mr. Andrew Garbarino	X		
Ms. Young Kim	X		
Ms. Beth Van Duyne	X		
Mr. Byron Donalds	X		
Ms. Maria Salazar	X		
Mr. Scott Fitzgerald	X		

En Bloc #2 (Hagedorn 1v1, Meuser 1v1, Tenney 1v1, Tenney 2v1, Garbrino 1v1, Young Kim 2v1, Van Duyne 1v1, Van Duyne 2v1, and Fitzgerald 2v1) was not agreed to by a roll call vote of 15 nays to 12 yeas (with a quorum being present). The vote was as follows:

MAJORITY MEMBERS	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman		X	
Mr. Jared Golden		X	
Mr. Jason Crow		X	
Ms. Sharice Davids		X	
Mr. Kweisi Mfume		X	
Mr. Dean Phillips		X	
Ms. Marie Newman		X	
Ms. Carolyn Bourdeaux		X	
Mr. Troy Carter		X	
Ms. Judy Chu		X	
Mr. Dwight Evans		X	
Mr. Antonio Delgado		X	
Ms. Chrissy Houlahan		X	
Mr. Andy Kim		X	
Ms. Angie Craig		X	

MINORITY MEMBERS	AYE	NO	NOT VOTING
Mr. Blaine Luetkemeyer, Ranking Member	X		
Mr. Roger Williams	X		
Mr. Jim Hagedorn	X		
Mr. Pete Stauber	X		
Mr. Dan Meuser	X		
Ms. Claudia Tenney	X		
Mr. Andrew Garbarino	X		
Ms. Young Kim	X		
Ms. Beth Van Duyne	X		
Mr. Byron Donalds	X		
Ms. Maria Salazar	X		
Mr. Scott Fitzgerald	X		

Garbarino 2v1 was not agreed to by a roll call vote of 15 nays to 12 yeas (with a quorum being present). The vote was as follows:

MAJORITY MEMBERS	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman		X	
Mr. Jared Golden		X	
Mr. Jason Crow		X	
Ms. Sharice Davids		X	
Mr. Kweisi Mfume		X	
Mr. Dean Phillips		X	
Ms. Marie Newman		X	
Ms. Carolyn Bourdeaux		X	
Mr. Troy Carter		X	
Ms. Judy Chu		X	
Mr. Dwight Evans		X	
Mr. Antonio Delgado		X	
Ms. Chrissy Houlahan		X	
Mr. Andy Kim		X	
Ms. Angie Craig		X	

MINORITY MEMBERS	AYE	NO	NOT VOTING
Mr. Blaine Luetkemeyer, Ranking Member	X		
Mr. Roger Williams	X		
Mr. Jim Hagedorn	X		
Mr. Pete Stauber	X		
Mr. Dan Meuser	X		
Ms. Claudia Tenney	X		
Mr. Andrew Garbarino	X		
Ms. Young Kim	X		
Ms. Beth Van Duyne	X		
Mr. Byron Donalds	X		
Ms. Maria Salazar	X		
Mr. Scott Fitzgerald	X		

Luetkemeyer 1v1 was not agreed to by a roll call vote of 15 nays to 12 yeas (with a quorum being present). The vote was as follows:

MAJORITY MEMBERS	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman		X	
Mr. Jared Golden		X	
Mr. Jason Crow		X	
Ms. Sharice Davids		X	
Mr. Kweisi Mfume		X	
Mr. Dean Phillips		X	
Ms. Marie Newman		X	
Ms. Carolyn Bourdeaux		X	
Mr. Troy Carter		X	
Ms. Judy Chu		X	
Mr. Dwight Evans		X	
Mr. Antonio Delgado		X	
Ms. Chrissy Houlahan		X	
Mr. Andy Kim		X	
Ms. Angie Craig		X	

MINORITY MEMBERS	AYE	NO	NOT VOTING
Mr. Blaine Luetkemeyer, Ranking Member	X		
Mr. Roger Williams	X		
Mr. Jim Hagedorn	X		
Mr. Pete Stauber	X		
Mr. Dan Meuser	X		
Ms. Claudia Tenney	X		
Mr. Andrew Garbarino	X		
Ms. Young Kim	X		
Ms. Beth Van Duyne	X		
Mr. Byron Donalds	X		
Ms. Maria Salazar	X		
Mr. Scott Fitzgerald	X		

III. BUDGET EFFECTS OF THE PROVISION

A. COMMITTEE ESTIMATES OF BUDGETARY EFFECTS

Pursuant to 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its 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 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.

IV. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE

A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

In accordance 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 oversight findings and recommendations of the Committee on Small Business with respect to the subject matter contained in the Committee Print are incorporated into the descriptive portions of this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirements of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objectives of this Committee Print is to provide long-term economic assistance to small businesses by investing in new and established capital access programs, strengthening the federal procurement marketplace by establishing more training, business development, and financial assistance to small federal contractors and supply chain industries, encouraging more entrepreneurship through diverse outreach and national networks, and expanding growth in American innovation by increasing incentives for businesses.

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

With respect 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 I, which grants Congress the authority to raise and spend money to promote the national welfare.

**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. 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 supplemental, additional, dissenting, or minority 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:

**Minority Views
Additional and Supplemental Views of the Republican Members of the
House Committee on Small Business
on Matters Set Forth in
The Small Business Committee Print Providing
for Reconciliation Pursuant to S. Con. Res. 14,
the Concurrent Resolution on
the Budget of the United States for Fiscal Year 2022
September 9, 2021**

Pursuant to § 310 of the Congressional Budget Act of 1974 as amended,¹ we are writing to advise you of the Additional and Supplemental Views of the Minority Members of the Committee on Small Business on the Committee Print providing for reconciliation pursuant to S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022. These views are in addition to those submitted by the Committee's Majority Members. Unfortunately, as with the consideration of S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021 in February 2021, neither the House Majority Members nor the Committee's Majority Members engaged in a bipartisan reconciliation process. Consequently, the Minority has substantial disagreement with the Majority's Budget Reconciliation Committee Print. These objections are discussed in greater detail below.

Under clause 1(q) of Rule 10 of the Rules of the United States House of Representatives, the Committee on Small Business has legislative jurisdiction over the United States Small Business Administration (SBA), including financial aid, regulatory flexibility, paperwork reduction, and the participation of small businesses in federal government procurement and federal government contracts. Similarly, under clause 3(l) of House Rule 10, the Committee also has continuing jurisdiction to study and investigate the problems of all types of small businesses. This document, accordingly, focuses on the small business provisions of S. Con. Res. 14, the Concurrent Resolution on the Budget of the United States for Fiscal Year 2022, which covers the Small Business Act² and the Small Business Investment Act.³

The SBA has responsibility for programs that help to create millions of jobs and to grow the economy of the United States. Our nation's entrepreneurs depend on these programs not only to provide capital, but also for advising, mentoring, training, and other services. As a result, it is essential that the SBA programs are efficient, effective, and achieve real results for America's small businesses and, equally important, America's taxpayers.

I. Introduction: The Impact of the COVID-19 Pandemic on Small Businesses

Small businesses employ nearly half of all American workers⁴ and produce almost 50 percent of our Gross Domestic Product (GDP).⁵ Despite this important role in the economy, they operate on thin margins and often with little capital in reserve and a limited workforce. Never have they been tested as they have during the COVID-19 pandemic. Small businesses were deeply affected by state and local mandates and the rapidly changing economic conditions. To assist the nation's small businesses and their employees, Congress and the Trump Administration worked in a bipartisan manner to craft a number of relief measures to help stabilize the American economy. Although the relief programs delivered approximately one trillion dollars to small

¹ 2 U.S.C. § 641 et seq.

² 15 U.S.C. § 631 et seq.

³ 15 U.S.C. § 661 et seq.

⁴ OFFICE OF ADVOCACY, U.S. SMALL BUS. ADMIN., 2021 SMALL BUSINESS PROFILE, *available at* <https://cdn.advocacy.sba.gov/wp-content/uploads/2021/08/30143723/Small-Business-Economic-Profile-US.pdf>.

⁵ OFFICE OF ADVOCACY, U.S. SMALL BUS. ADMIN., SMALL BUSINESS GDP, *available at* <https://cdn.advocacy.sba.gov/wp-content/uploads/2018/12/21060437/Small-Business-GDP-1998-2014.pdf>.

businesses, some small businesses were unable to adapt, and the dire economic conditions forced thousands of businesses to close their doors forever.

II. Small Business COVID-19 Relief Programs

In March 2020, Congress passed, and President Trump signed, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act),⁶ which created the bipartisan Paycheck Protection Program (PPP), and activated the Economic Injury Disaster Loan (EIDL) Program.⁷ The Consolidated Appropriations Act of 2021 included the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act,⁸ which established the Shuttered Venue Owners Grant (SVOG) Program to aid theaters, museums, performance venues, and other destinations. Later, Congress passed through the budget reconciliation process, and President Biden signed, the American Rescue Plan Act,⁹ which created the Restaurant Revitalization Fund (RRF) to assist restaurants, bars, and other eligible entities.

Prior to COVID-19, small businesses were projecting confidence and optimism. Pro-growth policies resulted in historic unemployment levels. A smart regulatory environment and low taxes meant small businesses had the economic freedom and opportunity to innovate, expand, and create jobs.

III. The Current State of Small Business

Today, small businesses are still struggling. COVID-19 is still rampant. Costs are escalating and inflation is at a 30-year high. Supply chains have been disrupted. Workers are scarce. Prices of materials are up. Customer demand is down. Small business owners are being threatened with still higher taxes and more regulations. They clearly need Congress to come together and provide bipartisan solutions.

For many years, the House Small Business Committee has been known to work together to pass legislation for America's entrepreneurs. Republicans and Democrats worked together and were proud to achieve real results for Main Street U.S.A. However, over the past year, instead of working together to craft targeted, much-needed solutions that address the specific problems of small businesses, the House Majority and this Committee's Majority have pushed through billions of dollars in spending, much of it stretching ten years into the future, and direct federal assistance that will further perpetuate a failing artificial economy.

Beginning in February of 2021, the Small Business Committee Majority drafted a massive \$50 billion budget reconciliation package without seeking any Minority ideas or input. We were given their partisan document just days before the markup. Although Republican Committee

⁶ Pub. L. No. 116-136 (2020).

⁷ *Id.*

⁸ Pub. L. No. 116-260 (2020).

⁹ Pub. L. No. 117-2 (2021).

Members proposed numerous constructive, commonsense amendments to improve the measure, Committee Democrats blocked each one. For example:

- Democrats defeated Ranking Member Blaine Luetkemeyer's (R-MO) amendment to increase the funding allocated to the SBA's Office of Inspector General by \$25 million to prevent waste and fraud and protect taxpayer dollars.
- Democrats rejected Representative Andrew Garbarino's (R-NY) amendment to increase the appropriation for the SBA's Restaurant Revitalization Fund (RRF) from \$25 billion to \$60 billion.
- Democrats opposed Representative Young Kim's (R-CA) amendment to require the SBA to submit a report to Congress on the waste, fraud, and abuse that occurred within the SBA's Economic Injury Disaster Loan (EIDL) Program since January 1, 2020.

Last week, on September 7, 2021, a Tuesday afternoon of a Jewish holiday observed by Members and staff alike, the Committee's Majority provided a 90-page \$23.6 billion equally partisan document¹⁰ to be voted on the morning of Thursday, September 9, 2021 – less than 48 hours later. During the markup, Republican Members expressed serious concerns about provisions in the Majority's bill that duplicate current Small Business Administration (SBA) programs; copy established and successful private sector programs; lack rigorous oversight; and vastly increase risk to taxpayer dollars.

To cite just a few examples, the Majority's bill:

- Appropriates \$1 billion to create a new, duplicative Uplift Accelerator grants program without oversight, for a narrow list of eligible entities to establish accelerators or incubators to help small business readiness, appropriates an additional \$725 million for another new, duplicative Business Development Academy grant program within the SBA's 7(j) program with the same narrow list of eligible entities as the Uplift Accelerator program.
- Appropriates \$4.465 billion for the Small Dollar Funding Program, a direct lending program within the SBA for government contractors and small manufacturers when the nonpartisan Government Accountability Office and SBA Inspector General have identified the potential for massive fraud in the SBA's Economic Injury Disaster Loan (EIDL) direct lending program.¹¹

¹⁰ Committee Print providing for reconciliation pursuant to S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022 (117th Cong.).

¹¹ INSPECTOR GENERAL, SMALL BUSINESS ADMINISTRATION, SERIOUS CONCERNS WITH POTENTIAL FRAUD IN EIDL PROGRAM PERTAINING TO THE RESPONSE TO COVID-19 (Jul. 28, 2020), *available at* <https://www.sba.gov/document/report-20-16-serious-concerns-potential-fraud-eidl-program-pertaining-response-covid-19>; ECONOMIC INJURY DISASTER LOAN PROGRAM: ACTIONS NEEDED TO IMPROVE COMMUNICATION WITH APPLICANTS AND ADDRESS FRAUD RISKS (GAO-21-589) (Jul 30, 2021), *available at* <https://www.gao.gov/products/gao-21-589>.

- Appropriates \$1 billion to extend SBA 7(a)/504 loan fee waivers and government guarantee percentages through 2026, which increases taxpayer risk.
- Appropriates \$500 million to create a Cooperative Pilot Loan Program to serve employee-owned small businesses and waives the personal guarantee requirement.
- Appropriates \$100 million to supplement existing funding in SBA's Surety Bond Program, raising the government guarantee rate from \$6.5 million to up to \$20 million, vastly increasing taxpayer risk while eliminating the important limitation that the SBA's guarantee is necessary for the small business to obtain a bond.

Once again, Republican Committee Members offered constructive, commonsense amendments to strengthen the measure. And once again, Committee Democrats defeated every one. For example:

- Democrats defeated Representative Beth Van Duyne's (R-TX) amendment to require the Small Business Administration to study the impact of inflation on small businesses.
- Democrats blocked Representative Scott Fitzgerald's (R-WI) amendment to require the SBA to create a study investigating the impact of tax increases on small businesses.
- Democrats opposed Representative Andrew Garbarino's (R-NY) amendment to provide additional funding for our nation's struggling restaurants through the SBA's Restaurant Revitalization Fund (RRF), dismissed proper oversight, and neglected to reject preferential applicant treatment within the program.

IV. The Small Businesses Outlook Ahead

Although the Committee's Majority claims to want to work together on bipartisan policies, once again, as in February 2021, there were no meetings, no telephone calls, no Zoom calls, no solicitation of ideas, no discussions, and no bipartisan solutions for this budget reconciliation legislation.

At a time when small businesses are still working diligently to regain their footing and serve their communities, a rushed, one-sided, partisan process, and a massive, multi-billion-dollar measure, which lacks temporary, targeted programs, anti-fraud measures, and rigorous oversight, duplicates successful private sector programs and puts additional taxpayer dollars at risk, are not the answer. That path will not help small businesses and will only kick them while they are down.

Small Business Committee Republican Members stand ready to help create the environment that will drive small businesses and our nation forward. The way to achieve that goal is a

targeted, pro-growth plan focusing on smart tax and regulatory policies that will finally deliver commonsense, bipartisan relief to Main Street.

Respectfully,



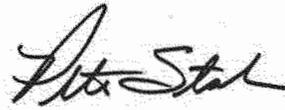
Blaine Luetkemeyer
Ranking Member



Roger Williams
Vice Ranking Member



Jim Hagedorn
Member of Congress



Pete Stauber
Member of Congress



Dan Meuser
Member of Congress



Claudia Tenney
Member of Congress



Andrew Garbarino
Member of Congress



Young Kim
Member of Congress



Beth Van Duyne
Member of Congress



Byron Donalds
Member of Congress



Maria Salazar
Member of Congress



Scott Fitzgerald
Member of Congress

[2D_Committee on Small Business_Views_Insert]

**COMMITTEE ON SMALL BUSINESS
TALLY SHEET**

DATE: 09-09-21

QUORUM: 13

BILL NUMBER: En Bloc #1 (Luetkemeyer 2v1, Hagedorn 2v1, Stauber 1v1, Stauber 2v1, Meuser 2v1, Young Kim 1v1, Donalds 1v1, Donalds 2v1, and Fitzgerald 1v1)

ROLL CALL: 2:51 pm

VOTE: (AYE) (NO)

MEMBER	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman		X	
Mr. Jared Golden		X	
Mr. Jason Crow		X	
Ms. Sharice Davids		X	
Mr. Kweisi Mfume		X	
Mr. Dean Phillips		X	
Ms. Marie Newman		X	
Ms. Carolyn Bourdeaux		X	
Mr. Troy Carter		X	
Ms. Judy Chu		X	
Mr. Dwight Evans		X	
Mr. Antonio Delgado		X	
Ms. Chrissy Houlahan		X	
Mr. Andy Kim		X	
Ms. Angie Craig		X	
Blaine Luetkemeyer, Ranking Member	X		
Mr. Roger Williams	X		
Mr. Jim Hagedorn	X		
Mr. Pete Stauber	X		
Mr. Dan Meuser	X		
Ms. Claudia Tenney	X		
Mr. Andrew Garbarino	X		
Ms. Young Kim	X		
Ms. Beth Van Duyne	X		
Mr. Byron Donalds	X		
Ms. Maria Salazar	X		
Mr. Scott Fitzgerald	X		
TOTALS	12	15	

On this vote there were 12 ayes and 15 nos.

**COMMITTEE ON SMALL BUSINESS
TALLY SHEET**

DATE: 09-09-21

QUORUM: 13

BILL NUMBER: En Bloc #2 (Hagedorn 1v1, Meuser 1v1, Tenney 1v1, Tenney 2v1, Garbrino 1v1, Young Kim 2v1, Van Duyne 1v1, Van Duyne 2v1, and Fitzgerald 2v1)

ROLL CALL: 2:55 pm

VOTE: ___ (AYE) X (NO)

MEMBER	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman		X	
Mr. Jared Golden		X	
Mr. Jason Crow		X	
Ms. Sharice Davids		X	
Mr. Kweisi Mfume		X	
Mr. Dean Phillips		X	
Ms. Marie Newman		X	
Ms. Carolyn Bourdeaux		X	
Mr. Troy Carter		X	
Ms. Judy Chu		X	
Mr. Dwight Evans		X	
Mr. Antonio Delgado		X	
Ms. Chrissy Houlahan		X	
Mr. Andy Kim		X	
Ms. Angie Craig		X	
Blaine Luetkemeyer, Ranking Member	X		
Mr. Roger Williams	X		
Mr. Jim Hagedorn	X		
Mr. Pete Stauber	X		
Mr. Dan Meuser	X		
Ms. Claudia Tenney	X		
Mr. Andrew Garbarino	X		
Ms. Young Kim	X		
Ms. Beth Van Duyne	X		
Mr. Byron Donalds	X		
Ms. Maria Salazar	X		
Mr. Scott Fitzgerald	X		
TOTALS	12	15	

On this vote there were 12 ayes and 15 nos.

**COMMITTEE ON SMALL BUSINESS
TALLY SHEET**

DATE: 09-09-21

QUORUM: 13

BILL NUMBER: Garbarino 2v1

ROLL CALL: 2:59 pm

VOTE: (AYE) X (NO)

MEMBER	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman		X	
Mr. Jared Golden		X	
Mr. Jason Crow		X	
Ms. Sharice Davids		X	
Mr. Kweisi Mfume		X	
Mr. Dean Phillips		X	
Ms. Marie Newman		X	
Ms. Carolyn Bourdeaux		X	
Mr. Troy Carter		X	
Ms. Judy Chu		X	
Mr. Dwight Evans		X	
Mr. Antonio Delgado		X	
Ms. Chrissy Houlahan		X	
Mr. Andy Kim		X	
Ms. Angie Craig		X	
Blaine Luetkemeyer, Ranking Member	X		
Mr. Roger Williams	X		
Mr. Jim Hagedorn	X		
Mr. Pete Stauber	X		
Mr. Dan Meuser	X		
Ms. Claudia Tenney	X		
Mr. Andrew Garbarino	X		
Ms. Young Kim	X		
Ms. Beth Van Duyne	X		
Mr. Byron Donalds	X		
Ms. Maria Salazar	X		
Mr. Scott Fitzgerald	X		
TOTALS	12	15	

On this vote there were 12 ayes and 15 nos.

**COMMITTEE ON SMALL BUSINESS
TALLY SHEET**

DATE: 09-09-21

QUORUM: 13

BILL NUMBER: Luetkemeyer 1v1

ROLL CALL: 3:02 pm

VOTE: ___ (AYE) **X** (NO)

MEMBER	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman		X	
Mr. Jared Golden		X	
Mr. Jason Crow		X	
Ms. Sharice Davids		X	
Mr. Kweisi Mfume		X	
Mr. Dean Phillips		X	
Ms. Marie Newman		X	
Ms. Carolyn Bourdeaux		X	
Mr. Troy Carter		X	
Ms. Judy Chu		X	
Mr. Dwight Evans		X	
Mr. Antonio Delgado		X	
Ms. Chrissy Houlahan		X	
Mr. Andy Kim		X	
Ms. Angie Craig		X	
Blaine Luetkemeyer, Ranking Member	X		
Mr. Roger Williams	X		
Mr. Jim Hagedorn	X		
Mr. Pete Stauber	X		
Mr. Dan Meuser	X		
Ms. Claudia Tenney	X		
Mr. Andrew Garbarino	X		
Ms. Young Kim	X		
Ms. Beth Van Duyne	X		
Mr. Byron Donalds	X		
Ms. Maria Salazar	X		
Mr. Scott Fitzgerald	X		
TOTALS	12	15	

On this vote there were 12 ayes and 15 nos.

**COMMITTEE ON SMALL BUSINESS
TALLY SHEET**

DATE: 09-09-21

QUORUM: 13

BILL NUMBER: Velázquez Amendment in the Nature of a Substitute

ROLL CALL: 3:05 pm

VOTE: (AYE) (NO)

MEMBER	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman	X		
Mr. Jared Golden	X		
Mr. Jason Crow	X		
Ms. Sharice Davids	X		
Mr. Kweisi Mfume	X		
Mr. Dean Phillips	X		
Ms. Marie Newman	X		
Ms. Carolyn Bourdeaux	X		
Mr. Troy Carter	X		
Ms. Judy Chu	X		
Mr. Dwight Evans	X		
Mr. Antonio Delgado	X		
Ms. Chrissy Houlahan	X		
Mr. Andy Kim	X		
Ms. Angie Craig	X		
Blaine Luetkemeyer, Ranking Member		X	
Mr. Roger Williams		X	
Mr. Jim Hagedorn		X	
Mr. Pete Stauber		X	
Mr. Dan Meuser		X	
Ms. Claudia Tenney		X	
Mr. Andrew Garbarino		X	
Ms. Young Kim		X	
Ms. Beth Van Duyne		X	
Mr. Byron Donalds		X	
Ms. Maria Salazar		X	
Mr. Scott Fitzgerald		X	
TOTALS	15	12	

On this vote there were 15 ayes and 12 nos.

**COMMITTEE ON SMALL BUSINESS
TALLY SHEET**

DATE: 09-09-21 QUORUM: 13

BILL NUMBER: Transmittal to House Budget Committee

ROLL CALL: 3:09 pm

VOTE: X (AYE) _____ (NO)

MEMBER	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman	X		
Mr. Jared Golden	X		
Mr. Jason Crow	X		
Ms. Sharice Davids	X		
Mr. Kweisi Mfume	X		
Mr. Dean Phillips	X		
Ms. Marie Newman	X		
Ms. Carolyn Bourdeaux	X		
Mr. Troy Carter	X		
Ms. Judy Chu	X		
Mr. Dwight Evans	X		
Mr. Antonio Delgado	X		
Ms. Chrissy Houlahan	X		
Mr. Andy Kim	X		
Ms. Angie Craig	X		
Blaine Luetkemeyer, Ranking Member		X	
Mr. Roger Williams		X	
Mr. Jim Hagedorn		X	
Mr. Pete Stauber		X	
Mr. Dan Meuser		X	
Ms. Claudia Tenney		X	
Mr. Andrew Garbarino		X	
Ms. Young Kim		X	
Ms. Beth Van Duyne		X	
Mr. Byron Donalds		X	
Ms. Maria Salazar		X	
Mr. Scott Fitzgerald		X	
TOTALS	15	12	

On this vote there were 15 ayes and 12 nos.

Minority Views
Additional and Supplemental Views of the Republican Members of the
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on Matters Set Forth in
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September 9, 2021

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¹ 2 U.S.C. § 641 et seq.

² 15 U.S.C. § 631 et seq.

³ 15 U.S.C. § 661 et seq.

I. Introduction: The Impact of the COVID-19 Pandemic on Small Businesses

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II. Small Business COVID-19 Relief Programs

In March 2020, Congress passed, and President Trump signed, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act),⁶ which created the bipartisan Paycheck Protection Program (PPP), and activated the Economic Injury Disaster Loan (EIDL) Program.⁷ The Consolidated Appropriations Act of 2021 included the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act,⁸ which established the Shuttered Venue Owners Grant (SVOG) Program to aid theaters, museums, performance venues, and other destinations. Later, Congress passed through the budget reconciliation process, and President Biden signed, the American Rescue Plan Act,⁹ which created the Restaurant Revitalization Fund (RRF) to assist restaurants, bars, and other eligible entities.

Prior to COVID-19, small businesses were projecting confidence and optimism. Pro-growth policies resulted in historic unemployment levels. A smart regulatory environment and low taxes meant small businesses had the economic freedom and opportunity to innovate, expand, and create jobs.

III. The Current State of Small Business

Today, small businesses are still struggling. COVID-19 is still rampant. Costs are escalating and inflation is at a 30-year high. Supply chains have been disrupted. Workers are scarce. Prices

⁴ OFFICE OF ADVOCACY, U.S. SMALL BUS. ADMIN., 2021 SMALL BUSINESS PROFILE, *available at* <https://cdn.advocacy.sba.gov/wp-content/uploads/2021/08/30143723/Small-Business-Economic-Profile-US.pdf>.

⁵ OFFICE OF ADVOCACY, U.S. SMALL BUS. ADMIN., SMALL BUSINESS GDP, *available at* <https://cdn.advocacy.sba.gov/wp-content/uploads/2018/12/21060437/Small-Business-GDP-1998-2014.pdf>.

⁶ Pub. L. No. 116-136 (2020).

⁷ *Id.*

⁸ Pub. L. No. 116-260 (2020).

⁹ Pub. L. No. 117-2 (2021).

of materials are up. Customer demand is down. Small business owners are being threatened with still higher taxes and more regulations. They clearly need Congress to come together and provide bipartisan solutions.

For many years, the House Small Business Committee has been known to work together to pass legislation for America's entrepreneurs. Republicans and Democrats worked together and were proud to achieve real results for Main Street U.S.A. However, over the past year, instead of working together to craft targeted, much-needed solutions that address the specific problems of small businesses, the House Majority and this Committee's Majority have pushed through billions of dollars in spending, much of it stretching ten years into the future, and direct federal assistance that will further perpetuate a failing artificial economy.

Beginning in February of 2021, the Small Business Committee Majority drafted a massive \$50 billion budget reconciliation package without seeking any Minority ideas or input. We were given their partisan document just days before the markup. Although Republican Committee Members proposed numerous constructive, commonsense amendments to improve the measure, Committee Democrats blocked each one. For example:

- Democrats defeated Ranking Member Blaine Luetkemeyer's (R-MO) amendment to increase the funding allocated to the SBA's Office of Inspector General by \$25 million to prevent waste and fraud and protect taxpayer dollars.
- Democrats rejected Representative Andrew Garbarino's (R-NY) amendment to increase the appropriation for the SBA's Restaurant Revitalization Fund (RRF) from \$25 billion to \$60 billion.
- Democrats opposed Representative Young Kim's (R-CA) amendment to require the SBA to submit a report to Congress on the waste, fraud, and abuse that occurred within the SBA's Economic Injury Disaster Loan (EIDL) Program since January 1, 2020.

Last week, on September 7, 2021, a Tuesday afternoon of a Jewish holiday observed by Members and staff alike, the Committee's Majority provided a 90-page \$23.6 billion equally partisan document¹⁰ to be voted on the morning of Thursday, September 9, 2021 – less than 48 hours later. During the markup, Republican Members expressed serious concerns about provisions in the Majority's bill that duplicate current Small Business Administration (SBA) programs; copy established and successful private sector programs; lack rigorous oversight; and vastly increase risk to taxpayer dollars.

To cite just a few examples, the Majority's bill:

- Appropriates \$1 billion to create a new, duplicative Uplift Accelerator grants program without oversight, for a narrow list of eligible entities to establish accelerators or incubators to help small business readiness, appropriates an additional \$725 million

¹⁰ Committee Print providing for reconciliation pursuant to S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022 (117th Cong.).

for another new, duplicative Business Development Academy grant program within the SBA's 7(j) program with the same narrow list of eligible entities as the Uplift Accelerator program.

- Appropriates \$4.465 billion for the Small Dollar Funding Program, a direct lending program within the SBA for government contractors and small manufacturers when the nonpartisan Government Accountability Office and SBA Inspector General have identified the potential for massive fraud in the SBA's Economic Injury Disaster Loan (EIDL) direct lending program.¹¹
- Appropriates \$1 billion to extend SBA 7(a)/504 loan fee waivers and government guarantee percentages through 2026, which increases taxpayer risk.
- Appropriates \$500 million to create a Cooperative Pilot Loan Program to serve employee-owned small businesses and waives the personal guarantee requirement.
- Appropriates \$100 million to supplement existing funding in SBA's Surety Bond Program, raising the government guarantee rate from \$6.5 million to up to \$20 million, vastly increasing taxpayer risk while eliminating the important limitation that the SBA's guarantee is necessary for the small business to obtain a bond.

Once again, Republican Committee Members offered constructive, commonsense amendments to strengthen the measure. And once again, Committee Democrats defeated every one. For example:

- Democrats defeated Representative Beth Van Duyne's (R-TX) amendment to require the Small Business Administration to study the impact of inflation on small businesses.
- Democrats blocked Representative Scott Fitzgerald's (R-WI) amendment to require the SBA to create a study investigating the impact of tax increases on small businesses.
- Democrats opposed Representative Andrew Garbarino's (R-NY) amendment to provide additional funding for our nation's struggling restaurants through the SBA's Restaurant Revitalization Fund (RRF), dismissed proper oversight, and neglected to reject preferential applicant treatment within the program.

¹¹ INSPECTOR GENERAL, SMALL BUSINESS ADMINISTRATION, SERIOUS CONCERNS WITH POTENTIAL FRAUD IN EIDL PROGRAM PERTAINING TO THE RESPONSE TO COVID-19 (Jul. 28, 2020), *available at* <https://www.sba.gov/document/report-20-16-serious-concerns-potential-fraud-eidl-program-pertaining-response-covid-19>; ECONOMIC INJURY DISASTER LOAN PROGRAM: ACTIONS NEEDED TO IMPROVE COMMUNICATION WITH APPLICANTS AND ADDRESS FRAUD RISKS (GAO-21-589) (Jul 30, 2021), *available at* <https://www.gao.gov/products/gao-21-589>.

IV. The Small Businesses Outlook Ahead

Although the Committee's Majority claims to want to work together on bipartisan policies, once again, as in February 2021, there were no meetings, no telephone calls, no Zoom calls, no solicitation of ideas, no discussions, and no bipartisan solutions for this budget reconciliation legislation.

At a time when small businesses are still working diligently to regain their footing and serve their communities, a rushed, one-sided, partisan process, and a massive, multi-billion-dollar measure, which lacks temporary, targeted programs, anti-fraud measures, and rigorous oversight, duplicates successful private sector programs and puts additional taxpayer dollars at risk, are not the answer. That path will not help small businesses and will only kick them while they are down.

Small Business Committee Republican Members stand ready to help create the environment that will drive small businesses and our nation forward. The way to achieve that goal is a targeted, pro-growth plan focusing on smart tax and regulatory policies that will finally deliver commonsense, bipartisan relief to Main Street.

Respectfully,



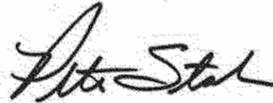
Blaine Luetkemeyer
Ranking Member



Roger Williams
Vice Ranking Member



Jim Hagedorn
Member of Congress



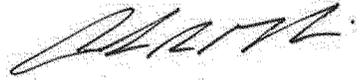
Pete Stauber
Member of Congress



Dan Meuser
Member of Congress



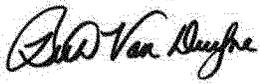
Claudia Tenney
Member of Congress



Andrew Garbarino
Member of Congress



Young Kim
Member of Congress



Beth Van Duyne
Member of Congress



Byron Donalds
Member of Congress



Maria Salazar
Member of Congress



Scott Fitzgerald
Member of Congress



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington DC 20515

Peter A. DeFazio
Chairman
Katherine W. Dedrick
Staff Director

Sam Graves
Ranking Member
Paul J. Sass
Republican Staff Director

September 16, 2021

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

Dear Mr. Yarmuth:

Pursuant to section 2002 of the Concurrent Resolution on the Budget, I hereby transmit these recommendations, which were approved by the Committee on Transportation and Infrastructure on September 15, 2021, and the 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter A. DeFazio".

Peter A. DeFazio
Chair

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PURPOSE OF LEGISLATION

The purpose of this Committee Print is to comply with the reconciliation directive contained in section 2002 of S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022, which requires the Committee on Transportation and Infrastructure to submit changes within its jurisdiction to increase the deficit by not more than \$60,000,000,000 over fiscal years 2022 to 2031.

LEGISLATIVE HISTORY AND CONSIDERATION

The Committee on Transportation and Infrastructure met at 10:00 a.m. on September 14 and 15, 2021, and approved the Committee Print consisting of legislative proposals for transmittal to the Committee on the Budget pursuant to S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022; by a record vote of 37 yeas and 29 nays (Roll Call Vote No. 69).

The Committee took the following actions:

An Amendment in the Nature of a Substitute offered by Mr. DeFazio (#1); was AGREED TO, as amended, by voice vote.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Crawford (#1A) was NOT AGREED TO by a record vote of 28 yeas and 35 nays (Roll Call Vote No. 40).

Insert at the appropriate place a new section entitled "Sec. ____ Limitation on Imposition or Support of Vaccine Mandate or Requirement

An amendment to the amendment to the Amendment in the Nature of a Substitute offered by Mr. Massie (#1A1); was NOT AGREED TO by a record vote of 29 yeas and 36 nays (Roll Call Vote No. 39).

Strike lines 1 through 1 and set a new section entitled "Sec. ____ . Limitation on Imposition or Support of Vaccine Mandate or Vaccine Passport Requirement."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Gibbs (#1B); was AGREED TO, as amended, by voice vote.

Insert at the appropriate place a new section entitled "Sec. ____ . Prohibition on Use of Funds."

An amendment to the amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1B1); was AGREED TO by voice vote.

Insert at the appropriate place a new section entitled "Sec. ____ . Prohibition on Use of Funds."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Webster (#1C); was NOT AGREED TO by a record vote of 30 yeas and 35 nays (Roll Call Vote No. 41).

Insert at the appropriate place new sections entitled "Sec. ____ . Prohibition on Use of FEMA at Border." And "Sec. ____ . GAO Report."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1D); was NOT AGREED TO by a record vote of 31 yeas and 35 nays (Roll Call Vote No. 42).

Insert at the appropriate place a new section entitled "Sec. ____ . Certification that Inflation is Below 3 Percent."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Babin (#1E); was NOT AGREED TO by a record vote of 30 yeas and 36 nays (Roll Call Vote No. 43).

Page 9, strike line 10 and all that follows through page 10, line 7 (and redesignate accordingly).

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1F); was NOT AGREED TO by a record vote of 27 yeas and 38 nays (Roll Call Vote No. 44).

Insert at the appropriate place a new section entitled "Sec. ____ . Disaster Relief Funds."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Rouzer (#1G); was NOT AGREED TO by a record vote of 30 yeas and 36 nays (Roll Call Vote No. 45).

Insert at the appropriate place a new section entitled "SEC. 11__ . Extension of Public Comment Period and Study."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Bost (#1H); was NOT AGREED TO by a record vote of 29 yeas and 36 nays (Roll Call Vote No. 46).

Page 11, line 1, strike "\$3,000,000,000" and insert "\$2,000,000,000".

Insert at the appropriate place a new section entitled "Sec. ____ . Commercial Motor Vehicle Parking Capacity."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Weber (#1I); was NOT AGREED TO by a record vote of 30 yeas and 36 nays (Roll Call Vote No. 47).

Insert at the appropriate place a new section entitled "Sec. ____ . Prohibition on Training and Education in Critical Race Theory."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. LaMalfa (#1J); was NOT AGREED TO by a record vote of 29 yeas and 37 nays (Roll Call Vote No. 48).

Strike section 110009 of the bill.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Westerman (#1K); was NOT AGREED TO by a record vote of 30 yeas and 36 nays (Roll Call Vote No. 49).

Insert at the appropriate place a new section entitled "Sec. ____ OPEC Funding Restriction."

An amendment to the Amendment in the Nature of a Substitute offered by Miss González-Colón (#1L); was NOT AGREED TO by a record vote of 25 yeas and 40 nays (Roll Call Vote No. 50).

Page 21, line 4, insert "PUERTO RICO AND" before "TERRITORIAL".

Page 21, line 8, strike "\$320,000,000" and insert "\$670,500,000".

Page 21, strike line 11 and insert "subsections (b) and (c) of section 165 of title 23, United States Code, of which \$350,500,000 shall be for carrying out section 165(b) of such title and \$320,000,000 shall be for carrying out section 165(c) of such title."

Page 21, line 15, strike "section 165(c)" and insert "subsections (b) and (c) of section 165".

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Stauber (#1M); was AGREED TO, as amended, by voice vote.

At the end of the bill add a new section entitled "Sec. __. Prohibition on Funding for Materials Produced by Forced Labor."

An amendment to the amendment to the Amendment in the Nature of a Substitute offered by Mr. DeFazio (#1M1); was AGREED TO by a record vote of 36 yeas and 29 nays (Roll Call Vote No. 51).

Strike the amendment bloc and insert a new section entitled "Sec. __. Policy of the United States on Child Labor."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Burchett (#1N); was NOT AGREED TO by voice vote.

Strike section 110001.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Nehls (#1O); was NOT AGREED TO by a record vote of 30 yeas and 35 nays (Roll Call Vote No. 52).

Insert at the appropriate place a new section entitled "Sec. Prohibition on Use of Funds for Traffic Control or Traffic Enforcement."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1P); was NOT AGREED TO by a record vote of 26 yeas and 39 nays (Roll Call Vote No. 53).

Page 2, line 5, strike "\$9,900,000,000" and insert "\$6,400,000,000".

Page 65, after line 22, insert a new section entitled "Sec. __. Maritime Transportation System."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1Q); was NOT AGREED TO by voice vote.

Page 2, line 5, strike "\$9,900,000,000" and insert "\$9,700,000,000".

Page 65, after line 22, insert a new section entitled "Sec. __. Duplication of Benefits Relief."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1R); was **WITHDRAWN**.

Page 2, line 5, strike "\$9,900,000,000" and insert "\$9,891,000,000".

Page 65, after line 22, insert a new section entitled "Sec. ___. Temporary Power Restoration for Rural and Disadvantaged Communities."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. LaMalfa (#1S); was **NOT AGREED TO** by voice vote.

Insert at the appropriate place a new section entitled "Sec. ____ Prohibition."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. LaMalfa (#1T); was **NOT AGREED TO** by voice vote.

Insert at the appropriate place a new section entitled "Sec. ____ Wildfire Mitigation."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. LaMalfa (#1U); was **NOT AGREED TO** by voice vote.

Insert at the appropriate place a new section entitled "Sec. ____ Cost Share for Major Disasters."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1V); was **NOT AGREED TO** by voice vote.

Page 2, line 5, strike "\$9,900,000,000" and insert "\$7,900,000,000".

Page 44, after line 7, insert a new subsection entitled "(d) Assistance for Victims of Hurricane Ida."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. LaMalfa (#1W); was **NOT AGREED TO** by a record vote of 27 yeas and 39 nays (Roll Call Vote No. 54).

Insert at the appropriate place new sections entitled "Sec. ____ Declaration Time Frame." and "Sec. ____ Rural Assistance."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1X); was **NOT AGREED TO** by voice vote.

Page 2, line 5, strike "\$9,900,000,000" and insert "\$9,400,000,000".

Page 42, line 24, strike "\$1,000,000,000" and insert "\$1,500,000,000".

Page 43, line 7, strike "and" at the end.

Page 43, line 23, strike the period at the end and insert "; and".

Page 43, after line 23, insert the following: (3) \$500,000,000 shall be to provide assistance to communities impacted by disasters to improve the resilience of critical facilities, including hospitals, medical special needs facilities, and energy infrastructure in such communities.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1Y); was **NOT AGREED TO** by voice vote.

Page 40, after line 24, insert a new subsection entitled "(b) Assistance to Vulnerable Emergency Operations Centers."

An en bloc amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1Z); was **NOT AGREED TO** by voice vote. Consisting of the following:

An amendment: Page 2, line 9, insert "in communities impacted by a major disaster that occurred on or after January 1, 2019 for which the President made a declaration pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170)," after "persistent poverty communities,".

Page 3, line 5, insert "communities impacted by a major disaster that occurred on or after January 1, 2019 for which the President made a declaration pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170)," after "poverty communities,".

Page 6, line 21, insert "; or in communities impacted by a major disaster that occurred on or after January 1, 2019 for which the President made a declaration pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170)," before "or service that benefits".

Page 7, line 2, insert “, communities impacted by a major disaster that occurred on or after January 1, 2019 for which the President made a declaration pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170),” after “communities or neighborhoods”.

Page 8, line 21, strike the period at the end and insert “, or communities impacted by a major disaster that occurred on or after January 1, 2019 for which the President made a declaration pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170),”.

An amendment:

Page 38, after line 25, insert a new subsection entitled “(b) Priority.”

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1AA); was WITHDRAWN.

Page 2, line 5, strike “\$9,900,000,000” and insert “\$9,800,000,000”.

Page 65, after line 22, insert a new section entitled “Sec. __. Housing for Disaster-Impacted First Responders.”

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1BB); was NOT AGREED TO by a record vote of 28 yeas and 38 nays (Roll Call Vote No. 55).

Page 2, line 5, strike “\$9,900,000,000” and insert “\$6,900,000,000”.

Page 44, after line 7, insert a new subsection entitled “(d) Assistance for Victims of 2020 and 2021 Disasters.”

An amendment to the amendment to the Amendment in the Nature of a Substitute offered by Mr. Rouzer (#1BB1); was WITHDRAWN.

Strike all.

Insert the following: There is appropriated for fiscal year 2022, out of the Disaster Relief Fund, economic adjustment assistance as authorized by section 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149) to provide assistance to victims of federally declared natural disasters that occurred in calendar years 2020 and 2021.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1CC); was NOT AGREED TO by a record vote of 28 yeas and 39 nays (Roll Call Vote No. 56).

Page 2, line 5, strike “\$9,900,000,000” and insert “\$7,400,000,000”.

Page 65, after line 22, insert a new section entitled “Sec. _____. Duplication of Benefits Relief.”

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Stauber (#1DD); was AGREED TO, as amended, by voice vote

Page 23, line 18, strike “In” and insert “(a) In General In”.

Page 21, after line 23, insert a new subsection entitled “(b) Davis Bacon Requirement.”.

An amendment to the amendment to the Amendment in the Nature of a Substitute offered by Mr. Lynch (#1DD1); was AGREED TO by voice vote

Strike lines 1 through 5 and insert a new subsection entitled “(b) Davis Bacon Requirement.”

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Mast (#1EE); was NOT AGREED TO by voice vote

Page 35, after line 10, insert a new subsection entitled “(j) Prohibition on Use of Funds.”

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Stauber (#1FF); was NOT AGREED TO by voice vote.

Page 30, line 4, strike “and”.

Page 30, line 7, strike the period and insert “; and”.

Page 30, after line 7, insert the following: (14) potential increased costs to consumers.

An amendment to the amendment to the Amendment in the Nature of a Substitute by Mr. Graves of Louisiana (#1FF1); was NOT AGREED TO by record vote of 29 yeas and 38 nays (Roll Call Vote No. 57).

At the end of the amendment, add the following: Page 35, after line 10, insert a new subsection entitled "(j) Prohibition on Funding for Materials Produced by Forced Labor."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1GG); was NOT AGREED TO by a record vote of 24 yeas and 40 nays (Roll Call Vote No. 58).

At the appropriate place in the bill insert a new section entitled "Sec ____ No Funds for Entities Mandating or Refusing Service Based on Vaccination Status."

An en bloc amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1HH); was NOT AGREED TO by a record vote of 14 yeas and 52 nays (Roll Call Vote No. 59). Consisting of the following:

An amendment: Strike section 110021.

An amendment: Strike section 110023.

An amendment: Strike section 110024.

An amendment: Strike section 110007.

An en bloc amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1II); was NOT AGREED TO by a record vote of 18 yeas and 48 nays (Roll Call Vote No. 60). Consisting of the following:

An amendment: Page 65, after line 22, insert a new section entitled "Sec. ____ Restriction on Provision of Loan or Loan Guarantee for Certain High-Speed Rail."

An amendment: Strike section 110010 of the bill and insert a new section entitled "Sec. 110010. Railroad Rehabilitation and Improvement Financing."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1JJ); was NOT AGREED TO by a record vote of 19 yeas and 47 nays (Roll Call Vote No. 61).

Strike section 110011.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1KK); was NOT AGREED TO by a record vote of 22 yeas and 44 nays (Roll Call Vote No. 62).

Strike section 110012.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1LL); was NOT AGREED TO by voice vote.

Strike section 110022.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1MM); was NOT AGREED TO by a record vote of 24 yeas and 41 nays (Roll Call Vote No. 63).

Strike section 110013.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#NN); was NOT AGREED TO by a record vote of 26 yeas and 39 nays (Roll Call Vote No. 64).

Strike section 110002 of the bill.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#100);
was NOT AGREED TO by a record vote of 26 yeas and 40 nays (Roll Call Vote No.
65).

Strike section 110003.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1PP);
was NOT AGREED TO by a record vote of 23 yeas and 43 nays (Roll Call Vote No.
66).

Strike section 110008.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1QQ);
was NOT AGREED TO by voice vote.

Strike section 110018.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1RR);
was NOT AGREED TO by a record vote of 25 yeas and 41 nays (Roll Call Vote No.
67).

Strike section 110020.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1SS);
was NOT AGREED TO by a record vote of 17 yeas and 48 nays (Roll Call Vote No.
68).

At the end of the bill, insert a new section entitled "Sec. ___. Increase in Prevailing Wage Threshold."

COMMITTEE VOTES

Clause 3(b) of Rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against.

[2A_T&I_Vote_Sheet_Insert]

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of Rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

With respect to the requirements of 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 with respect to requirements of 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 as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974. The Committee has requested but not yet received from the Director of the Congressional Budget Office a cost estimate for the Committee's Committee Print.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to comply with the reconciliation directive contained in section 2002 of S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of this 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.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with clause 9 of rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the Rule XXI.

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.

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee finds that this Committee Print does not preempt any state, local, or tribal law.

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 (Public Law 104-1).

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

TITLE XI – Committee on Transportation and Infrastructure

Sec. 110001. Affordable Housing Access Program.

This section provides \$10 billion to support access to affordable housing and enhance mobility for low-income individuals and residents of disadvantaged or persistent poverty communities. Funds will be administered through a competitive process jointly established by the Secretary of Housing and Urban Development and the Federal Transit Administrator to support projects that provide access to affordable housing, improve mobility for low-income riders, and enhance access to job and educational opportunities and community services. Funds provided under the program will support the establishment of new transit routes; the expansion of service areas; improved frequency on existing routes; the provision of fare-free and reduced-fare transit service; state of good repair for transit facilities; research and workforce activities; route planning; and projects to improve accessibility.

Sec. 110002. Community Climate Incentive Grants.

This section provides \$4 billion to reduce surface transportation-related greenhouse gas emissions. Includes \$50 million for the Federal Highway Administration to establish a greenhouse gas performance measure; establish an incentive structure for states that demonstrate significant carbon reductions; issue requirements, guidance, and regulations necessary to ensure the reduction of on-road greenhouse gas emissions; and for other administrative expenses for the Federal Highway Administration. Also includes \$950 million for incentive grants to states that make significant progress in reducing emissions or that adopt strategies to achieve net-zero surface transportation emissions by 2050, and \$3 billion for non-state entities for projects to reduce carbon emissions.

Sec. 110003. Neighborhood Access and Equity Grants.

This section provides \$4 billion to support neighborhood equity, safety, and affordable transportation access. Includes \$3.95 billion for competitive grants administered by the Federal Highway Administration to reconnect communities divided by existing infrastructure barriers, mitigate negative impacts of transportation facilities or construction projects on disadvantaged or underserved communities, and support equitable transportation planning and community engagement activities. Of this amount, not less than \$1.58 billion is set aside for projects in disadvantaged or underserved communities or in communities that have taken steps to ensure that

projects do not lead to gentrification or displacement of existing residents. Also includes \$50 million to the Federal Highway Administrator to provide technical assistance to local governments to improve project delivery, provide direct capacity-building grants for local project administration, and for other administrative expenses of the Federal Highway Administration.

Sec. 110004. Federal Highway Administration Section 202 Funds.

This section provides \$1 billion for tribes distributed through the Tribal Transportation Program under section 202 of title 23, United States Code.

Sec. 110005. Territorial Highway Program.

This section provides \$320 million for territories distributed through the Territorial Highway Program.

Sec. 110006. Traffic Safety Clearinghouse.

This section provides \$100 million to the National Highway Traffic Safety Administration for awarding grants, cooperative agreements, or contracts to one or more eligible non-profit institutions of higher education to establish and operate a national clearinghouse, identify innovative methods for states to ensure equity in traffic safety enforcement, provide technical assistance to states, and research and develop recommendations and best practices to promote fair and equitable traffic safety enforcement.

Sec. 110007. Automated Vehicles and Mobility Innovation.

This section provides \$8 million to establish a national clearinghouse to research secondary and societal impacts of highly automated vehicles and mobility innovation.

Sec. 110008. Local Transportation Priorities.

This section provides \$6 billion to advance local surface transportation projects.

Sec. 110009. Passenger Rail Improvement, Modernization, and Emissions Reduction Grants.

This section provides \$10 billion for high-speed rail corridor assistance under Chapter 261 of Title 49, supporting the planning and development of public high-speed rail projects.

Sec. 110010. Railroad Rehabilitation and Improvement Financing Credit Risk Premium Assistance.

This section provides \$150 million for credit risk premium assistance under the Railroad Rehabilitation and Improvement Financing program, supporting additional federal financing of railroad infrastructure development.

Sec. 110011. Alternative Fuel and Low Emissions Aviation Technology Program.

This section provides \$1 billion for the Department of Transportation to support investments for projects that develop, demonstrate, or apply low-emission aviation technologies or produce, transport, blend, or store sustainable aviation fuels.

Sec. 110012. Implementation of the Carbon Offsetting and Reduction Scheme for International Aviation.

This section provides \$6 million to help the Federal Aviation Administration fully implement the provisions of the Carbon Offsetting and Reduction Scheme for International Aviation, the system adopted by the International Civil Aviation Organization to reduce aviation's international carbon emissions.

Sec. 110013. Assistance to Update and Enforce Hazard Resistant Codes and Standards.

This section provides the Federal Emergency Management Agency (FEMA) \$300 million for grants to state, local, tribal, and territorial governments for implementation and enforcement activities of the latest published editions of relevant performance-based and consensus-based codes, specifications, and standards that incorporate hazard-resistant designs and the latest requirements for the maintenance and inspection of existing buildings to address hazard risk. These grants will not be subject to any non-federal cost share.

Sec. 110014. Hazard Mitigation Revolving Loan Fund.

This section provides FEMA \$500 million for the hazard mitigation revolving loan fund program.

Sec. 110015. Upgrading Public Alert and Warning.

This section provides FEMA \$25 million to upgrade the Integrated Public Alert and Warning System (IPAWS) for implementation of the Next Generation Warning System (NGWS) via grants to public broadcasters.

Sec. 110016. Federal Assistance for Emergency Managers.

This section provides FEMA \$425 million for grants for construction, retrofit, technological enhancement, and updated planning requirements of state, local, Indian tribal, and territorial emergency operations centers. Grants are limited to \$4 million.

Sec. 110017. FEMA Procurement, Construction, and Improvements.

This section provides FEMA \$200 million for the construction, renovation, retrofit, technological enhancement, and updated planning requirements of federal emergency training centers and federal emergency operations centers.

Sec. 110018. Economic Development Administration.

This section provides a total of \$5.5 billion to the Economic Development Administration (EDA), broken down as follows: \$4 billion to invest in the creation of regional innovation hubs; \$1 billion for EDA's Economic Adjustment Assistance program to fund predevelopment activities and provide assistance to energy and industrial transition communities; and \$500 million for public works projects.

Sec. 110019. RECOMPETE Pilot Program.

This section provides \$4 billion to establish a formula-based grant pilot program at EDA to improve an eligible area's prime age employment rate by providing long-term assistance to persistently distressed communities.

Sec. 110020. Assistance for Federal Buildings.

This section provides \$1 billion for the General Services Administration's Federal Buildings Fund to convert GSA owned or managed buildings to high-performance green buildings.

Sec. 110021. Technology Innovation and Climate Resilience in Maritime Sector.

This section provides \$100 million for the Maritime Environmental and Technical Assistance program within the Maritime Administration to support investments in research, demonstration, and development of new and emerging technologies to reduce carbon emissions, reduce vessel noise pollution, and improve the climate resiliency of the marine shipping and maritime industry.

Sec. 110022. Climate Resilient Coast Guard Infrastructure.

This section provides \$1 billion to the Coast Guard Procurement, Construction, and Improvements account for the acquisition, design, and construction of new, or replacement of, existing facilities impacted by climate change.

Sec. 110023. Great Lakes Icebreaker Acquisition.

This section provides \$350 million to the Coast Guard for the acquisition of a Great Lakes Icebreaker.

Sec. 110024. Polar Security Cutters and Climate Science.

This section provides \$788 million to the Coast Guard for the acquisition of an additional Polar Security Cutter that includes scientific laboratory and berthing facilities onboard the cutter.

Sec. 110025. Small Shipyard Grants.

This section provides \$300 million for the Small Shipyard Grant program within the Maritime Administration for investments that improve the climate resiliency and environmental sustainability of the maritime industry and the maritime transportation system.

Sec. 110026. Port Infrastructure and Supply Chain Resilience.

This section provides \$2.5 billion to the Maritime Administration for grants for projects to support supply chain resilience, reduction in port congestion, the development of offshore wind support infrastructure, environmental remediation, and projects to reduce the impact of ports on the environment.

Sec. 110027. Grants for Rural, Small, Tribal, and Economically Disadvantaged Municipality Technical Assistance and Circuit Rider Programs and Workforce Development.

This section provides \$495 million in critical investments to support small, rural, and other economically-challenged communities in meeting the technical and financial requirements of the

Clean Water Act, as well as to invest in maintaining an adequate supply of trained personnel to operate and maintain existing and future sewage treatment plants.

Sec. 110028. Alternative Water Source Project Grants.

This section provides \$125 million to support investment in alternative water source projects, including projects for groundwater recharge and potable reuse.

Sec. 110029. Sewer Overflow and Stormwater Reuse Municipal Grants.

This section provides \$2 billion to invest in sewer overflow and stormwater reuse projects, as well as provides for a greater federal cost share of projects that serve financially distressed communities.

Sec. 110030. Individual Household Decentralized Wastewater Treatment System Grants

This section supports \$450 million in investment for the installation, repair, or replacement of domestic septic systems, including investment in connecting households with failing septic systems to public sewer systems. This section prioritizes this investment to low-income households that lack access to sewage treatment technologies, including households that currently use cesspools to capture sewage.

Sec. 110031. Tribal Clean Water Grants.

This section provides \$500 million in critical grant assistance to invest in the backlog of wastewater infrastructure projects on Tribal lands, including support for projects, training, technical assistance, or clean water education for Indian tribes, reservations, and Alaskan Native Villages.

Sec. 110032. Wastewater Infrastructure Assistance to Colonias.

This section provides \$125 million in wastewater infrastructure investment in the colonias, the residential areas along the U.S.-Mexican border that often lack critical living necessities, including basic sewer systems, which pose potentially serious consequences for public health and quality of life.

Sec. 110033. Clean Water Needs Survey.

This section provides \$5 million for an assessment of wastewater system capital improvement needs of all treatment works in the United States that are eligible for assistance from state water pollution control revolving funds.

Sec. 110034. Prohibition on Use of Funds.

This section requires the Comptroller General to provide a report accounting for any Coast Guard or Army Corps of Engineers equipment in Afghanistan.

Sec. 110035. Policy of the United States on Child Labor.

This section states that funds under this title should not be used to purchase products produced in whole or in part by child labor.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee advises that compliance prior to submission to the Committee on the Budget was not possible.

SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS

[2D_T&I_Views_Insert]

Committee on Transportation and Infrastructure Roll Call Vote No. 39
 On: Agreeing to Amendment #1A1 offered by Mr. Massie
 Not Agreed to by 28 yeas and 35 nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires		Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL		Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		

Ms. Williams of GA	Nay	
Ms. Newman	Nay	
Mr. Carter	Nay	

Committee on Transportation and Infrastructure Roll Call Vote No. 40

On: Agreeing to Amendment #1A by Mr. Crawford

Not Agreed to by 28 yeas and 35 nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires		Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL		Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. Garcia of IL	Nay	Mr. Guest	
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb		Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea

Mr. Kahele	Nay	
Ms. Strickland	Nay	
Ms. Williams of GA	Nay	
Ms. Newman	Nay	
Mr. Carter	Nay	

Committee on Transportation and Infrastructure Roll Call Vote No. 41

On: Agreeing to Amendment #1C offered by Mr. Webster

Not Agreed to by 30 yeas and 35 nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires		Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL		Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea

Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 42

On: Agreeing to Amendment #1D offered by Mr. Perry

Not Agreed to by 31 Yeas and 35 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires		Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL		Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea

Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 43

On: Agreeing to Amendment #1E offered by Mr. Babin

Not Agreed to by 30 Yeas and 36 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires		Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL		Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. Garcia of IL	Nay	Mr. Guest	Yea

Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 44
On: Agreeing to Amendment #1F Offered by Mr. Graves of Louisiana
Not Agreed to by 27 Yeas and 38 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Nay
Mr. Sires		Mr. Perry	Nay
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL		Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea

Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Nay
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 45

On: Agreeing to Amendment #1G offered by Mr. Rouzer

Not Agreed to by 30 Yeas and 36 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires		Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL		Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea

Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 46

On: Agreeing to Amendment #1H offered by Mr. Bost

Not Agreed to by 29 Yeas and 36 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires		Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea

Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. Garcia of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 47

On: Agreeing to Amendment #II offered by Mr. Weber

Not Agreed to by 30 Yeas and 36 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires		Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea

Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. Garcia of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 48

On: Agreeing to Amendment #1J offered by Mr. LaMalfa

Not Agreed to by 29 Yeas and 37 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires		Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea

Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 49

On: Agreeing to Amendment #1K offered by Mr. Westerman

Not Agreed to by 30 Yeas and 36 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires		Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	

Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 50

On: Agreeing to Amendment #1L offered by Miss González-Colón

Not Agreed to by 25 Yeas and 40 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Nay
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Nay
Mr. Sires		Mr. Perry	Nay
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	

Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. Garcia of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Nay
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 51

On: Agreeing to Amendment #1M1 offered by Mr. DeFazio

Agreed to by 36 Yeas and 29 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Yea	Mr. Graves of MO	Nay
<i>Ms. Norton</i>	Yea	Mr. Young	
Ms. Johnson of TX	Yea	Mr. Crawford	Nay
Mr. Larsen of WA	Yea	Mr. Gibbs	Nay
Mrs. Napolitano	Yea	Mr. Webster	Nay
Mr. Cohen	Yea	Mr. Massie	Nay
Mr. Sires		Mr. Perry	Nay
Mr. Garamendi	Yea	Mr. Rodney Davis of IL	Nay
Mr. Johnson of GA	Yea	Mr. Katko	Nay

Mr. Carson	Yea	Mr. Babin	Nay
Ms. Titus	Yea	Mr. Graves of LA	Nay
Mr. Maloney of NY	Yea	Mr. Rouzer	Nay
Mr. Huffman	Yea	Mr. Bost	
Ms. Brownley	Yea	Mr. Weber of TX	Nay
Ms. Wilson of FL	Yea	Mr. LaMalfa	Nay
Mr. Payne	Yea	Mr. Westerman	Nay
Mr. Lowenthal	Yea	Mr. Mast	Nay
Mr. DeSaulnier	Yea	Mr. Gallagher	Nay
Mr. Lynch	Yea	Mr. Fitzpatrick	Yea
Mr. Carbajal	Yea	<i>Miss González-Colón</i>	Nay
Mr. Brown	Yea	Mr. Balderson	Nay
Mr. Malinowski	Yea	Mr. Stauber	Nay
Mr. Stanton	Yea	Mr. Burchett	Nay
Mr. Allred	Yea	Mr. Johnson of SD	Nay
Ms. Davids of KS	Yea	Mr. Van Drew	Nay
Mr. García of IL	Yea	Mr. Guest	Nay
Mr. Delgado	Yea	Mr. Nehls	Nay
Mr. Pappas	Yea	Ms. Mace	Nay
Mr. Lamb	Yea	Ms. Malliotakis	Nay
Mr. Moulton	Yea	Ms. Van Duyne	Nay
Mr. Auchincloss	Yea	Mr. Gimenez	Nay
Ms. Bourdeaux	Yea	Mrs. Steel	Nay
Mr. Kahele	Yea		
Ms. Strickland	Yea		
Ms. Williams of GA	Yea		
Ms. Newman			
Mr. Carter	Yea		

Committee on Transportation and Infrastructure Roll Call Vote No. 52

On: Agreeing to Amendment #10 offered by Mr. Nehls

Not Agreed to by 30 Yeas and 35 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires		Mr. Perry	Yea

Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman			
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 53
On: Agreeing to Amendment #1P Offered by Mr. Graves of Louisiana
Not Agreed to by 26 Yeas and 39 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea

Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. Garcia of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 54

On: Agreeing to Amendment #1W offered by Mr. LaMalfa

Not Agreed to by 27 Yeas and 39 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	

Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Nay
Mr. Sires	Nay	Mr. Perry	Nay
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 55

On: Agreeing to Amendment #1BB offered by Mr. Graves of Louisiana

Not Agreed to by 28 Yeas and 38 Nays

Member	Vote	Member	Vote
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Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Yea	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. Garcia of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 56
On: Agreeing to Amendment #1CC Offered by Mr. Graves of Louisiana

Not Agreed to by 28 Yeas and 39 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 57
 On: Agreeing to Amendment #1FF1 Offered by Mr. Graves of Louisiana
 Not Agreed to by 29 Yeas and 38 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		

Mr. Carter	Nay
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Committee on Transportation and Infrastructure Roll Call Vote No. 58

On: Agreeing to Amendment #1GG offered by Mr. Perry

Not Agreed to by 24 Yeas and 40 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Nay
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		

Ms. Williams of GA	Nay	
Ms. Newman	Nay	
Mr. Carter	Nay	

Committee on Transportation and Infrastructure Roll Call Vote No. 59

On: Agreeing to en bloc Amendment #1HH offered by Mr. Perry

Not Agreed to by 14 Yeas and 52 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Nay
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Nay
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Nay
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Nay
Mr. Maloney of NY	Nay	Mr. Rouzer	Nay
Mr. Huffman	Nay	Mr. Bost	Nay
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Nay
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Nay
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Nay
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Nay
Mr. Garcia of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	
Mr. Pappas	Nay	Ms. Mace	
Mr. Lamb	Nay	Ms. Malliotakis	Nay
Mr. Moulton	Nay	Ms. Van Duyne	Nay
Mr. Auchincloss	Nay	Mr. Gimenez	Nay
Ms. Bourdeaux	Nay	Mrs. Steel	Yea

Mr. Kahele	Nay	
Ms. Strickland	Nay	
Ms. Williams of GA	Nay	
Ms. Newman	Nay	
Mr. Carter	Nay	

Committee on Transportation and Infrastructure Roll Call Vote No. 60

On: Agreeing to en bloc Amendment #III offered by Mr. Perry

Not Agreed to by 18 Yeas and 48 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Nay
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Nay
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Nay
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Nay
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Yea	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Nay
Mr. Brown	Nay	Mr. Balderson	Nay
Mr. Malinowski	Nay	Mr. Stauber	Nay
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Nay
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	
Mr. Pappas	Nay	Ms. Mace	
Mr. Lamb	Nay	Ms. Malliotakis	Nay
Mr. Moulton	Nay	Ms. Van Duyne	Yea

Mr. Auchincloss	Nay	Mr. Gimenez	Nay
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 61

On: Agreeing to Amendment #1JJ offered by Mr. Perry

Not Agreed to by 19 Yeas and 47 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Nay
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Nay
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Nay
Mr. Maloney of NY	Nay	Mr. Rouzer	Nay
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Nay
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Nay
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Nay
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	
Mr. Pappas	Nay	Ms. Mace	

Mr. Lamb	Nay	Ms. Malliotakis	Nay
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 62

On: Agreeing to Amendment #1KK offered by Mr. Perry

Not Agreed to by 22 Yeas and 44 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Nay
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Nay
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Nay
Mr. Maloney of NY	Nay	Mr. Rouzer	Nay
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Nay
Mr. García of IL	Nay	Mr. Guest	Yea

Mr. Delgado	Nay	Mr. Nehls	
Mr. Pappas	Nay	Ms. Mace	
Mr. Lamb	Nay	Ms. Malliotakis	Nay
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 63

On: Agreeing to Amendment #1MM offered by Mr. Perry

Not Agreed to by 24 Yeas and 41 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Nay
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	
Mr. Allred	Nay	Mr. Johnson of SD	Yea

Ms. Davids of KS	Nay	Mr. Van Drew	Nay
Mr. Garcia of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	
Mr. Pappas	Nay	Ms. Mace	
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 64

On: Agreeing to Amendment #1NN offered by Mr. Perry

Not Agreed to by 26 Yeas and 39 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea

Mr. Stanton	Nay	Mr. Burchett	
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	
Mr. Pappas	Nay	Ms. Mace	
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 65

On: Agreeing to Amendment #100 offered by Mr. Perry

Not Agreed to by 26 Yeas and 40 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea

Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Nay
Mr. Garcia of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	
Mr. Pappas	Nay	Ms. Mace	
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 66

On: Agreeing to Amendment #1PP offered by Mr. Perry

Not Agreed to by 23 Yeas and 43 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Nay
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Nay
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Nay
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea

Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Nay
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	
Mr. Pappas	Nay	Ms. Mace	
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 67

On: Agreeing to Amendment #1RR offered by Mr. Perry

Not Agreed to by 25 Yeas and 41 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea

Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Nay
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Nay
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	
Mr. Pappas	Nay	Ms. Mace	
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 68

On: Agreeing to Amendment #1SS offered by Mr. Perry

Not Agreed to by 17 Yeas and 48 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Nay
<i>Ms. Norton</i>	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Nay
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY		Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Nay
Ms. Brownley	Nay	Mr. Weber of TX	Yea

Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Nay
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	<i>Miss González-Colón</i>	Nay
Mr. Brown	Nay	Mr. Balderson	Nay
Mr. Malinowski	Nay	Mr. Stauber	Nay
Mr. Stanton	Nay	Mr. Burchett	Nay
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Nay
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	
Mr. Pappas	Nay	Ms. Mace	
Mr. Lamb	Nay	Ms. Malliotakis	Nay
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Mr. Carter	Nay		

Committee on Transportation and Infrastructure Roll Call Vote No. 69

On: Agreeing to the Committee Print, as amended

Agreed to by 37 Yeas and 29 Nays

Member	Vote	Member	Vote
Mr. DeFazio	Yea	Mr. Graves of MO	Nay
<i>Ms. Norton</i>	Yea	Mr. Young	
Ms. Johnson of TX	Yea	Mr. Crawford	Nay
Mr. Larsen of WA	Yea	Mr. Gibbs	Nay
Mrs. Napolitano	Yea	Mr. Webster	Nay
Mr. Cohen	Yea	Mr. Massie	Nay
Mr. Sires	Yea	Mr. Perry	Nay
Mr. Garamendi	Yea	Mr. Rodney Davis of IL	Nay
Mr. Johnson of GA	Yea	Mr. Katko	Nay
Mr. Carson	Yea	Mr. Babin	Nay
Ms. Titus	Yea	Mr. Graves of LA	Nay
Mr. Maloney of NY	Yea	Mr. Rouzer	Nay

Mr. Huffman	Yea	Mr. Bost	Nay
Ms. Brownley	Yea	Mr. Weber of TX	Nay
Ms. Wilson of FL	Yea	Mr. LaMalfa	Nay
Mr. Payne	Yea	Mr. Westerman	Nay
Mr. Lowenthal	Yea	Mr. Mast	Nay
Mr. DeSaulnier	Yea	Mr. Gallagher	Nay
Mr. Lynch	Yea	Mr. Fitzpatrick	Nay
Mr. Carbajal	Yea	<i>Miss González-Colón</i>	Nay
Mr. Brown	Yea	Mr. Balderson	Nay
Mr. Malinowski	Yea	Mr. Stauber	Nay
Mr. Stanton	Yea	Mr. Burchett	Nay
Mr. Allred	Yea	Mr. Johnson of SD	Nay
Ms. Davids of KS	Yea	Mr. Van Drew	Nay
Mr. García of IL	Yea	Mr. Guest	Nay
Mr. Delgado	Yea	Mr. Nehls	
Mr. Pappas	Yea	Ms. Mace	
Mr. Lamb	Yea	Ms. Malliotakis	Nay
Mr. Moulton	Yea	Ms. Van Duyne	Nay
Mr. Auchincloss	Yea	Mr. Gimenez	Nay
Ms. Bourdeaux	Yea	Mrs. Steel	Nay
Mr. Kahele	Yea		
Ms. Strickland	Yea		
Ms. Williams of GA	Yea		
Ms. Newman	Yea		
Mr. Carter	Yea		



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington DC 20515

Peter A. DeFazio
 Chairman
 Katherine W. Dedrick
 Staff Director

Sam Graves
 Ranking Member
 Paul J. Sass
 Republican Staff Director

Minority Dissenting Views

Committee on Transportation and Infrastructure (T&I or Committee) Republicans adamantly oppose the Committee’s budget reconciliation recommendations, as amended, and ordered to be transmitted on September 15, 2021. The Majority’s recommendations, as amended, are the product of a convoluted, rushed, and partisan process. In accordance with budget reconciliation instructions, the Majority’s recommendations raise spending under the Committee’s jurisdiction by almost \$60 billion with no consideration for how Americans will be forced to pay for these irresponsible spending decisions.¹

Overall, S. Con. Res. 14 would direct \$3.5 trillion in new spending. The Majority claims that they are forging ahead with the true will of the American people. However, a recent poll notes that a majority of Americans do not support this budget reconciliation effort.² Six out of 10 Americans instead favor a “strategic pause,” which Senator Joe Manchin (D-WV) also recently called for.³ Due to the razor thin Democratic majorities in the House and Senate, partisan bills will be difficult to pass. Given this reality, the Majority is co-opting this limited reconciliation process to pass its priorities without having to meet the 60-vote threshold in the Senate. Currently, however, there are growing signs that even the Senate may fail to pass S. Con. Res. 14, as more Senators voice opposition to its reckless spending and the burdensome debt it would create for future generations.

Inflation is ticking up at a quick pace. Over the last twelve months, the Consumer Price Index (CPI) has risen by 5.3 percent.⁴ In fact, the CPI increased by half a percent in the month of July alone.⁵ This means that Americans are paying more for energy (23.8 percent), food (3.4 percent), and nearly all other commodities.⁶ The government cannot continue spending money like there are no consequences. The effects are real: government spending is driving up inflation.

¹ The amendment in nature of a substitute to the Committee Print prior to amendments totaled \$57.27 billion.

² *Exclusive Poll: Americans Favor Manchin’s “Strategic Pause”*, AXIOS (Sept. 9, 2021), available at https://www.axios.com/manchin-budget-reconciliation-spending-poll-ba711bca-c5ca-4600-b5cb-218ec0105643.html?utm_source=twitter&utm_medium=social&utm_campaign=editorial&utm_content=politics-manchin,

³ *Id.*

⁴ *Consumer Price Index – August 2021*, USDL-21-1644, Bureau of Labor Statistics (Sept. 14, 2021), available at <https://www.bls.gov/news.release/pdf/cpi.pdf>.

⁵ *Id.*

⁶ *Id.*

President Biden promised that he would not enact new taxes on those making \$400,000 or less, but that is exactly what his spending plans are doing.⁷ As inflation increases, it raises interest rates, which lowers the real after-tax return.⁸ In other words, when goods and services cost more, paychecks are not worth as much. After spending \$6 trillion in 2020, Congress is not in a position to spend another \$7 trillion or more this year.⁹ But that is exactly what the Majority is doing, and the \$3.5 trillion in S. Con. Res. 14 is a cornerstone of their tax and spend agenda.¹⁰

Rather than promoting unbridled spending, Congress should be focused on higher priorities. Congress should be addressing the shameful, tragic, and chaotic withdrawal from Afghanistan and the recoveries from severe disasters across our Nation, such as the wildfires in the west and Hurricane Ida, which devastated areas of Louisiana, Mississippi, New York, New Jersey, Pennsylvania, and elsewhere. At the markup, T&I Committee Democrats even seemed to recognize the botched withdrawal and needs for accountability. Mr. Gibbs of Ohio offered an amendment restricting expenditure of the funds provided under this act until the Comptroller General provided an accounting of any materiel left in Afghanistan by the Coast Guard and Army Corps of Engineers. After Chair DeFazio provided comments indicating an agreement on the need for it with his primary concern being over the restriction on the expenditure of funds, Mr. Graves of Louisiana amended the amendment to strike the restriction on the expenditure of funds, and both the second degree amendment and primary Gibbs, as amended, were adopted by voice vote.

Sadly, that early moment of agreement on important issues, was cast away when it came to the needs of disaster victims. Mr. Graves of Louisiana offered an amendment to reduce the amount provided for transit funding by \$3.5 billion, and to provide that amount for the Maritime Transportation System Emergency Relief program. Chair DeFazio sponsored the bipartisan legislation in the last Congress to establish this emergency relief program. This would provide financial assistance to states and maritime industry entities during an emergency such as the COVID-19 pandemic, or recovery from disasters such the recent Hurricane Ida. No funding has been provided for the program in COVID relief packages or appropriations bills. This amendment would have provided funds needed now for current ongoing emergencies, and particularly would have strengthened the maritime transportation supply chain which is under severe strain from a COVID related cargo surge. However, the Committee Democrats unanimously opposed and the amendment failed 26 yeas to 39 nays.

Mr. Graves of Louisiana further offered amendments to provide additional funds

⁷ Lorie Konish, *Biden Promises No New Taxes On Anyone Making Less than \$400,000. Experts Doubt He Can Keep That Pledge*, CNBC, (April 28, 2021), <https://www.cnbc.com/2021/04/28/biden-promises-no-new-taxes-on-anyone-making-less-than-400000.html>.

⁸ Bayoumi and Gagnon, *Taxation and Inflation: A New Explanation for Current Account Imbalances*, Board of Governors of the Fed. Reserve System International Finance Discussion Papers No. 420 (Jan. 1992), available at <https://www.federalreserve.gov/pubs/ifdp/1992/420/ifdp420.pdf>.

⁹ Andrew Van Dam, *The U.S. Has Thrown More Than \$6 Trillion at the Coronavirus Crisis. That Number Could Grow*, WASH. POST (April 15, 2020), available at <https://www.washingtonpost.com/business/2020/04/15/coronavirus-economy-6-trillion/>.

¹⁰ *What's In Biden's \$6 Trillion Budget Plan*, WSJ (May 28, 2021), available at <https://www.wsj.com/articles/whats-in-bidens-6-trillion-budget-plan-11622223706>.

to the Federal Emergency Management Agency's (FEMA) Disaster Relief Fund (DRF) and the Economic Development Administration (EDA) for economic recovery assistance for recent disasters, including Hurricane Ida. He also offered an amendment to provide funding for disaster victims, going back to Hurricane Sandy, who are trying to rebuild their homes but are saddled with debt because of FEMA's position that a loan is considered a duplication of benefits. Mr. Graves' amendment to provide additional DRF funds failed by a vote of 28 yeas to 37 nays. In this case though, one Democratic member, Mr. Cohen of Tennessee, agreed with Committee Republicans that the need was great for disaster victims and urged his colleagues to vote in favor – as he did. This was the only time in markup that a member of the Majority voted in favor of a Republican amendment during a roll call vote.

As noted, Mr. Cohen pleads to consider the disaster victims on his side fell on deaf ears as the Committee Majority argued that these funds were unnecessary given the balances in the DRF, yet they failed to acknowledge reports that the Biden Administration has indicated a need for additional DRF funds, economic recovery is not eligible under the DRF, and S. Con. Res. 14 itself includes unnecessary funding duplicative of the Senate-passed infrastructure package and already funded programs.¹¹ A second degree amendment offered by Mr. Rouzer of North Carolina to clarify that economic recovery assistance is eligible under the DRF was also rejected; although Chair DeFazio committed to working with Mr. Rouzer on this issue moving forward. Committee Republicans continue to believe the need to help disaster victims should be the priority over this reckless reconciliation spending.

Mr. Webster of Florida offered an amendment to prohibit the use of FEMA personnel and resources to assist in immigration missions along the southwest border until the Department of Homeland Security (DHS) provides Congress with a comprehensive strategy on managing the impact of COVID-19 along the border to protect federal personnel and law enforcement, State and local communities, and the migrants themselves. His amendment would have also asked the Government Accountability Office (GAO) to evaluate the impact of such operations on FEMA's readiness to respond to natural disasters. The Committee Majority expressed concern about the use of FEMA resources in this way but noted that only a handful of FEMA personnel are currently engaged in such activities. Yet, DHS acknowledges FEMA continues to be engaged.¹² The Majority also refused to acknowledge concern about DHS's management of COVID along the border, despite the findings of the DHS Office of Inspector General concluding, "[w]ithout stronger COVID-19 prevention measures in place, DHS is putting its workforce, support staff, communities, and migrants at greater risk of contracting the virus."¹³ Mr. Webster's amendment failed by a vote of 30 yeas to 35 nays.

Clearly, this partisan reconciliation vehicle has been prioritized over real infrastructure needs. Speaker Pelosi, rather than independently taking up the

¹¹ Josh Boak, *Biden Seeking Additional Funds for Ida Relief and Afghans*, ASSOCIATED PRESS, (Sept. 7, 2021), available at <https://abcnews.go.com/Politics/wireStory/biden-seeking-additional-funds-ida-relief-afghans-79878230>

¹² Letter from DHS Secretary Mayorkas to Representatives Sam Graves and Daniel Webster, (Aug. 20, 2021).

¹³ *DHS Needs to Enhance Its COVID-19 Response at the Southwest Border*, OIG-21-60, Dept. of Homeland Security Office of Inspector General, (Sept. 10, 2021).

infrastructure bill negotiated by the White House and Senators, has explicitly tied that bill to this highly partisan, multi-trillion-dollar reconciliation package. The Majority's failure to legislate in the best interests of America's infrastructure is particularly alarming, as the authorization for surface transportation programs will lapse on September 30, 2021. As Committee Republicans, we have watched with great concern as these events developed and as the Majority's leadership even denied their own party Members' pleas to unlink the infrastructure legislation and reconciliation measure. Unfortunately, our Committee and its bipartisan track record have been sidelined at this critical time for infrastructure issues by the Speaker's own shortsightedness and willingness to pander to the most progressive wing of her party. Sadly, even the Chair, in order to garner support for the reconciliation process, was forced to back away from repeated previous statements that his infrastructure bill would follow regular order and be conferenced with the Senate.

Broadly speaking, under the White House-Senate agreement on the Senate infrastructure bill, policy items that were litigated and addressed in the Senate bill were not to be reopened in the reconciliation process, a prohibition referred to as "double dipping." Although the Chair has noted publicly that he was not party to the White House-Senate agreement and stated that he would look for opportunities to double dip, we point out that there are numerous provisions within the Committee's budget reconciliation recommendations, as amended, that violate the White House-Senate agreement and re-open issues where they already found compromise.¹⁴

First, there is additional funding for transit. For example, section 110001 provides \$10 billion for an "affordable housing access program". Mr. Burchett of Tennessee offered an amendment to strike this provision which failed by voice vote. During debate, the Majority claimed that the program is not duplicative as it provides transit investments, including first and last mile connections, in communities that are "often overlooked." They argued that the program is "far outside the scope of our traditional transit programs." This is not accurate. The Senate infrastructure bill, which provided \$91.2 billion over five years in guaranteed transit funding and another \$15.8 billion subject to future appropriation action, contains transit programs that provide the exact same eligibilities that this program funds. Therefore, this program is an example of double-dipping and a clear violation.

Similarly in violation of the double-dip agreement, the recommendations allocate \$10 billion to fund high-speed passenger rail (HSR) projects. HSR was addressed in the Senate infrastructure bill through the new Federal-State Partnership for Intercity Passenger Rail program and through funding Amtrak's high-speed Acela service. Moreover, prominent HSR projects in California and Texas have struggled with several major issues, including permitting problems, eminent domain fights, delays and cost overruns, and questions about consumer demand and future government subsidies to operate. In light of such serious concerns, any federal money for passenger rail should instead be spent on maintenance and upgrades to the Amtrak system consistent

¹⁴ Jacqueline Alemany, *Power Up: Will House Democrats have a "double dipping" problem?*, WASH. POST, Aug. 20, 2021, available at <https://www.washingtonpost.com/politics/2021/08/20/power-up-will-house-democrats-have-double-dipping-problem/>.

with the government's existing Amtrak funding obligations. Accordingly, Mr. LaMalfa of California offered an amendment to strike this provision which failed by a roll call vote of 29 yeas to 38 nays.

Mr. Westerman of Arkansas introduced an amendment that would have prohibited funding for any transactions involving the Organization of the Petroleum Exporting Countries (OPEC) and OPEC+ for the purchase or import of foreign oil before first using domestic energy resources, including completion and use of the Keystone XL pipeline. The amendment focused on supporting America's energy independence that grew under President Trump but that have shrunk under the Biden Administration. The amendment also emphasized the safety and reliability of moving cheap energy via pipelines such as Keystone XL and other similar projects in the United States. The amendment failed by a roll call vote of 30 yeas to 36 nays.

Additional examples of provisions that violate the double dip agreement include Section 110003, Neighborhood Access and Equity Grants, which provides \$4 billion for the removal, remediation, and retrofit of surface transportation facilities. This program already receives \$1 billion in the Senate bill. Furthermore, Section 110004, Federal Highway Administration (FHWA) Section 202 Funds; and Section 110005, Territorial Highway Program Funding, both received funding in the Senate bill, violating the agreement to not double dip.

Chief among these partisan provisions is the pervasive interweaving of climate change policy throughout programs under the Committee's jurisdiction. This foundational pillar of the Majority's recommendations removes the focus from our core highway, bridge, and water programs, limits state flexibility through top-down directives, and favors urban areas over rural America.

The Majority included Section 110002, Community Climate Incentive Grants, which would direct the FHWA to establish a greenhouse gas (GHG) performance measure, a State incentive structure to reward the states with the most GHG reduction progress, and establish "consequences" for states that do not meet standards. Additionally, the provision prevents funding for projects "that result in additional through travel lanes for single occupant passenger vehicles." These policies were included in the Majority's *INVEST Act*. However, the \$50 million provided for the establishment of the GHG performance measure may trigger the Senate Byrd Rule, as this is an egregious policy provision disguised as funding. The Senate considered these policies and chose not to include them in the Senate bill; therefore, their inclusion now could violate the agreement to not double-dip. Mr. Babin of Texas introduced an amendment to strike only the \$50 million to establish the GHG performance measure, which failed by a roll call vote of 30 yeas to 36 nays. Given this, the Majority voted to limit state flexibility and create top-down climate mandates knowing this could trigger Byrd Rule violations and pose double-dip concerns. But apparently, Byrd rules concerns only apply as a talking point during Committee debate against common-sense Republican amendments rather than the Majority's own recommendations.

An important funding priority that supposedly has bipartisan support, providing truck parking, was not included in the Majority's recommendations. This failure to improve safety by increasing parking spaces available to truckers is unconscionable. Time and again, truckers have

delivered for Americans – safely, securely, and on time. But in order to continue to do their jobs, they need more places to safely park. Only one truck space is available for every eleven truckers.¹⁵ While supporting truckers has been a bipartisan priority for this Committee, this support didn't result in any funding for parking in the first reconciliation bill, in the COVID packages, or in the Senate infrastructure bill. Mr. Bost of Illinois offered an amendment to provide \$1 billion for truck parking by reducing funding from the proposed Community Climate Incentive Grants program. The Majority rejected this amendment on a partisan roll call vote of 29 yeas to 36 nays, and also rejected offers to remove this offset entirely or lower the proposed amount in an attempt to find common ground. The Majority found money to set new GHG performance standards, fund high-speed rail, and give transit \$10 billion at a time when the Federal Transit Administration (FTA) has already seen an historic level of federal funding over the last year and a half. Unfortunately, during the middle of National Truck Driver Appreciation Week, the Committee Majority rejected offers to help America's truckers.

Surprisingly, the Majority also rejected or gutted amendments that sought to curtail China's influence over American goods and industry. The Majority chose their Green New Deal agenda over our country's National security and economic interests. As a result, America will be forced to rely on China, which owns or controls 70 percent of the world's supply of cobalt, which is required for critical minerals and used to manufacture key components of vehicles the Majority's bill favors.¹⁶ The Majority's position on Republican amendments ignored that China is a known human rights violator that uses child labor and forced slave labor to mine its minerals. The Majority's policy choice also fails to recognize, or possibly willfully ignores, the reality that reliance on the Chinese government means handing money over to the world's worst polluter in order to say that we are furthering green initiatives here in America. Additionally, the Majority will not support mining these minerals here in the United States, where we could ensure environmental and labor protections. Instead, the Majority refuses to let these inconvenient truths get in the way of their narrative about how far their measure goes to address climate change.

Mr. Stauber of Minnesota again offered an amendment to ensure that funding in this bill is not used to purchase or procure goods, materials, and minerals produced or sourced using forced or child labor. However, Chair DeFazio offered a second-degree amendment that stripped the force of the Stauber amendment and passed by voice vote. Therefore, nothing in the recommendations will curtail China's influence over our goods and industries. The Stauber amendment and the Westerman amendment, previously noted, are just two examples of how Republicans addressed the hypocrisy of the Majority's recommendations, which seek to advance a supposedly "green" agenda at home while ensuring that the United States relies even more heavily on countries with environmental and labor standards much lower than the United States.

The Majority's pursuit of a socialist agenda comes as no surprise when considering the propensity of the Biden Administration to impose heavy-handed mandates unsupported by current science, under the guise of equity and good government. Mr. Crawford of Arkansas offered an amendment to ensure no funds are used to impose the Administration's sweeping

¹⁵ *Federal Legislation Would Address Significant Challenge for Drivers*, American Trucking Associations (March 29, 2021), <https://www.trucking.org/news-insights/ata-lauds-congressional-effort-improve-availability-truck-parking-0>.

¹⁶ *Top Cobalt Production by Country*, INVESTING NEWS, (June 21, 2021) <https://investingnews.com/daily/resource-investing/battery-metals-investing/cobalt-investing/top-cobalt-producing-countries-congo-china-canada-russia-australia/#:~:text=China%20leads%20the%20world%20in,terms%20of%20unrefined%20cobalt%20production..>

vaccine mandate and restrict Americans' access to federal buildings for essential services such as social security and medical services for veterans. The Crawford amendment failed by a vote of 29 yeas to 34 nays. During debate, Mr. Massie of Kentucky offered a second degree amendment to the Crawford amendment to further ensure such mandates would not be used to impede travel; which was rejected by a vote of 29 yeas to 36 nays. Many Americans, as the result of this Administration's regulatory overreach, already have grave concerns about the government's willingness to impinge upon their personal freedoms and privacy.

The government overreach continues to be a concern as jurisdictions fall subject to calls to "defund the police." However, the Majority rejected an amendment offered by Mr. Nehls of Texas to prevent states and jurisdictions that have proactively chosen to defund their police force from using Federal funds to backfill their disinvestment. The amendment would have in no way reduced the Federal funding a state receives or prevented the use of those NHTSA dollars from being used in other ways to improve safety; it simply would have closed a potential loophole that could allow a jurisdiction that has defunded the police to continue to fund law enforcement activities with NHTSA dollars. Although this amendment simply would have affirmed the actions a jurisdiction has already taken, the amendment failed by a partisan roll call vote of 29 yeas to 36 nays.

Mr. Rouzer of North Carolina also offered an amendment to address the Biden Administration's rushed process to repeal and replace the Trump Administration's Waters of the United States (WOTUS) rule.¹⁷ The Administration's decision throws a settled regulatory situation into turmoil, affecting numerous sectors of the American economy, including transportation, agriculture, housing, and many others. This June, the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps) announced they would begin the replacement process of the former rule and by August started a series of public meetings and a 30-day comment period for questions posed to the regulated community, which was a wholly inadequate period of time for public input.¹⁸ To remedy this misstep and provide greater needed transparency, the amendment would have required the Agencies to reopen the comment period for an additional 60 days to give the public more time to develop and provide meaningful comments to the Agencies. The amendment would have also directed the EPA and the Corps to conduct a study of the economic burdens to stakeholders where projects involve WOTUS by studying the costs to applicants of permit issuance and compliance under *Clean Water Act* (CWA) Sections 402 and 404. This amendment failed by a vote of 30 yeas to 36 nays.

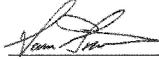
As demonstrated by the failure to meaningfully consider Republican amendments, this reconciliation package is just another progressive wishlist, led by the Speaker and developed and passed on a completely partisan basis, which will amount to nothing more than a messaging exercise that fails to improve our Nation's core infrastructure. The Majority's reconciliation recommendations will not spur infrastructure projects and job growth, will not reduce inflation, and will not promote the safe and efficient transportation of goods and people. Their reconciliation recommendations fail not

¹⁷ *The Navigable Waters Protection Rule: Definition of "Waters of the United States"*, Final Rule, 85 Fed. Reg. 22250 (Apr. 21, 2020).

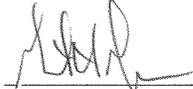
¹⁸ EPA, *Army Announce Intent to Revise Definition of WOTUS* (June 9, 2021) <https://www.epa.gov/newsreleases/epa-army-announce-intent-revise-definition-wotus>; *Notice of Public Meetings Regarding "Waters of the United States"*, Establishment of a Public Docket; Request for Recommendations, 86 Fed. Reg. 41911 (August 4, 2021).

only because they overspend and grow the government, but also because they put forward unwise policies that will lead to more wasteful spending. We may have different views on what the size of government should be, but there should be agreement that – however large the government, spending should not temporarily gloss over problems that will simply increase costs and global carbon emissions down the road.

The Majority’s recommendations further their reckless need to spend taxpayers’ money instead of pursuing a bipartisan process to carefully identify and address the Nation’s true infrastructure needs. This measure will only grow worse as it is merged with other committees’ components, because bipartisanship in the House was rejected before the process began. We are concerned that the House Committee on the Budget will only pile on more spending, checking any remaining boxes on the Majority’s progressive wish list. For all of these reasons, we strongly oppose the Committee’s budget recommendations as well as the partisan reconciliation bill both of which are being compiled without any input from the Members speaking for more than 72 million voters.



Sam Graves
Ranking Member



Garret Graves
Ranking Member
Subcommittee on Aviation



Bob Gibbs
Ranking Member
Subcommittee on Coast Guard
and Maritime Transportation



Daniel Webster
Ranking Member
Subcommittee on Economic
Development, Public Buildings,
and Emergency Management



Rodney Davis
Ranking Member
Subcommittee on Highways and
Transit



Eric A. “Rick” Crawford
Ranking Member
Subcommittee on Railroads,
Pipelines, and Hazardous Materials



David Rouzer
Ranking Member
Subcommittee on Water Resources
and Environment

DEMOCRATS

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 JULIE BROWNLEY, CALIFORNIA
 CONOR LAMB, PENNSYLVANIA
 MIKE LEVIN, CALIFORNIA
 CHRIS PAPPAS, NEW HAMPSHIRE
 ELANIE LURIA, VIRGINIA
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MATT REEL
 STAFF DIRECTOR

U.S. House of Representatives
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 MADISON CAWTHORN, NORTH CAROLINA
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 MATTHEW M. ROSENDALE, MONTANA
 MARIANETTE MILLER-MEEKS, IOWA
 JAKE ELZEY, TEXAS

MARIA TRIPPLAAR
 REPUBLICAN STAFF DIRECTOR

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 Veterans' Affairs, 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,



Mark Takano
 Chairman

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EXPLANATION OF PROVISIONS

Title XII - Committee on Veterans’ Affairs

Section 12001 provides \$15.2 billion to address immediate and long-term infrastructure needs of the Department of Veterans Affairs (VA).

Section 12002 provides \$455 million to expand the circumstances under which VA can use its Enhanced-Use Lease (EUL) authority to lease underutilized VA property or buildings to third parties for veteran-focused uses compatible with VA’s mission.

Section 12003 provides \$1.8 billion to be appropriated and the authority for the Secretary to obligate or expend funds to enter into certain VA major medical leases or clinics.

Section 12004 provides \$375 million for the Department of Veterans Affairs (VA) to invest in its statutory mission to conduct an education and training program for health professional students and residents by authorizing VA to increase the number of health professions residency positions at its medical facilities by up to 700 over 7 years.

Section 12005 provides \$150 million to enable VA to scan veteran service records held at National Archives and Records Administration (NARA) for living or recently deceased veterans to prevent claims processing delays due to the inability to access information currently in paper form.

Section 12006 provides \$15 million for the VA Office of Inspector General (OIG) to provide oversight of VA projects and activities carried out pursuant to the title.

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.

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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

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 contains 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, as amended, are to provide resources to the Department of Veterans Affairs to improve and enhance the condition of its capital asset portfolio, to invest in human capital, and to provide resources to improve veteran access to care and benefits.

C. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of the Committee Print, as amended, is known to be

duplicative of another Federal 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 TARRIF BENEFITS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee finds that the Committee Print, as amended, 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 the Committee Print, as amended.

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 with 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, which states that Congress shall have the power to “provide for the common Defense and general Welfare of the United States.”

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, as amended, 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 views of members of the Committee are as follows:

["2D_Veterans_Affairs_Views_Insert"]

ONE HUNDRED SEVENTEENTH CONGRESS
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 1

Bill No: Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Madison Cawthorn

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 12 – 15

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA			
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI	X		
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC	X		
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	12	15	

Mr. Chairman, for this vote there are 12 Ayes and 15 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
 U.S. HOUSE OF REPRESENTATIVES
 COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 2

Bill No: Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Mariannette Miller-Meeks

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 11 – 17

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA		X	
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI		X	
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC	X		
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	11	17	

Mr. Chairman, for this vote there are 11 Ayes and 17 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 3

Bill No: Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Barry Moore

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 11 – 17

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA		X	
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI		X	
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC	X		
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	11	17	

Mr. Chairman, for this vote there are 11 Ayes and 17 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 4

Bill No: Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Matt Rosendale

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 11 – 16

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA		X	
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI		X	
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ			
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC	X		
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	11	16	

Mr. Chairman, for this vote there are 11 Ayes and 16 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 5

Bill No: Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Tracey Mann

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 10 – 17

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA		X	
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI		X	
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC	X		
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA			
14. Jake Ellzey, TX	X		
Total	10	17	

Mr. Chairman, for this vote there are 10 Ayes and 17 Noes

ONE HUNDRED SEVENTEENTH CONGRESS
 U.S. HOUSE OF REPRESENTATIVES
 COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 6

Bill No: Banks Amendment #1 - Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Jim Banks

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 12 – 16

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA		X	
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI	X		
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC	X		
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	12	16	

Mr. Chairman, for this vote there are 12 Ayes and 16 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 7

Bill No: Banks Amendment #2 - Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Jim Banks

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 11 – 17

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA		X	
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI		X	
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC	X		
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	11	17	

Mr. Chairman, for this vote there are 11 Ayes and 17 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
 U.S. HOUSE OF REPRESENTATIVES
 COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 8

Bill No: Bost Amendment #1 - Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Mike Bost

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 12 – 15

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA			
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP	X		
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI		X	
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC	X		
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	12	15	

Mr. Chairman, for this vote there are 12 Ayes and 15 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 9

Bill No: Bost Amendment #2 - Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Mike Bost

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 11 – 16

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA			
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI		X	
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC	X		
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	11	16	

Mr. Chairman, for this vote there are 11 Ayes and 16 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
 U.S. HOUSE OF REPRESENTATIVES
 COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 10

Bill No: Bost Amendment #3 - Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Mike Bost

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 11 – 16

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA			
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI		X	
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC	X		
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	11	16	

Mr. Chairman, for this vote there are 11 Ayes and 16 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
 U.S. HOUSE OF REPRESENTATIVES
 COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21
 Roll Call #: 11
 Bill No: Bergman Amendment #1 - Amendment to the Amendment in the Nature of a Substitute - Offered by Rep.
 Jack Bergman
 Description: A motion to agree to the amendment, not agreed to by a roll call vote of 11 – 16

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA			
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI		X	
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC	X		
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	11	16	

Mr. Chairman, for this vote there are 11 Ayes and 16 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21
Roll Call #: 12
Bill No: Bergman Amendment #2 - Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Jack Bergman
Description: A motion to agree to the amendment, not agreed to by a roll call vote of 12 – 15

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA			
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI	X		
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC	X		
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	12	15	

Mr. Chairman, for this vote there are 12 Ayes and 15 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
 U.S. HOUSE OF REPRESENTATIVES
 COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 13

Bill No: Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Greg Murphy

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 10 – 16

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA			
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Alfred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI		X	
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC			
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	10	16	

Mr. Chairman, for this vote there are 10 Ayes and 16 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 14

Bill No: Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Jake Ellzey

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 10 – 17

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA		X	
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI		X	
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC			
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	10	17	

Mr. Chairman, for this vote there are 10 Ayes and 17 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 15

Bill No: Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Amata Radewagen

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 11 – 16

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA		X	
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. <i>Gregorio Kilili Camacho Sablan, MP</i>		X	
9. <i>Lauren Underwood, IL</i>		X	
10. <i>Colin Z. Allred, TX</i>		X	
11. <i>Lois Frankel, FL</i>		X	
12. <i>Anthony Brown, MD</i>		X	
13. <i>Elissa Slotkin, MI</i>	X		
14. <i>David Trone, MD</i>		X	
15. <i>Marcy Kaptur, OH</i>		X	
16. <i>Raul Ruiz, CA</i>		X	
17. <i>Ruben Gallego, AZ</i>		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC			
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	11	16	

Mr. Chairman, for this vote there are 11 Ayes and 16 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 16

Bill No: Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Nancy Mace

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 10 – 17

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA		X	
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI		X	
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC			
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	10	17	

Mr. Chairman, for this vote there are 10 Ayes and 17 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 17

Bill No: Bost Amendment #4 - Amendment to the Amendment in the Nature of a Substitute - Offered by Rep. Mike Bost

Description: A motion to agree to the amendment, not agreed to by a roll call vote of 10 – 17

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman		X	
2. Julia Brownley, CA		X	
3. Conor Lamb, PA		X	
4. Mike Levin, CA		X	
5. Chris Pappas, NH		X	
6. Elaine G. Luria, VA		X	
7. Frank Mrvan, IN		X	
8. Gregorio Kilili Camacho Sablan, MP		X	
9. Lauren Underwood, IL		X	
10. Colin Z. Allred, TX		X	
11. Lois Frankel, FL		X	
12. Anthony Brown, MD		X	
13. Elissa Slotkin, MI		X	
14. David Trone, MD		X	
15. Marcy Kaptur, OH		X	
16. Raul Ruiz, CA		X	
17. Ruben Gallego, AZ		X	
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member	X		
2. Amata Coleman Radewagen, AS	X		
3. Jack Bergman, MI	X		
4. Jim Banks, IN	X		
5. Chip Roy, TX			
6. Greg Murphy, NC			
7. Tracey Mann, KS	X		
8. Barry Moore, AL	X		
9. Nancy Mace, SC	X		
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT	X		
13. Mariannette Miller-Meeks, IA	X		
14. Jake Ellzey, TX	X		
Total	10	17	

Mr. Chairman, for this vote there are 10 Ayes and 17 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
 U.S. HOUSE OF REPRESENTATIVES
 COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 18

Bill No: Amendment in the Nature of a Substitute to the Committee Print - Offered by Rep. Mark Takano

Description: A motion to agree to the amendment in the nature of the substitute, agreed to by a roll call vote of 17 – 12

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman	X		
2. Julia Brownley, CA	X		
3. Conor Lamb, PA	X		
4. Mike Levin, CA	X		
5. Chris Pappas, NH	X		
6. Elaine G. Luria, VA	X		
7. Frank Mrvan, IN	X		
8. Gregorio Kilili Camacho Sablan, MP	X		
9. Lauren Underwood, IL	X		
10. Colin Z. Allred, TX	X		
11. Lois Frankel, FL	X		
12. Anthony Brown, MD	X		
13. Elissa Slotkin, MI	X		
14. David Trone, MD	X		
15. Marcy Kaptur, OH	X		
16. Raul Ruiz, CA	X		
17. Ruben Gallego, AZ	X		
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member		X	
2. Amata Coleman Radewagen, AS		X	
3. Jack Bergman, MI		X	
4. Jim Banks, IN		X	
5. Chip Roy, TX		X	
6. Greg Murphy, NC		X	
7. Tracey Mann, KS		X	
8. Barry Moore, AL		X	
9. Nancy Mace, SC		X	
10. Madison Cawthorn, NC		X	
11. Troy Nehls, TX		X	
12. Matt Rosendale, MT		X	
13. Marianne Miller-Meeks, IA		X	
14. Jake Ellzey, TX		X	
Total	17	12	

Mr. Chairman, for this vote there are 17 Ayes and 12 Noes.

ONE HUNDRED SEVENTEENTH CONGRESS
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS' AFFAIRS

OPEN:	X
MEETING:	X
ROOM NUMBER:	Virtual

FULL COMMITTEE ROLL CALL VOTES

Date: 9/13/21

Roll Call #: 19

Bill No: Committee Print 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

Description: A motion to favorably transmit the Committee Print, as amended, to House Committee on the Budget, agreed to by a roll call vote of 17 – 12

NAME	AYE	NO	NOTES
MAJORITY MEMBERS			
1. Mark Takano, CA, Chairman	X		
2. Julia Brownley, CA	X		
3. Conor Lamb, PA	X		
4. Mike Levin, CA	X		
5. Chris Pappas, NH	X		
6. Elaine G. Luria, VA	X		
7. Frank Mrvan, IN	X		
8. Gregorio Kilili Camacho Sablan, MP	X		
9. Lauren Underwood, IL	X		
10. Colin Z. Allred, TX	X		
11. Lois Frankel, FL	X		
12. Anthony Brown, MD	X		
13. Elissa Slotkin, MI	X		
14. David Trone, MD	X		
15. Marcy Kaptur, OH	X		
16. Raul Ruiz, CA	X		
17. Ruben Gallego, AZ	X		
MINORITY MEMBERS			
1. Mike Bost, IL, Ranking Member		X	
2. Amata Coleman Radewagen, AS		X	
3. Jack Bergman, MI		X	
4. Jim Banks, IN		X	
5. Chip Roy, TX		X	
6. Greg Murphy, NC		X	
7. Tracey Mann, KS		X	
8. Barry Moore, AL		X	
9. Nancy Mace, SC		X	
10. Madison Cawthorn, NC			
11. Troy Nehls, TX			
12. Matt Rosendale, MT		X	
13. Mariannette Miller-Meeks, IA		X	
14. Jake Ellzey, TX		X	
Total	17	12	

Mr. Chairman, for this vote there are 17 Ayes and 12 Noes.

Minority Views

The following represent the views of the Ranking Member of the Committee on Veterans' Affairs on the following issues consistent with reconciliation pursuant to S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022

September 15, 2021

We object to the majority's decision to depart from regular order and to continue using the budget reconciliation process, with its inherent limitations, to usurp the role of the Appropriations Committee and make far-reaching policy decisions with minimal to no deliberation. We believe the majority's current disposition of budget reconciliation instructions, involving scant notice, perfunctory consultation, and hostility to any and all amendments, was even more problematic than the previous use of budget reconciliation. We hope the Committee will return to regular order for the remainder of the Congress.

Urgency to Support Veterans and Families Struggling as a result of the Afghanistan Crisis

The September 13, 2021 budget reconciliation markup came just two days after the 20th anniversary of the September 11th terror attack. That tragic day led to two decades of war, affecting veterans and their families in profound ways. We know many of these veterans and families are also suffering emotionally and morally, as they watch the Biden Administration's ignominious retreat from Afghanistan. Veterans, particularly those who served in Afghanistan, have been left questioning whether their service mattered. Families, particularly those who lost loved ones in Afghanistan, have been left questioning whether their losses mattered. The Department of Veterans Affairs' (VA's) Veterans Crisis Line experienced a 7.05% increase in the number of calls, a 39.61% increase in the number of chats, and a 97.92% increase in the number of texts from August 13th to through August 29th, 2021, when compared to that same time period in 2020. Those increases are evidence of the toll the crisis in Afghanistan is taking on the veteran community. On August 31st, Committee Republicans wrote to Chairman Takano requesting an oversight hearing on the impact of the crisis in Afghanistan on veterans and families. On September 8th, Ranking Member Bost wrote to Chairman Takano urging him to postpone the September 13th markup and devote that time to such a hearing. Chairman Takano has yet to respond to either letter. During the markup, Chairman Takano questioned the sincerity of Republican calls for Committee oversight of the Afghanistan crisis in light of a Committee hearing on suicide prevention that was previously scheduled for September 22nd. The September 22nd hearing is not at all responsive to Republican calls for Committee action and has not been set up by the majority to speak to the tragic results of the Biden Administration's failure in Afghanistan. In times of crisis, the Committee should have no higher priority than addressing the needs of veterans and their families through oversight and legislation tailored to the problem at hand. Given that, we continue to strongly believe that the Committee should have used this moment to send a resounding message of support to veterans of Afghanistan and their families and it is unacceptable that the majority failed to do so.

Need for Smarter Investments in VA Infrastructure

While we disagree with the unfortunate timing and the majority's prioritization of issues, we share the majority's interest in improving VA's physical infrastructure. The advanced age of many Veterans Health Administration facilities and the size of VA's construction and maintenance backlog are well established. However, this is not simply the result of alleged disinvestment. In fact, VA's total capital need has increased from \$51 billion in fiscal year 2015 to \$61 billion this year despite overall appropriations increasing by roughly \$80 billion and annual funding for Non-Recurring Maintenance, the largest single component of the capital need, increasing by \$2 billion. VA struggles to manage construction dollars and effectively deliver projects. We believe any supplemental funding must be coupled with transparency and accountability measures, and should be allocated to categories of projects with the highest need probability of timely completion.

We oppose the majority's decision to direct \$15.2 billion, the bulk of VA's funding in the bill, to an omnibus construction category apparently combining Major Construction, Minor Construction, and Medical Facilities. This has not happened in memory and the merits of this decision are questionable at best. While it may provide VA enhanced convenience and flexibility, it provides even less transparency and certainty about the ultimate use of the funding than the Administration's original proposal (for separate Major Construction and Minor Construction and/or Non-Recurring Maintenance funding). We are deeply concerned at the lack of information about how many medical facilities may be built, where, and for what purpose using this funding or even how much funding had been allocated for which construction category. We believe the responsible course of action will be to obtain the information, which was not obtained during the Committee's markup, when VA seeks authorization of individual Major Construction projects.

Furthermore, it is worth noting that Republicans acted on a bipartisan basis in 2018 to fix V.A.'s infrastructure issues in the Asset and Infrastructure Review (AIR) Act, which was enacted as part of the MISSION Act (Public Law 115-182). Any large-scale commitment of construction resources before VA and the AIR Commission is able to complete its work and recommend the proper alignment of VA facilities would be wasteful and counterproductive. We are disappointed that the Committee squandered a valuable opportunity to harmonize future construction spending with the AIR Commission's timetable in this bill.

Safeguarding Taxpayer Dollars

Finally, given the sheer size and velocity of the funding increases being granted to VA (approximately \$55 billion on top of a record-high base appropriation of roughly \$270 billion) and the fact that several billion dollars of the nearly \$40 billion in COVID-relief funds that have been provided for VA on an emergent basis in the last 18 months remain unspent, we remain focused on instilling transparency and accountability for veterans and taxpayers. We attempted to attach general reporting requirements on obligations and expenditures, similar to those instituted for the American Rescue Plan Act with Chairman Takano's support, as well as construction-specific reporting requirements concerning timeliness and adherence to cost estimates and schedules. While we are disappointed that the majority opposed these amendments, we consider them vital and intend to pursue them through legislation in regular order.

Veterans' Affairs Republican Views on FY22 Budget Reconciliation



MIKE BOST
Ranking Member

Congress of the United States
U.S. House of Representatives

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GARY ANDRES,
MINORITY STAFF DIRECTOR

September 17, 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 Ways and Means, and the appropriate accompanying material including 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,



Richard E. Neal
Chair

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SUBTITLE A – UNIVERSAL PAID FAMILY AND MEDICAL LEAVE

EXPLANATION OF PROVISIONS

Explanation of Provisions

Section 130001. Paid family and Medical Leave.

This section amends the Social Security Act (SSA) to create a new “*Title XXII—Paid Family and Medical Leave Benefits.*” Subsections referred to below in the explanation of provision refer to the sections in the new Title XXII of the SSA.

Section 2201. Table of Contents.

This section provides a table of contents for the new Title XXII.

Section 2202. Paid family and Medical Leave Benefit Eligibility.

Subsection (a). Entitlement.

Individuals are entitled to a federal family and medical leave benefit if they: (1) have filed an application under Section 2204; (2) have (or anticipate having) four or more hours of qualified caregiving (defined in subsection (c)) during a week, in the 90-day period prior to submitting the application (if the application is filed after caregiving begins), or up to 180 days after submitting the application (in advance of an anticipated need for paid leave); and (3) have any wages or self-employment income at any time during the period beginning with the most recent calendar quarter that ends at least four months prior to the start of the individual’s benefit period and ending with the month before the benefit period begins. (This most recent calendar quarter is the last quarter of the 8-quarter period used in the benefit calculation under section 2203. If an individual has any wages in that quarter, they do not need to show wages since that time).

All types of workers are covered for benefits: full-time and part-time workers (including gig workers and other self-employed workers) in both the private and public sector (including federal employees, and state and local employees who are covered for the purposes of Medicare Part A) without regard to employer size. Workers are covered without regard to tenure on their current job so long as they meet eligibility criteria under section 2202(a).

Workers will be covered either through a federal benefit, or through a qualifying “legacy state” or a comprehensive employer-sponsored plan for which the state or employer is reimbursed by the federal government, as described in sections 2209 and 2210. Individuals whose employment is covered by such a state or employer-sponsored benefit are not eligible for federal benefits for leave from that job.

Subsection (b). Benefit Period.

The benefit period is the twelve months that begin with the month in which ends the first week in which the individual has at least four hours of qualified caregiving. In the case of retroactive benefits, the benefit period begins with the later of the month in which ends the first week in which the individual has at least four hours of qualified caregiving, or the first month that begins

during the 90 days before the application is filed. No benefit period may begin prior to July 2023.

Subsection (c). Caregiving Hours.

A “caregiving hour” is a one-hour period in which an individual engaged in qualified caregiving.

“Qualified caregiving” is an activity performed in lieu of work, other than for monetary compensation, and for any reason that would qualify for unpaid leave under the Family and Medical Leave Act (FMLA): to address a serious personal or family health issue; to care for a newborn, newly adopted child, or new foster child; or for circumstances arising from a loved one’s military deployment or serious injury. However, the provision expands the types of family relationships which allow individuals to seek caregiving leave to include the following: a spouse (or domestic partner as recognized by a state) and a spouse’s parent; a child and a child’s spouse; a parent and a parent’s spouse; a sibling and a sibling’s spouse; a grandparent, grandchild, or spouse of a grandparent or grandchild; and any other association by blood or affinity that is equivalent to a family relationship, as defined in regulations by the Secretary of the Treasury. The requirements in section 101 of the FMLA regarding eligible employees (including job tenure) and employers (including size) are not applied. In addition, for leave due to the worker’s own serious health condition, the FMLA requirement that the individual be unable to perform the functions of the position is considered met if the individual is unable to satisfy the requirements needed to continue receiving their current wages or self-employment income (or, if recently unemployed, their recent wages or self-employment income), required for eligibility in subsection (a).

Leave from work for bereavement due to the death of a spouse, parent or child is also qualified caregiving (subject to the limitation in subsection (d)).

If an employee receives wages or other compensation (such as paid sick leave, paid vacation, or other paid time off) while performing caregiving, such time generally does not constitute qualified caregiving. However, an employee may receive compensation (such as any accrued paid time off or any non-accrued paid family and medical leave benefits sponsored by the employer) from their employer to supplement (or “top up”) their weekly federal benefit amount, so long as the employer compensation plus the federal paid leave benefit combined do not exceed the worker’s regular rate of pay.

In addition, leave for caregiving from employment covered under a qualified employer-sponsored paid leave plan under section 2210 or under a legacy state program under section 2209 (including under exempt employer plans under the rules of the legacy state program) does not constitute qualified caregiving for purposes of the federal benefit.

The restrictions above (on receipt of compensation and on leave from employment covered by legacy state or employer-sponsored programs) apply only to the specific hour of qualified caregiving for which paid leave is sought. Such restrictions do not prevent workers with multiple jobs covered by different programs (i.e., the federal benefits program, a legacy state program under section 2209, or an employer-sponsored program under section 2210) from taking leave in lieu of work and receiving benefits from the program that covers each job. Similarly, such

restrictions do not prevent a worker from receiving benefits for the qualified caregiving leave they take from one job, while they continue to work a second job during other hours of the day. Bereavement leave is limited to three days for an individual who works five days per week.

No caregiving hours may be credited to a week in which the individual who was receiving paid family and medical leave benefits dies.

Individuals are ineligible for benefits for five years after any finding that they used false statements to secure family and medical leave benefits.

Section 2203. Benefit Amount.

Subsection (a). In General.

An eligible worker's benefit amount for a month is equal to the sum of the weekly benefit amounts for each week that ends in that month. The weekly benefit amount for a week is based on the worker's weekly benefit rate (as calculated in subsection (b) below, based on a worker's past earnings), prorated for partial leave-taking.

If a worker takes partial leave in a week, the benefit amount they are due for that week is prorated to reflect the fraction of their regular workweek for which they took caregiving leave. Specifically, the individual's weekly benefit rate is multiplied by a fraction that compares the individual's number of caregiving hours credited to that week to their regular workweek hours (as defined in subsection (d) below).

Subsection (b). Weekly Benefit Rate.

A worker's weekly benefit rate is calculated based on their past earnings. The Secretary first calculates the worker's average weekly earnings, which are their earnings and self-employment income (or unemployment compensation) during the most recent eight quarters of wage data, ending with the quarter that ends at least four months prior to the start of the individual's benefit period. This amount is determined based on quarterly wage data from the National Directory of New Hires (NDNH) and self-employment income data from tax returns, except that the Secretary shall also consider any additional evidence of wages or self-employment income voluntarily submitted by the individual.

Using this average weekly earnings amount, a progressive benefit formula is then applied that replaces a greater share of wages for lower-earning workers. Specifically, with respect to benefits payable starting July 2023, the weekly benefit rate is 85 percent of the first \$290 of average weekly earnings, plus 75 percent of average weekly earnings between \$290 and \$659, plus 55 percent of average weekly earnings between \$659 and \$1,385, plus 25 percent of average weekly earnings between \$1,385 and \$1,923, plus 5 percent of average weekly earnings between \$1,923 and \$4,808. (For years after 2024, these dollar amounts will be indexed by the Social Security Average Wage Index so that replacement rates are maintained over time). This computation determines the weekly benefit rate, which is the amount that is paid to a worker who takes a full week of caregiving leave.

Subsection (c). Crediting of Caregiving Hours to a Week.

Hours of qualified caregiving are credited to a week (i.e., will count towards a worker's benefit amount for that week) subject to the following specifications. A worker is eligible to receive up to twelve weeks of leave during the one-year benefit period (or, for those taking partial weeks, the equivalent of twelve full weeks). The minimum number of hours that can be credited to a week is four hours. A worker cannot be paid for more caregiving hours than they currently work in a regular workweek. In addition, the worker must complete a one-week waiting period before benefits can start (defined as having at least four hours of qualified caregiving in that week); they may use employer-provided leave benefits (including sick days, vacation, or paid time off) during this waiting period.

Subsection (d). Number of Hours in a Regular Workweek.

An individual's regular workweek is the number of hours they regularly work in a week for all employers, whether the employment is covered by the federal program under section 2202, a legacy state program under section 2209, or an employer-sponsored plan under section 2210.

Section 2204. Benefit Determination and Payment.**Subsection (a). In General.**

To receive benefits, a worker must file an application containing the information described in subsection (b), along with any other information the Secretary may require. The information in the application or periodic benefit claim report shall be presumed to be true and accurate unless the Secretary demonstrates by a preponderance of evidence that the information is false, except that the Secretary shall establish procedures to validate the identity of the individual filing the application.

Subsection (b). Required contents of initial application.

The application must include: (1) an attestation that the individual has, or anticipates having, at least four caregiving hours in a week ending at any time during the period beginning 90 days prior to, and ending 180 days after, the application date; (2) a certification of the need for leave, issued by a relevant authority determined under regulations issued by the Secretary, which shall be no more than the information that is required under the FMLA; (3) an attestation that the worker's employer was provided with notice of the need to be absent from work for qualified caregiving, not later than seven days after such need arises, except in case of hardship or extenuating circumstances or if the individual is self-employed; (4) pay stubs or other evidence of recent wages that the individual may choose to provide to demonstrate recent work (as required for entitlement), except that the Secretary may waive this requirement where such evidence is otherwise available to the Secretary; (5) an attestation of the number of hours in the individual's regular workweek; and (6) an attestation that the worker has not been notified by their employer that their employment is eligible for leave from a legacy state program under section 2209 or an employer-sponsored program under section 2210.

An individual who applies to the Secretary in advance of taking leave may provide the certification of their need for leave, their attestation of employer notification, and any wage evidence after their caregiving hours begin.

Subsection (c). Periodic Benefit Claim Report.

For each month within their twelve-month benefit period, the individual must file a periodic benefit claim report specifying their caregiving hours during each week that ends in that month. The individual must file the report not later than 60 days after the end of a month (with exceptions for good cause). However, an individual who is applying for retroactive benefits may report on their prior caregiving hours as part of their initial application and the 60-day time limit does not apply. No periodic benefit claim report is required for any week in which fewer than four caregiving hours occurred.

Subsection (d). Determination and Notice Requirements.

The Secretary is required to notify an individual of the initial determination of eligibility not more than fifteen days after the application has been filed. The notice must include the initial determination of eligibility; the calendar quarter that begins the period in which recent wages are required for eligibility, the eight calendar quarters used to determine the individual's average weekly earnings, and the amount of wages and self-employment income in each of the eight quarters; the individual's right to submit additional evidence of wages or self-employment income, including a statement that eligibility could change or benefits could increase as a result of submitting such evidence; the estimated weekly benefit amount for a week with four caregiving hours; the estimated weekly benefit amount for a week in which the worker takes full leave (i.e., for all of their regular workweek); the number of caregiving hours credited to weeks ending prior to the application date; the beginning and ending dates of the individual's benefit period; and the individual's appeal rights under section 2205. If an individual submits additional information regarding their application, the Secretary must provide an updated notice, including a specific indication of any information that has been updated.

On the basis of each periodic benefit claim report, the Secretary shall determine the number of caregiving hours credited to each week ending in a month. Within 15 days of the filing of the claim report, the Secretary must provide notice to the individual specifying: whether payment will be made and the amount; if payment shall not be made (or differs from the number of caregiving hours stated in the claim report), the reason for such determination; and the individual's right to appeal under section 2205.

The Secretary must issue regulations to establish a process under which individuals may notify the Secretary if more than one type of circumstance gives rise to the need for caregiving hours during the benefit period. Such hours shall be credited to the weeks within the benefit period regardless of circumstance.

The notices must be written in clear and simple language (in addition to meeting existing federal requirements for language access under Executive Order 13166 and disability access under the Americans with Disabilities Act and the Rehabilitation Act).

Subsection (e). Certification of Payment.

Benefits must be paid not later than fifteen days after the Secretary makes a determination based on a periodic benefit claim report.

Subsection (f). Expedited Benefit Payment in Cases of Missing Payment.

The Secretary must expedite benefit payment in the event that a payment was due but is missing.

Subsection (g). Submission of Required Information.

An application for paid leave, a periodic benefit claim report, and related information may be submitted by phone, mail, or electronically. Information in support of an application, periodic benefit claim report, or appeal may be submitted by any person including the individual, their representative, their employer, or the relevant authority who must certify the need for caregiving for a qualified purpose. The Secretary must provide prompt notice of receipt of such information and shall inform the applicant whenever any other person submits information on the individual's behalf.

Section 2205. Appeals.**Subsection (a). In General.**

An individual has the right to appeal to the Secretary any determination of federal paid family and medical leave benefits under section 2202 (including with regard to initial determinations of eligibility, weekly benefit rates, the number of caregiving hours credited to a week, and other determinations) or any determination of a qualified employer plan under section 2210 (if the plan's internal appeal process results in a determination that is unfavorable to the individual), and to appeal a final decision of the Secretary to federal court.

Subsection (b). Procedures.

The Secretary shall ensure that appeals are heard in a timely manner by a decisionmaker who is different from the initial decisionmaker, using procedures similar to those for the non-adversarial appeals of initial determinations of Medicare Low-Income Subsidy (LIS) eligibility by the Social Security Administration.

Subsection (c). Authority to Issue and Enforce Subpoenas.

The Secretary is authorized to issue and enforce subpoenas for the purpose of appeals hearings, investigations, or other proceedings with regard to paid family and medical leave benefits under this bill.

Section 2206. Stewardship.**Subsection (a). Promoting Equity.**

The Secretary shall conduct a robust program to analyze and prevent disparities in benefits and access to paid family and medical leave benefits under this bill on the basis of race, color, ethnicity, religion, sex, sexual orientation, gender identity, disability, age, national origin, family composition, or living arrangements.

Subsection (b). Underpayments and Overpayments.

If more or less than the correct amount of paid family and medical leave benefits has been paid, the Secretary shall promptly pay any underpayment and shall collect any overpayment. The

Secretary shall promptly notify the individual of the incorrect payment and the right to appeal the determination of incorrect payment using the procedures under Section 2205. The Secretary shall collect an overpayment by reducing an individual's paid family and medical leave benefits; however, the individual's weekly benefit amount may not be reduced below \$315 (for a full week of leave; this amount is pro-rated for an individual who takes a partial week of leave). This amount is wage-indexed beginning in 2025. The Secretary shall waive an overpayment if the individual was without fault and collection of the overpayment would be against equity or good conscience, or would impede the efficient administration of the paid family and medical leave program.

Subsection (c). Penalties and Other Procedures.

An individual who knowingly makes false statements or representations of fact in an application or appeal (or so conspires), who conceals or fails to disclose information with fraudulent intent (or so conspires), or who knowingly and willfully converts paid family and medical leave benefits to a use other than for the benefit of the applicant will be fined under Title 18 of the United States Code, imprisoned for up to five years, or both.

A person who has been convicted of any of these violations is excluded from representing an individual or submitting evidence in support of an individual's benefit application, periodic benefit claim report, or appeal. The Secretary shall exclude the person for at least ten years if they have one prior violation and shall exclude the person permanently if they have more than one prior violation. The Secretary shall notify the person, the public, and any state or local licensing or certification authority of the person's exclusion and shall request that any state or local authority initiate appropriate investigations and sanctions and keep the Secretary informed about these actions. The person shall have the right to appeal their exclusion to the Secretary and may apply to the Secretary for termination of the exclusion at the end of their exclusion period. These provisions are similar to the anti-fraud procedures and penalties under Sections 1136 and 1632 of the SSA.

The Secretary shall redetermine entitlement promptly if there is reason to believe fraud or similar fault was involved in an application for family and medical leave benefits.

Section 2207. Funding for Benefit Payments, Grants, and Program Administration.

Subsection (a). Funding for Benefit Payments and Grants.

There are appropriated such sums as are necessary to pay the paid family and medical leave benefits under this bill, the grants to legacy states under section 2209, and the grants to eligible employers under section 2210. The total number of weeks eligible for federal payment or reimbursement through a grant to a legacy state under section 2209, within each person's twelve-month benefit period, is limited to twelve (or, for those taking partial weeks, the equivalent of twelve full weeks). Similar limitations for employer-provided, federally-reimbursable leave programs are included in section 2210.

Subsection (b). Funding for Program Administration.

There are appropriated such sums as are necessary for administrative costs, including for the following purposes: service to applicants and beneficiaries, including taking applications, responding to public inquiries, assisting with problem resolution, taking requests for appeals, operating a national toll-free phone number, and mailing notices; determining eligibility; ensuring program integrity and combating fraud, including verifying the identity of applicants and verifying the professional credentials of doctors or other professionals who submit certifications; certifying benefit payments; administering the appeals process; administering the legacy state grant program under section 2209 and the employer-sponsored plan grant program under section 2210; developing the necessary systems of records for administering this program; data exchange and sharing; employee training, including training relating to the prevention of discrimination on the basis of race, color, ethnicity, religion, sex, sexual orientation, gender identity, disability, age, national origin, family composition, or living arrangements; providing technical assistance to legacy states under section 2209 and to employers (or third-party administrators) under section 2210; and providing technical assistance to small business employers regarding the assistance grants in section 2211 and regarding access to paid leave for their employees. The provision also specifies that certain of these activities cannot be administered through grants or contracts.

Section 2208. Funding for Outreach, Public Education, and Research.

Subsection (a). Funding for Outreach and Public Education.

\$150 million is appropriated per year in each of FY2022 through FY2026 for the Secretary to engage in a robust program of culturally and linguistically competent outreach and public education to ensure awareness of and access to the federal paid family and medical leave program, and to increase participation among workers who need it, including providing information to potential beneficiaries and a model notice for employers.

Subsection (b). Funding for Research.

\$150 million is appropriated per year in each of FY2023 through FY2027 for the Secretary to fund research to ensure full access to paid family and medical leave benefits, including through the detection and prevention of disparities on the basis of race, color, ethnicity, religion, sex, sexual orientation, gender identity, disability, age, or national origin, income, language, job classification, family composition, or living arrangement. The Secretary is also required to publish a comprehensive annual report on the federal paid family and medical leave program, including data and analyses of benefit use through the federal program itself as well as through legacy states under section 2209 and employer-sponsored plans under section 2210.

Section 2209. State Administration Option for Legacy States.

Subsection (a). In General.

Legacy states (as defined below) with already-enacted paid leave laws have the option to continue operating their programs and be reimbursed by the Secretary of the Treasury. They can receive an annual grant from the Secretary that is equal to the lesser of the following: (1) the total amount of federal family and medical leave benefits (including administrative costs) that would

otherwise have been paid to individuals who received benefits under a state program, as estimated by the Secretary; or (2) the total cost of the state's paid leave program (including administrative costs).

In determining the annual grant for a state, the Secretary will include the beneficiaries and benefits paid directly by the state as well as those paid by an employer plan that has been approved by the state to provide benefits in lieu of the state paid leave agency. However, the Secretary's calculations will not include workers who do not participate in the state paid family and medical leave program (directly or via an employer) because their employment is not covered by the state program.

Grants are issued annually for the prior calendar year, although the Secretary may issue estimated advance payments during the year. Grants begin in 2024 for benefits paid starting July 1, 2023 (when benefits start under the federal paid family and medical leave program) through December 31, 2023.

Subsection (b). Legacy State.

A legacy state is a state that: (1) had enacted a law providing paid family and medical leave benefits as of the date of enactment of this bill, and (2) beginning with the first calendar year that starts three years after the date of enactment of this bill, has in effect a comprehensive paid leave program that covers all workers in the state who would be covered under the federal benefits program (except as noted below), for all types of caregiving leave covered under the federal benefits program, and provides at least twelve weeks of paid family and medical leave benefits per year, in amounts providing a wage replacement rate that is at least equivalent to that of the federal program. States must also provide an annual notice to each individual whose employment is covered under the state program. Legacy state programs may provide these benefits in any way they choose, including through a public program of family and medical leave and/or temporary disability insurance, or through employer provision. Legacy state programs must cover state and local government employees, except that such employees who are covered by a collective bargaining agreement may be excluded if 90 percent of the employees under the agreement agree to such exclusion; additionally, legacy state programs are not required to cover federal employees, because they are fully covered by the federal program.

Subsection (c). Data Sharing.

As a condition of the grants, legacy states must enter into data-sharing agreements with the Secretary to provide the necessary data on: (1) eligible individuals and benefits paid under the state's paid family and medical leave program; (2) the total cost of the state's paid family and medical leave program; and (3) other information as the Secretary determines may be necessary to carry out this bill, including for promoting equity under subsection 2206(a) and for research under subsection 2208(b).

Subsection (d). Funding for Transitional Costs for Legacy States.

There are appropriated such sums as are necessary for the Secretary to provide qualifying legacy states with grants to assist with transitional costs related to remaining a legacy state. Specifically, the Secretary shall make a grant to each legacy state that certifies it intends to remain a legacy state through the first calendar year that is three calendar years after enactment of this bill and

that agrees to repay the grant if it fails to remain a legacy state through that year or fails to meet the data sharing requirements under subsection (c).

The grant amount is one-half of the legacy state's costs of creating new technology systems to meet the data sharing requirements under subsection (c) and of demonstrating to the Secretary that its plan provides benefits which are equivalent to the federal benefit. Grants will cover eligible costs incurred from the time of enactment of this bill through the first calendar year that is three calendar years after enactment of this bill. The Secretary may issue estimated advance payments of transition grants to legacy states.

Section 2210. Reimbursement Option for Employer-Sponsored Paid Leave Benefits.

Subsection (a). In General.

The Secretary shall make grants to eligible employers for each calendar year, with the amount determined under one of two different payment mechanisms for different kinds of employer-sponsored plans. (Eligible employers are defined in subsection (b), and the requirements the plans must meet are described in subsection (c), including coverage and benefits.

Employers who sponsor a plan that pays family and medical leave benefits through an insurer are reimbursed at a rate equal to 90 percent of the projected national average cost per employee of providing the full benefit package outlined in the model template below, assuming no more administrative cost than the average in the publicly administered program, multiplied by the number of employees (prorated for part-time employees) covered by the plan.

Employers who self-insure and pay family and medical leave benefits directly, whether or not they use a third-party administrator to manage the plan, will be reimbursed for 90 percent of the cost of up to twelve weeks of qualified paid leave benefits, or if lesser, the national average weekly benefit paid in the public plan multiplied by the number of weeks of benefits are provided.

Subsection (b). Eligibility; Application Requirements.

To be eligible for reimbursement, employers must meet several conditions. First, they must have at least one employee who is ineligible for benefits (i.e., who is not covered) under the law of a legacy state (regardless of whether the legacy state coverage is provided via a public state program or via an employer who has been exempted under the state's law). Legacy states (and their political subdivisions) and the federal government cannot be eligible employers. Employers are only eligible for reimbursement once the Secretary determines that their application and their plan's benefits meet all the requirements of the section.

Employers must also notify the Secretary of their intent to seek a grant, certify that they will have in effect a plan that meets all the requirements, provide all documentation by the deadlines specified, and pay an initial application fee of \$1,000 or a renewal application fee of \$200 each calendar year. The application must include an attestation that the plan will be in effect for the full year (or in the case of a plan started mid-year, for the rest of the year) and must include all information needed to identify the employees and, if needed, pro-rate payments based on

benefits paid to part-time workers, as well as any other information required by the Secretary. Applications must be filed at least 90 days in advance of benefits being provided under a reimbursable plan, and all required documentation in support of an application must be submitted at least 45 days in advance. Employers must retain all records relating to the paid family and medical leave benefits program for at least three years.

As a condition of the grant, the employer must agree to provide certain employee rights. They include: guaranteed reinstatement to the worker's current job or an equivalent job after leave; continuation of the group health insurance; the right to appeal adverse decisions internally, and, if denied benefits at that level, to the Secretary; the right to receive an annual notice of available benefits and appeal rights; and a prohibition on having to pay a fee to receive coverage or benefits. Employers must also provide assurances that employees who exercise their right to paid leave will not be penalized, discriminated against, or retaliated against. These protections are conditions of the employer reimbursement in this section even if the employee's leave is not covered by the FMLA.

An employer seeking reimbursement for a self-insured plan must meet additional requirements: private employers must have at least 50 employees, hold a surety bond to guarantee payment, and place funds to pay benefits within a dedicated account; public agencies which provide self-insured plans do not need to hold a surety bond but must be collectively bargained.

The eligibility and application requirements for employers under this section do not preempt, supersede, limit, or waive any provision of state or local law that authorizes the provision of leave benefits (including similar paid family or medical leave benefits) or establishes other leave rights for employees.

Subsection (c). Employer Program Requirements.

To be reimbursed, an employer-sponsored plan must have all aspects of the plan be part of a written employer policy and be provided via one or more employee benefit plans. The plans may be administered by an employer, an insurer, or a third-party administrator.

The plans must provide benefits to all non-legacy-state employees, regardless of length of service, job type, membership in a labor organization, seniority status, or any other classification, and must meet all of the conditions in subsection (b).

By July 1, 2022, the Secretary must publish a "model template" containing the requirements the plans must meet. Plans must meet or exceed the public plan level in all respects, including the following: providing equal or higher wage replacement at all income levels; providing at least twelve weeks of benefits; allowing leave for all federal qualifying reasons, without any preexisting condition restrictions; providing for intermittent leave; not imposing fees or costs for coverage; paying benefits at least monthly or more frequently, and with application processing and notification provided at least as quickly as under the federal program; and operating under a presumption that information provided by applicants is true unless demonstrated otherwise.

By October 1 of each year, the Secretary shall determine the projected national average cost used to calculate reimbursement for insured plans in the following year. This amount is the national

average cost of providing the required benefits according to the model template, including overall probability of leave taking, projected durations and benefit levels, and assuming administrative cost no higher than for the public program.

Subsection (d). Timing of Payment; Penalty for Late Filing. Payments for eligible insured plans are made within 30 days of the start of each calendar year, or, in the first year, by August 1, 2023. Payments for eligible self-insured plans are made by March 31 of the year after the benefits were paid.

If application or required documentation is late, payment is made 45 days after all requirements are met, and the amount of the grant is reduced by two percent for each week by which it is late.

Subsection (e). Information Submission.

As a condition of the grant, employers must provide to the Secretary information about individuals who received a paid leave benefit under the employer's plan, and other information needed to pay grants and coordinate benefits with the public plan and with legacy state plans.

Subsection (f). Enforcement.

The Secretary must periodically review employers receiving grants under this section, and may withdraw approval for a plan or administering entity to participate on a temporary or permanent basis. The Secretary may also penalize employers if a pattern of inappropriate benefit denial is found. Entities administering a plan on behalf of an employer must notify the employer if the plan is penalized by the Secretary. Employers and administering entities subject to penalties may appeal the penalty within 60 days of the decision.

Subsection (g). Greater Benefits Permitted.

Nothing in Section 2210 is intended to prohibit employers from providing benefits in excess of the model template or the amount of benefit that is reimbursable under the section.

Section 2211. Funding for Small Business Assistance.

Subsection (a). In General.

There are appropriated such sums as are necessary for the Secretary to provide grants for small businesses under this section.

Subsection (b). Small Business Assistance Grants.

The Secretary shall make a grant to each eligible employer (as defined below) who employs one or more covered individuals (as defined below) and satisfies all requirements of the section to receive grants.

Subsection (c). Grant Requirements.

To receive a grant, an employer must: apply for a grant in accordance with rules set by the Secretary and not later than 90 days after an employee returns from paid family and medical leave; attest that the employer incurred costs in excess of the on-leave employee's salary or wages in order to temporarily replace the employee's labor (for example, overtime or a more-

expensive temporary worker); agree to provide job reinstatement protection (to the employee's prior job or an equivalent job); agree to maintain group health insurance coverage as if the employee were not on leave; and upon award of the grant, notify the employee of their right to job protection and continuation of health insurance coverage.

Subsection (d). Amount of Grant.

The amount of the grant for each worker on leave is equal to 2.5 times the average weekly wage for the most recent calendar year in the state in which the worker's worksite is located. The Secretary shall annually determine and publish average weekly wage amounts for each state based on data prepared by the Bureau of Labor Statistics that is based on a quarterly census of employers of wages paid for unemployment insurance-covered employment (currently known as the "Quarterly Census of Employment and Wages").

Subsection (e). Limitations.

A small business can receive no more than one grant per employee per year, and no more than ten grants total per year.

Subsection (f). Enforcement.

The Secretary may recover the full amount of the grant and, in egregious situations, permanently ban an employer from the program if the employer makes false attestations to receive the grant or does not comply with grant requirements.

Subsection (g). Definitions.

A "covered individual" is an individual who is employed by an eligible employer and who takes, or anticipates taking, at least four weeks of qualified leave (defined below) and for whom the employer is not receiving another grant to cover all or part of the costs of replacing the covered individual's labor. An "eligible employer" is an employer with 50 or fewer employees; governmental agencies are not eligible. "Qualified leave" is family and medical leave covered by the public paid leave program established in this subtitle, the plan of a legacy state under Section 2209, or the plan of an employer who qualifies for reimbursement under Section 2210.

Section 2212. Definitions.

As used in Title XXII, the term "group health plan" is defined as in the Internal Revenue Code. "National average wage index" is defined as in the Social Security Act. "Self-employment income" is defined as in the Internal Revenue Code, and the Secretary shall determine rules for crediting annual self-employment income to calendar quarters. "State" includes the states, the District of Columbia, and any territory or possession of the U.S. "Wages" is defined as in the Internal Revenue Code to include all wages covered for purposes of the Medicare Hospital Insurance program, plus railroad compensation and unemployment compensation. "Week" is defined to begin on Sundays.

Section 130002. Access to Wage Information from the National Directory of New Hires for the Purpose of Administering Paid Leave.

This section authorizes the Secretary of the Treasury to access quarterly wage information from the National Directory of New Hires for the purpose of administering the federal paid family and medical leave program.

Effective Date

The Subtitle is effective on enactment, making necessary administrative funding and authority available to the Secretary immediately, including to make transition grants to legacy states.

However, a number of provisions become applicable at later dates. Paid family and medical leave benefits to workers are payable starting July 1, 2023, and eligible legacy states described in Section 2209 and eligible employers described in Section 2210 may receive grants with respect to benefits provided on or after that date. Small businesses also become eligible for grants under Section 2211 once their employees are able to receive benefits paid under Section 2202 or reimbursed under Sections 2209, or 2210. The deadline for states to meet additional conditions to remain “legacy states” under Section 2209 is the calendar year that begins on or after three years after the date of enactment. Dollar amounts in the benefit formula and the overpayment withholding formula are wage-indexed beginning in 2025. The deadline for the Secretary to provide a “model template” for qualified employer plans under Section 2210 is July 1, 2022. Amounts for outreach and public education are appropriated beginning in FY 2022; amounts for research are appropriated beginning in FY 2023, and the comprehensive annual report on the program must be provided beginning in FY 2024.

VOTES OF THE COMMITTEE

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the following statement is made concerning the vote of the Committee on Ways and Means in its consideration of Subtitle A, Paid Family and Medical Leave on September 9, 2021.

[“2A_WMSubtitleA_Vote_Sheet_Insert”]

VOTES OF THE COMMITTEE

An amendment to the amendment in the nature of a substitute to Subtitle A offered by Ms. Walorski was ruled nongermane. Ms. Walorski moved to appeal the ruling of the Chair and Mr. Thompson moved to table the appeal. Mr. Thompson's motion to table the appeal of the ruling of the Chair was agreed to by a vote of 25 yeas to 17 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED			
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE	X			MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN		X	
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY	X						
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	25			TOTALS	17		

An amendment to the amendment in the nature of a substitute to Subtitle A that would strike and replace the text of the subtitle with the FAMILY Act was offered by Mr. Smith of Nebraska. The amendment was defeated by a vote of 0 yeas and 43 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY		X	
MR. THOMPSON		X		MR. NUNES		X	
MR. LARSON		X		MR. BUCHANAN		X	
MR. BLUMENAUER		X		MR. SMITH (NE)		X	
MR. KIND		X		MR. REED		X	
MR. PASCARELL		X		MR. KELLY		X	
MR. DAVIS		X		MR. SMITH (MO)		X	
MS. SANCHEZ		X		MR. RICE		X	
MR. HIGGINS		X		MR. SCHWEIKERT		X	
MS. SEWELL		X		MS. WALORSKI		X	
MS. DELBENE		X		MR. LAHOOD (IL)		X	
MS. CHU		X		DR. WENSTRUP		X	
MS. MOORE		X		MR. ARRINGTON		X	
MR. KILDEE		X		DR. FERGUSON		X	
MR. BOYLE		X		MR. ESTES		X	
MR. BEYER		X		MR. SMUCKER		X	
MR. EVANS		X		MR. HERN		X	
MR. SCHNEIDER		X		MS. MILLER		X	
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		25		TOTALS		18	

An amendment to the amendment in the nature of a substitute to Subtitle A that would change effective date to six months after Treasury can certify they have expertise to stand up a new entitlement program was offered by Mr. Kelly. The amendment was defeated by a vote of 18 yeas to 25 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCARELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		25		TOTALS	18		

An amendment to the amendment in the nature of a substitute to Subtitle A that would require workers to provide 30-days' notice of the need to be absent from work to all employers, with the exception of small employers for which the applicable period would be substituted with 60 days was offered by Dr. Ferguson. The amendment was defeated by a vote of 18 yeas to 25 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		25		TOTALS	18		

An amendment to the amendment in the nature of a substitute to Subtitle A that would strike the upper earnings limit of \$250,000 and establish a minimum and maximum benefit amount was offered by Mr. Smith of Missouri. The amendment was defeated by a vote of 18 yeas to 25 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		25		TOTALS	18		

An amendment to the amendment in the nature of a substitute to Subtitle A that would prohibit individuals in the same household from receiving benefits for the same caregiving hours was offered by Mr. Rice. The amendment was defeated by a vote of 18 yeas to 25 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		25		TOTALS	18		

An amendment to the amendment in the nature of a substitute to Subtitle A that would require individuals to be employed in the last 30 days and have an earnings history in at least four of the last five quarters was offered by Mr. Smucker. The amendment was defeated by a vote of 18 yeas to 25 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		25		TOTALS	18		

An amendment to the amendment in the nature of a substitute to Subtitle A that would strike self-attestation, require certification from the employer, require validation of identity, and prohibit waiver of documentation of earnings was offered by Dr. Wenstrup. The amendment was defeated by a vote of 18 yeas to 25 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		25		TOTALS	18		

An amendment to the amendment in the nature of a substitute to Subtitle A that would strike 90 percent subsidy for employers that already have paid family and medical leave plans and insert 25 percent was offered by Mr. Hern. The amendment was defeated by a vote of 18 yeas to 25 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		25		TOTALS	18		

An amendment in the nature of a substitute to Subtitle A was agreed to by a voice vote (with a quorum being present).

Subtitle A was ordered favorably transmitted to the House Committee on the Budget as amended by an amendment in the nature of a substitute offered by Chairman Neal by a vote of 24 yeas to 19 nays. The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD (IL)		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE	X			MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN		X	
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY		X					
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	24			TOTALS		19	

BUDGET EFFECTS OF THE SUBTITLE

A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS

Pursuant to 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.

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 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

With respect 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 made findings and recommendations that are reflected in 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 Committee advises that general performance goal or objective for which the committee print authorizes funding is to provide paid family and medical leave benefits for U.S. workers who need them.

C. INFORMATION RELATING TO UNFUNDED MANDATES

This information is provided in accordance with section 423 of the Unfunded Mandates Reform Act of 1995 (Pub. L. No. 104-4).

Pursuant to Section 423 of the Congressional Budget and Impoundment Control Act of 1974, (Public Law 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.

D. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by the committee print.

E. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the committee print does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(2) of the Congressional Accountability Act.

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

With respect to clause 9 of Rule XXI of the Rules of the House of Representatives, the Committee has carefully reviewed the provisions of the subtitle, and states that the provisions of the committee print do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits within the meaning of the rule.

G. DUPLICATION OF FEDERAL PROGRAMS

In compliance with 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: (1) a program of the Federal Government known to be duplicative of another Federal program; (2) a program included in any report to Congress pursuant to section 21 of Public Law 111-139; or (3) a program related to a program identified in the most recent Catalog of Federal Domestic Assistance, published pursuant section 6104 of title 31, United States Code.

CHANGES IN EXISTING LAW MADE BY THE COMMITTEE PRINT, AS TRANSMITTED

With respect to clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee requested but did not receive the text of changes in existing law made by the committee print, as reported.

DISSENTING VIEWS

["2D_WMsubtitleA_Views_Insert"]

RICHARD E. NEAL
 MASSACHUSETTS,
 CHAIRMAN

LLOYD DOGGETT, TEXAS
 MIKE THOMPSON, CALIFORNIA
 JOHN B. LARSON, CONNECTICUT
 EARL BLUMENAUER, OREGON
 RON KIND, WISCONSIN
 BILL PASCRELL, JR., NEW JERSEY
 DANNY K. DAVIS, ILLINOIS
 LINDA T. SANCHEZ, CALIFORNIA
 BRIAN FROST, NEW YORK
 TERRY A. SEWELL, ALABAMA
 SUZAN DELBENE, WASHINGTON
 JUDY CHIL, CALIFORNIA
 GOREN MOORE, WISCONSIN
 DAN KILDEE, MICHIGAN
 BRENDAN BOYLE, PENNSYLVANIA
 DON BEYER, VIRGINIA
 DWIGHT EVANS, PENNSYLVANIA
 BRAD SCHNEIDER, ILLINOIS
 TOM SUOZZI, NEW YORK
 JIMMY PANETTA, CALIFORNIA
 STEPHANIE MURPHY, FLORIDA
 JIMMY GOMEZ, CALIFORNIA
 STEVEN HORSFORD, NEVADA
 STACEY PLASKETT, VIRGIN ISLANDS

BRANDON CASEY,
 MAJORITY STAFF DIRECTOR

Congress of the United States
U.S. House of Representatives

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 VIRGINIA

GARY ANDRES,
 MINORITY STAFF DIRECTOR

September 17, 2021

DISSENTING VIEWS ON SUBTITLE A.
BUDGET RECONCILIATION LEGISLATIVE RECOMMENDATIONS RELATING TO
UNIVERSAL PAID FAMILY AND MEDICAL LEAVE

Committee Republicans oppose Subtitle A. Subtitle A lays the groundwork for the Democrats' \$3.5 trillion tax hike and spending spree designed to reach the tentacles of the federal government into every aspect of American life – from cradle to grave. Cue President Reagan's nine most terrifying words in the English language, "I'm from the government, and I'm here to help." In this case, it's the IRS and they're here to "help" you balance your work and family life.

Committee Democrats' ill-conceived paid family and medical leave "solution" would result in hundreds of billions of dollars spent on another new entitlement program rife with Washington mandates that will limit choices for families and result in permanently smaller paychecks for workers. This poorly designed program treats every worker and family situation the same while making the IRS their benefits manager. Instead of putting the American people first, Democrats dismissed a unique opportunity to work together to find common ground on an issue that both parties agree on, supporting working families.

Committee Republicans agree on the need for policies that expand access to both child care and paid family leave. In May, Republicans released a commonsense alternative with flexible solutions that working families can count on. The "Protecting Worker Paychecks and Family Choice Act" would ensure more Americans have access to family leave and flexibility that suits their workplaces. The discussion draft is based on the premise that strong economic growth is the foundation for ensuring flexible options for families through better jobs, lower unemployment, and higher wages – not one size-fits-all mandates that put Washington in control. The proposal would:

- ❖ Expand access to paid family and medical leave by incentivizing more employers to provide leave and focusing on gaps in coverage.
- ❖ Preserve what's working by expanding the employer-provided paid family and medical leave tax credit and creating new family savings accounts;
- ❖ Incentivize and reduces costs for small employers to offer paid family leave by providing more generous tax credits and paving the way for pooling and cost sharing; and
- ❖ Promote equitable access to paid leave by targeting policies to low-wage workers, who are least likely to receive paid leave through their employers.

This Republican proposal was put forward in good faith and in direct response to a letter from Chairman Neal that outlined plans to tackle the issues of paid family and medical leave and child care. The letter said, "...we invite you and your members to bring forward your proposals as well. Last week's hearing demonstrated that there is strong bipartisan agreement that the current status quo for working families is untenable and Congress needs to act...we look forward to continuing this Committee's history of bipartisan collaboration."¹

Five months later, Democrats put forward a short-sighted partisan program that includes zero Republican input or bipartisan collaboration. To ensure the Majority is fully aware of the missed opportunity to work with Republicans, an amendment was offered to strike and replace Subtitle A with the paid family and medical leave proposals in Division A of the "Protecting Worker Paychecks and Family Choice Act." The amendment was unanimously rejected by Committee Democrats.

The Congressional Budget Office (CBO) estimates the cost of the paid family and medical leave program in Subtitle A to be \$500 billion over 10 years. Subtitle A is similar in many ways to the FAMILY Act, a longstanding Democrat proposal, cosponsored by 202 House Democrats. The FAMILY Act would create a paid family and medical leave program run by the Social Security Administration (SSA) and funded by a new payroll tax. CBO estimated the cost of the FAMILY Act to be \$547 billion over 10 years.² An analysis by the American Action Forum found the FAMILY Act would require a 2.9% payroll tax to fully finance.³ That could cost an average worker making \$50,000 well over \$1,500 a year in new taxes, whether they use the program or not. Over a career that's more than \$60,000 for every worker in America.

Ways and Means Democrats are hiding the ball by not linking this new program to an explicit payroll tax. Don't be fooled. America's middle-class working families will shoulder the burden of the corporate income tax hike from 21 percent to 26.5 percent included in Subtitle I, which is being used to offset the cost of this new forever entitlement program. The Joint Committee on Taxation found that over 66 percent of the corporate tax increase will be borne by middle- and lower-income earners.

Twenty-two Democrat members of this Committee co-sponsored the FAMILY Act this session and every Democrat on this Committee, including Chairman Neal, cosponsored it last Congress. In addition, the American Academy of Pediatrics, Le Leche League, NARAL Pro Choice America, Planned Parenthood, and hundreds of other organizations have endorsed the FAMILY Act, saying "The FAMILY Act is the only paid national family and medical leave proposal that reflects what most people in the United States need."⁴ Committee Republicans offered an amendment that would allow supporters of the FAMILY Act to include that proposal, which they cosponsored, in this package. Committee Democrats unanimously rejected the FAMILY Act.

¹ Letter from Chairman Neal and Worker and Family Support Subcommittee Chair Danny Davis to Ranking Member Brady, April 27, 2021.

² CBO letter to Ranking Member Brady, re: Budgetary effects of H.R. 1185, the FAMILY Act, February 13, 2020.

³ American Action Forum, "Paid Leave and the Reconciliation Bill," Douglas Holtz-Eakin, September 1, 2021.

⁴ FAMILY Act Coalition letter addressed to Members of Congress, May 24, 2021.

Before signing-on to Chairman Neal’s version of paid family leave, House and Senate Democrats should hit the brakes. In the rush to claim ownership, Committee Democrats have created a shoddily constructed program with serious design flaws.

Let’s start with the IRS running a public benefits program. Democrats want to *increase* people’s interaction with the IRS by requiring workers to apply for paid family leave benefits through the Department of Treasury. There is zero policy rationale or justification that this new program should be, or could be, run by the Treasury Department.

Committee Democrats have demonstrated an astounding lack of consideration and concern for how this program will actually function for working families. Relying on a lazy, partisan budgetary tool to jam this program through the legislative process with no time for critical review or assessment, throwing out any semblance of sound policymaking. That’s what putting politics over the American people looks like.

President Biden’s own Treasury Department has firmly rejected Chairman Neal’s proposal saying in an email to Minority Committee staff that the Department, “does not have the internal expertise to stand-up a permanent benefit entitlement program...” and “Treasury does not have the functional expertise to administer large benefit entitlement programs.”⁵ (*See Figure A*) Yet this legislation punts decision-making authority on critical operational components to Treasury forty times. The bill expects the Department to turn around notices of benefits within 15 days of receiving an application.

Committee Republicans offered an amendment to delay the effective date of Subtitle A until six months after Treasury can certify they have the expertise to stand-up this new entitlement program. The amendment was unanimously rejected by Committee Democrats.

Second, Subtitle A provides no protections for small businesses. Small employers across the country are facing a severe worker shortage as they attempt to fully rebound from the pandemic. There are more than 10 million job openings in the U.S., and small employers cannot find workers. Democrats’ proposal would create even more uncertainty for the businesses who can least afford to lose a worker on short notice.

Subtitle A only requires employees provide 7-days’ notice to their boss that they plan to take leave. The program would de-link employers from workers and leave employers hanging. Worse, the only verification that employer notice was provided is through self-attestation that the individual provides to Treasury.

Committee Republicans offered an amendment to ease the burden of labor challenges created by Subtitle A by creating meaningful protections and predictability for employers to plan around. The amendment would make three significant improvements to the underlying legislation by:

- (1) Aligning the bill with the FMLA standard requiring workers to provide 30 days’ notice to employers if they plan to take leave;
- (2) Strengthening the “self-attestation” standard; and
- (3) Requiring 60 days’ notice of anticipated leave from work for small employers.

⁵ Email from Treasury to Minority Committee staff dated May 12, 2021, submitted for the record.

The amendment was unanimously rejected by Committee Democrats.

Committee Democrats argue they “took care” of small business by creating a new grant program that reimburses small employers for the costs of labor disruption, up to 10 employees a year. To qualify, small businesses would be required to provide guaranteed job protection and meet strict group health plan coverage requirements. Not to mention the hassle factor of wrangling reimbursement out of Treasury. It’s a poor attempt to buy their way out of a serious issue that will negatively impact Main Street businesses who can’t afford to lose workers with specialized skills sets with just a weeks’ notice.

Figure A. Treasury Department Response to Chairman Neal’s Paid Family and Medical Leave proposal:

From [REDACTED]@treasury.gov [REDACTED]@treasury.gov
 Sent: Wednesday, May 12, 2021 10:42 AM
 To: [REDACTED]@treasury.gov [REDACTED]@treasury.gov [REDACTED]@mail.house.gov [REDACTED]@mail.house.gov
 [REDACTED]@mail.house.gov [REDACTED]@mail.house.gov
 Subject: RE: HWM/OTP -- Paid Leave Proposals (high level)

Hi [REDACTED] – Just wanted to share some high level thoughts from Treasury with you all in advance of our call today. Thanks! Best, [REDACTED]

- Treasury does not have the internal expertise and is not staffed to stand-up a new, permanent benefit entitlement program. In times of crises, such as the COVID-19 pandemic, Treasury has been responsible for certain emergency programs. However, these programs generally were temporary and Treasury served in a consulting role to support and advise on the programs for which other government entities were taking the lead (i.e., the Small Business Administration and the Federal Reserve). Treasury has no responsibility for large, permanent benefit entitlement programs.
- Treasury does not have the functional expertise to administer large benefit entitlement programs. The proposed legislation would require Treasury to create and staff an entirely new office (or division) to administer the paid leave benefit program, including determining individuals’ eligibility for the leave benefits and awarding grants to eligible States and employers that maintain leave programs. The proposed legislation makes Treasury responsible for taking applications from individuals seeking the paid leave benefit, vetting the applications, making determinations whether the individuals are eligible for the benefit, establishing a call center, and creating an appeals process for individuals to challenge denied benefits, among other administrative functions. These are not Treasury functions. Although the proposed legislation provides funding to establish and administer this benefit program, we question whether Treasury is the appropriate agency for this role. There are real questions regarding transferring functions that have historically been housed in other agencies, with systems and adjudication processes in place already, to the Treasury department.
- Treasury is not in a unique position to obtain the wage or income data required to determine an individual’s average monthly earnings and calculate the individual’s benefits. For employed individuals, the legislation proposes that Treasury use the National Directory of New Hires (NDNH) data base to calculate average monthly wages. Treasury does not maintain this database and has no particular familiarity with the data base. For self-employed individuals, the draft provides Treasury would receive the tax filing information from IRS via a confidentiality disclosure in the same manner as any other agency that would be better suited for program administration could receive the information. The NDNH and IRS self-employed earnings data could just as easily be transmitted to another agency (e.g., the Social Security Administration or HHS) to calculate the average monthly earnings and determine eligibility for the paid leave benefit.

A handwritten signature in black ink, appearing to read "KEVIN BRADY". The signature is stylized with a large, sweeping initial "K" and "B".

Kevin Brady
Republican Leader
Committee on Ways and Means

Third, as they do throughout the larger budget reconciliation bill, Committee Democrats are unabashedly putting rich over poor by giving preference to high income earners and leaving the working class behind. According to the Congressional Research Service (CRS), under the benefit calculation formula in Subtitle A, a two-earner household making \$500,000 would be eligible to claim more than \$28,000 in taxpayer funded federal paid family and medical leave benefits—every year.

Meanwhile, the bill provides no minimum benefit for low-income earners.⁶ To correct this imbalance in the bill, Committee Republicans offered an amendment to reduce the maximum earnings eligibility limit to \$100,000 and provide a minimum and maximum benefit amount of \$580 and \$4,000, respectively, equivalent to what is included in the FAMILY Act. This amendment represented a simple guardrail to make sure benefits are targeted to those who need it most. The amendment to prohibit benefits for families making half a million dollars was unanimously rejected by Committee Democrats.

Fourth, Chairman Neal’s version of paid family and medical leave is not targeted to people who are working. Majority Committee staff confirmed this point in response to technical questions during the mark-up. Further, the bill itself references, providing benefits for those individuals who “does not have (or no longer has) an employer [.]”⁷ In order to apply for benefits under this subtitle an individual does not have to be currently working.

The requirement in Subtitle A is that an individual must have worked, at some point, for any length of time, in the previous quarter. Based on data provided by CRS, Minority Committee staff reviewed state paid leave laws already in place across the country. Each of the 10 states that have a paid leave program in place were reasonable enough to implement policies that require workers to have been employed 30-days prior to applying for benefits.⁸ Those states include California, Massachusetts, and New York.

Committee Republicans offered an amendment to strengthen the program’s connection to work by requiring that the individual applying for benefits must: 1) have wages or self-employment income in the 30-day period prior to applying for benefits, the same policy as state paid leave laws; and 2) been in employed at least 4 of the 5 most recent calendar quarters. The amendment to require applicants for paid leave benefits to be employed was unanimously rejected by Committee Democrats.

Fifth, Subtitle A includes several overt blind spots that make the program incredibly susceptible to fraud. Committee Democrats unanimously rejected two common sense amendments that would have closed loopholes to improve program integrity and protect theft of taxpayer dollars. The first amendment would have prevented two caregivers from qualifying for paid family and medical leave benefits for care provided at the same time, in the same household, to the same

⁶ Congressional Research Service memo to minority staff, re: Benefit Formula as Provided under Subtitle A of the Build Back Better Act (as Released on September 7, 2021), and Hypothetical Benefit Amounts for Individuals with \$250,000 in Annual Earnings, September 8, 2021.

⁷ Subtitle A, Sec. 2204(b)(3).

⁸ Congressional Research Service, Comparison of Selected State Leave Insurance Program Characteristics to the Building an Economy for Families Act (BEFA), May 25, 2021.

individual. CRS confirmed that there is nothing in the bill that would prevent two parents from taking the same paid leave time to care for their child:

“The BBBA proposes to calculate benefits on an individual basis (i.e., it does not appear to provide a maximum benefit per household or condition benefits for one household members on caregiving provided by another member). Therefore, by our read, the BBBA would not prohibit parents from claiming benefits for the same caregiving hours, as long as both parents meet the eligibility requirements and engaged in qualified caregiving for 4 hours in a week.”⁹

Duplicate receipt of benefits is bad policy. It shows how poorly thought out this program is and demonstrates how the underlying bill is not ready for prime time. Committee Republicans offered an amendment that would simply prohibit individuals in the same household from being treated as engaging in qualified caregiving for the same caregiving reason for the same caregiving hour. The amendment to prevent duplicate receipt of benefits was unanimously rejected by Committee Democrats.

The most pernicious provision in the bill would allow people to self-certify their identity and earnings in order to receive paid family and medical leave benefits. The word “self-attestation” appears no less than five times in the short description of the application for the program. Self-attestation in this program is ripe for fraud.

Democrats on this Committee have not learned from this same terrible policy that allowed anywhere from \$89 to \$400 billion in pandemic unemployment benefits to be diverted away from unemployed workers into the hands of criminals using stolen identities. In the CARES Act, Congress created new pandemic unemployment programs that allowed self-certification to expedite emergency payments when businesses were closed. Democrats don’t like to talk about it and have not held a single oversight hearing to investigate – but fraudsters took full advantage of this glaring loophole. The Labor Department’s Inspector General issued a report in October 2020 that specifically pointed to the self-certification requirement as the primary weakness leading to fraudulent payments.¹⁰

Committee Republicans offered an amendment to avoid replicating the policies that enabled the largest fraudulent disbursement of taxpayer dollars in our nation’s history. The amendment would strike the language that allows for self-certification and require documentation of identity, earnings, and employment prior to Treasury authorizing family leave and or medical leave benefits. The amendment to close this fraud loophole was unanimously rejected by Committee Democrats.

Finally, this bill includes a new grant program designed to buy off large employers that will discourage companies from offering their own paid leave benefits, in favor of a one-size-fits-all federal benefit. In other words: if you like your paid leave, you can’t keep your paid leave. Many workers could end up with less flexibility or lose their benefits altogether as a result.

⁹ Congressional Research Service email to minority committee staff dated September 7, 2021.

¹⁰ Department of Labor, Inspector General, “COVID-19: States Cite Vulnerabilities in Detecting Fraud While Complying with CARES Act UI Program Self Certification Requirement,” October 21, 2020.

Subtitle A transfers the liability and cost of paid family and medical leave plans that big business already provides, on to American taxpayers. When Republicans created the first ever national paid family and medical leave program in the Tax Cuts and Jobs Act – the Employer-Provided Paid Family and Medical Leave tax credit – we allowed that credit to cover up to 25 percent of an employer’s paid family and medical leave benefits. At the time the Republican benefit which was considered almost too generous.

When the Majority published an initial discussion draft in May, the bill included a 40 percent reimbursement grant program for employers already providing paid family and medical leave to their workers. Now, the underlying bill has increased that to 90 percent reimbursement. Democrats are blatantly attempting to buy off big business. Why should hardworking taxpayers subsidize large employers like Amazon for benefits they are already providing?

This is a shameless give away to corporate interests to buy off their opposition to this bill. Committee Republicans offered an amendment to lower the reimbursement rate for big businesses to a reasonable 25 percent. The amendment was unanimously rejected by Committee Democrats.

The program in Subtitle A is completely disconnected from employers and work. Committee Democrats have not designed a paid leave program, they’ve designed a new cash benefits program that lacks adequate safeguards to prevent abuse. This is a rushed, fiscally irresponsible, federal takeover of paid leave that threatens existing employer paid parental leave policies and hamstring Main Street businesses.

There are better ways to support workers when they need time off from work without upending the existing employment and benefits arrangement of every single working American. Washington control means lower paychecks, fewer jobs, and less choice for families.

Committee Republicans have presented flexible solutions that working families can count on and laid out many of these in the “Protecting Worker Paychecks and Family Choice Act.” Democrats should hit the brakes on this recklessly flawed program and reach across the aisle to work with Republicans to find lasting bipartisan solutions to expand access to paid family and medical leave for working families.

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SUBTITLE B— RETIREMENT
EXPLANATION OF PROVISIONS

A. Automatic Contribution Plans and Arrangements

Tax imposed on employers failing to maintain automatic contribution plan or arrangement (sec. 131101 of the bill and sec. 414 and new sec. 4980J of the Code)

Present Law

Whether to offer a retirement plan is a choice by an employer. The Code provides for multiple types of tax-favored employer-sponsored retirement plans, including qualified retirement plans and annuities,¹ tax-deferred annuities,² governmental eligible deferred compensation plans,³ savings incentive match plans for employees (“SIMPLE”) individual retirement arrangements (“IRAs”),⁴ and simplified employee pensions (“SEPs”).⁵ Each of these are subject to varying requirements under the Code. Another retirement vehicle available to individuals is an IRA.⁶ There are two basic types of IRAs, traditional IRAs and Roth IRAs, as further described below.

Qualified Retirement Plans

Qualified retirement plans are of two general types: defined benefit plans, under which benefits are determined under a plan formula and paid from general plan assets, rather than individual accounts; and defined contribution plans, under which benefits are based on a separate account for each participant, to which are allocated contributions, earnings, and losses. Some qualified retirement plans are referred to as hybrid plans because they have features of both a defined benefit plan and a defined contribution plan; for example, cash balance plans are defined benefit plans, but plan benefits are defined by reference to a hypothetical account balance. Qualified annuity plans are similar to qualified retirement plans in treatment, but plan assets are invested in annuity contracts rather than held in a trust or custodial account.

Defined Contribution Plans

In General

Defined contribution plans may provide for nonelective contributions and matching contributions by employers and pre-tax (that is, contributions are either excluded from income or

¹ Secs. 401(a) and 403(a). All section references herein are to the Internal Revenue Code of 1986, as amended (herein “Code”), unless otherwise stated.

² Sec. 403(b).

³ Sec. 457(b).

⁴ Sec. 408(p).

⁵ Sec. 408(k).

⁶ The term “IRA” includes both individual retirement accounts, under section 408(a), and individual retirement annuities, under section 408(b).

deductible) or after-tax contributions by employees. Total contributions made to an employee's account for a year cannot exceed the lesser of \$58,000 (for 2021)⁷ or the employee's compensation. The deduction for employer contributions to a defined contribution plan for a year is generally limited to 25 percent of the participant's compensation. A participant must at all times be fully vested in his or her own contributions to a defined contribution plan and must vest in employer contributions under three-year cliff vesting or two-to-six-year graduated vesting.

Defined contribution plans often provide for loans to participants and generally provide for distributions on severance from employment and, depending on the type of plan, may provide for in-service distributions.⁸ Defined contribution plans may provide for distributions to be made in a lump sum or installments; defined contribution plans may offer annuity distributions, but most are not required to offer annuities.

Defined contribution plans may themselves be of different types, specifically, profit-sharing plans, stock bonus plans, or money purchase pension plans, and may include special features, such as a qualified cash or deferred arrangement (section 401(k)) or an employee stock ownership plan ("ESOP"). Rules requiring annuity benefits for surviving spouses and spousal consent to certain distributions apply to money purchase pension plans and, in some cases, other defined contribution plans offering annuities. However, most defined contribution plans are exempt from these requirements as long as they provide that a participant's account balance will be paid to the participant's surviving spouse (unless the spouse consents to a different beneficiary).

Section 401(k) Plans

Under a section 401(k) plan, an employee may elect to have contributions (elective deferrals) made to the plan, rather than receive the same amount in cash. For 2021, elective deferrals of up to \$19,500 may be made, plus, for employees aged 50 or older, up to \$6,500 in catch-up contributions. Elective deferrals generally cannot be distributed from the plan before the employee's severance from employment, death, disability, or attainment of age 59½, or in the case of hardship or plan termination.

Elective deferrals are generally made on a pre-tax basis. However, a section 401(k) plan may include a qualified Roth contribution program under which elective deferrals are made on an after-tax basis (designated Roth contributions), and certain distributions ("qualified distributions") are excluded from income. Many section 401(k) plans provide for matching contributions and may also provide for employer nonelective contributions and after-tax employee contributions.

Section 401(k) plans may be designed so that elective deferrals are made only if the employee affirmatively elects them. However, a section 401(k) plan may provide for "automatic enrollment," under which elective deferrals are made at a specified rate unless the employee

⁷ Plans may permit employees aged 50 or older to make catch-up contributions; in that case the limit (including catch-up contributions) is \$64,500 for 2021.

⁸ For example, because money purchase pension plans are pension plans, they generally cannot allow for distributions except for at retirement or termination of employment.

affirmatively elects not to make contributions or to make contributions at a different rate. Various rules have been developed to provide favorable treatment for plans that provide for automatic enrollment, subject to certain notice requirements.

Elective deferrals under a section 401(k) plan are subject to a special nondiscrimination test, called the actual deferral percentage test or “ADP” test, which compares the average deferral rates for highly compensated employees and non-highly compensated employees. A similar test, the actual contribution percentage test or “ACP” test, applies to employer matching contributions and after-tax employee contributions. Design-based safe harbors are also available for satisfying the special nondiscrimination requirements.

ESOPs

An ESOP is a stock bonus plan that is designated as an ESOP and is designed to invest primarily in employer stock. An ESOP can be a standalone plan or it can be a portion of another type of defined contribution plan.

ESOPs are subject to additional requirements that do not apply to other plans that hold employer stock, including a requirement that certain participants must be permitted to diversify a portion of their accounts. However, certain benefits are available to ESOPs that are not available to other types of qualified retirement plans, including an exception to the prohibited transaction rules for certain loans and, in the case of a C corporation, higher deduction limits. ESOPs maintained by S corporations are subject to special rules, including restrictions on the provision of employer stock and stock options (or other “synthetic equity”) to certain “disqualified persons.”

Section 403(b) Plans

Tax-deferred annuity plans (referred to as section 403(b) plans) are generally similar to qualified defined contribution plans but may be maintained only by (1) tax-exempt charitable organizations,⁹ and (2) educational institutions of State or local governments (that is, public schools, including colleges and universities).¹⁰ Section 403(b) plans may provide for employees to make elective deferrals (in pre-tax or designated Roth form), including catch-up contributions, or other after-tax employee contributions, and employers may make nonelective or matching contributions on behalf of employees. Contributions to a section 403(b) plan are generally subject to the same contribution limits applicable to qualified defined contribution plans, including the limits on elective deferrals.

Governmental Section 457(b) Plans

Special rules apply with respect to deferred compensation arrangements of State and local government and tax-exempt employers.¹¹ Amounts deferred under an eligible deferred compensation plan, *i.e.*, a section 457(b) plan, are not currently included in income. In the case

⁹ These are organizations exempt from tax under section 501(c)(3). Section 403(b) plans of private, tax-exempt employers may be subject to ERISA as well as the requirements of section 403(b).

¹⁰ Sec. 403(b).

¹¹ Sec. 457.

of a State or local government employer, a section 457(b) plan is generally limited to elective deferrals and provides tax benefits similar to a section 401(k) or section 403(b) plan in that deferrals are contributed to a trust or custodial account for the exclusive benefit of participants, but are not included in income until distributed (and may be rolled over to another tax-favored plan).¹² Generally, the same contribution limits apply that apply to section 401(k) and section 403(b) plans.¹³

SIMPLE IRA Plan

A small employer that employs no more than 100 employees who earned \$5,000 or more during the prior calendar year can establish a simplified tax-favored retirement plan, which is called the SIMPLE retirement plan. A SIMPLE IRA plan is generally a plan under which contributions are made to an IRA for each employee (a "SIMPLE IRA").¹⁴ A SIMPLE IRA plan allows employees to make elective deferrals to a SIMPLE IRA, subject to a limit of \$13,500 (for 2021). An individual who has attained age 50 before the end of the taxable year may also make catch-up contributions under a SIMPLE IRA plan up to a limit of \$3,000 (for 2021).

Simplified Employee Pensions

A SEP is an IRA to which the employer may make contributions for an employee up to the lesser of 25 percent of the employee's compensation or the dollar limit applicable to contributions to a qualified defined contribution plan (\$58,000 for 2021).¹⁵ All contributions must be fully vested. Any employee must be eligible to participate in the SEP if the employee has (1) attained age 21, (2) performed services for the employer during at least three of the immediately preceding five years, and (3) received at least \$650 (for 2021) in compensation from the employer for the year. Contributions to a SEP generally must bear a uniform relationship to compensation. Effective for taxable years beginning before January 1, 1997, certain employers with no more than 25 employees could maintain a salary reduction SEP ("SARSEP") under which employees could make elective deferrals.

Individual retirement arrangements

There are two basic types of IRAs: traditional IRAs,¹⁶ to which both deductible and nondeductible contributions may be made,¹⁷ and Roth IRAs, to which only nondeductible contributions may be made.¹⁸ The principal difference between these two types of IRAs is the

¹² In the case of a tax-exempt employer, sections 457(b) and 457(f) limit the amount of unfunded nonqualified deferred compensation that can be provided on a tax-deferred basis.

¹³ However, the section 457(b) plan limits apply separately from the combined limit applicable to section 401(k) and section 403(b) plan contributions, so that an employee covered by a governmental section 457(b) plan and a section 401(k) or section 403(b) plan can contribute the full amount to each plan. In addition, under a special catch-up rule, for one or more of the participant's last three years before normal retirement age, the otherwise applicable limit is increased to the lesser of (1) two times the normal annual limit (\$39,000 for 2021) or (2) the sum of the otherwise applicable limit for the year plus the amount by which the limit applicable in preceding years of participation exceeded the deferrals for that year.

¹⁴ Sec. 408(p).

¹⁵ Sec. 408(k).

¹⁶ Sec. 408.

¹⁷ Sec. 219.

¹⁸ Sec. 408A.

timing of income tax inclusion. For a traditional IRA, an eligible contributor may deduct the contributions made for the year, but distributions are includible in gross income to the extent attributable to earnings on the account and the deductible contributions. For a Roth IRA, all contributions are after-tax (that is, no deduction is allowed) and, if certain requirements are satisfied, distributions are not includible in gross income.

Annual Contribution Limit

An annual limit applies to contributions to IRAs. The contribution limit is coordinated so that the aggregate maximum amount that can be contributed to all of an individual's IRAs (both traditional and Roth) for a taxable year is generally the lesser of a certain dollar amount (\$6,000 for 2021) or the individual's compensation.¹⁹ In the case of a married couple, contributions can be made up to the dollar limit for each spouse if the combined compensation of the spouses is at least equal to the contributed amount.

An individual who has attained age 50 before the end of the taxable year may also make catch-up contributions to an IRA. For this purpose, the aggregate dollar limit is increased by \$1,000. Thus, for example, if an individual over age 50 contributes \$7,000 to a Roth IRA for 2021 (\$6,000 plus \$1,000 catch-up), the individual will not be permitted to make any contributions to a traditional IRA for that year. In addition, deductible contributions to traditional IRAs and after-tax contributions to Roth IRAs generally are subject to adjusted gross income ("AGI") limits. IRA contributions generally must be made in cash.

Traditional IRAs

An individual may make deductible contributions to a traditional IRA up to the IRA contribution limit if neither the individual nor the individual's spouse is an active participant in an employer-sponsored retirement plan. If an individual (or the individual's spouse) is an active participant in an employer-sponsored retirement plan, the deduction is phased out for taxpayers with AGI for the taxable year over certain indexed levels. In the case of an individual who is an active participant in an employer-sponsored plan, the AGI phase-out ranges for 2021 are: (1) for single taxpayers, \$66,000 to \$76,000; (2) for married taxpayers filing joint returns, \$105,000 to \$125,000; and (3) for married taxpayers filing separate returns, \$0 to \$10,000. If an individual is not an active participant in an employer-sponsored retirement plan, but the individual's spouse is, the deduction is phased out for taxpayers with AGI for 2021 between \$198,000 and \$208,000.

To the extent an individual cannot or does not make deductible contributions to a traditional IRA or contributions to a Roth IRA for the taxable year, the individual may make nondeductible contributions to a traditional IRA (that is, no AGI limits apply), subject to the same contribution limits as the limits on deductible contributions, including catch-up contributions.

¹⁹ Under a special rule, the contribution limit for nondeductible contributions to an IRA may be increased in certain circumstances by the amount of qualified foster payments that are difficulty of care payments that an individual excludes from gross income. Sec. 408(o)(5). Thus, for example, an individual who receives such difficulty of care payments but has no compensation for a taxable year may nevertheless be permitted to contribute to an IRA.

Roth IRAs

Individuals with AGI below certain levels may make nondeductible contributions to a Roth IRA. The maximum annual contribution that can be made to a Roth IRA is phased out for taxpayers with AGI for the taxable year over certain indexed levels. The AGI phase-out ranges for 2021 are: (1) for single taxpayers, \$125,000 to \$140,000; (2) for married taxpayers filing joint returns, \$198,000 to \$208,000; and (3) for married taxpayers filing separate returns, \$0 to \$10,000.

Automatic Enrollment

Employer-sponsored retirement plans that include salary reduction arrangements are generally designed so that an employee will receive cash compensation unless the employee affirmatively elects to make elective deferrals to the plan. Alternatively, such plans may provide that elective deferrals are made at a specified rate (when the employee becomes eligible to participate) unless the employee elects otherwise (*i.e.*, affirmatively elects not to make contributions or to make contributions at a different rate). This alternative plan design is referred to as automatic enrollment.

Nondiscrimination Test and Automatic Enrollment Safe Harbor

An annual nondiscrimination test, the ADP test, applies to elective deferrals under a section 401(k) plan.²⁰ The ADP test generally compares the average rate of deferral for highly compensated employees to the average rate of deferral for non-highly compensated employees and requires that the average deferral rate for highly compensated employees not exceed the average rate for non-highly compensated employees by more than certain specified amounts. If a plan fails to satisfy the ADP test for a plan year based on the deferral elections of highly compensated employees, the plan is permitted to distribute deferrals to highly compensated employees (“excess deferrals”) in a sufficient amount to correct the failure. The distribution of the excess deferrals must be made by the close of the following plan year.²¹

The ADP test is deemed to be satisfied under two section 401(k) plan designs (“section 401(k) safe harbor plans”), which include requirements relating to certain minimum matching or nonelective contributions, a notice requirement, and certain other required rights and features.²² One type of section 401(k) safe harbor plan includes automatic enrollment (“automatic enrollment section 401(k) safe harbor plan”).

An automatic enrollment section 401(k) safe harbor plan must provide that, unless an employee elects otherwise, the employee is treated as electing to make elective deferrals at a default rate equal to a percentage of compensation as stated in the plan that is at least (1) three percent of compensation through the end of the first plan year that begins after the first deemed election applies to the participant, (2) four percent during the second plan year, (3) five percent during the third plan year, and (4) six percent during the fourth plan year and thereafter. An

²⁰ Sec. 401(k)(3).

²¹ Sec. 401(k)(8).

²² Sec. 401(k)(12) and (13). If certain additional requirements are met, matching contributions under a section 401(k) safe harbor plan may also satisfy a nondiscrimination test applicable under section 401(m).

automatic enrollment section 401(k) safe harbor plan generally may provide for default rates higher than these minimum rates, but the default rate cannot exceed 15 percent for any year (10 percent during the first year). The plan also must satisfy either a matching contribution (“matching contribution automatic enrollment section 401(k) safe harbor plan”) or nonelective contribution requirement.²³

A matching contribution automatic enrollment section 401(k) safe harbor plan must also meet a notice requirement. The plan must provide each employee eligible to participate, within a reasonable period before each plan year, with a written notice that describes the employee’s rights and obligations under the arrangement. Such notice must be sufficiently accurate and comprehensive to apprise the employee of such rights and obligations, and must be written in a manner calculated to be understood by the average employee to whom the arrangement applies. In addition, the notice must (1) explain the employee’s right under the arrangement to elect not to have elective contributions made on the employee’s behalf (or to elect to have such contributions made at a different percentage), and (2) in the case of an arrangement under which the employee may elect among two or more investment options, explain how contributions made under the arrangement will be invested in the absence of any investment election by the employee. The employee also must have a reasonable period of time after receipt of the notice and before the first elective contribution is made to make either such election.

Explanation of Provision

Section 131101 amends section 414 of the code and adds new section 4980J to impose an excise tax on an employer that does not maintain or facilitate an automatic contribution plan or arrangement. There are four general categories of automatic contribution plans and arrangements under the provision:

- (1) a defined contribution plan that (a) is a qualified retirement plan, qualified annuity plan, or section 403(b) plan,²⁴ (b) includes a qualified cash or deferred arrangement or a salary reduction arrangement, and (c) meets the requirements under the provision relating to notices, eligibility, contribution, investment, fees, and lifetime income (as described below);
- (2) an automatic IRA arrangement, which in addition to meeting certain requirements applicable to automatic IRA arrangements described below, must meet the requirements relating to eligibility, contribution, investment, and fees;
- (3) a SIMPLE IRA that meets the requirements relating to notices, contribution, investment, and fees; and
- (4) a grandfathered plan.

²³ The matching contribution requirement is 100 percent of elective contributions of the employee for contributions not in excess of one percent of compensation, and 50 percent of elective contributions for contributions that exceed one percent of compensation but do not exceed six percent, for a total matching contribution of up to 3.5 percent of compensation. Alternatively, the plan can provide that the employer will make a nonelective contribution of three percent. Section 401(k)(13)(D).

²⁴ Plans described in section 219(g)(5)(A)(i), (ii), and (iv).

A grandfathered plan is a plan or arrangement that is established and maintained by an employer as of the date of enactment of the provision, and must be a qualified retirement plan, qualified annuity plan, section 403(b) plan, a SEP, or a SIMPLE IRA.²⁵ In addition, section 403(b) plans that are not subject to title I of ERISA²⁶ and that offer annuity contracts or custodial accounts as of the date of enactment are also grandfathered. Grandfathered plans are not subject to the notice, eligibility, contribution, investment, fee, or lifetime income requirements described below.

Notice Requirement

For automatic contribution plans and arrangements subject to the notice requirement (generally all except for automatic IRA arrangements, which have a separate notice requirement), a plan or arrangement meets the notice requirement with respect to an employee if it meets the notice requirements applicable to a matching contribution automatic enrollment section 401(k) safe harbor plan (or similar requirements), excluding any notice requirement that is not applicable or relevant to the particular plan or arrangement.

Eligibility Requirement

For automatic contribution plans and arrangements subject to the eligibility requirement (generally all plans and arrangements other than SIMPLE IRAs), the general rule is that all employees of an employer must be eligible to participate in an automatic contribution plan or arrangement maintained or facilitated by the employer.²⁷ However, certain exclusions apply. The plan or arrangement is not required to extend eligibility for participation to (1) an employee who has not attained age 21, (2) certain categories of employees who can be excluded from minimum coverage testing for qualified plans,²⁸ and (3) employees who have not met the service requirement. An employee has not met the service requirement if the employee has not completed at least one of the following periods: (1) the period of service applicable to the minimum age and service conditions for qualified plans (generally, the period of service ending with the later of the date the employee attains age 21 or the date the employee completes one year of service),²⁹ or (2) a period of two consecutive 12-month periods during each of which the employee has at least 500 hours of service.

For purposes of these rules, employers within a controlled group are treated as a single employer, and eligible employees within an employer need not be eligible to participate in the same automatic contribution plan or arrangement. With respect to entry dates, rules similar to the rules applicable to qualified plans apply to employees who have satisfied the applicable age and service requirements and are otherwise entitled to participate in a plan or arrangement.³⁰

²⁵ Plans or arrangements described in section 219(g)(5)(A)(i), (ii), (iv), (v), or (vi).

²⁶ 29 C.F.R. sec. 2510.3-2(f).

²⁷ Automatic contribution plans and arrangements, depending on the type of plan, may also be subject to requirements relating to eligibility under the Code, such as under section 410.

²⁸ Sec. 410(b)(3).

²⁹ Sec. 410(a)(1), determined without regard to subparagraph (B)(i) thereof.

³⁰ Sec. 410(a)(4). Thus, an employee who has attained age 21 and has completed one of the required periods of service applicable to automatic contribution plans and arrangements and who is otherwise entitled to

Contribution Requirements

Under the automatic contribution plan or arrangement, each employee who is eligible to participate must be treated, unless the employee elects otherwise, as having elected to have the employer make elective contributions (payroll deduction contributions in the case of an automatic IRA arrangement) in an amount equal to the applicable qualified percentage of compensation. Such percentage is determined under the terms of the plan or arrangement, subject to certain rules. The qualified percentage must be applied uniformly and must be at least (1) six percent during the period ending on the last day of the first plan year that begins after the date on which the first elective contribution is made with respect to an employee, (2) seven percent during the second plan year, (3) eight percent during the third plan year, (4) nine percent during the fourth plan year, and (5) 10 percent during the fifth plan year and thereafter. The plan or arrangement may generally provide for a qualified percentage higher than these minimum rates, but the qualified percentage cannot exceed 15 percent for any plan year (10 percent during the first plan year). In the case of an automatic IRA arrangement, however, the qualified percentage must equal the minimum percentage applicable to a particular plan year. Thus, for example, an employee's qualified percentage during the second plan year must be seven percent.

The election to make elective contributions at the qualified percentage ceases to apply to an employee if the employee makes an affirmative election not to contribute or to contribute at a different level.

Investment Requirements

Under the provision, the automatic contribution plan or arrangement must provide that, absent an investment election by the participant or beneficiary, amounts are invested only in the specific class of assets or funds described under Department of Labor regulations that is generally referred to as life-cycle and target date funds.³¹

In the case of an automatic IRA arrangement, with respect to any IRA of a trustee or issuer designated by the employer,³² the IRA must offer the participant the following investment options as alternatives to the default option (and may not offer any other investment options): (1) a class of assets or funds that is designed to protect the principal of the individual on an ongoing basis, (2) the class of assets or funds described under Department of Labor regulations that is generally described as a balanced fund,³³ and (3) any other class of assets or funds determined by the Secretary of Treasury ("Secretary") to be a qualified investment for this purpose.

Fee Requirement

participate must generally be able to commence participation no later than the earlier of (1) the first day of the first plan year beginning after the date on which the employee satisfies the eligibility requirements, or (2) the date six months after the date on which the employee satisfies such requirements.

³¹ The class of assets or funds must constitute a qualified default investment alternative under Department of Labor regulation section 2550.404c-5(e)(4)(i).

³² Similarly, the default option of a life-cycle or target date fund is required only under an IRA of a trustee or issuer designated by the employer. The automatic IRA arrangement may alternatively permit employees to make payroll deduction contributions to any IRA specified by the employee.

³³ 29 CFR 2550.404c-5(e)(4)(ii).

In the case of an automatic contribution plan or arrangement that is not otherwise subject to title I of ERISA, no participant may be charged unreasonable fees or expenses. This rule applies to an automatic IRA arrangement only in the case of an IRA of a trustee or issuer designated by the employer.

Lifetime Income Requirement

For automatic contribution plans subject to the lifetime income requirement (generally all plans other than SIMPLE IRAs and automatic IRA arrangements), the plan must permit participants to elect to receive at least 50 percent of their vested account balance in the form of a lifetime income feature. A lifetime income feature means either (1) a feature that guarantees a minimum level of income annually (or more frequently) for at least the remainder of the life of the employee or the joint lives of the employee and the employee's designated beneficiary, or (2) an annuity payable on behalf of the employee under which payments are made in substantially equal periodic payments (not less frequently than annually) over the life of the employee or the joint lives of the employee and the employee's designated beneficiary.³⁴ An exception from this rule applies to a participant whose vested account balance is \$200,000 or less at the time of distribution. A plan that applies this rule is not treated as discriminating in favor of highly compensated employees³⁵ solely by reason of applying such rule.

Automatic IRA Arrangements

Under the provision, an automatic IRA arrangement generally means, with respect to an employer (and trustee or issuer designated by the employer), an arrangement under which an employee may elect to have the employer make deposits on behalf of the individual as payroll deduction contributions to an IRA or to have such payments made directly in cash. The employee must be treated under the arrangement as having made an election to make payroll deduction contributions until the employee makes an affirmative election not to have such contributions made or to make the contributions at a different level, and must be permitted to elect to modify the manner in which such amounts are invested. Such contributions must meet the general requirements applicable to contributions to an automatic contribution plan described above. Automatic IRA arrangements must also meet the requirements relating to eligibility, investment, and fees, as described above.

Contributions and Employee Notices

The provision also subjects automatic IRA arrangements to certain administrative requirements. With respect to payments under the arrangement, the employer must make payments elected or treated as elected by the employee on or before the last day of the month following the month in which the compensation otherwise would have been payable to the employee in cash. The employer also must notify each employee eligible to participate, within a reasonable period of time before the beginning of the year (and, for the first year the employee is eligible, a reasonable period before the first day of eligibility), of (1) the opportunity to elect to have contributions made (or to be so treated), (2) the opportunity to elect not to have payroll deduction contributions made or to have such contributions made at a different percentage or in a

³⁴ Sec. 401(a)(38)(B)(iii).

³⁵ Under section 401(a)(4).

different amount, and (3) the opportunity to modify the manner in which such amounts are invested for such year. The notice must be provided in paper form or, if the employee so elects, in electronic form.

Under the provision, an employer is not treated as failing to satisfy any requirements under the Code merely because an individual's aggregate contributions to IRAs exceed the limit on deductible IRA contributions,³⁶ or merely because the employer chooses to limit contributions under the plan on behalf of an employee for a calendar year in a manner designed to avoid exceeding such limit. In addition, the employer is not treated as failing to satisfy any requirements under the Code merely because the employer makes all payroll deduction contributions on behalf of all employees to an IRA of a trustee or issuer that has been designated by the employer, but only if the provider of such accounts, and the investments therein, are identified on the website established by the Secretary to provide information on automatic IRA arrangements (as described below). However, for such rule to apply, each participant must be notified in writing that the participant's balance may be transferred without cost or penalty to another IRA established by or on behalf of the participant.³⁷ The employer is permitted, but not required, to provide for an employee election to have payroll deduction contributions made to an IRA specified by the employee. The IRA to which payroll deduction contributions are made on behalf of an employee must be a Roth IRA unless the participant elects otherwise.

Model Notice and Other Directives to the Secretary

The provision directs the Secretary to issue regulations as necessary to carry out the purpose of the rules relating to automatic IRA arrangements, including establishing procedures to assist employers in connecting with certified and available providers of IRAs and to communicate to individuals the importance of investment diversification.

In addition, the provision directs the Secretary to issue a model notice, written in a manner calculated to be understandable to the average worker, that is simple for employers to use, to notify employees of the requirement for the employer to provide certain employees with the opportunity to participate in an automatic IRA arrangement, and to satisfy the notice requirements applicable to automatic IRA arrangements as described above. The Secretary must also provide model forms for enrollment, including automatic enrollment, in an automatic IRA arrangement, and establish a website or other electronic means that small employers and individuals can access and use to obtain information on automatic IRA arrangements (including clear, standardized, easy-to-compare information on fees and expenses and investment returns in a format prescribed by the Secretary) and to obtain notices and forms. The information on such website must be provided in a manner designed to assist employers and providers by facilitating the identification by employers of private-sector providers of IRAs, including the provider's investment options, that are appropriate for use in automatic IRA arrangements.

Under the provision, the Secretary also must establish a process (1) for the provider of an automatic IRA arrangement to demonstrate to the Secretary that the arrangement meets the applicable requirements, and (2) to certify any arrangement that the Secretary determines so

³⁶ The deductible amount in effect under section 219(b)(5) (determined without regard to subparagraph (B) thereof).

³⁷ The notice must be provided in paper form or, if the employee so elects, in electronic form.

demonstrates, to regularly monitor compliance and update such determinations and certifications, and to list all arrangements so certified on the website described above as appropriate for use by employers and participants.

Finally, the provision requires the Secretary, not later than 90 days after the date of the enactment of this provision, to establish an Automatic IRA Advisory Group (“Advisory Group”). The purpose of the Advisory Group is to make recommendations, advise, and assist in the Secretary’s implementation and administration of the requirements related to automatic IRA arrangements, including the investment and fee requirements. Such implementation and administration includes:

- the procedures and criteria for the periodic certification, website listing, and monitoring of investment options that meet the requirements of those paragraphs,
- user-friendly disclosure regarding investment returns, terms, fees, and expenses to facilitate comparison,
- the use of low-cost investment options,
- the appropriate use of electronic and paper methods to provide notice and disclosure,
- any possible learnings or efficiencies based on the Secretary’s procedures and experience in approving nonbank IRA trustees, and
- such other related matters as may be determined by the Secretary.

The Advisory Group must consist of not more than 15 members and be composed of such individuals as the Secretary may consider appropriate to provide expertise regarding the financial needs and challenges of lower- and middle-income households. At least one member must be an expert in retirement-related consumer protections or must represent the general public, and at least one member must be a representative of the Department of the Treasury. The members of the Advisory Group serve without compensation. The Department of the Treasury must provide appropriate administrative support to the Advisory Group, including technical assistance, and the Advisory Group may use the services and facilities of the Department, with or without reimbursement, as determined by the Department. Not later than one year after the date of the enactment of this provision, the Advisory Group must submit to the Secretary a report containing its recommendations. The Secretary may request that the Advisory Group submit subsequent reports.

Safe Harbor for Certain State-Provided Programs

Under the provision, an arrangement facilitated by an employer does not fail to be treated as an automatic IRA arrangement merely because it is provided or otherwise offered, in whole or in part, by a state. This permits a state that currently has an automatic IRA enrollment program for employees working in the state to offer participation in the program to employees of employers who wish to facilitate an automatic IRA arrangement but whose employees work partially or wholly in other states.

Other Rules Applicable to Automatic IRA Arrangements

For purposes of the rules applicable to prohibited transactions,³⁸ if an employer is required under an automatic IRA arrangement to deposit amounts withheld from an employee's compensation into an IRA but fails to timely do so, such amounts are treated as assets of the IRA.

For purposes of the ten-percent additional tax that applies to early distributions from an IRA,³⁹ such tax does not apply to a distribution to an individual from an IRA that is part of an automatic IRA arrangement if such distribution is made not later than 90 days after the individual is first deemed to have made an election to contribute to the IRA.

Excise Tax

The provision imposes an excise tax on an employer⁴⁰ for failing to maintain or facilitate an automatic contribution plan or arrangement. The tax is \$10 (adjusted for inflation) on any failure with respect to an employee for each day in the noncompliance period. The noncompliance period is the period beginning on the date the failure occurs and ending on the earlier of (1) the date such failure is corrected, or (2) the date that is three months after the last date on which the employee is required to be eligible to participate in an automatic contribution plan or arrangement maintained or facilitated by the employer.

Exceptions apply to the imposition of the excise tax. The tax is not imposed on an employer with respect to any employee who is eligible to participate in a different automatic contribution plan or arrangement than one or more other employees of the employer.⁴¹ No tax is imposed on any failure during any period for which it is established to the satisfaction of the Secretary that the employer⁴² did not know, nor exercising reasonable diligence would have known, that the failure existed. In addition, no tax is imposed on any failure if (1) such failure was due to reasonable cause and not willful neglect, and (2) the failure is corrected during the nine-and-a-half-month period beginning on the first date the employer knew that such failure existed, or would have known exercising reasonable diligence. In the case of taxes imposed on a failure that is due to reasonable cause and not willful neglect, such tax may not exceed \$500,000.⁴³ The Secretary also may waive part or all of such taxes to the extent that the payment of the tax would be excessive relative to the failure involved.

The provision also exempts certain categories of employers from the excise tax. The tax does not apply to an employer to the extent such employer participates in an arrangement under a qualified state law. A qualified State law is a state law that (1) was enacted before the date of enactment of the provision, and (2) either requires certain employers to facilitate an automatic

³⁸ Sec. 4975(c).

³⁹ Sec. 72(t).

⁴⁰ The term employer under the provision includes all employers treated as a single employer under secs. 414(b), (c), (m), or (o). However, all employers, determined without regard to that rule, are jointly and severally liable for liability of any other employer with which they are aggregated for the excise tax under the provision.

⁴¹ For this purpose, "employer" means any employers treated as a single employer under sections 414(b), (c), (m), or (o).

⁴² For this purpose, "employer" includes any employer required to be aggregated under sections 414(b), (c), (m), or (o).

⁴³ If not all persons who are treated as a single employer have the same taxable year, the taxable years taken into account for this purpose are determined under principles similar to the principles of section 1561.

IRA arrangement pursuant to a payroll deduction savings program of the state, or allows certain employers to contribute to, or participate in, a multiple employer plan⁴⁴ established and maintained by the state. A qualified state law continues to be treated as such even if it is amended after the date of enactment of the provision.

The tax also does not apply to any employer with respect to a plan or arrangement that, during the prior calendar year, was maintained or facilitated only by employers each of which had no more than five employees receiving at least \$5,000 of compensation from the employer for that year. The tax does not apply to a governmental plan⁴⁵ or church plan.⁴⁶ It also does not apply to any employer that has been in existence for fewer than two years, taking into account all predecessor employers.

Effective Date

The provision is effective for plan years beginning after December 31, 2022.

Deferral-only arrangements (sec. 131102 of the bill and sec. 401(k) of the Code)

Present Law

Section 401(k) Plans

A section 401(k) plan is a type of profit-sharing or stock bonus plan that contains a qualified cash or deferred arrangement. Such arrangements are subject to the rules generally applicable to qualified defined contribution plans. In addition, special rules apply to such arrangements. Employees who participate in a section 401(k) plan may elect to have contributions made to the plan (referred to as “elective deferrals”) rather than receive the same amount as current compensation.⁴⁷ The maximum annual amount of elective deferrals that can be made by an employee for a year is \$19,500 (for 2021) or, if less, the employee’s compensation.⁴⁸ For an employee who attains age 50 by the end of the year, the dollar limit on elective deferrals is increased by \$6,500 (for 2021) (called “catch-up contributions”).⁴⁹ An employee’s elective deferrals must be fully vested. A section 401(k) plan may also provide for employer matching and nonelective contributions.

In order to constitute a qualified cash or deferred arrangement, no benefit under the arrangement may be conditioned, directly or indirectly, on the employee electing to have the

⁴⁴ A plan described in section 413(c).

⁴⁵ Sec. 414(d).

⁴⁶ Sec. 414(e).

⁴⁷ Elective deferrals generally are made on a pre-tax basis and distributions attributable to elective deferrals are includible in income. However, a section 401(k) plan is permitted to include a “qualified Roth contribution program” that permits a participant to elect to have all or a portion of the participant’s elective deferrals under the plan treated as after-tax Roth contributions. Certain distributions from a designated Roth account are excluded from income, even though they include earnings not previously taxed.

⁴⁸ Sec. 402(g).

⁴⁹ Sec. 414(v).

employer make or not make contributions under the arrangement in lieu of receiving cash.⁵⁰ However, matching contributions are exempt from this rule.

Nondiscrimination Test

Actual Deferral Percentage Test

An annual nondiscrimination test, called the actual deferral percentage test (the “ADP” test) applies to elective deferrals under a section 401(k) plan.⁵¹ The ADP test generally compares the average rate of deferral for highly compensated employees to the average rate of deferral for non-highly compensated employees and requires that the average deferral rate for highly compensated employees not exceed the average rate for non-highly compensated employees by more than specified amounts. If a plan fails to satisfy the ADP test for a plan year based on the deferral elections of highly compensated employees, the plan is permitted to distribute deferrals to highly compensated employees (“excess deferrals”) in a sufficient amount to correct the failure. The distribution of the excess deferrals must be made by the close of the following plan year.⁵²

The ADP test is deemed to be satisfied if a section 401(k) plan includes certain minimum matching or nonelective contributions under either of two plan designs (“401(k) safe harbor plan”), described below, as well as certain required rights and features and the plan satisfies a notice requirement.⁵³

Section 401(k) Safe Harbor Contributions

Under one type of section 401(k) safe harbor plan (“basic section 401(k) safe harbor plan”), the plan either (1) satisfies a matching contribution requirement (“matching contribution basic section 401(k) safe harbor plan”) or (2) provides for the employer to make a nonelective contribution to a defined contribution plan of at least three percent of an employee’s compensation on behalf of each non-highly compensated employee who is eligible to participate in the plan. The matching contribution requirement under the matching contribution basic section 401(k) safe harbor plan requires a matching contribution equal to at least 100 percent of elective contributions of the employee for contributions not in excess of three percent of compensation, and 50 percent of elective contributions for contributions that exceed three percent of compensation but do not exceed five percent, for a total matching contribution of up to four percent of compensation. The required matching contributions and the three percent nonelective contribution under the basic section 401(k) safe harbor plans must be immediately nonforfeitable (that is, 100 percent vested) when made.

Another safe harbor applies for a section 401(k) plan that includes automatic enrollment (“automatic enrollment section 401(k) safe harbor plan”). Under an automatic enrollment

⁵⁰ Sec. 401(k)(4)(A).

⁵¹ Sec. 401(k)(3). Long-term part-time workers may be excluded from this and other nondiscrimination tests. Sec. 401(k)(2)(D).

⁵² Sec. 401(k)(8).

⁵³ Sec. 401(k)(12) and (13). If certain additional requirements are met, matching contributions under 401(k) safe harbor plan may also satisfy a nondiscrimination test applicable under section 401(m).

section 401(k) safe harbor plan, unless an employee elects otherwise, the employee is treated as electing to make elective deferrals at a default rate equal to a percentage of compensation as stated in the plan and at least (1) three percent of compensation through the end of the first plan year that begins after the first deemed election applies to the participant, (2) four percent during the second plan year, (3) five percent during the third plan year, and (4) six percent during the fourth plan year and thereafter. An automatic enrollment section 401(k) safe harbor plan generally may provide for default rates higher than these minimum rates, but the default rate cannot exceed 15 percent for any year (10-percent during the first year).⁵⁴ The matching contribution requirement under this safe harbor is 100 percent of elective contributions of the employee for contributions not in excess of one percent of compensation, and 50 percent of elective contributions for contributions that exceed one percent of compensation but do not exceed six percent, for a total matching contribution of up to 3.5 percent of compensation (“matching contribution automatic enrollment section 401(k) safe harbor plan”). Alternatively, the plan can provide that the employer will make a nonelective contribution of three percent, as under the basic section 401(k) safe harbor plan. However, under the automatic enrollment section 401(k) safe harbor plans, the matching and nonelective contributions are allowed to become 100 percent vested after two years of service (rather than being required to be immediately vested when made).

Section 401(k) Safe Harbor Notice Requirements

Both the matching contribution basic section 401(k) safe harbor plans and the matching contribution automatic enrollment section 401(k) safe harbor plans are subject to an employee notice requirement.⁵⁵ Under the requirement, the plan must provide each employee eligible to participate, within a reasonable period before each plan year, with a written notice that describes the employee’s rights and obligations under the arrangement. Such notice must be (1) sufficiently accurate and comprehensive to apprise the employee of such rights and obligations, and (2) written in a manner calculated to be understood by the average employee to whom the arrangement applies.

Additional notice requirements apply in the case of a matching contribution automatic enrollment section 401(k) safe harbor plan. The notice must (1) explain the employee’s right under the arrangement to elect not to have elective contributions made on the employee’s behalf (or to elect to have such contributions made at a different percentage), and (2) in the case of an arrangement under which the employee may elect among 2 or more investment options, explain how contributions made under the arrangement will be invested in the absence of any investment election by the employee. The employee also must have a reasonable period of time after receipt of the notice and before the first elective contribution is made to make either such election.

Explanation of Provision

⁵⁴ These automatic increases in default contribution rates are required for plans using the safe harbor. Rev. Rul. 2009-30, 2009-39 I.R.B. 391, provides guidance for including automatic increases in other plans using automatic enrollment, including under a plan that includes an eligible automatic contribution arrangement.

⁵⁵ Secs. 401(k)(12)(A); 401(k)(13)(B).

Section 131102 amends section 401(k) of the code to establish a new type of section 401(k) plan, a “deferral-only arrangement,” that is treated as satisfying the ADP test.⁵⁶ A deferral-only arrangement is a cash or deferred arrangement that meets certain requirements relating to (1) automatic enrollment, (2) elective contributions, and (3) employee notices.

Under the deferral-only arrangement, each employee who is eligible to participate must be treated (unless the employee elects otherwise) as having elected to have the employer make elective contributions in an amount equal to the applicable qualified percentage of compensation. Such percentage is determined under the terms of the arrangement, subject to certain rules. The qualified percentage must be applied uniformly, and must be at least (1) six percent during the period ending on the last day of the first plan year that begins after the date on which the first elective contribution is made with respect to an employee, (2) seven percent during the second plan year, (3) eight percent during the third plan year, (4) nine percent during the fourth plan year, and (5) 10 percent during the fifth plan year and thereafter. The arrangement may generally provide for a qualified percentage higher than these minimum rates, but the qualified percentage cannot exceed 15 percent for any plan year (10 percent during the first plan year). The election to make elective deferrals at the qualified percentage ceases to apply to an employee if the employee makes an affirmative election not to contribute or to contribute at a different level.

In addition, under the arrangement, the only contributions that may be permitted are elective contributions of employees eligible to participate. Thus, the employer may not make matching or nonelective contributions to the plan. In addition, the aggregate amount of any employee’s elective contributions for a calendar year may not exceed the contribution limit that is generally applicable to individual retirement arrangements (\$6,000 for 2021).⁵⁷ Catch-up contributions are permitted (for an employee who attains age 50 by the end of the year) up to \$1,000, indexed for inflation.

The arrangement also must satisfy the notice requirement applicable to a matching contribution automatic enrollment section 401(k) safe harbor plan. Similar to section 401(k) safe harbor plans, deferral-only arrangements are not treated as top-heavy plans.⁵⁸

Effective Date

The provision is effective for plan years beginning after December 31, 2022.

⁵⁶ Sec. 401(k)(3)(A)(ii).

⁵⁷ The amount of an employee’s elective contributions under the deferral-only arrangement may not exceed the deductible amount in effect for the taxable year under section 219(b)(5), determined without regard to the amount of catch-up contributions described in subparagraph (B) thereof.

⁵⁸ Top-heavy requirements apply under the Code to limit the extent to which accumulated benefits or account balances under a qualified retirement plan can be concentrated with key employees. Sec. 416.

Increase in credit limitation for small employer pension plan startup costs including for automatic contribution plan or arrangement (sec. 131103 of the bill and sec. 45E of the Code)

Present Law

Small Employer Startup Credit

A nonrefundable income tax credit is available for qualified startup costs of an eligible small employer that adopts a new qualified retirement plan, SIMPLE IRA plan or SEP (referred to as an eligible employer plan), provided that the plan covers at least one non-highly compensated employee.⁵⁹ Qualified startup costs are expenses connected with the establishment or administration of the plan or retirement-related education for employees with respect to the plan. The amount of the credit is equal to 50 percent of the qualified startup costs paid or incurred by the employer during the taxable year and is limited to the greater of (1) a flat dollar amount of \$500 per year or (2) the lesser of \$250 for each non-highly compensated employee or a flat dollar amount of \$5,000. The credit applies for up to three years beginning with the year the plan is first effective, or, at the election of the employer, with the year preceding the first plan year.

An eligible employer is an employer that, for the preceding year, had no more than 100 employees with compensation of \$5,000 or more. In addition, the employer must not have had a plan covering substantially the same employees as the new plan during the three years preceding the first year for which the credit would apply. Members of controlled groups and affiliated service groups are treated as a single employer for purposes of these requirements.⁶⁰ All eligible employer plans of an employer are treated as a single plan.

No deduction is allowed for the portion of qualified startup costs paid or incurred for the taxable year equal to the amount of the credit.

Explanation of Provision

Section 131103 modifies the nonrefundable income tax credit for qualified startup costs of an eligible small employer that adopts an eligible employer plan (*i.e.*, a qualified retirement plan, SIMPLE IRA plan, or SEP), other than a deferral-only arrangement as described in section 131102 of the bill. The credit is not available for the startup costs with respect to deferral-only arrangements as described in section 131102 of the bill. Because an automatic IRA arrangement, as described in section 131101 of the bill, is not an eligible employer plan, the credit is also not available for these arrangements.

The nonrefundable income tax credit is available for qualified startup costs of an eligible small employer for up to five years beginning with the year the plan is first effective, or, at the election of the employer, with the year preceding the first plan year. For an eligible employer

⁵⁹ Sec. 45E. A non-highly compensated employee is an employee who is not a highly compensated employee as defined under section 414(q). A qualified retirement plan is a qualified plan under section 401(a) or a qualified annuity plan under section 403(a).

⁶⁰ Secs. 52(a) or (b) and 414(m) or (o).

with 25 or fewer employees with compensation of \$5,000 or more, the credit is available for 100 percent of qualified startup costs.

For taxable years beginning after December 31, 2022, no credit is allowed for amounts paid or incurred with respect to an eligible employer plan that is not an automatic contribution plan as defined in section 131101 of the bill.

Effective Date

The provision is effective for taxable years beginning after December 31, 2021.

Credit for certain small employer automatic retirement arrangements (sec. 131104 of the bill and new sec. 45U of the Code)

Present Law

Small Employer Startup Credit

A nonrefundable income tax credit is available for qualified startup costs of an eligible small employer that adopts a new qualified retirement plan, SIMPLE IRA plan or SEP (referred to as an eligible employer plan), provided that the plan covers at least one non-highly compensated employee.⁶¹ Qualified startup costs are expenses connected with the establishment or administration of the plan or retirement-related education for employees with respect to the plan. The amount of the credit is equal to 50 percent of the qualified startup costs paid or incurred by the employer during the taxable year and is limited to the greater of (1) a flat dollar amount of \$500 per year or (2) the lesser of \$250 for each non-highly compensated employee or a flat dollar amount of \$5,000. The credit applies for up to three years beginning with the year the plan is first effective, or, at the election of the employer, with the year preceding the first plan year.

An eligible employer is an employer that, for the preceding year, had no more than 100 employees with compensation of \$5,000 or more. In addition, the employer must not have had a plan covering substantially the same employees as the new plan during the three years preceding the first year for which the credit would apply. Members of controlled groups and affiliated service groups are treated as a single employer for purposes of these requirements.⁶² All eligible employer plans of an employer are treated as a single plan.

No deduction is allowed for the portion of qualified startup costs paid or incurred for the taxable year equal to the amount of the credit.

Automatic Enrollment

A qualified defined contribution plan may include a qualified cash or deferred arrangement under which employees may elect to have plan contributions (“elective deferrals”) made rather

⁶¹ Sec. 45E. A non-highly compensated employee is an employee who is not a highly compensated employee as defined under section 414(q).

⁶² Secs. 52 (a) or (b) and 414(m) or (o).

than receive cash compensation (commonly called a “section 401(k) plan”). A SIMPLE IRA plan is an employer-sponsored retirement plan funded with individual retirement arrangements (“IRAs”) that also allows employees to make elective deferrals.⁶³ Section 401(k) plans and SIMPLE IRA plans may be designed so that the employee will receive cash compensation unless the employee affirmatively elects to make elective deferrals to the plan. Alternatively, a plan may provide that elective deferrals are made at a specified rate (when the employee becomes eligible to participate) unless the employee elects otherwise (*i.e.*, affirmatively elects not to make contributions or to make contributions at a different rate). This alternative plan design is referred to as automatic enrollment.

Small Employer Credit

A nonrefundable income tax credit is available for an eligible employer that establishes an eligible automatic contribution arrangement under a qualified employer plan, requiring the plan to include a cash or deferred arrangement under which participants are treated as having made an election to make elective contributions at a uniform percentage of compensation.⁶⁴ Qualified employer plans include 401(a) plans, 403(a) plans, SIMPLE IRA plans and SEPs but exclude governmental plans and plans maintained by tax-exempt employers.

The credit is equal to \$500 for any taxable year of an eligible employer that occurs during the period of three taxable years beginning with the first taxable year for which an eligible employer includes an eligible automatic contribution arrangement in a qualified employer plan that it sponsors. No taxable year is treated as occurring within the credit period unless the eligible automatic contribution arrangement is included in the plan for the year.

An eligible employer is an employer that, for the preceding year, had no more than 100 employees with compensation of \$5,000 or more. Members of controlled groups and affiliated service groups are treated as a single employer for purposes of these requirements.⁶⁵ All eligible employer plans of an employer are treated as a single plan.

Explanation of Provision

Section 131104 adds new section 45U to the code, establishing a nonrefundable income tax credit equal to a flat dollar amount of \$500 that is available to eligible employers who (1) participate in an automatic IRA arrangement, as described in section 131101 of the bill, including an arrangement pursuant to a qualified State law;⁶⁶ or (2) maintain a deferral-only arrangement as described in section 131102 of the bill. The credit is available during the first four years in which the eligible employer participates in an automatic IRA arrangement or maintains a deferral-only arrangement.

An eligible employer is an employer that, on each day of the preceding year, had no more than 100 employees with compensation of \$5,000 or more and did not maintain a qualified

⁶³ Sec. 408(p).

⁶⁴ Sec. 45T.

⁶⁵ Secs. 52(a) or (b) and 414(m) or (o).

⁶⁶ Described in section 4980J(a)(2)(A), as added by section 131101 of the bill.

employer plan⁶⁷ during the portion of the calendar year preceding the adoption of the automatic IRA arrangement or deferral-only arrangement and the two preceding calendar years. Members of controlled groups and affiliated service groups are treated as a single employer for purposes of these requirements.⁶⁸ All eligible employer plans of an employer are treated as a single plan. No deduction is allowed for expenses incurred in connection with establishing, maintaining, or facilitating such plan or arrangement, or for expenses incurred in connection with the retirement-related education of employees, equal to the amount of the credit.

Effective Date

The provision is effective for taxable years beginning after December 31, 2021.

⁶⁷ Sec. 4972(d).

⁶⁸ Secs. 52(a) or (b) and 414(m) or (o).

Saver's Match**Matching payments for elective deferral and IRA contributions by certain individuals
(sec. 131201 of the bill and new sec. 6433 of the Code)****Present Law**

Eligible taxpayers may claim a nonrefundable income tax credit for qualified retirement savings contributions to certain retirement accounts.⁶⁹ Subject to adjusted gross income ("AGI") limits, the credit is available to individuals who are age 18 or older, other than individuals who are full-time students or claimed as a dependent on another taxpayer's return. The maximum amount of the contribution that may be taken into account is \$2,000 with a maximum credit of \$1,000 per eligible individual.⁷⁰

The amount of the credit is based on the taxpayer's AGI and filing status. The credit is a percentage of the taxpayer's qualified retirement savings contributions with a percentage of 10 percent, 20 percent, or 50 percent, as shown in the table below. The credit is in addition to any deduction or exclusion that would otherwise apply with respect to the contribution. The credit offsets minimum tax liability as well as regular tax liability.

Table 1.—Credit Rates for Saver's Credit (for 2021)

Joint Filers	Heads of Households	All Other Filers	Credit Rate
\$0 – \$39,500	\$0 – \$29,625	\$0 – \$19,750	50 percent
\$39,501 – \$43,000	\$29,626 – \$32,250	\$19,751 – \$21,500	20 percent
\$43,001 – \$66,000	\$32,251 – \$49,500	\$21,501 – \$33,000	10 percent

Eligible contributions for purposes of the credit include (1) contributions to traditional and Roth IRAs; (2) elective deferrals to a section 401(k) plan, a section 403(b) plan, a governmental section 457(b) plan, a SIMPLE IRA, or a SEP; (3) voluntary after-tax employee contributions to a qualified retirement plan or annuity or a section 403(b) plan; and (4) contributions to a section 501(c)(18)(D) plan. Public Law 115-97 also added a fifth type of eligible contribution for contributions to Achieving a Better Life Experience ("ABLE") accounts for which the taxpayer is a designated beneficiary. ABLE accounts are savings accounts utilized by individuals with disabilities. A credit for such contributions is available from calendar years 2018 through 2025.

The amount of any contribution eligible for the credit is reduced by distributions received by the taxpayer (or by the taxpayer's spouse if the taxpayer files a joint return with the spouse) from any plan or IRA to which eligible contributions can be made during the taxable year for which the credit is claimed, the two taxable years prior to the year the credit is claimed, and during the period after the end of the taxable year for which the credit is claimed and prior to the due date

⁶⁹ Sec. 25B; Pub. L. No. 109-290.

⁷⁰ See IRS Form 8880, *Credit for Qualified Retirement Savings Contributions*.

for filing the taxpayer's return for the year. Distributions that are rolled over to another retirement plan do not affect the credit.

Explanation of Provision

An eligible individual will be allowed a refundable income tax credit, up to \$500 (adjusted for inflation), equal to a percentage of qualified retirement savings contributions made by the individual to his or her retirement account.⁷¹ The refund must be paid by the Secretary as a contribution to the eligible individual's applicable retirement savings vehicle. The contribution will be made as soon as practicable after the eligible individual files a tax return making a claim for the credit.

Qualified Retirement Savings Contributions

The maximum percentage of qualified retirement savings contributions eligible for the credit remains 50 percent, but the maximum amount of qualified retirement savings contributions that may be taken into account is \$1,000 (reduced from \$2,000 under present law), indexed for inflation. The percentage is reduced by the number of percentage points which bears the same ratio to 50 percentage points as the excess of the taxpayer's modified AGI for the taxable year, over the applicable dollar amount, bears to the phaseout range.⁷² For eligible married individuals who file a joint tax return, the applicable dollar amount is \$50,000, indexed for inflation, and the phaseout range is \$20,000. For eligible individuals who file as head of household, the applicable dollar threshold and phaseout range are 75 percent of that in effect for joint return filers. For all other taxpayers, the applicable dollar amount and phaseout range is 50 percent of the amounts in effect for joint return filers. Taxpayers who are eligible for a credit less than \$100 but more than \$0 will be allowed a credit of \$100 under this provision.

The provision retains the criteria that individuals who have attained age 18 as of the close of the taxable year are eligible for the credit. An eligible individual does not include any individual who would be claimed as a dependent on another individual's return,⁷³ or any individual who is a student.⁷⁴

The qualified retirement savings contribution is the sum of the amounts of: (1) the qualified retirement contributions made by the eligible individual,⁷⁵ (2) any elective deferrals plus elective deferral of compensation by such individuals under a governmental section 457(b) plan,⁷⁶ (3) voluntary employee contributions by such individual to a qualified retirement plan,⁷⁷ and (4) contributions made by such individuals to an ABLE account of which such individual is the designated beneficiary.⁷⁸

⁷¹ Sec. 6433.

⁷² Modified AGI is determined as AGI without regard to sections 911, 931, and 933, and without regard to any exclusion or deduction allowed for any qualified retirement savings contribution made during the taxable year.

⁷³ Sec. 151.

⁷⁴ Sec. 152(f)(2).

⁷⁵ Sec. 219(e).

⁷⁶ Secs. 402(g)(3), 457(b), 457(e)(1)(A).

⁷⁷ Sec. 4974(c).

⁷⁸ Sec. 529A.

The amount of qualified retirement savings contributions is reduced (but not below zero) by the aggregate distributions received by the individual during the testing period from any entity of a type to which the foregoing contributions may be made. For purposes of determining distributions received by an individual, any distribution received by a spouse of such individual shall be treated as received by such individual if they file a joint return for such taxable year and for the taxable year during which the spouse receives the distribution. An excepted distribution is qualified disability expenses.⁷⁹

The testing period is the period that includes the taxable year plus the two preceding taxable years and the period after such taxable year and before the due date (including extensions) for filing the tax return for such taxable year. Certain distributions made during the testing period are not taken into account for purposes of the reduction.⁸⁰ Finally, any portion of a distribution transferred or paid in a rollover contribution⁸¹ to an account or plan to which qualified retirement contributions can be made will not be applied to any reduction in qualified retirement savings contributions for purposes of this provision.

Payment of Credits

As previously noted, the credit will be paid in the form of a contribution to the individual's applicable retirement savings vehicle that is an account or plan elected by the individual. In order to receive the credit, an eligible individual must elect to have the contribution made to an account or plan which (1) is a Roth IRA or designated Roth account (within the meaning of section 402A) of an applicable retirement plan;⁸² (2) is for the benefit of the eligible individual; (3) accepts contributions made under this provision, and (4) is designated by such individual, in such form and manner as the Secretary may provide, on the tax return for the taxable year.⁸³

A payment of a credit that is a contribution shall be treated as an elective deferral made by the individual which is a designated Roth contribution, if contributed to an applicable retirement plan, or as a Roth IRA contribution made by such individual, if contributed to a Roth IRA, except as provided by the Secretary under regulations. The contribution is not taken into account with respect to any qualified plan limitations.⁸⁴

Any contribution that was erroneously paid, including a payment that is not made to an applicable retirement saving vehicle will be treated as an underpayment of tax⁸⁵ for the taxable year in which the Secretary determines that the payment was erroneous. In the case of an

⁷⁹ Sec. 529A(e)(5).

⁸⁰ Distributions made during the testing period are not taken into account for purposes of the reduction if made under sections 72(p), 401(k)(8), 401(m)(6), 402(g)(2), 404(k), or 408(d)(4). In addition, distributions to which sections 408(d)(3) or 408A(d)(3) applies are not taken into account for purposes of the reduction.

⁸¹ As defined in sections 402(c), 403(a)(4), 403(b)(8), 408A(e), or 457(e)(16).

⁸² Applicable retirement plan is defined in section 402A(e)(1).

⁸³ A plan or arrangement will not violate any requirement of Code sections 401, 403, 408A, or 457 solely because it accepted such contributions.

⁸⁴ As imposed by sections 402(g)(1), 403(b), 408(a)(1), 408(b)(2)(B), 408A(c)(2), 414(v)(2), 415(c), or 457(b)(2). Also, such contributions are disregarded for purposes of sections 401(a)(4), 401(k)(3), 401(k)(11)(B)(i), and 416.

⁸⁵ Such a payment shall not be treated as an underpayment of tax for purposes of Part II of subchapter A of Chapter 68.

erroneous credit, section 72 will not apply to the distribution of such contribution (and any income attributable thereto) if the distribution is received no later than the due date (including extensions) for filing the individual's tax return. Any plan or arrangement to which a contribution is made under this provision, or from which a distribution is made, is not be treated as violating the requirements applicable to such plan solely by reason of such contribution or distribution.⁸⁶

Information Related to Payment of Credits

If an eligible individual elects to have the credit contributed to an account or plan, the Secretary shall guidance to the custodian of the account or the plan sponsor, as the case may be, detailing the treatment of such contribution and reporting requirements with respect to such contribution.

The Secretary is required to: (1) amend IRS Form 5500 to require separate reporting of the aggregate amount of contributions received by the plan during the year; and (2) amend IRS Form 5498 to require similar reporting with respect to individual retirement plans.⁸⁷

Treatment of the U.S. Territories

The Secretary shall pay to each territory of the United States that has a mirror Code tax system—the U.S. Virgin Islands, Commonwealth of the Northern Mariana Islands, and Guam—amounts equal to the loss (if any) to that territory by reason of amendments made by this provision. Such amounts will be determined by the Secretary based on information provided by the government of the territory. With respect to any United States territory, a mirror Code tax system means the income tax system of such territory if the income tax liability of the residents of such territory is determined by referenced to the income tax laws of the United States as if that territory were the United States.

For territories that do not have a mirror Code—Puerto Rico and American Samoa—the Secretary will pay amounts estimated by the Secretary as being equal to the aggregate benefits (if any) that would have been provided to residents of that territory by reason of the amendments made by this provision if the territory had a mirror Code. The respective territory must have a plan, which has been approved by the Secretary, under which such territory will promptly distribute such payments to its residents in order for the territory to receive amounts estimated to equal aggregate benefits.

A credit under the provision will not be allowed against income taxes to any person to whom a credit is allowed against taxes imposed by the territory due to this provision, or who is eligible for a payment resulting from a determination of aggregate benefits in a non-mirror Code territory.

Effective Date

⁸⁶ The plan is not treated as violating secs. 401, 403, 408A, 457.

⁸⁷ Sec. 7701(a)(37) (defining individual retirement plans).

The amendments made by this provision shall apply to taxable years beginning after December 31, 2024.

Deadline to fund IRA with tax refund (sec. 131202 of the bill and sec. 219 of the Code)

Present Law

There are two general types of individual retirement arrangements (“IRAs”): traditional IRAs and Roth IRAs.⁸⁸ The total amount that an individual may contribute to one or more IRAs for a year is generally limited to the lesser of: (1) a dollar amount (\$6,000 for 2021); and (2) the amount of the individual’s compensation that is includible in gross income for the year.⁸⁹ In the case of an individual who has attained age 50 by the end of the year, the dollar amount is increased by \$1,000. In the case of a married couple, contributions can be made up to the dollar limit for each spouse if the combined compensation of the spouses that is includible in gross income is at least equal to the contributed amount.

An individual may make contributions to a traditional IRA (up to the contribution limit) without regard to his or her adjusted gross income. An individual may deduct his or her contributions to a traditional IRA if neither the individual nor the individual’s spouse is an active participant in an employer-sponsored retirement plan. If an individual or the individual’s spouse is an active participant in an employer-sponsored retirement plan, the deduction is phased out for taxpayers with adjusted gross income over certain levels.⁹⁰

A taxpayer is deemed to have made a contribution to an IRA on the last day of the preceding taxable year if the contribution is made on account of such taxable year and is not made later than the due date for the filing of the return (not including extensions).⁹¹

Explanation of Provision

Section 131202 amends the timing rule, under section 219 of the code, regarding when IRA contributions are deemed to have been made by adding that a taxpayer is also deemed to have made a contribution on the last day of the preceding taxable year if the contribution is made pursuant to an election on a tax return to have the Secretary contribute all or a portion of any amount owed to the taxpayer to an IRA of the taxpayer, but only if the return is not filed later than the due date for filing the return (not including extensions). Such a contribution will be treated as a contribution for the taxable year of the return, regardless of when the refund that funds the contribution is actually paid.

Effective Date

⁸⁸ Secs. 408 and 408A.

⁸⁹ Sec. 219(b)(2) and (5), as referenced in secs. 408(a)(1) and (b)(2)(B) and 408A(c)(2). Under section 4973, IRA contributions in excess of the applicable limit are generally subject to an excise tax of six percent per year until withdrawn.

⁹⁰ Sec. 219(g).

⁹¹ Sec. 219(f)(3).

The amendments made by this provision shall apply to taxable years beginning after December 31, 2022.

VOTES OF THE COMMITTEE

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the following statement is made concerning the vote of the Committee on Ways and Means in its consideration of Subtitle B, Budget Reconciliation Legislative Recommendations Relating to Retirement on September 9, 2021.

["2A_WMSubtitleB_Vote_Sheet_Insert"]

VOTES OF THE COMMITTEE

An amendment to the amendment in the nature of a substitute to Subtitle B that would exempt from the federal retirement mandate excise tax small businesses with 50 or fewer employees, minority-owned businesses, women-owned businesses, and veteran owned businesses was offered by Mr. Buchanan. The amendment was defeated by a vote of 18 yeas and 25 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		25		TOTALS	18		

An amendment to the amendment in the nature of a substitute to Subtitle B that would strike the requirement for an automatic contribution plan or arrangement to allow participants to receive at least 50% of their vested retirement account balances in the form of a lifetime annuity was offered by Mr. Rice. The amendment was defeated by a vote of 18 yeas and 24 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE				MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		24		TOTALS	18		

An amendment to the amendment in the nature of a substitute to Subtitle B offered by Mr. Brady was ruled nongermane. Mr. Brady moved to appeal the ruling of the Chair and Mr. Thompson moved to table the appeal. Mr. Thompson's motion to table the appeal of the ruling of the Chair was agreed to by a vote of 24 yeas to 18 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD (IL)		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE				MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN		X	
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY	X						
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	24			TOTALS		18	

An amendment to the amendment in the nature of a substitute to Subtitle B to strike Subtitle B and replace with the text of H.R. 2954 (117th Congress) as reported by the Ways and Means Committee, was offered by Mr. Brady. The amendment was defeated by a vote of 17 yeas and 24 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT			
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE				MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		24		TOTALS	17		

An amendment in the nature of a substitute to Subtitle B was agreed to by a voice vote (with a quorum being present).

Subtitle B was ordered favorably transmitted to the House Committee on the Budget as amended by an amendment in the nature of a substitute offered by Chairman Neal by a vote of 22 yeas to 20 nays. The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND		X		MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD (IL)		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE				MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN		X	
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY		X					
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	22			TOTALS		20	

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

Pursuant to 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 provision(s).

The bill is estimated to decrease Federal fiscal year budget receipts by \$47 billion for the period 2022 through 2031.

[Insert Revenue Table]

**B. STATEMENT REGARDING NEW BUDGET AUTHORITY
AND TAX EXPENDITURES BUDGET AUTHORITY**

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.

ESTIMATED BUDGETARY EFFECTS OF THE REVENUE PROVISIONS OF SUBTITLE B
OF THE BUDGET RECONCILIATION LEGISLATIVE RECOMMENDATIONS
AS REPORTED BY THE COMMITTEE ON WAYS AND MEANS

Fiscal Years 2022 - 2031

[Millions of Dollars]

Provision	Effective	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2022-26	2022-31
SUBTITLE B - RETIREMENT													
A. Automatic Contribution Plans and Arrangements													
1. Tax imposed on employers failing to maintain automatic contribution plan or arrangement [1].....	pyba 12/31/22	---	-874	-1,615	-2,096	-2,768	-3,099	-3,269	-3,248	-3,061	-2,717	-7,353	-22,747
2. Deferral-only arrangements.....	pyba 12/31/22	----- Estimate Included in Item A.1. Above -----											
3. Increase in credit limitation for small employer pension plan startup costs including for automatic contribution plan or arrangement [1].....	tyba 12/31/21	---	-1	-3	-12	-28	-62	-118	-192	-280	-379	-44	-1,075
4. Credit for certain small employers automatic retirement arrangements.....	tyba 12/31/21	----- Estimate Included in Item A.3. Above -----											
B. Saver's Match													
1. Matching payments for elective deferral and IRA contributions by certain individuals.....	tyba 12/31/24	---	---	---	---	-3,755	-3,727	-3,753	-3,827	-3,902	-3,966	-3,755	-22,929
2. Deadline to fund IRA with tax refund.....	tyba 12/31/22	----- Estimate Included in Item A.1. Above -----											
NET TOTAL		---	-875	-1,618	-2,108	-6,551	-6,888	-7,140	-7,267	-7,243	-7,062	-11,152	-46,751

Joint Committee on Taxation

NOTE: Details may not add to totals due to rounding. The date of enactment is assumed to be October 1, 2021.

Legend for "Effective" column:

tyba = taxable years beginning after

pyba = plan years beginning after

[1] Estimate contains the following budget effects:	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2022-26	2022-31
Total Revenue Effect.....	---	-874	-1,615	-2,096	-2,768	-3,099	-3,269	-3,248	-3,061	-2,717	-7,353	-22,747
On-budget effects.....	---	-881	-1,647	-2,163	-2,884	-3,263	-3,478	-3,497	-3,343	-3,001	-7,575	-24,157
Off-budget effects.....	---	7	32	67	116	164	209	249	282	284	222	1,410

[2] Negligible Revenue Effect.

**OTHER MATTERS TO BE DISCUSSED UNDER THE
RULES OF THE HOUSE**

A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect 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 made findings and recommendations that are reflected in 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 Committee advises that the bill contains no measure that authorizes funding, so no statement of general performance goals and objectives is required.

C. INFORMATION RELATING TO UNFUNDED MANDATES

This information is provided in accordance with section 423 of the Unfunded Mandates Reform Act of 1995 (Pub. L. No. 104-4).

The Committee has determined that the committee print does not contain Federal mandates on the private sector. The Committee has determined that the subtitle does not impose a Federal intergovernmental mandate on State, local, or tribal governments.

D. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

E. 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.

F. TAX COMPLEXITY ANALYSIS

Section 4022(b) of Pub. L. No. 105-266, the Internal Revenue Service Restructuring and Reform Act of 1998 (the "RRA"), requires the staff of the Joint Committee on Taxation (in consultation with the Internal Revenue Service and the Treasury Department) to provide a tax complexity analysis. The complexity analysis is required for all legislation reported by the Senate Committee on Finance, the House Committee on Ways and Means, or any committee of conference if the legislation includes a provision that directly or indirectly amends the Internal Revenue Code of 1986 and has widespread applicability to individuals or small businesses.

Pursuant to clause 3(h)(1) of rule XIII of the Rules of the House of Representatives, for each such provision identified by the staff of the Joint Committee on Taxation, a summary description

of the provision is provided below along with an estimate of the number and type of affected taxpayers, and a discussion regarding the relevant complexity and administrative issues.

Tax imposed on employers failing to maintain or facilitate automatic contribution plan or arrangement (section 131101 of the bill)

Summary Description of the Provision

Section 131101 of the bill generally imposes an excise tax on an employer that does not maintain or facilitate an automatic contribution plan or arrangement. Automatic contribution plans and arrangements generally include qualified retirement plans (including a deferral-only arrangement under a section 401(k) plan), qualified annuity plans, certain 403(b) plans, SIMPLE IRAs, and automatic IRA arrangements, all of which must meet certain requirements under the bill. Employers that have retirement plans as of the date of enactment are generally grandfathered from this requirement. Additionally, the excise tax does not apply to (1) an employer to the extent such employer participates in an arrangement under a qualified state law; (2) an employer which had no more than five employees receiving at least \$5,000 of compensation from the employer during the prior calendar year; (3) an employer that has not been in existence for at least two years, taking into account all predecessor employers; and (4) governmental and church plans.

Number of Affected Taxpayers

It is estimated that the provision will affect over ten percent of taxpayers during the budget window.

Discussion

Employers will need to determine whether they are required to establish or facilitate an automatic contribution plan or arrangement under the provision, or if they are exempt. Employers who are subject to the requirement will need to evaluate the plan and arrangement options, and will need to undertake the administrative tasks associated with establishing or facilitating a plan or arrangement, such as establishing record-keeping systems. Payroll systems may need to be adjusted to facilitate automatic contributions. The employer will also need to monitor compliance with applicable requirements under the provision, which may include (depending on the type of automatic contribution plan or arrangement) requirements relating to notice, contribution, investment, and lifetime income. The provision also includes administrative and reporting requirements. Employees who become eligible to participate in an automatic contribution plan or arrangement will need to understand their rights under the plan (for example, what they need to do to opt-out or elect a different level of contribution, timing, etc.).

The provision may cause employers to seek professional tax advice, potentially raising the cost of tax compliance for these taxpayers.

The provision will require the IRS to create new forms and publications regarding this change, as well as providing guidance including with respect to those matters described above. Additionally, both taxpayers and the IRS will need to monitor compliance with these provisions.

Because of the complexity of the provision, disputes between taxpayers and the IRS may increase.

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

With respect to clause 9 of Rule XXI of the Rules of the House of Representatives, the Committee has carefully reviewed the provisions of the subtitle, and states that the provisions of the committee print do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits within the meaning of the rule.

H. DUPLICATION OF FEDERAL PROGRAMS

In compliance with 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: (1) a program of the Federal Government known to be duplicative of another Federal program; (2) a program included in any report to Congress pursuant to section 21 of Public Law 111-139; or (3) a program related to a program identified in the most recent Catalog of Federal Domestic Assistance, published pursuant section 6104 of title 31, United States Code.

**CHANGES IN EXISTING LAW MADE BY
THE COMMITTEE PRINT, AS TRANSMITTED**

With respect to clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee requested but did not receive the text of changes in existing law made by the subtitle, as reported.

DISSENTING VIEWS

[“2D_WMsubtitleB_Views_Insert]

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CHAIRMAN

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MINORITY STAFF DIRECTOR

September 17, 2021

DISSENTING VIEWS ON SUBTITLE B.
BUDGET RECONCILIATION LEGISLATIVE RECOMMENDATIONS RELATING TO
RETIREMENT

It is disappointing that our colleagues chose to cast aside years of bipartisan work on retirement security and take a decidedly different and partisan approach. In their rush to enact their \$3.5 trillion tax and spending agenda, Democrats rejected bipartisan tradition and created new punitive taxes and mandates on small businesses.

In 2019, the Ways and Means Committee worked on a strongly bipartisan basis to get the Setting Every Community Up for Retirement Enhancement (SECURE) Act signed into law. In October 2020, I was pleased to join Chairman Neal in introducing SECURE 2.0, the Securing a Strong Retirement Act (SSRA), which built on the success of the SECURE Act. Once again, Ways and Means Committee Democrats and Republicans cooperated to refine SSRA, culminating with a unanimous vote out of committee in May 2021.

SSRA helps Americans from all walks of life save for retirement, including several important priorities that share bipartisan support:

- Promotes retirement savings earlier by automatically enrolling employees in their company's 401(k) plan.
- Increases the amount late-career workers can contribute to "catch-up" on their retirement savings.
- Allows employers to match their workers' student loan repayments with contributions to their retirement plans.
- Encourages small businesses to set up retirement plans for their workers by fully offsetting the paperwork costs and providing a per-employee credit of up to \$1,000 for employer matching contributions.
- Helps military spouses by providing a tax credit for small employers that make military spouses eligible for plan benefits
- Stands up for survivors of domestic violence by exempting them from any penalty for taking "hardship withdrawals" from a retirement plan.

Instead of working with Republicans toward enactment of SSRA by year-end, Democrats have reversed course and jeopardized its many bipartisan provisions.

Democrats' partisan approach in this subtitle would create a new federal mandate for businesses with as few as six employees to establish an automatic-enrollment plan or participate in an Auto-IRA program. If any such business fails to comply, they are subject to a per-day excise tax penalty. The scope of this program and the lack of consideration for costs and fiduciary duties imposed on small business owners is deeply concerning.

Congress typically seeks to protect small businesses that often lack the resources to deal with complicated rules and onerous mandates. In the Affordable Care Act, Congress exempted firms with 50 or fewer employees from the employer mandate. Another section of this subtitle expands the credit for small employer pension startup costs and uses a threshold of 100 or employees or fewer. So, it remains entirely unclear why Democrats would impose a crippling new mandate on small business owner-operators with more than five employees.

Many employers voluntarily adopt retirement plans and encourage their workers to save. Most employers do so because it is the right thing to do, despite the additional liability they are assuming for failing to adhere strictly to the complex regulatory schemes jointly administered by the Internal Revenue Service and the Department of Labor. In earlier bipartisan legislation, Congress has sought to alleviate that burden in a number of ways, most notably by expanding the availability of multi-employer defined contribution retirement plans (open MEPS) which the Ways and Means Committee endorsed in the SECURE Act and expanded in SSRA.

Instead, this subtitle abandons the voluntary approach to small business employer participation included in SSRA. It is disappointing that Democrats would reverse course and instead impose a coercive and costly mandate on small businesses still struggling to recover from the pandemic.

This subtitle also creates two new loopholes that will allow the proliferation of substandard retirement plans. In this bill, Democrats endorse state-controlled retirement plans that lack federal ERISA protections for retirees. This subtitle misleadingly refers to these plans as "Auto-IRAs," because it suggests that they are equivalent to traditional IRAs that have a long history of success. Numerous states have a poor track record of managing retirement plans, even for their own employees. State-run retirement plans have often received large transfers of federal tax dollars, as recently as this year, to prop up their failing finances. Far from making retirement more secure, these changes will force millions of workers to rely on state-controlled plans rather than the tested and successful federal defined contribution retirement system.

A second loophole in this subtitle is a provision that permits the retirement plan mandate to be met with a so-called deferral-only plan. Employers that adopt these plans that require no employer matching contributions are no longer required to meet significant discrimination testing rules. If employers take advantage of this new opportunity to avoid employer matching contributions it will lead to the adoption of plans that fall short of meeting workers' needs in retirement.

This subtitle includes a requirement that all new automatic-enrollment plans offer a lifetime income option. While it may seem generous to require an option to annuitize up to 50% of an employee's vested benefits, little consideration has been given to the risk of default on these annuities. The SECURE Act included a safe harbor that may protect employers if the annuity

provider they select eventually defaults, but small business owners still face potential personal liability. Instead of rushing through this new annuitization mandate, we should fully examine the risks for employers and savers.

The saver's match program in this subtitle is well-intended, but it opens the door to confusion and administrative challenges for workers and plan custodians alike. Other countries have tried similar approaches with mixed results. A program of this size and scope should have the benefit of Congressional hearings and thorough consideration to avoid unintended consequences and eliminate the need for a major policy reversal in the future.

Trying to be constructive, we offered amendments to improve this legislation. At every turn, we were rebuffed by our colleagues on the other side, who defeated our efforts on technicalities or with prearranged party-line votes.

Here are some of the common-sense amendments that were opposed by our colleagues:

- “The Bipartisan Retirement Options and Main Street Protection Amendment” – would exempt small businesses from the federal retirement mandate and restore the bipartisan agreement reached in SSRA, which was approved unanimously by the Ways and Means Committee in May 2021.
- “The No New Mandates from Washington Amendment” – would exempt small businesses from the federal retirement mandate and restore the bipartisan auto-enrollment provision in SSRA.
- “The Small Business Protection Amendment” – would exempt from the federal retirement mandate small businesses with 50 or fewer employees and minority-, women-, and veteran-owned businesses.
- “The Protecting Workers from Financial Predators Amendment” – would remove the lifetime income annuity requirement.

In Democrats' rush to spend \$3.5 trillion, they missed a major opportunity to enact bipartisan solutions to improve our \$20 trillion defined-contribution retirement system.



Kevin Brady
Republican Leader
Committee on Ways and Means

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SUBTITLE C – CHILD CARE ACCESS AND EQUITY

EXPLANATION OF PROVISIONS

Current Law

Section 418 of the *Social Security Act* (SSA) authorizes and directly appropriates child care funding to be awarded to states, territories, and Indian tribes and tribal organizations. It also sets aside administrative funding for the Department of Health and Human Services (HHS) to administer the funds. Total funding for the section is \$3.55 billion a year for fiscal year 2021 and future years.

Explanation of Provisions

Section 132001. Child Care Access.

Present Law

No provision.

Explanation of Provision

This section invests in new tools to make sure parents can find and enroll in child care that meets their needs, as described in the subsections below.

Subsection (a). Establishing Child Care Information Networks.

Invests in all states, tribes, and territories that operate a child care lead agency to support building or expanding a Child Care Information Network (CCIN), which would provide parents and caregivers with frequently updated information about child care in their communities, including information on availability, affordability, and new tools to access available child care.

As a condition of HHS administrative funding, this subdivision requires the Secretary to consult with stakeholders before issuing guidance on use of the funding. Stakeholders include parents, both center and home-based child care providers, child care provider organizations, labor unions, other organizations representing child care providers, and experts in the field.

This subsection also funds the development of national technology and data models for the CCIN, which allow for information sharing while protecting privacy and invests in data interoperability with other HHS programs.

This subsection also describes the conditions of funding that jurisdictions must meet to receive federal aid for their CCIN. They meet the conditions of funding and are eligible for reimbursement if they maintain an up-to-date, publicly available compilation of information which includes the following information for registered, licensed, and regulated child care providers:

- Where the provider is located;

- Services offered and fees charged;
- Whether federal vouchers or reserved slots can be used to pay for care;
- Hours of operation;
- How to apply (including a direct online link, when possible);
- How many children are cared for by the provider, and how many openings are available by age group;
- Whether there is a waiting list, estimated wait time, and how to join the list;
- Whether the care is home-based or in a center, and whether it is licensed;
- Other information the Secretary determines is needed by parents;

To receive funding reimbursement, the subsection specifies that the CCIN must be maintained by (or jointly maintained with) existing child care resource and referral systems, the licensing entity, or another appropriate entity. It also specifies that the jurisdiction must make the information available through the internet and by telephone to families seeking child care, as well as to state, county, and other governmental staff involved in the provision of child care.

Under the subsection, providers (or unions or provider networks they designate) must update information about available slots and waiting lists on a weekly basis and update all other information at least every three months.

Subsection (b). Funding Child Care Information Networks.

This subsection provides funding to states and U.S. territories for a Child Care Information Network (CCIN).

The subsection directly appropriates \$200 million per year in FY2022 and FY2023 to provide startup funds for states and territories to build the CCIN or upgrade existing Child Care Resource and Referral systems. The funds are to be allocated using the same shares as the Child Care Entitlement to States funding also provided in Section 418.

The subsection also provides a 75 percent match for expenditures to operate the system in FY2022 through 2026. The match is available to states, the District of Columbia, and U.S. territories, and includes expenditures for technology and other costs related to the network, including, if the state so chooses, developing a common application for all child care slots, and, where needed, financial incentives to participating providers, with attention to the challenges faced by home-based providers. States may also receive the 75 percent match on the cost of reimbursing coordinating partners like unions and other organizations that represent child care providers to assist small providers with the weekly updating and other activities associated with participating in the CCIN.

Subsection (c). HHS Participating Child Care Provider Certification.

This subsection funds the HHS Participating Child Care Provider Certification. To receive the certification, providers must be licensed or in a license-exempt category that meets health and safety standards, offer child care to the general public (although they may have a priority system), participate in the CCIN, and accept federal reimbursement as payment for qualified low-income families. The list will be maintained by the Secretary of HHS and electronically

shared with the Internal Revenue Service one month before the end of each quarter, at the end of each calendar year. Providers may also request written proof of their status. To be on the list, providers must have been qualified for the full prior quarter.

Subsection (d). Administrative Provisions.

In order to determine the level of matching funds, the subsection requires the Secretary to conduct accuracy checks and notify jurisdictions of any excessive levels of errors, issue guidance on data privacy, and issue guidance on expenditures eligible for matching under Section 418A(b). For jurisdictions that have not taken action to correct any excessive levels of errors in their reported list of qualifying providers, the matching rates for costs related to the CCIN would be reduced from 75 percent to 70 percent.

Subsection (e). Appropriation.

The subsection provides the Secretary with \$50 million per year in FY2022 through FY2026 for administrative expenses related to the certification and the accuracy checks.

Section 132002. Infrastructure Grants to Improve Child Care Safety.

Present law.

No provision.

Explanation of Provision.

This section provides funding for child care facility construction and major remodeling, which are not normally allowable uses of federal child care funds, as described in the subsections below.

Subsection (a)(1).

This subsection authorizes grants to states, the District of Columbia, and U.S. territories to support child care providers in conducting infrastructure projects related to construction, remodeling, and other investments in the physical infrastructure of child care facilities. The grants must be awarded within 12 months of enactment and obligated within five years. To receive a grant, a jurisdiction must have an approved plan that:

- Includes an analysis of the jurisdiction's child care infrastructure needs;
- Identifies a portion of the grant funds to report to the Secretary on uses of the funds;
- Funds only construction projects that comply with fair labor standards;
- Helps facilities to meet, improve, or surpass health and safety standards for center and home-based child care settings;
- Increases availability of child care in rural, urban, and suburban settings;
- Shows evidence of collaboration with local and state government, nongovernmental organizations such as philanthropic organizations or certified community development financial institutions, local community organizations including child care providers and labor unions, and Child Care Resource and Referral organizations (organizations with history of providing technical assistance or financial assistance);
- Provides grants to child care providers that qualify for the HHS; Participating Child Care Provider Certification and therefore are participating in the CCIN.

The subsection requires a 10 percent match from states and U.S. territories, which may be met with in-kind contributions from private entities. Grants are allocated based on state need and plan quality and are capped at \$250 million per state or jurisdiction. As a condition of funding, states must report to the Secretary on uses of the funds within six months of the end of the grant period. States that do not have an approved grant within two years must return funds. \$200 million is provided for HHS administrative costs. As a condition of issuing grants, HHS will not retain a federal interest in any property, including any infrastructure project conducted on a privately-owned family child care home.

Subsection (a)(2).

The subsection specifies that the Secretary may also award competitive grants of up to \$15 million to intermediary organizations with experience in child care facility financing (such as Certified Community Development Financial Institutions), but no more than \$2.25 billion of total funds may be used for this purpose. Intermediary organizations may invest their funds on activities related to developing and financing child care facilities, including capacity-building, technical assistance, and financial products, and must report annually on expenditure activities. Prior to awarding grants, the Secretary must consult with relevant child care facility financing stakeholders.

Subsection (a)(3).

The subsection makes it a condition of funding that all funds must be used for construction projects which meet fair labor standards and a commitment to follow it is referenced in the conditions of funding for states and territories.

Subsection (a)(4).

The subsection limits use of funds to physical infrastructure projects in buildings used primarily for child care and prohibits their use for a building used primarily for sectarian instruction or religious worship, rather than child care. It also limits administrative costs to 5 percent of total grant funds.

Subsection (b). Appropriation.

This subsection directly appropriates \$15 billion in fiscal year 2022 for the grants in this section, which shall remain available for obligation through fiscal year 2026.

Subsection (c). Reservations of Funds.

This subsection provides \$100 million for grants to U.S. Territories. It also provides \$200 million for HHS administrative costs, and up to \$100,000 of immediately available funds for plan development in each jurisdiction

Subsection (d).

This subsection caps total spending on grants to intermediary organizations at \$2.25 billion.

Section 132003. Technical Assistance.

Present law.

No provision.

Explanation of Provision.

This section funds HHS technical assistance to states and U.S. territories, and directly appropriates \$17.5 million in each of fiscal years 2022 through 2026 to provide technical assistance on the provisions in Subtitle C and to supplement existing HHS technical assistance.

Section 132004. Tribal Child Care Access and Growth.

Present law.

No provision.

Explanation of Provision.

This section provides \$200 million per year for FY2022 through FY2026 for tribal investments in developing a CCIN, qualifying tribal providers for the HHS Participating Child Care Provider Certification, and physical infrastructure upgrades at child care facilities serving tribal communities. The section requires the Secretary of HHS to conduct tribal consultation to inform guidance and best practices before awarding funds, and to provide technical assistance after awarding. The Secretary shall expend not more than \$1 million to conduct tribal consultation and shall award not less than \$199 million to Tribal Lead Agencies based on relative need. Funds must supplement, not supplant, existing tribal child care spending.

Section 132005. Raising the Floor for Child Care Provider Wages.

Present law.

No provision.

Explanation of Provision.

This section invests in wage subsidies to sole proprietor and very small child care providers, as described in the subsections below.

Subsection (a). Planning for Child Care Wage Grants for Small Businesses.

This subsection provides \$10 million available immediately upon enactment and available through the end of fiscal year 2022 for the Secretary to conduct planning and development activities associated with implementation of the new wage grant program. Funds shall be spent on: issuing guidance or technical assistance to Lead Agencies about proper consultation with field engagement organizations; calculating wage supplements and bonuses; application and reporting requirements; anti-discrimination protection measures; administrative overhead activities; and consulting with relevant stakeholders such as state, local, and tribal governments, and community stakeholders.

Subsection (b). Implementation.

This subsection instructs the Secretary to provide reimbursement grants to State, Tribal, and Territory Lead Agencies to reimburse for the cost of any child care wage grants made to qualifying child care providers and for the cost of administering the program. To qualify for a grant, Lead Agencies shall conduct consultations with field engagement organizations regarding the development and implementation of the program, including applications, eligibility determination, and community engagement. Lead Agencies must submit certification that they have conducted such a consultation and certify that they intend to submit for reimbursement for the program.

To qualify for funds, the program shall be operated by the Lead Agency and grants are to be awarded to qualifying providers for one-year periods in a supplement amount informed by the qualified child care provider's application. Qualified child care providers must report to the Lead Agency on a quarterly basis and include documentation of grant expenditure, wage levels and worker demographics. Lead Agencies may approve an individual request for reporting extensions, but failure to submit all required information will result in future grant award ineligibility.

Jurisdictions must meet specific requirements to receive annual or advanced estimated payments from the Secretary. Lead Agencies operating the program must include all required documentation and an assurance that not more than five percent of costs will be for administrative expenses. Required documentation includes: qualified child care provider application data; qualified child care provider wage subsidy data including demographics of providers and children served; certification that qualified child care providers are not eligible to receive the child care payroll tax credits; and documentation of qualified child care provider eligibility.

Qualified child care providers that have not used the funds to supplement wages will be required to repay all grant funds back to the Lead Agency and will be ineligible for future wage grants for a period of two years.

This subsection provides uncapped federal funds for annual reimbursements or estimated payments to Lead Agencies operating the Child Care Wage Grants for Small Business.

The following terms needed to correctly distribute funding are defined in this section: Applicable Minimum Rate, Child care wages, Child care employee, Eligible child care wage supplement, Field engagement organization, Qualified child care provider.

Section 132006. Common Provisions.

Present Law.

Section 419 of the *Social Security Act* defines "state" as including all 50 states, the District of Columbia, and four of the five US Territories (excluding the Commonwealth of the Northern Mariana Islands).

Explanation of Provision.

This section amends Section 419 of the *Social Security Act* to provide definitions for lead agency and to include all five U.S. territories in the definition of “territory” in order to distribute funding, require reports to Congress on expenditures as a condition of funding, and exempt spending in this subtitle from the territory spending cap in section 1108(a) of the *Social Security Act*.

Effective Dates

Section 132005 and Section 132006 are effective upon enactment.

Section 132001, Section 132002, Section 132003, and Section 132004 are effective in fiscal year 2022.

VOTES OF THE COMMITTEE

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the following statement is made concerning the vote of the Committee on Ways and Means in its consideration of Subtitle C - Child Care Access and Equity on September 10, 2021.

[“2A_WMSubtitleC_Vote_Sheet_Insert”]

VOTES OF THE COMMITTEE

An amendment to the amendment in the nature of a substitute to Subtitle C offered by Ms. Walorski was ruled nongermane. Ms. Walorski moved to appeal the ruling of the Chair and Mr. Thompson moved to table the appeal. Mr. Thompson's motion to table the appeal of the ruling of the Chair was agreed to by a vote of 24 yeas to 16 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON			
MR. BOYLE				MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN			
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY	X						
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	24			TOTALS		16	

An amendment to the amendment in the nature of a substitute to Subtitle C offered by Mr. Reed was ruled nongermane. Mr. Reed moved to appeal the ruling of the Chair and Mr. Thompson moved to table the appeal. Mr. Thompson's motion to table the appeal of the ruling of the Chair was agreed to by a vote of 24 yeas to 18 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE				MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN		X	
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY	X						
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	24			TOTALS		18	

An amendment to the amendment in the nature of a substitute to Subtitle C that would strike the prohibition on religious providers receiving child care supply was offered by Mr. Kelly. The amendment was defeated by a vote of 18 yeas and 24 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE				MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		24		TOTALS	18		

An amendment to the amendment in the nature of a substitute to Subtitle C that support growth and development of women and minority-owned businesses was offered by Mr. Ferguson. The amendment was defeated by a vote of 18 yeas and 24 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE				MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		24		TOTALS	18		

An amendment to the amendment in the nature of a substitute to Subtitle C that would increase child care availability for tribal communities and lawfully admitted Afghan special immigrant visa holders was offered by Dr. Wenstrup. The amendment was defeated by a vote of 18 yeas and 24 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCARELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE				MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		24		TOTALS	18		

An amendment in the nature of a substitute to Subtitle C was agreed to by a voice vote (with a quorum being present).

Subtitle C was ordered favorably transmitted to the House Committee on the Budget as amended by an amendment in the nature of a substitute offered by Chairman Neal by a vote of 23 yeas to 19 nays. The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD (IL)		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE				MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN		X	
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY		X					
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	23			TOTALS		19	

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

Pursuant to 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.

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 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

With respect 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 made findings and recommendations that are reflected in 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 Committee advises that general performance goal or objective for which the committee print authorizes funding is to improve access to safe child care for all families and improve equity by investing in child care worker wages.

C. INFORMATION RELATING TO UNFUNDED MANDATES

This information is provided in accordance with section 423 of the Unfunded Mandates Reform Act of 1995 (Pub. L. No. 104-4).

Pursuant to Section 423 of the Congressional Budget and Impoundment Control Act of 1974, (Public Law 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.

D. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

E. 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.

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

With respect to clause 9 of Rule XXI of the Rules of the House of Representatives, the Committee has carefully reviewed the provisions of the subtitle, and states that the provisions of the committee print do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits within the meaning of the rule.

G. DUPLICATION OF FEDERAL PROGRAMS

In compliance with 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: (1) a program of the Federal Government known to be duplicative of another Federal program; (2) a program included in any report to Congress pursuant to section 21 of Public Law 111-139; or (3) a program related to a program identified in the most recent Catalog of Federal Domestic Assistance, published pursuant section 6104 of title 31, United States Code.

CHANGES IN EXISTING LAW MADE BY THE COMMITTEE PRINT, AS TRANSMITTED

With respect to clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee requested but did not receive the text of changes in existing law made by the subtitle, as reported.

DISSENTING VIEWS

[“2D_WMsubtitleC_Views_Insert”]

RICHARD E. NEAL
 MASSACHUSETTS
 CHAIRMAN

LLOYD DOGGETT, TEXAS
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GARY ANDRES,
 MINORITY STAFF DIRECTOR

September 17, 2021

DISSENTING VIEWS ON SUBTITLE C.
BUDGET RECONCILIATION LEGISLATIVE RECOMMENDATIONS RELATING TO
CHILD CARE ACCESS AND EQUITY

Committee Republicans oppose Subtitle C. Republicans agree that access to affordable, high-quality child care is key to making America's recovery stronger. But we oppose Democrats' unserious claim that we need to spend more money for a new "child care guarantee" for families. Congress just approved \$53 billion in new funding for child care since the start of the pandemic. That's more than the entire revenue of the child care industry in 2019. The majority of that money is still sitting in state coffers waiting to be distributed to providers and families.

To justify new spending on child care, Democrats are bending over backwards to push a narrative that lack of child care is keeping workers home and creating a labor shortage. This is simply not the case. A study by the former Chair of President' Obama's Council of Economic Advisers found that the impact of child care challenges on the labor market are not a driver of continuing low employment levels, and quote: "differential job loss among parents, or even mothers specifically, accounts for a negligible share of aggregate job loss." In fact, the overall, employment rates of parents of young children have declined by 4.5 percent as compared with 5.2 percent among people who are not parents of young children.¹

In the past, Republicans and Democrats have worked together to increase access to child care to support working families. Over the five-year period prior to the pandemic, Congress doubled funding for the child care block grant, and increased funding for Head Start and preschool development grants. In response to COVID-19, Congress took bipartisan action in the CARES Act (P.L. 116-136) to provide \$3.5 billion in dedicated emergency resources to assist child care providers and first responders. In December 2020, the bipartisan Consolidated Appropriations Act (P.L. 116-260) included an additional \$10 billion in emergency funding to help child care providers safely reopen. In March of 2021, Democrats went it alone and provided another \$40 billion in emergency child care funding for states in the American Rescue Plan Act (P.L. 117-2), including a permanent increase of \$633 million in the child care entitlement. All told, in 2020 and 2021, Congress has provided more than \$53 billion in new funding for child care.

In Subtitle C, Committee Democrats propose yet another major new child care investment. The bill would create four new programs with an estimated cost of \$27 billion. This is in addition to

¹ Peterson Institute for International Economics, "How much have childcare challenges slowed the US jobs market recovery?" Jason Furman, Melissa Kearney and Wilson Powell III, May 17, 2021.

funding included in Subtitle D of the Education and Labor Committee’s reconciliation print, which establishes two new programs – a birth through five child care and early learning entitlement and a universal pre-kindergarten program – at a cost of \$400 billion. This would bring funding for child care up to a staggering \$489 billion over ten years. (See Figure A)

At no point during the markup did the Majority speak to the prior child care funding provided on a bipartisan basis in response to COVID. Yet, Democrats would scold Republicans for opposing Subtitle C.

It’s time to put the brakes on. States are floating in child care money and additional funds will not solve the new problem states face in child care: namely that they have more child care money than they know how to spend, and most child care providers still haven’t seen a dime of what Congress passed in March. According to the Department of Health and Human Services (HHS), less than 2 percent of the \$24 billion in child care stabilization funds provided by the American Rescue Plan Act have been outlaid by states.

An amendment was offered by Committee Republicans to delay the effective date of new child care funding made available by this bill until all states have provided a certification to the Secretary of HHS that at least half of their child care stabilization funds have been obligated. The amendment was unanimously rejected by Committee Democrats.

Figure A. Current and Proposed Federal Funding for Child Care

Pre-COVID Federal Funding for Child Care (FY 2020)	
Child Care and Development Block Grant	\$5.8 billion
Child Care Entitlement	\$2.9 billion
Head Start	\$10.6 billion
TOTAL	\$19.3 BILLION
Emergency Funding for Child Care in Response to COVID	
CARES Act (3/27/2020)	\$3.5 billion
Consolidated Appropriations Act (12/21/2020)	\$10 billion
American Rescue Plan Act: (3/11/2021)	
<i>Child Care Stabilization Funds</i>	\$24 billion
<i>Increase in Child Care Development Block Grant</i>	\$15 billion
<i>Increase in Child Care Entitlement (permanent)</i>	+\$633 million
<i>HHS Administration</i>	\$35 million
TOTAL	\$53.5 BILLION
Ways and Means Subtitle C: “Child Care Access and Equity”	
Child Care Information Network (start-up)	\$400 million
Child Care Information Network (matching funds)	<i>Such sums</i>
Infrastructure Grants for Child Care	\$15 billion
Tribal Child Care Access, Growth, Innovation	\$1 billion
Child Care Wages Grants for Small Businesses	<i>Such sums</i>
HHS Administrative and Technical Assistance	\$537 million

TOTAL NEW FUNDING (CBO 10yr est.)	\$27 billion
Education & Labor Subtitle D: "Child Care and Pre-Kindergarten"	
Child Care and Early Learning Entitlement	\$200 billion
Universal Pre-Kindergarten	\$200 billion
TOTAL NEW FUNDING (CBO 10yr est.)	\$400 billion
Total current and proposed child care funding = \$489 billion	

Subtitle C is also particularly concerning because of an apparent lack of coordination between Democrats on the Ways and Means and the Education and Labor Committee. Federal funding for child care and early education in the United States already involves multiple programs, with different eligibility requirements, governance structures, and quality standards. This creates challenges for families and communities in navigating services, and can lead to overlap, gaps in services and wasteful spending. Instead of working to modernize and streamline existing federal programs in order to improve the overall quality of a mixed-delivery system, Democrats are proposing six additional child care programs.

There is no indication that Ways and Means and Education and Labor Democrats considered how these new and existing programs would actually work together as a comprehensive early learning system or if, in their rush to claim jurisdictional domain, there would be unnecessary duplication and redundancy that would breed more bureaucracy and headaches for parents.

In May, Ways and Means Committee Republicans worked with our Republican colleagues on the Education and Labor Committee to put forward a joint package to expand access to affordable child care in the "[Protecting Worker Paychecks and Family Choice Act](#)." This bill focused on leveraging existing funding and increasing family flexibility and parent choice. Republican child care proposals included:

- Expanding and improving the employer-provided child care tax credit;
- Increasing parent choice and preventing the child care cliff by requiring states to implement a graduated phase-out period and expanding access to child care vouchers;
- Better targeting child care funds by allocating to states based on the number of children in poverty;
- Improving dependent care flexible spending accounts by tripling contribution limits, allowing funds to roll over at the end of the year without penalty, and expanding eligible expenses;
- Establishing a bipartisan Commission to make recommendations to Congress on streamlining and reducing duplication in financing of early care and education programs;
- Requiring the Secretary of Health and Human Services (HHS) to report to Congress on state and local child care regulations, including overburdensome regulations that increase the cost of child care;
- Allowing states that cannot obligate 50 percent of their Child Care Stabilization Funds by December the option of repurposing unobligated funds aimed at:
 - increasing the supply of child care and emphasizing long-term stability in the sector;
 - supporting creation of family child care networks designed to increase or improve the quality of child care provided by family child care providers;

- supporting making improvements to child care facilities to meet health and safety standards and to expand child care services; and
- offering start-up grants to employers to establish and expand child care programs for employees.
- Finally, the bill would require HHS to use a portion of the \$35 million designated for child care administration included in the American Rescue Plan Act to monitor compliance with requirements and ensure program integrity.

Ten child care bills were introduced by Republican members of this Committee in the last three months. Many of them with members of the Education and Labor Committee, reflecting the ideas put forward in the “Protecting Worker Paychecks and Family Choice Act.” Not one of these proposals received consideration by Committee Democrats when developing Subtitle C, despite continued lip service about bipartisanship.

To ensure the Majority is fully aware of the missed opportunity to work with Republicans, an amendment was offered to strike and replace Subtitle C with the child care proposals in Divisions B and C of the “Protecting Worker Paychecks and Family Choice Act.” The amendment was unanimously rejected by Committee Democrats.

Subtitle C authorizes new funding for infrastructure improvements for child care facilities grants to improve child safety. In this section, the Majority went out of their way to expressly prohibit religious child care providers from receiving infrastructure improvement grants. An amendment was offered to strike the prohibition and allow all high-quality child care providers to be eligible for grants to acquire, construct, renovate, or otherwise physically improve the infrastructure of their child care facilities, including faith-based providers. The amendment to preserve family choice of faith-based child care providers was unanimously rejected by Committee Democrats.

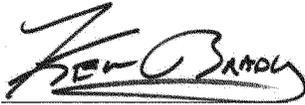
This subtitle authorizes four new child care programs and a whopping \$537 million in new administrative dollars for HHS. Committee Republicans offered an amendment to re-direct some of this funding to better use by growing the supply of women and minority-owned child care providers. According to Department of Labor:

- half of child care businesses are minority-owned;
- 93% of child care workers are women; and
- 45% are minorities.

Recognizing the reality of who provides child care in this country, the amendment would redirect administrative money from HHS bureaucrats and instead support the growth and development of women and minority-owned businesses. The amendment was unanimously rejected by Committee Democrats.

Subtitle C would provide \$27 billion in new child care spending, even though 98% of funds from the last \$40 billion spending package remain unspent. This doesn't count the additional \$400 billion in new child care and “universal pre-k” that the Education and Labor Committee is considering. There are more immediate needs to deal with first. An amendment was offered to increase child care availability for tribal communities and lawfully admitted Afghan special immigrant visa holders. The amendment was unanimously rejected by Committee Democrats.

As we continue to deal with this public health and economic emergency, Democrats and Republicans should be working together to ensure the availability of safe, affordable child care for hard working Americans. Subtitle C includes new child care programs that are duplicative and redundant of existing and proposed funding, with no consideration given to the tremendous investment in child care made by Congress in response to the COVID-19 pandemic. Subtitle C is a reckless use of American taxpayer dollars that duplicates existing programs and layers additional mandates on states and providers, at exactly the wrong time.

A handwritten signature in black ink that reads "KEVIN BRADY". The signature is stylized with a large, sweeping "K" and "B".

Kevin Brady
Republican Leader
Committee on Ways and Means

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SUBTITLE D – TRADE ADJUSTMENT ASSISTANCE**EXPLANATION OF PROVISIONS****Current Law**

The Trade Adjustment Assistance (TAA) programs are contained in the Trade Act of 1974, parts 2 through 6 of subchapter II. The programs were most recently amended by the Trade Adjustment Assistance Reauthorization Act of 2015 (P.L. 114-27).

Explanation of Provision**Section 133001. Short Title.**

This section provides the short title.

Section 133002. Application of Provisions Relating to Trade Adjustment Assistance.

This section provides that the effective date of this legislation will be the date of enactment and it repeals the provision in existing law that drastically cuts benefits in the program's last year.

Part 1 – Trade Adjustment Assistance for Workers**Section 133101. Filing Petitions.**

This section allows one or more trade-impacted workers from the same firm to petition for TAA benefits. Current TAA law requires three or more workers in the same firm to file a petition. This section also clarifies that workforce intermediaries may file petitions on behalf of workers.

Section 133102. Group Eligibility Requirements.

This section removes the requirement under current law that imports contributed “importantly” to their job loss. Further, this section ensures that workers can successfully apply for TAA when a layoff has been announced but production has not yet decreased, and clarifies that eligible workers include teleworkers and workers employed by other firms under the operational control of the firm subject to the petition.

Finally, this section expands eligibility to workers who lose their job because a firm has decreased exports.

Section 133103. Application of Determinations of Eligibility to Workers Employed by Successors-In-Interest.

This section clarifies that trade-impacted workers at firms that undergo mergers, acquisitions, or name changes remain eligible for TAA benefits.

Section 133104. Provision of Benefit Information to Workers.

This section expands outreach regarding benefits available from the U.S. Department of Labor (DOL). It also requires DOL to make every effort to reach out to workers in their native languages.

Additionally, this section allows states to utilize TAA funding to collect email addresses and telephone numbers of workers from employers, partner with union representatives, hire peer support workers within a certified group to perform outreach, and use advertising methods and public information campaigns.

Section 133105. Qualifying Requirements for Workers.

This section removes the requirement that a worker be employed for one year prior to losing the worker's job in order to receive income support under TAA.

Further, this section restores previous flexibility in the program for workers that are unable to enroll in training because the worker is recalled to the worker's previous employment or the worker is within two years of retirement and expects to receive retirement benefits.

Section 133106. Modification to Trade Readjustment Allowances.

This section would enhance Trade Readjustment Allowances (TRA) by providing workers with up to 130 weeks of income support if they are enrolled in a qualified training program. Workers enrolled in prerequisite education or remedial education, such as language and math classes, may receive an additional 26 weeks of TRA benefits. This section also removes the restriction on workers receiving TRA during work-based learning or training.

Section 133107. Automatic Extension of Trade Readjustment Allowances.

This section automatically extends income support for six months to workers who complete training but are unable to find suitable employment because of poor economic conditions. Specifically, this provision provides that the period during which trade readjustment allowances are payable to an adversely affected worker can be automatically extended for 26 weeks if the worker has completed training and cannot find a job during a period of heightened unemployment.

Section 133108. Employment and Case Management Services.

This section requires DOL, through the states, to provide workers with information about registered apprenticeships, on-the-job training, and information related to direct job placement. It also requires DOL to conduct sustained outreach to groups of workers that are potentially eligible for TAA.

Section 133109. Training.

This section places a new emphasis on ensuring that training providers approved by DOL have a demonstrated ability to place workers into jobs upon the completion of training. Further, this section adds pre-apprenticeships to the category of authorized training programs for workers and requires DOL to reimburse workers for out-of-pocket expenses related to an approved training program.

Section 133110. Job Search, Relocation, and Child Care Allowances.

This section updates the funding levels for the existing job search and relocation allowances provided to workers. This change increases the limit to \$2,000 per worker from \$1,250 and ensures that 100% (instead of just 90%) of these costs can be covered under the limit.

Additionally, this section establishes a childcare allowance of up to \$2,000 for workers in TAA. Childcare accessibility and costs are often highlighted as a key barrier to workers' ability to successfully take advantage of the training benefits under TAA.

Finally, this section requires states to provide these allowances. States currently have discretion to do so. It also ties the limit of each allowance to inflation, so that the allowance automatically rises, and new legislation is not required every time an adjustment is warranted.

Section 133111. Agreements with States.

This section requires each state to consider when approving a training program whether training providers have a proven track record in placing workers into good jobs after completing training. It also calls for states to work with training providers that have a proven track record in serving underserved communities.

This section also requires states to adopt an aggressive outreach model to workers who are potentially eligible for TAA. It requires states to complete proactive searches for potential eligible workers and to then conduct outreach to such workers.

This section requires states to perform outreach to workers from underserved communities and develop plans to address common barriers those diverse communities face in accessing services.

Lastly, this section reinstates a requirement that TAA be administered by merit-based staff at the state level.

Section 133112. Reemployment Trade Adjustment Assistance Program.

This section provides increased access to Reemployment Trade Adjustment Assistance (RTAA), which is a wage insurance program available to workers over 50 who obtain a new job but at a lower wage. Current TAA law limits this program to workers making less than \$50,000 and limits the benefit to a maximum of \$10,000. This section makes the program available to workers making \$70,000 and increases the maximum benefit to \$20,000. To ensure that these figures do not become stagnant, this section also requires these figures to rise with inflation.

Section 133113. Extension of Trade Adjustment Assistance to Public Agency Workers.

This section ensures that public sector workers are also eligible for TAA. This provision would apply when public sector services have been outsourced by a state or the federal government to an offshore service provider (e.g., a call center).

Section 133114. Definitions.

This section extends eligibility to TAA for Workers to territories including Guam, the Virgin Islands of the United States, American Samoa, and the Commonwealth of the Northern Mariana Islands.

This section also defines an 'underserved community' as a group of people who have been systematically denied the full opportunity to participate in aspects of economic, social, and civic life. Underserved communities include Black, Latino, Indigenous and Native American persons, Asian American and Pacific Islanders, other persons of color, members of other minority

communities, persons with disabilities, person who live in rural areas, and other populations affected by persistent poverty or inequality.

Section 133115. Subpoena Power.

The current TAA statute provides DOL with explicit authority to subpoena firms to produce evidence necessary to certify a group of workers for TAA benefits. This section confers this authority to states and allows states to seek compliance with a subpoena under state law and by petitioning a federal court.

Part 2 – Trade Adjustment Assistance for Firms

Section 133201. Petitions and Determinations.

This section removes the requirement that imports contribute “importantly” to lost sales or employment at a firm, and expands eligibility to firms that have suffered because of a decrease in exports. Further, this section provides that a firm is eligible for the program if it has seen a decrease in employment or sales (either of which must be caused by trade), instead of requiring both.

This section requires that DOC accept a petition within 15 days of receipt and deems a petition approved if DOC has not approved or denied it within 55-days. This will ensure that all petitions are approved or denied within 70 days.

Section 133202. Approval of Adjustment Proposals.

This section requires firms to assess the potential employment outcomes of their adjustment proposal to ensure that a proposal does not lead to decreased employment at the firm. This section also clarifies that a firm may receive up to \$300,000 in support under the program, subject to the firm matching the funds contributed by DOC. This funding level will automatically rise with inflation to ensure it does not remain stagnant.

Section 133203. Technical Assistance.

This section clarifies that assistance provided to a firm may be used to provide skills training programs to employees of the firm.

Section 133204. Definitions.

This section provides the definition for the term underserved community.

Section 133205. Plan for Sustained Outreach to Potentially-Eligible Firms.

This section requires DOC to develop a plan and submit it Congress regarding outreach to potentially eligible firms, including:

- the U.S. International Trade Commission (ITC) and firms in the industries with increased imports identified in an annual ITC report;
- firms in the service sector and small businesses;
- firms that that are minority or women-owned; and
- firms that employ a majority or substantial percentage of workers from underserved communities.

Part 3 – Trade Adjustment Assistance for Communities and Community Colleges

Section 133301. Trade Adjustment Assistance for Communities.

This section establishes the TAA for Communities program by adding new sections to the Trade Act of 1974. The following descriptions refer to the new sections of the Trade Act as added by the provision.

Section 271. Definitions.

This section provides the definitions for agricultural commodity producer, community, eligible community, eligible entity, Secretary, and underserved community.

Section 272. Establishment of Trade Adjustment Assistance for Communities Program.

This section provides DOC, acting through the Economic Development Administration, with 180 days to establish the TAA for Communities program.

Section 273. Eligibility; Notification of Eligibility.

This section provides that communities impacted by trade are eligible for the program. It further defines “impacted by trade” as a community (1) in which a certification has been made under the TAA for Workers, Firms, or Farmers programs, and (2) a community that (a) has a per capita income of 80% or less of the national average, (b) has an unemployment rate at least 1% higher than the national average over the past two years, or (c) is significantly affected by the threat or the loss of jobs associated with a TAA certification. This section also requires the federal government to proactively reach out to a potentially eligible community to notify it of benefits potentially available under the program.

Section 274. Grants to Eligible Communities.

This section requires DOC to provide grant funding to eligible communities that apply for assistance (described in the next section). This section requires that entities that receive assistance under the TAA for Community Colleges program coordinate with eligible communities in section, if applicable.

This section provides DOC with flexibility to administer revolving loan fund grants and construction grants, similar to flexibilities provided in other programs the agency administers.

This section limits the maximum award to a community to \$25,000,000. It also requires DOC to prioritize historically distressed communities and ensure that grants are provided to geographically diverse communities.

Section 275. Strategic Plans.

This section requires communities to develop a strategic plan to adjust to the impact that trade has had on it. In developing this plan, the community is required to consult with

local officials, labor organizations, and organizations representing underserved communities, among others.

A community's strategic plan is required to describe the capacity of the community to adjust to trade, evaluate economic opportunities, including for young workers, describe economic adjustment projects, assess the impact on underserved communities, and training programs available to workers, among other things. This section also requires DOC to provide individualized technical assistance to communities in developing its strategic plan.

Section 276. Coordination of Federal Response and Other Additional Technical Assistance.

This section requires DOC to coordinate the federal response for an eligible community, including identifying other funding opportunities available through other federal agencies and assisting the community in accessing such assistance. It also provides DOC with flexibility to transfer funds to and from agencies to carry out the provisions of the TAA for Communities program.

Section 277. General Provisions.

This section provides DOC with the authority to issue regulations to carry out the program and to consult with the Committee on Ways and Means and the Senate Finance Committee regarding such regulations. It also requires DOC to rely on existing regulations to the maximum extent possible to carry out this program and to use expertise from its existing work.

Section. 133302. Trade Adjustment Assistance for Community Colleges and Career Training.

This section updates the funding levels for grants distributed to community colleges under the TAA for Community Colleges program and requires DOL to develop a plan to ensure that the program effectively serves populations from underserved communities. Finally, this section ensures that a portion of grant funding can be used to support the needs of students taking courses at community colleges.

Part 4 – Trade Adjustment Assistance for Farmers

Section 133401. Definitions.

This section provides the definition for the term underserved community.

Section 133402. Group Eligibility Requirements.

This section removes the requirement that imports contribute “importantly” to decreased sales. This section requires only a decrease in sales and production, instead of requiring a 15% decrease, and expands eligibility to farmers who lost export sales.

Section 133403. Benefit Information to Agricultural Commodity Producers.

This section requires USDA to develop an outreach plan to producers from underserved communities that could benefit under the program.

Section 133404. Qualifying Requirements and Benefits for Agricultural Commodity Producers.

This section increases the benefits available to farmers under the program from \$12,000 to \$36,000. Funding levels will automatically rise with inflation to ensure they do not remain stagnant.

Part 5 – Appropriations and Other Matters

Section 133501. Extension of and Appropriations for Trade Adjustment Assistance Program.

This section extends the TAA for Workers, Firms, and Farmers programs for seven years, appropriates \$1,000,000,00 for TAA for Workers per year for training funds, and appropriates \$50,000,000 per year to both the Firms and Farmers programs.

It also provides \$1,000,000,000 per year in appropriations to the TAA for Communities program for five years. Finally, it provides \$1,300,000,000 per year in appropriations to the TAA for Communities Colleges program for seven years.

Section 133502. Applicability of Trade Adjustment Assistance Provisions.

This section provides that all TAA workers will be moved into the current version of TAA, as amended by the provisions of subtitle D.

This section also requires DOL and DOC to review petitions for eligibility to the TAA for Workers and Firms programs, respectively, that have been denied since January 1, 2021, and provides a window for recently denied petitions to be certified under the expanded eligibility criteria.

Effective Date

As provided in section 133002, all the provisions in the subtitle are effective upon enactment.

VOTES OF THE COMMITTEE

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the following statement is made concerning the vote of the Committee on Ways and Means in its consideration of Subtitle D – Budget Reconciliation Legislative Recommendations Relating to Trade Adjustment Assistance on September 10, 2021.

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VOTES OF THE COMMITTEE

An amendment to the amendment in the nature of a substitute to Subtitle D offered by Mr. Buchanan was ruled nongermane. Mr. Buchanan moved to appeal the ruling of the Chair and Mr. Thompson moved to table the appeal. Mr. Thompson's motion to table the appeal of the ruling of the Chair was agreed to by a vote of 25 yeas to 18 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE	X			MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN		X	
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY	X						
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	25			TOTALS		18	

An amendment to the amendment in the nature of a substitute to Subtitle D that would make communities harmed by job losses and decreased economic activity as a result of the stop to construction of the Keystone XL Pipeline eligible to receive TAA for Communities benefits was offered by Mr. Arrington. The amendment was defeated by a vote of 18 yeas and 25 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		25		TOTALS	18		

An amendment to the amendment in the nature of a substitute to Subtitle D that would make workers displaced by the expiration of the Generalized System of Preferences and the Miscellaneous Tariff Bill eligible to receive TAA for workers, and reserve \$100 million of the \$1 billion appropriated annually for these workers was offered by Ms. Walorski. The amendment was defeated by a vote of 18 yeas and 25 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		25		TOTALS	18		

An amendment in the nature of a substitute to Subtitle D was agreed to by a voice vote (with a quorum being present).

Subtitle D was ordered favorably transmitted to the House Committee on the Budget as amended by an amendment in the nature of a substitute offered by Chairman Neal by a vote of 24 yeas to 19 nays. The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD (IL)		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE	X			MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN		X	
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY		X					
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	24			TOTALS		19	

BUDGET EFFECTS OF THE SUBTITLE

A. COMMITTEE'S ESTIMATE OF BUDGETARY EFFECTS

Pursuant to 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.

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 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.

OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE

A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect 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 made findings and recommendations that are reflected in 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 Committee advises that general performance goal or objective for which the committee print authorizes funding is to provide increased resources and make key improvements to the Trade Adjustment Assistance programs for Workers, Firms, Communities, Community Colleges, and Farmers, respectively.

C. INFORMATION RELATING TO UNFUNDED MANDATES

Pursuant to Section 423 of the Congressional Budget and Impoundment Control Act of 1974, (Public Law 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.

The Committee has determined that the committee print does not contain Federal mandates on the private sector. The Committee has determined that the subtitle does not impose a Federal intergovernmental mandate on State, local, or tribal governments.

D. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

E. 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.

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

With respect to clause 9 of Rule XXI of the Rules of the House of Representatives, the Committee has carefully reviewed the provisions of the subtitle, and states that the provisions of the committee print do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits within the meaning of the rule.

G. DUPLICATION OF FEDERAL PROGRAMS

In compliance with 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: (1) a program of the Federal Government known to be duplicative of another Federal program; (2) a program included in any report to Congress pursuant to section 21 of Public Law 111-139; or (3) a program related to a program identified in the most recent Catalog of Federal Domestic Assistance, published pursuant section 6104 of title 31, United States Code.

CHANGES IN EXISTING LAW MADE BY THE COMMITTEE PRINT, AS TRANSMITTED

With respect to clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee requested but did not receive the text of changes in existing law made by the subtitle, as reported.

DISSENTING VIEWS

["2D_WMsubtitle[D]_ Views Insert]

RICHARD E. NEAL
 MASSACHUSETTS
 CHAIRMAN

LLOYD DOGGETT, TEXAS
 MIKE THOMPSON, CALIFORNIA
 JOHN B. LARSON, CONNECTICUT
 EARL BLUMENTHAL, OREGON
 RON KIND, WISCONSIN
 BILL PASCRELL, JR., NEW JERSEY
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 BRAD SCHNEIDER, ILLINOIS
 TOM SUJAZZ, NEW YORK
 JIMMY PANETTA, CALIFORNIA
 STEPHANIE MURPHY, FLORIDA
 JIMMY GOMEZ, CALIFORNIA
 STEVEN HORSFORD, NEVADA
 STACEY PLASKETT, VIRGIN ISLANDS

BRANDON CASEY,
 MAJORITY STAFF DIRECTOR

Congress of the United States
U.S. House of Representatives

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 KEVIN HERRN, OKLAHOMA
 CAROL MULLER, WEST
 VIRGINIA

GARY ANDRES,
 MINORITY STAFF DIRECTOR

September 17, 2021

**DISSENTING VIEWS ON SUBTITLE D.
 BUDGET RECONCILIATION LEGISLATIVE RECOMMENDATIONS RELATING TO
 TRADE ADJUSTMENT ASSISTANCE**

Committee Republicans agree that when workers, firms, farmers, and communities lose jobs because of increased foreign competition that results from trade liberalization, the federal government should help them adjust. New trade agreements benefit the United States by both increasing export opportunities and providing consumers with increased choices and lower prices, but they also can have negative effects on domestic workers and firms whose products are displaced by imports. Congress created Trade Adjustment Assistance in the Trade Expansion Act of 1962 to help such workers and firms adjust to import surges that may result from our trade agreements. For this reason, Congress typically reauthorizes the program alongside expansionary trade policies with the potential to create good American jobs through trade, like votes on Trade Promotion Authority (TPA) and specific free trade agreements.

Committee Republicans find it lamentable that the Majority has chosen to reauthorize and dramatically expand TAA in this partisan context, rather than considering program reauthorization in the context of a vote on a balanced trade package that also includes TPA renewal or a new free trade agreement. Meanwhile, Democrats have not prioritized the reauthorization of two job-creating trade programs that have long enjoyed bipartisan support, the Generalized System of Preferences (GSP) and the Miscellaneous Tariff Bill (MTB).

With respect to TAA for Workers, the Majority has proposed to more than double the prior authorization for this program (from \$450 million to \$1 billion per year) at a time when many job-creators are eager to hire but cannot find enough workers. At the same time, we know that enrollment in the program dropped significantly from 230,000 in 2010 to 23,436 in 2019. Moreover, the bill relaxes one of the most important statutory requirements for participation in the program—namely, a showing that an increase in imports contributed “importantly” to underlying job losses—a change that raises concerns because it makes the program’s relationship to adverse impacts from trade liberalization far less clear. This bill also makes the same change to weaken the connection between TAA and trade in the other TAA programs.

Committee Republicans believe the bill contains too few provisions to streamline and improve program administration. Committee Republicans support the bill’s provisions that require the Department of Labor to certify only those job training providers that have demonstrated an ability to place workers in jobs at the completion of training and to recognize pre-apprenticeships in the category of authorized training programs.

Subtitle D represents a missed opportunity. A missed opportunity to reauthorize various TAA programs in a way that makes them more efficient and responsive to the needs of program beneficiaries. A missed opportunity to examine why prior TAA programs have been underutilized or failed entirely. And a missed opportunity to work together in a bipartisan way to advance a proactive U.S. trade agenda that helps our firms and farmers create new, export-oriented American trade jobs with trade agreements that secure expanded market access opportunities.

A handwritten signature in black ink that reads "KEVIN BRADY". The signature is stylized with a large, sweeping initial "K" and a long horizontal stroke at the bottom.

Kevin Brady
Republican Leader
Committee on Ways and Means

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DISSENTING VIEWS 6

SUBTITLE E PART 1 – PATHWAYS TO HEALTH CAREERS

EXPLANATION OF PROVISIONS

Current Law

Section 2008 of the *Social Security Act*, “Demonstration Projects to Address Health Professions Workforce Needs” funded grants to eligible entities for demonstration projects to provide education and training to disadvantaged individuals for occupations experiencing labor shortages or in-high-demand allied health professions (HPOG demonstration grants) through September 30, 2021. Section 2008 also authorizes use of already-appropriated funding for research evaluation and reporting through September 30, 2022.

Explanation of Provisions

Sec. 134101. Pathways to Health Careers Act.

Transition Funding.

Appropriates \$15 million to the Secretary of the U.S. Department of Health & Human Services (HHS Secretary) to provide Technical Assistance (TA) and cover administrative costs associated with the national Health Profession Opportunity Grant (HPOG) Program as authorized and funded by this subtitle.

Career Pathways Through Health Profession Opportunity Grants.

Amends Title XX of the *Social Security Act* to authorize new HPOG competitive grants and demonstration grants in states, the District of Columbia, U.S. territories, and tribal communities, as described in the subsections below.

Subsection (a). Application requirements.

Eligible entities seeking HPOG funds are required to submit qualified applications to the HHS Secretary in order to receive funding. Grant applications must include:

- Descriptions of how the applicant will implement or provide: a career pathway, adult basic skills, case management, career coaching, and staff recruitment and retention.
- Demonstration that the applicant has experience working with low-income populations or has a partner with such experience, a plan for post-employment services, and a plan for providing supportive services during the training program.
- Certification that project development included consultation with the local workforce board, consideration of apprenticeship, and existing career pathway programs.
- Local labor market analysis of local health care workforce shortages, in-demand jobs, and certification that the applicant will train to fill such jobs.
- A commitment to provide all requested data, hire a project director, and accept TA.

The subsection has additional application requirements for the new demonstration projects:

- For demonstration projects that train individuals with arrest or conviction records, applications must additionally include certification that local laws allow for credentials to be awarded in the professions for which the applicant will be training and descriptions of local

policies or appeals processes that offer opportunity to demonstrate rehabilitation to obtain health care credentials. Applicants must have staff experienced in working with people with records, partner with employers experienced in working with people with records, proof of concept, and a plan for participant recruitment and job placement.

- For demonstration projects that train individuals for a pregnancy and childbirth career pathway, applications must also include partnerships and a program design that will support such a career pathway, and certify that local laws permit doulas and midwives to practice.

Subsection (b). Preferences in Considering Applications.

Requires the Secretary to consider the following applicant characteristics: prior HPOG grantees; cross-sector partnerships; coaching and mentoring; rural applicants; cash stipend, or reserve fund to help participants with emergencies that might force them to drop out of training.

Subsection (c). Grants.

Provides the HHS Secretary with authority to award HPOG funds to eligible entities that have submitted qualified applications. Requires HHS to award at least two grants per state and the District of Columbia, at least 10 tribal grants, and at least two territory grants per grant cycle. The grant period shall be not less than five years, which may include a planning period of no more than the first 12 months of the grant cycle.

Establishes grant authority for new HPOG demonstrations to train: (I) Individuals with Arrest or Conviction Records, and (II) Pregnancy and Childbirth Career Pathway. Each demonstration project shall be conducted for no less than five years. Dedicated funding is provided such that each demonstration receives at least \$6,375,000 per grant cycle.

Subsection (d). Use of Grant.

Requires grantees to provide: basic skills education if needed; access to child care if needed; case management that includes career coaching; and access to transportation if needed. For new demonstration projects for individuals with records, grantees must provide connections to legal assistance for addressing arrest or conviction records and associated workforce barriers.

Funds may be spent on: stipends, emergency funds, training materials such as uniforms and personal protective equipment, in-kind donations such as interview clothing, basic education or high school equivalency, and the supports necessary to address arrest or conviction barriers to work.

Grantees must provide at least the number of hours of training required to qualify for a postsecondary or industry-recognized credential in the state in which the project is conducted. At least 10 percent of enrolled participants must meet the income threshold for the state Temporary Assistance for Needy Families program.

Grantees may not spend funds on ineligible individuals or use funds for the purposes of entertainment, with the exception of career-based milestones, such as hosting a graduation.

Subsection (e). Technical Assistance.

Requires HHS to use administrative funding provided to provide tailored TA to applicants and to grantees to assist with all stages of project administration, including the needs of new demonstration projects and tribal and territory applicants and grantees. HHS must also provide TA for the purpose of peer information exchange among eligible entities regarding best practices.

Subsection (f). Evaluation of Demonstration Projects.

Requires HHS to conduct evaluations of new demonstration projects. For the demonstration project for arrest or conviction records, the evaluation must include identification of successful activities for developing and sustaining job training programs for people with records who seek a health care career. For the demonstration project for pregnancy and childbirth career pathway, the evaluation must include identification of successful activities for developing and sustaining a career pathway for people seeking a career in birth, pregnancy, and post-partum fields. The evaluations may include a randomized control trial but are not required to use that methodology.

Subsection (g). Reports.

Grantees must report data on participant outcomes to the HHS Secretary. The HHS Secretary must report to Congress regarding rural applicants and rural awards, and, if the agency was not able to award the minimum required number of grants to states, territories, and tribal communities, the explanations for such.

Subsection (h). Definitions.

Provides definitions for terms used in the legislation.

Subsection (i). Funding.

Directly appropriates \$425,000,000 for each of FY2022 through FY2026, of which \$318,750,000 is for general competitive grants, \$17,000,000 is for tribal grants, \$21,250,000 is for territory grants, \$25,500,000 is for the new demonstration projects, \$25,500,000 is for TA, and \$17,000,000 is for studying the effects of HPOG grants including the short-term and long-term effects of the new demonstration grants.

Effective Date

Subtitle E Part 1, Pathways to Health Careers, is effective October 1, 2022.

VOTES OF THE COMMITTEE

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the following statement is made concerning the vote of the Committee on Ways and Means in its consideration of Subtitle E, Part 1, Pathways to Health Careers on September 10, 2021.

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VOTES OF THE COMMITTEE

An amendment to the amendment in the nature of a substitute to Part 1 of Subtitle E offered by Ms. Miller was ruled nongermane. Ms. Miller moved to appeal the ruling of the Chair and Mr. Thompson moved to table the appeal. Mr. Thompson's motion to table the appeal of the ruling of the Chair was agreed to by a vote of 25 yeas to 18 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE	X			MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN		X	
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY	X						
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	25			TOTALS	18		

An amendment in the nature of a substitute to Part 1 of Subtitle E was agreed to by a voice vote (with a quorum being present).

Part 1 of Subtitle E was ordered favorably transmitted to the House Committee on the Budget as amended by an amendment in the nature of a substitute offered by Chairman Neal by a vote of 24 yeas to 19 nays. The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD (IL)		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE	X			MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN		X	
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY		X					
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	24			TOTALS		19	

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

Pursuant to 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.

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 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

With respect 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 made findings and recommendations that are reflected in 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 Committee advises that general performance goal or objective for which the committee print authorizes funding is to invest in grants demonstrated to help disadvantaged workers advance in health careers and address shortages of allied health workers.

C. INFORMATION RELATING TO UNFUNDED MANDATES

This information is provided in accordance with section 423 of the Unfunded Mandates Reform Act of 1995 (Pub. L. No. 104-4).

Pursuant to Section 423 of the Congressional Budget and Impoundment Control Act of 1974, (Public Law 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.

D. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

E. 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.

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

With respect to clause 9 of Rule XXI of the Rules of the House of Representatives, the Committee has carefully reviewed the provisions of the subtitle, and states that the provisions of the committee print do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits within the meaning of the rule.

G. DUPLICATION OF FEDERAL PROGRAMS

In compliance with 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: (1) a program of the Federal Government known to be duplicative of another Federal program; (2) a program included in any report to Congress pursuant to section 21 of Public Law 111-139; or (3) a program related to a program identified in the most recent Catalog of Federal Domestic Assistance, published pursuant section 6104 of title 31, United States Code.

**CHANGES IN EXISTING LAW MADE BY THE COMMITTEE PRINT, AS
TRANSMITTED**

With respect to clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee requested but did not receive the text of changes in existing law made by the committee print, as reported.

DISSENTING VIEWS

[“2D_WMsubtitleEpart1_Views_Insert]

RICHARD E. NEAL
MASSACHUSETTS
CHAIRMAN

LLOYD DOGGETT, TEXAS
MIKE THOMPSON, CALIFORNIA
JOHN B. LAYSON, CONNECTICUT
CARL BLUMENHAUER, OREGON
RON KIND, WISCONSIN
BILL PASCRELL, JR., NEW JERSEY
DANNY K. DAVIS, ILLINOIS
LINDA T. SANDOZ, CALIFORNIA
BRIAN HOGGINS, NEW YORK
TERRO A. SEWELL, ALABAMA
SUZAN DELBENE, WASHINGTON
JUDY CHU, CALIFORNIA
CRESS KNOBE, WISCONSIN
DAN KILDEE, MICHIGAN
BRENDAN ROYLE, PENNSYLVANIA
DON BEYER, VIRGINIA
DWAYNE EVANS, PENNSYLVANIA
BRAD SCHNEIDER, ILLINOIS
TOM SUCCIZI, NEW YORK
JIMMY PANETTA, CALIFORNIA
STEPHANIE MURPHY, FLORIDA
JIMMY GOMEZ, CALIFORNIA
STEVEN HORNFORD, NEVADA
STACEY FLASHNETT, VIRGIN ISLANDS

BRANDON CASEY,
MAJORITY STAFF DIRECTOR

Congress of the United States
U.S. House of Representatives

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KEVIN BRADY
TEXAS
RANKING MEMBER

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DRAKE R. WENDTROP, OHIO
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KEVIN HERR, OKLAHOMA
CAROL MELLER, WEST
VIRGINIA

GARY ANDRES,
MINORITY STAFF DIRECTOR

September 17, 2021

**DISSENTING VIEWS ON PART 1 SUBTITLE E.
BUDGET RECONCILIATION LEGISLATIVE RECOMMENDATIONS RELATING TO
HEALTH PROFESSION OPPORTUNITY GRANTS**

Committee Republicans oppose Part 1 of Subtitle E. As part of their \$3.5 trillion expansion of the welfare state, Democrats want to quadruple funding for a program that has proven to be ineffective at helping low-income individuals find jobs. Part 1 of Subtitle E reauthorizes and increases funding for the Health Professional Opportunity Grant (HPOG) program. The program awards grants to organizations to provide education and training to welfare recipients and other low-income individuals for occupations in the health care field that are expected to either experience labor shortages or be in high demand.

Under the Democrats plan, this program would grow from \$85 million to \$425 million at a total cost of \$2.1 billion. We know from rigorous evaluations that the Health Profession Opportunity Grants program has little to no impact on the earnings or employment participants.

HPOG is a rare federal program that has actually received a robust randomized control trial evaluation to determine its impact on outcomes of participants. A 10-year, \$100 million “gold standard” randomized control trial evaluation conducted by the Department of Health and Human Services (HHS) found no evidence of the program’s impact on recipient earnings or employment. A November 2019 report issued by the HHS Office of Planning, Research, and Evaluation looked at outcomes of participants three years after completion. The [report](#) found:

The HPOG logic model suggests the training and services provided by HPOG should produce earnings gains for participants. However, despite the increase in training completion...we found no evidence of earnings impacts in the three years after random assignment.

A more recent publication looking at short-term impacts on the second round of HPOG participants found that the program increased educational progress and training completion in the short run. However, HPOG 2.0 did not have an impact on overall employment – nor did it increase earnings in the short run. There is no sound justification for significantly expanding spending on this program.

Further, Committee Republicans are concerned about the duplication HPOG has with other existing workforce programs. Committee Republicans want to remind our Democrat colleagues that American taxpayers already fund a social safety net to the tune of more than 80 programs and \$1 trillion every year. Instead of doing the hard work to streamline, modernize and re-design our existing safety net. Democrats want us to double down on broken forever programs.

States have the ability to use Temporary Assistance for Needy Family (TANF) funds for similar activities targeted at the same population. In addition, other programs operated by HHS such as the Health Career Opportunity Program (HCOP) focus on disadvantaged populations. The Department of Labor also runs a rural health professions program.

Instead of quadrupling-down on a duplicative program that fails to meet its objectives, Republicans suggested an alternative. In the past, Republicans and Democrats worked together on a bipartisan basis to introduce evidence-based policymaking into child welfare programs – creating the Families First Evidence-Based Clearinghouse and providing federal funding for programs with proven results, such as the Maternal, Infant, Early Childhood Home Visiting (MIECHV) program.

Committee Republicans offered an amendment to redirect additional funding for HPOG to fund the evidence-based programs offered by MIECHV. MIECHV builds upon decades of scientific research showing that home visits by a nurse, social worker, early childhood educator, or other trained professional during pregnancy and in the first years of a child's life helps:

- prevent child abuse and neglect,
- supports positive parenting,
- improve maternal and child health;
- and promote child development and school readiness.

Through the voluntary home visiting services offered through the MIECHV program, case managers provide tools to children and families during critical early years that will set up our kids for future success. Because the program is foundationally evidence-based, families across the nation experience the life altering results of this program every day. MIECHV, unlike HPOG, proves that connecting children and adults in need with compassionate human support will uplift families and change lives. The amendment was unanimously rejected by Committee Democrats.



Kevin Brady
Republican Leader
Committee on Ways and Means

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SUBTITLE E, PART 2 – PROVISIONS RELATING TO ELDER JUSTICE

EXPLANATION OF PROVISIONS

Current Law

Subtitle B part II of Title XX of the Social Security Act (SSA) authorizes appropriations for grants to states that promote equity, safety, and care for older adults, including investing in the long-term care workforce, adult protective services for seniors and people with disabilities, long-term care ombudsmen, and conducting evaluations of elder justice programs.

Explanation of Provisions

Part 2 – Provisions Relating to Elder Justice

Section 134201. Reauthorization of Funding for Programs to Prevent and Investigate Elder Abuse, Neglect, and Exploitation.

Subsection (a). Post-Acute and Long-Term Care Workforce Development.

Present Law

Section 2041 of the Elder Justice Act authorized \$20 million in discretionary funding in FY2011, \$17.5 million in FY2012, and \$15 million per year in FY2013 and FY2014 for grant and incentive programs to address challenges for the long-term care staffing workforce. Authorized grant uses include programs to create career ladders or wage and benefit increases for long-term care workers and improve management practices in long-term care facilities. The section also authorizes the Secretary of Health and Human Services (HHS) to make grants to long-term care facilities to cover costs related to purchasing, leasing, developing, and implementing electronic health record technology to improve patient safety. This section also authorizes the Secretary to adopt electronic data standards for clinical data in long-term care facilities.

Explanation of Provision

This subsection replaces the language in Section 2041 of Title XX of the SSA with new language to authorize and directly appropriate funds to promote recruitment and retention of post-acute and long-term care workers. The new provisions are as described below:

Sec. 2041. Nursing Home Worker Training Grants.

Subsection (a). Appropriation.

This section directly appropriates \$392 million for states per year for FY2022 through FY2025 and \$8 million for Indian tribes and tribal organizations per year for FY2022 through FY2025 to invest in state worker recruitment and retention. It provides direct appropriations for grants to states to support workers providing aid, nursing, and social work services in post-acute and LTC settings.

Subsection (b). Grants.

The grants are provided to states and territories, based on their population of adults over 65 years of age or with disabilities, and to tribes and tribal organizations through a consultation process.

Subsection (c). Use of Funds.

The funds must be used to:

- Provide wage subsidies to employees in post-acute and LTC positions.
- Provide student loan repayment or tuition assistance to eligible individuals.
- Guarantee affordable and accessible child care for eligible individuals.
- Provide transportation assistance to eligible individuals.

The funds may be used to:

- Establish a reserve fund for emergency financial assistance.
- Provide in-kind resource donations, such as interview clothing and conference attendance fees.
- Provide assistance with activities designed to lower barriers to employment, including legal assistance.
- Support eligible employers in offering not less than two weeks of paid leave per year.

Funds are provided only for the benefit of eligible individuals in eligible settings, which are both defined in Subsection (e).

Funds must be used to supplement, not supplant, any existing state funding.

Subsection (d). Administration.

States shall reserve not more than 10 percent of their total funding for administering subgrants, providing technical support, publicizing subgrant availability, carrying out activities to increase the supply of eligible individuals, and providing technical assistance to subgrantees.

Subsection (e). Definitions.

This subsection defines the following terms:

- Eligible individual: an individual who holds or is studying for one of a variety of certifications or licenses relating to nursing care and who provides (or intends to provide upon completion of a license or certification) services in an eligible setting.
- Eligible setting: one of several types of nursing facilities, home health agencies, or other providers of care.
- Tribal organization: as defined in Section 4 of the Indian Self-Determination and Education Assistance Act.

Subsection (b). Funding for Adult Protective Services Functions and Grant Programs.

Present Law

Section 2042 of the SSA authorizes the Secretary of HHS to provide funding to state and local Adult Protective Services (APS) offices that investigate reports of elder abuse, neglect, and exploitation; work with the Department of Justice to collect and disseminate data; develop and disseminate best practices and training on APS; conduct research related to the provision of APS; and provide technical assistance to states and other entities that provide or fund APS. Section 2042 authorized appropriations of \$25 million in FY2011 through FY2014.

Explanation of Provision

This subsection revises Section 2042 of the SSA to authorize and directly appropriate funding for adult protective services. This subsection provides \$8 million for HHS administrative costs per year for FY2023 through FY2025.

This subsection also funds two existing grant programs. The first awards grants to enhance state and local APS services. For each year in FY2023 through FY2025, this provision directly appropriates \$392 million for purposes of grants to states and the District of Columbia and \$8 million for grants to Indian tribes and tribal organizations (which are to be spent through a consultation with Indian tribes and tribal organizations). The second grant program awards funds to states to conduct APS demonstration programs. This provision directly appropriates \$75 million for APS demonstration grants per year in FY2023 through FY2025.

Subsection (c). Funding for Long-Term Care Ombudsman Program Grants and Training.

Present Law

Section 2043 of the SSA authorizes the Secretary of HHS to award grants to eligible entities with relevant expertise and experience in abuse and neglect in LTC facilities or LTC ombudsman programs and responsibilities. Grants may be used to increase the capacity of state LTC ombudsman programs to respond to and resolve abuse and neglect complaints as well as to conduct and support pilot programs with state or local LTC ombudsman offices. Section 2043 authorized appropriations of \$5 million in FY2011, \$7.5 million in FY2012, and \$10 million per year in FY2013 and FY2014.

Explanation of Provision

This subsection reauthorizes and revises Section 2043 and directly appropriates \$22.5 million for FY2023 and \$30 million per year for FY2024 and FY2025 for grants to states for LTC ombudsman programs. Grants may be used to increase the capacity of state LTC ombudsman programs to respond to and resolve abuse and neglect complaints as well as to conduct and support pilot programs with state or local LTC ombudsman offices.

The revised Section 2043 also requires the Secretary of HHS to establish programs that provide and improve ombudsman training for national organizations and state LTC ombudsman programs, with a focus on elder abuse, neglect, and exploitation. This provision directly appropriates an additional \$30 million per year for FY2023 through FY2025 for this purpose.

Subsection (d). Incentives for Developing and Sustaining Structural Competency in Providing Health and Human Services.

Present Law

No provision.

Explanation of Provision

This subsection creates a new Section 2047 in Title XX of the SSA to provide funding to address structural gaps in providing services and supports to older adults and people with disabilities. Section 2047 includes the following:

Subsection (a). Grants to States to Support Linkages to Legal Services and Medical-Legal Partnerships.

This section directly appropriates \$500 million to be outlaid by the end of FY2028 to establish a grant program for states to support the adoption of evidence-based approaches to establish, improve, or maintain linkages between health and social services and supports for vulnerable older adults. States must use the funds to develop medical-legal partnerships – multidisciplinary teams that combine clinical staff with social workers and lawyers at a single site of care to ensure patients’ social needs (e.g., housing, food, education, and access to care) are met. Grants will also fund the development and expansion of legal assistance hotlines to help facilitate the identification of older adults who could benefit from linkages to available services.

Subsection (b). Grants and Training to Support Community-Based Organizations in Addressing Social Isolation.

This subsection directly appropriates \$250 million to be outlaid by the end of FY2028 to make grants to eligible Area Agencies on Aging (AAAs) or other community-based organizations to conduct outreach to individuals at risk for social isolation or loneliness, develop community-based interventions to mitigate loneliness and social isolation, connect at-risk individuals with social and clinical supports, and evaluate the effect of the programs developed and implemented in this section.

Additionally, the subsection provides funding to the Secretary of HHS to establish programs to provide and improve training for AAAs and other community-based organizations to address and prevent social isolation and loneliness.

The Secretary of HHS must evaluate the programs established under this section and submit a Report to Congress at least every three years after this section is enacted.

Subsection (c). Definitions.

This subsection defines several terms used in the subsection, including:

- Area agency on aging: an area agency on aging designated under section 305 of the Older Americans Act of 1965.
- Social isolation: objectively being alone, or having few relationships or infrequent social contact.

- Loneliness: subjectively feeling alone, or the discrepancy between one’s desired level of social connection and one’s actual level of social connection.
- Social connection: the variety of ways one can connect to others socially, through physical, behavioral, social-cognitive, and emotional channels.
- Community-based organization: a non-profit community-based organization, a consortium of nonprofit community-based organizations, a national nonprofit organization acting as an intermediary for a community-based organization, or a community-based organization that has a fiscal sponsor that allows the organization to function as an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

Subsection (e). Technical Amendment.

Present Law

This section specifies a reference to the meaning of the term “Indian tribe” under section 4 of the Indian Self-Determination and Education Assistance Act at 25 U.S.C. 450(b).

Explanation of Provision

This section corrects the reference to the meaning of the term “Indian tribe and tribal organization” under section 4 of the Indian Self-Determination and Education Assistance Act at 25 U.S.C 5304.

Section 134202. Appropriation for Assessments.

Present Law

No provision.

Explanation of Provision

This provision directly appropriates \$5 million per year for FY2022 through FY2025 to carry out assessments of the programs funded under the Elder Justice Act. This provision requires the Secretary of HHS to submit a Report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate on the programs, coordinating bodies, registries, and activities under the Elder Justice Act. Reports, issued at the mid-point of the funding and after all funding in this title has been disbursed, must assess the extent to which such programs have improved access to, and quality of, resources for aging Americans and their caregivers to ultimately prevent, detect, and treat abuse, neglect, and exploitation.

Effective Date

All of the provisions in this part of the subtitle are effective upon enactment. Additional funding for the new Sections 2041 and 2047 is appropriated starting in FY2022, and all other funding is appropriated starting in FY2023.

VOTES OF THE COMMITTEE

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the following statement is made concerning the vote of the Committee on Ways and Means in its consideration of Subtitle E, Part 2, Provisions Related to Elder Justice on September 10, 2021.

["2A_WMSubtitleEpart2_Vote_Sheet_Insert"]

VOTES OF THE COMMITTEE

An amendment to the amendment in the nature of a substitute to Part 2 of Subtitle E offered by Mr. Kelly was ruled nongermane. Mr. Kelly moved to appeal the ruling of the Chair and Mr. Thompson moved to table the appeal. Mr. Thompson's motion to table the appeal of the ruling of the Chair was agreed to by a vote of 25 yeas to 18 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE	X			MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN		X	
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY	X						
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	25			TOTALS		18	

An amendment in the nature of a substitute to Part 2 of Subtitle E was agreed to by a voice vote (with a quorum being present).

Part 2 of Subtitle E was ordered favorably transmitted to the House Committee on the Budget as amended by an amendment in the nature of a substitute offered by Chairman Neal by a vote of 24 yeas to 18 nays. The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD (IL)		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE	X			MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN			
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY		X					
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	24			TOTALS		18	

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

Pursuant to 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.

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 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.

OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS**

With respect 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 made findings and recommendations that are reflected in 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 Committee advises that general performance goal or objective for which the committee print provides funding is to improve and expand upon the existing programs in the Elder Justice Act, including addressing the qualified workforce challenges, inadequate adult protective services funding, access to legal services, and social isolation and loneliness.

C. INFORMATION RELATING TO UNFUNDED MANDATES

This information is provided in accordance with section 423 of the Unfunded Mandates Reform Act of 1995 (Pub. L. No. 104-4).

Pursuant to Section 423 of the Congressional Budget and Impoundment Control Act of 1974, (Public Law 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.

D. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by these provisions.

E. 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)(2) of the Congressional Accountability Act.

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

With respect to clause 9 of Rule XXI of the Rules of the House of Representatives, the Committee has carefully reviewed the provisions of the subtitle, and states that the provisions of the committee print do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits within the meaning of the rule.

G. DUPLICATION OF FEDERAL PROGRAMS

In compliance with 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: (1) a program of the Federal Government known to be duplicative of another Federal program; (2) a program included in any report to Congress pursuant to section 21 of Public Law 111-139; or (3) a program related to a program identified in the most recent Catalog of Federal Domestic Assistance, published pursuant section 6104 of title 31, United States Code.

CHANGES IN EXISTING LAW MADE BY THE COMMITTEE PRINT, AS TRANSMITTED

With respect to clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee requested but did not receive the text of changes in existing law made by the committee print, as reported.

DISSENTING VIEWS

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RICHARD E. NEAL
MASSACHUSETTS,
CHAIRMAN

LLOYD DOGGETT, TEXAS
MIKE THOMPSON, CALIFORNIA
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GARY ANDRES,
MINORITY STAFF DIRECTOR

September 17, 2021

**DISSENTING VIEWS ON PART 2 SUBTITLE E.
BUDGET RECONCILIATION LEGISLATIVE RECOMMENDATIONS RELATING TO
ELDER JUSTICE**

Committee Republicans oppose Part 2 of Subtitle E. Committee Democrats are in a hurry to push through huge new, duplicative spending programs – recklessly jamming through partisan progressive priorities under the guise of “elder justice” and helping seniors.

Subtitle E – Part 2 would create a loosely defined \$4 billion grant program with a buffet of random supportive services for individuals who work with the elderly, such as home health aides, and nursing home workers, including: (1) workforce training, (2) student loan repayment and tuition assistance, (3) guaranteed child care, and (4) funding to provide employees with not less than 2 weeks of paid leave. What Democrats are really doing is exploiting seniors as a bait and switch to create new welfare programs.

Meanwhile, prior to Subtitle E, Democrats voted to pass out of Committee Subtitles A and C, which provides \$27 billion in new funding for child care and a \$500 billion paid family and medical leave entitlement program. Also, Education and Labor Democrats are marking up another \$400 billion for child care and universal pre-k and \$55 billion for free community college. In addition to all that new spending, we have the Social Services Block Grant (SSBG), which is an existing \$1.6 billion program that provides funding for Adult protective services similar to those described in this title.

Why are Democrats proposing another \$4 billion specialty program for the same worker supports? Are nursing home workers not covered under those new entitlements? This Subtitle is just one more in a grab bag of pet-projects included in the Democrats’ partisan, reckless reconciliation bill.

Republicans would welcome an examination of the actual elder justice program created by the Affordable Care Act. The Committee has held no hearings on the Elder Justice Act since the inception of the program. Last year, on a bipartisan basis, the Consolidated Appropriations Act, 2021 invested \$100 million to administer elder justice programs—which was an exponential funding increase. But while the ink was still drying on that deal, the majority used what should have been a COVID-19 relief package to force through an additional \$276 million. While

combating elder abuse is a worthy endeavor, it is one that should be addressed on a bipartisan basis through regular order and hearings.

Committee Republicans offered an amendment to redirect all duplicative funding increases for the Elder Justice Act for bills that the Biden Administration identified as immediate needs coming due now. In his request, the President is asking for \$8 billion for the Office of Refugee Resettlement to deal with the surge of unaccompanied children coming over the border because the Biden Administration has failed to secure our border. The President also requested additional funds to assist Afghan refugees, disabled American veterans, and evacuating Afghanistan. The amendment was unanimously rejected by Committee Democrats.

A handwritten signature in black ink that reads "KEVIN BRADY". The signature is stylized with a large, sweeping initial "K" and "B".

Kevin Brady
Republican Leader
Committee on Ways and Means

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SUBTITLE E, PART 3 – SKILLED NURSING FACILITIES

EXPLANATION OF PROVISIONS

Current Law

The Centers for Medicare & Medicaid Services (CMS) oversees certain institutional care facilities that participate in Medicare and/or Medicaid, which CMS refers to as long-term care facilities (LTCFs). Federal law designates Medicare LTCFs as skilled nursing facilities (SNFs) and Medicaid LTCFs as nursing facilities (NFs). The majority of federally certified LTCFs participate in both Medicare and Medicaid and thus constitute SNFs and NFs. In the United States, 15,340 LTCFs participated in Medicare and/or Medicaid as of January 2021. Of this total, 94 percent of LTCFs were dually certified to participate in both Medicare and Medicaid, four percent were certified as Medicare only, and two percent were certified as Medicaid only.

Explanation of Provisions

Part 3 – Skilled Nursing Facilities

Section 134301. Funding to Improve the Accuracy and Reliability of Certain Skilled Nursing Facility Data.

Present Law

The Protecting Access to Medicare Act of 2014 (PAMA; P.L. 113-93) added subsections 1888(g) and 1888(h) to Section 1888 of the Social Security Act (SSA) requiring the Secretary to establish the SNF Value-Based Purchasing (VBP) program. The Consolidated Appropriations Act, 2021 (P.L. 116-260) subsequently required the Secretary to validate all VBP program quality measures and provided \$5 million from the Medicare Hospital Insurance (HI) Trust Fund to support validation activities for each of fiscal years (FY) 2023 through 2025.¹

Explanation of Provision

Section 134301 amends section 1888 of the SSA in paragraph (h)(12) by directly appropriating \$50 million to the Secretary of the Department of Health and Human Services (HHS), available until FY 2031, for the purposes of conducting data validation of nursing home quality data submitted through the Minimum Data Set (MDS), skilled nursing facility (SNF) Value-Based Purchasing Program, or Payroll Based Journal (PBJ) staffing dataset. Based on this data validation, the policy also amends subparagraph 1888(e)(6)(A) of the SSA to reduce SNF payments by two percentage points beginning in fiscal year (FY) 2025 for SNFs that submit inaccurate data through any of these three data systems.

¹ Division CC, Title I, Subtitle B, Section 111 of the Consolidated Appropriations Act, 2021.

Section 134302. Ensuring Accurate Information on Cost Reports.*Present Law*

Like other Medicare providers, SNFs are required to submit an annual cost report to CMS. The cost report contains provider information, such as service cost and charges (in total and for Medicare), and financial statement data. Under section 1888 of the SSA, SNFs are required annually to separately report expenditures for wages and benefits for direct care staff, breaking out (at a minimum) registered nurses, licensed professional nurses, certified nurse assistants, and other medical and therapy staff. The Secretary is required to categorize reported SNF expenditures, regardless of any source of payment, into four categories on an annual basis: (1) direct care services (including nursing, therapy, and medical services), (2) indirect care (including housekeeping and dietary services), (3) capital assets, and (4) administrative services cost.

Explanation of Provision

Section 134302 amends subsection 1888(f) of the SSA to appropriate \$250 million to the Secretary of HHS for the purposes of auditing the Medicare cost reports SNFs are required to submit, beginning in calendar year 2022 and ending in 2031.

Section 134303. Survey Improvements.*Present Law*

To participate in Medicare, SNFs must adhere to a set of federal requirements known as the Conditions of Participation (CoPs). To determine whether SNFs are in compliance with the CoPs, the Secretary is required to work in collaboration with state agencies, known as State Survey Agencies (SAs), to inspect SNFs.² Generally, SAs perform an initial survey after a SNF has been operational for a short period of time. After the initial certification, SAs conduct regular, unannounced inspections (known as standard surveys) and abbreviated standard surveys in response to any indicators of particular concern, which can include complaints from residents or other entities or a change in a SNF's ownership or management.^{3, 4} Federal requirements also include enforcement procedures the Secretary and/or states may impose against noncompliant providers. The remedies imposed upon a SNF depend on the severity of the deficient behavior. Available remedies include a directed plan of correction, directed in-service training, state monitoring, civil money penalties, temporary management, denial of Medicare payment (either for all residents or for all new admissions), transfer of residents, termination from the Medicare program, and others.

² SSA §1819(g). Typically the SAs also have responsibility for state licensing and oversight of these and other institutional care settings.

³ Under SSA §1819(g)(2)(A)(iii)(I), a standard surveys must occur at least every 15 months at each facility. An SA's average survey interval across facilities in the state cannot exceed one year, or 12 months.

⁴ SSA §1819(g)(2)(A)(iii)(II).

Explanation of Provision

Section 134303 amends section 1819 of the SSA by inserting a new subsection (l) that appropriates \$325 million for FYs 22 through 2031 to the Secretary of HHS for the purposes of improving existing surveys and enforcement processes to improve compliance with the SNF CoPs. It requires the Secretary to consider several factors as part of the review, including the ability of state survey agencies to identify infection control and emergency preparedness deficiencies as well as sufficiently hire, train, and retain individuals to conduct surveys.

Section 134304. Nurse Staffing Requirements.*Present Law*

Under Section 1819 of the SSA, SNFs generally must provide 24-hour licensed nursing services sufficient to meet the needs of its residents including, at a minimum, providing services of a registered professional nurse at least eight consecutive hours a day, seven days a week. Although CMS has not established staffing “ratio” requirements (i.e., a minimum number for staff-to-residents), SNFs report billable staffing hours to CMS using the Payroll Based Journal (PBJ) system. Information on staffing ratios is available to the public and are incorporated in the Five-Star Quality Rating System, reported on the CMS website, *Care Compare*.

Explanation of Provision

Section 134304 amends section 1819 of the SSA in subsection (d) to insert a new paragraph (5), entitled “Nurse Staffing Requirements.” The new Section 1819(d)(5) appropriates \$50 million to the Secretary of HHS for FYs 2022 through 2031, for the purposes of (not later than three years after the date of enactment and no less than once every five years thereafter) conducting studies on the appropriateness of establishing minimum staff-to-resident ratios in SNFs. Such reports must include recommendations on minimum staffing levels for Registered Nurses (RNs), Licensed Practical Nurses (LPNs) or Licensed Vocational Nurses (LVNs), and Certified Nursing Assistants (CNAs), which the Secretary shall promulgate through regulations. Through those regulations, the Secretary must apply the recommended staffing minimums to the Medicare CoPs, subject to limited waivers, within two years of each report (updated periodically to reflect any changes in recommendations from the latest report).

Effective Date

All of the provisions in the subtitle are effective on enactment. Funding for Sec. 134301 will begin to be disbursed in FY 2026; Sec. 134302 will be available beginning in FY 2023; Secs. 134303 and 134304 will be available beginning in FY 2022.

VOTES OF THE COMMITTEE

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the following statement is made concerning the vote of the Committee on Ways and Means in its consideration of Subtitle E, Part 3, Skilled Nursing Facilities on September 10, 2021.

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VOTES OF THE COMMITTEE

An amendment to the amendment in the nature of a substitute to Part 3 of Subtitle E which would prioritize seniors' safety and ensure state accountability during the continuing pandemic was offered by Mr. Kelly, Mr. Smucker and Mr. Reed. The amendment was defeated by a vote of 18 yeas and 23 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	
MR. DOGGETT	X			MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD	X		
MS. CHU		X		DR. WENSTRUP			
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN			
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD	X						
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		23		TOTALS	18		

An amendment in the nature of a substitute to Part 3 of Subtitle E was agreed to by a voice vote (with a quorum being present).

Part 3 of Subtitle E was ordered favorably transmitted to the House Committee on the Budget as amended by an amendment in the nature of a substitute offered by Chairman Neal by a vote of 24 yeas to 17 nays. The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD (IL)		X	
MS. CHU	X			DR. WENSTRUP			
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE	X			MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN			
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY		X					
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	24			TOTALS		17	

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

Pursuant to 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 provision(s).

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 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.

**OTHER MATTERS TO BE DISCUSSED UNDER THE
RULES OF THE HOUSE**

A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect 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 made findings and recommendations that are reflected in 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 Committee advises that general performance goal or objective for which the committee print authorizes funding is to improve oversight, data reliability, and staffing in skilled nursing facilities.

C. INFORMATION RELATING TO UNFUNDED MANDATES

This information is provided in accordance with section 423 of the Unfunded Mandates Reform Act of 1995 (Pub. L. No. 104-4).

The Committee has determined that the committee print does not contain Federal mandates on the private sector. The Committee has determined that the committee print does not impose a Federal intergovernmental mandate on State, local, or tribal governments.

D. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by the committee print.

E. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the committee print does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(2) of the Congressional Accountability Act.

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

With respect to clause 9 of Rule XXI of the Rules of the House of Representatives, the Committee has carefully reviewed the provisions of the committee print, and states that the provisions of the committee print do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits within the meaning of the rule.

G. DUPLICATION OF FEDERAL PROGRAMS

In compliance with 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: (1) a program of the Federal Government known to be duplicative of another Federal program; (2) a program included in any report to Congress pursuant to section 21 of Public Law 111-139; or (3) a program related to a program identified in the most recent Catalog of Federal Domestic Assistance, published pursuant section 6104 of title 31, United States Code.

CHANGES IN EXISTING LAW MADE BY THE COMMITTEE PRINT, AS TRANSMITTED

With respect to clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee requested but did not receive the text of changes in existing law made by the committee print, as reported.

DISSENTING 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 _____ views of members of the Committee are as follows:

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RICHARD E. NEAL
MASSACHUSETTS,
CHAIRMAN

LLOYD DOGGETT, TEXAS
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EARL BLUMENBAUM, OREGON
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CAROL MILLER, WEST
VIRGINIA

GARY ANDRES,
MINORITY STAFF DIRECTOR

September 17, 2021

DISSENTING VIEWS ON PART 3 SUBTITLE E.
BUDGET RECONCILIATION LEGISLATIVE RECOMMENDATIONS RELATING TO
SKILLED NURSING FACILITIES

There is no doubt the Committee could have worked on improving reporting at skilled nursing homes on a bipartisan basis. In fact, in the midst of the COVID-19 pandemic, House Republicans have continually raised concerns that states like New York and Pennsylvania have systematically reported false information about COVID-19 nursing home deaths not only to the families who have lost loved ones living in their state but frankly the rest of the country. They have engaged in this cover-up for purely political purposes. Looking at the provisions in the Reconciliation recommendation related to skilled nursing homes, we see our shared goal to ensure information from nursing homes is reported accurately and that the federal government must take the necessary action to correct any inaccuracies. Committee Republicans simply wish our colleagues on the other side of the aisle held governors in their home states to the same standard from the onset of this pandemic.

Committee Republicans gave our Democrat colleagues this opportunity during the consideration of this policy, restricting dollars from flowing to states that have reported inconsistent COVID-19 nursing home deaths to the federal government. It was rejected.

For the second time this year, Committee Republicans saw the majority take a partisan path and make mandatory funding for programs that can and should go through the annual appropriations process. It is disappointing. If Committee Democrats heeded Republican calls on nursing home transparency and accountability sooner, maybe there wouldn't be a rush to shove these requirements into a heavily partisan package.

For these reasons and more, Ways and Means Republicans reject the Democrats' skilled nursing facility legislative recommendation as ordered reported by Committee Democrats.

A handwritten signature in black ink that reads "KEVIN BRADY". The signature is stylized with a large, sweeping "K" and "B".

Kevin Brady
Republican Leader
Committee on Ways and Means

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SUBTITLE E, PART 4 – MEDICARE DENTAL, HEARING, AND VISION COVERAGE
EXPLANATION OF PROVISIONS

Current Law

Medicare benefits are financed through two trust funds maintained by the Department of the Treasury – the Hospital Insurance (HI) trust fund for Medicare Part A and the Supplementary Medical Insurance (SMI) trust fund for Medicare Parts B and D. Part B is financed through a combination of beneficiary premiums and federal general revenues. The standard Part B premiums are set to cover 25 percent of projected average per capita Part B program costs for the aged, with federal general revenues accounting for the remaining amount.

In general, Medicare Part A covers inpatient services, including hospitalization and stays at facilities, like skilled nursing facilities, whereas Medicare Part B covers outpatient services, including professional fees paid to physician and non-physician practitioners, and certain prosthetic devices that replace all or part of an internal body organ.^{1,2} Medicare-covered prosthetics may include such items as prosthetic limbs, breasts, ostomy bags and certain related supplies, as well as certain surgically implanted devices.

Several criteria must be met for Medicare to pay for an item or service. It must be eligible for one of the defined Medicare benefit categories (e.g., hospital care; physician’s services; durable medical equipment, prosthetics and orthotics; etc.); it must not be an item that is specifically, statutorily excluded from coverage (e.g., hearing aids, dentures, and in general, eyeglasses); and as specified in Section 1862(a)(1)(A) of the Social Security Act (SSA), it must be “reasonable and necessary for the diagnosis or treatment of illness or injury, or to improve the functioning of a malformed body member.” Alternatively, an item or service may be specified in statutes as being covered by Medicare even if it would not otherwise meet the above criteria (e.g., preventive services).

¹ Section 1812 of the Social Security Act (42 U.S.C. § 1395d).

² Section 1832 of the Social Security Act (42 U.S.C. § 1395k).

Explanation of Provisions

Part 4 – Medicare Dental, Hearing, and Vision Coverage

Section 134401. Providing Coverage for Dental and Oral Health Care Under the Medicare Program.

Present Law

Medicare covers and makes payments under Part A or Part B for dental care, as appropriate, when such services are a necessary part of a covered service. Examples include reconstruction of the jaw following an accident, or teeth extractions done in preparation for radiation treatments. Medicare also covers dentures only when they are integral to a Medicare covered prosthetic, such as one designed to replace the palate. However, routine dental care, treatment filling, removal or replacement of teeth, or structures directly supporting teeth are statutorily excluded from Medicare coverage.³

Explanation of Provision

Section 134401 amends section 1861 of the SSA by adding a new subsection (III) to create coverage for dental and oral health services under Medicare Part B. Beginning January 1, 2028, Medicare will provide coverage for preventive and screening services (furnished by a dentist or oral health professional) as well as basic and major dental treatments, as defined by the Secretary of the Department of Health and Human Services (HHS) and furnished by a dentist or oral health professional. The section defines an oral health professional as a health professional licensed under state law to furnish dental and oral health care (other than a dentist) operating within a given state's scope-of-practice laws.

This section defines preventive and screening services as: oral exams, dental cleanings, dental x-rays performed in a dentist or oral health professionals' office, and fluoride treatments. Basic treatments may include basic tooth restorations, basic periodontal services, tooth extractions, and oral disease management services. Major treatments may include major tooth restorations, major periodontal services, bridges, crowns, and root canals.

The section amends section 1834 of the SSA to create a new subsection (z) to pay for dental and oral health services under the Physician Fee Schedule in section 1848 of the SSA or through another fee schedule that may include fees paid through TRICARE, under the Federal Employee Health Benefits Program, by the Secretary of Veterans Affairs, under Medicare Advantage plans under part C of Title XVIII of the SSA, under State plans under Title XIX, or by other health care payers or payers of dental and oral health services.

Beneficiaries will be responsible for 20 percent of cost-sharing for preventive and screening services as well as basic services. Beneficiary cost-sharing for major services will be phased in over time, reaching 50 percent in 2032.

³ Section 1862(a)(12) of the Social Security Act (42 U.S.C. § 1395y).

The section also limits payment to two oral exams and two dental cleanings annually. The section permits the Secretary to set additional frequencies with respect to the benefit, allows the Secretary to pay for dentures and the associated professional services furnished through a bundle, and excludes dentists from the Merit-based Incentive Payment System (MIPS).

The section amends section 1842 of the SSA in subparagraph (b)(18)(C) to add oral health professionals to the list of providers receiving payment on an assignment-related basis from Medicare.

The new benefit also covers a full or partial set of dentures once every five years, or more frequently in cases where a dentist determines the dentures no longer fit the beneficiary. Payment for dentures may be made through Medicare's competitive bidding program for orthotics and prosthetics, as determined appropriate by the Secretary. Dentures furnished by a physician or other practitioner (as defined by the Secretary) to the physician's own patients as part of a professional service may be excluded from competitive bidding.

The section transfers \$20 million from the Federal Supplementary Trust Fund to the Centers for Medicare & Medicaid Services (CMS) Program Management Account for each of fiscal years (FYs) 2022 through 2028 for the purposes of implementing the dental benefit.

Section 134402. Providing Coverage for Hearing Under the Medicare Program.

Present Law

The Code of Federal Regulations states that with respect to hearing services Medicare covers (1) auditory osseointegrated implants, (2) cochlear implants, and (3) auditory brain stem implants when they produce perceptions of sound by replacing the functions of the middle ear, cochlea, or auditory nerve, respectively.⁴ Medicare Part B also covers auditory services such as hearing and balance assessments when furnished by a qualified audiologist legally authorized to perform such services under state law.⁵ However, hearing aids or examinations for the purpose of prescribing, fitting, or changing hearing aids are statutorily excluded from Medicare coverage.⁶

Explanation of Provision

Section 134402 amends section 1861 paragraph (1)(3) of the SSA to allow qualified audiologists to deliver aural rehabilitation and treatment services, beginning on October 1, 2023.

The section also invests in coverage of hearing aids as a prosthetic device under Medicare Part B by amending paragraph 1861(s)(8) of the SSA. Payment for hearing aids is for individuals with severe or profound hearing loss in one or both ears once every five years if furnished through a written order by a physician or qualified audiologist.

The section directs that payment will be made through Medicare's competitive bidding program

⁴ 42 C.F.R. 411.15(d)(2).

⁵ Section 1861(1)(3) of the Social Security Act (42 U.S.C. § 1395y).

⁶ Section 1862(a)(7) of the Social Security Act (42 U.S.C. § 1395y).

for orthotics and prosthetics for hearing aids that are not included in the definition of “over-the-counter hearing aids” described in the Federal Food, Drug, and Cosmetic Act. Hearing aids furnished by a physician or other practitioner (as defined by the Secretary) to the physician’s own patients as part of a professional service may be excluded from competitive bidding.

The section amends section 1842 of the SSA in subparagraph (b)(18)(C) to add audiologists to the list of providers receiving payment on an assignment-related basis from Medicare.

The section transfers \$20 million from the Federal Supplementary Trust Fund to the CMS Program Management Account for each of FYs 2022 through 2023 for the purposes of implementing the dental benefit.

Section 134403. Provision Coverage for Vision Care Under the Medicare Program.

Present Law

Medicare covers intraocular lenses, hospital facility and physician charges, and one pair of eyeglasses or contact lenses as part of a Medicare-covered cataract surgery. Medicare also covers eye prostheses for patients with absence or shrinkage of the eye due to birth defect, trauma, or surgical removal. Medicare also covers certain physician services and tests associated with vision care, such as glaucoma screenings for beneficiaries at high risk of glaucoma, eye exams to evaluate eye disease in patients with diabetes, and certain tests and treatments associated with macular degeneration. However, eyeglasses (other than as part of cataract surgery) and routine eye examinations for the purpose of prescribing, fitting, or changing eyeglasses or contact lenses are statutorily excluded from Medicare coverage.⁷

Explanation of Provision

Section 134403 amends section 1861 of the SSA to add a new subsection (mmm) to create coverage for vision services under Medicare Part B. This section defines vision services as routine eye examinations to determine the refractive state of the eye and contact lens fitting services furnished on or after October 1, 2022, by an ophthalmologist or optometrist legally authorized to perform such examinations, procedures, and fitting services under state law.

The section amends section 1834 of the SSA by adding a new subsection (aa) that limits coverage for routine eye examinations and contact lens fitting services to once every two years.

The section also adds vision services to payment through the Physician Fee Schedule in Section 1848 of the SSA.

Beginning on October 1, 2022, Medicare will begin reimbursing ophthalmologists and

⁷ Section 1862(a)(7) of the Social Security Act (42 U.S.C. § 1395y).

optometrists for one routine eye examination and one session of contact or eyeglass fitting services every two years. Beneficiaries will be responsible for 20 percent of the cost-sharing for such services.

The section amends section 1834 of the SSA in paragraph (h)(8) by investing in coverage for either one pair of eyeglasses and lenses during a two-year period or a two-year supply of contact lenses. Medicare will pay up to \$85 toward the cost of either the eyeglass frames and \$85 toward lenses or \$85 toward contact lenses. Payment for eyeglasses and contact lenses may be made through Medicare's competitive bidding program for orthotics and prosthetics, as determined appropriate by the Secretary. Eyeglasses or contact lenses furnished by a physician or other practitioner (as defined by the Secretary) to the physician's own patients as part of a professional service may be excluded from competitive bidding.

The section transfers \$20 million from the Federal Supplementary Trust Fund to the CMS Program Management Account for each of FYs 2022 through 2023 for the purposes of implementing the dental benefit.

Effective Dates

Section 134401 is effective on January 1, 2028; Section 134402 is effective on October 1, 2023, and Section 134403 is effective on October 1, 2022.

VOTES OF THE COMMITTEE

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the following statement is made concerning the vote of the Committee on Ways and Means in its consideration of Subtitle E, Part 4, Medicare Dental, Hearing, and Vision Coverage on September 10, 2021.

[*2A_WMSubtitleEpart4_Vote_Sheet_Insert*]

VOTES OF THE COMMITTEE

An amendment to the amendment in the nature of a substitute to Part 4 of Subtitle E which would preserve the Medicare plans seniors like and want to keep was offered by Dr. Ferguson. The amendment was defeated by a vote of 18 yeas and 24 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER				MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		24		TOTALS	18		

An amendment to the amendment in the nature of a substitute to Part 4 of Subtitle E which would require patients' exposure to supplemental benefit costs be no more than that of the average Medicare Advantage plan for enrollees with chronic conditions was offered by Mr. Smith of Nebraska. The amendment was defeated by a vote of 18 yeas and 25 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		25		TOTALS	18		

An amendment to the amendment in the nature of a substitute to Part 4 of Subtitle E offered by Mr. Hern was ruled nongermane. Mr. Hern moved to appeal the ruling of the Chair and Mr. Thompson moved to table the appeal. Mr. Thompson's motion to table the appeal of the ruling of the Chair was agreed to by a vote of 24 yeas to 18 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCARELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE	X			MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN		X	
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY							
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	24			TOTALS		18	

An amendment to the amendment in the nature of a substitute to Part 4 of Subtitle E which would save and strengthen Medicare for those in and near retirement was offered by Mr. Estes. The amendment was defeated by a vote of 18 yeas and 25 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT		X		MR. BRADY	X		
MR. THOMPSON		X		MR. NUNES	X		
MR. LARSON		X		MR. BUCHANAN	X		
MR. BLUMENAUER		X		MR. SMITH (NE)	X		
MR. KIND		X		MR. REED	X		
MR. PASCRELL		X		MR. KELLY	X		
MR. DAVIS		X		MR. SMITH (MO)	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD	X		
MS. CHU		X		DR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		DR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X		MR. SMUCKER	X		
MR. EVANS		X		MR. HERN	X		
MR. SCHNEIDER		X		MS. MILLER	X		
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					
MS. PLASKETT		X					
CHAIRMAN NEAL		X					
TOTALS		25		TOTALS	18		

An amendment to the amendment in the nature of a substitute to Part 4 of Subtitle E offered by Mr. Schweikert was ruled nongermane. Mr. Schweikert moved to appeal the ruling of the Chair and Mr. Thompson moved to table the appeal. Mr. Thompson's motion to table the appeal of the ruling of the Chair was agreed to by a vote of 25 yeas to 18 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE	X			MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN		X	
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY	X						
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	25			TOTALS		18	

An amendment in the nature of a substitute to Part 4 of Subtitle E was agreed to by a voice vote (with a quorum being present).

Part 4 of Subtitle E was ordered favorably transmitted to the House Committee on the Budget as amended by an amendment in the nature of a substitute offered by Chairman Neal by a vote of 24 yeas to 19 nays. The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. DOGGETT	X			MR. BRADY		X	
MR. THOMPSON	X			MR. NUNES		X	
MR. LARSON	X			MR. BUCHANAN		X	
MR. BLUMENAUER	X			MR. SMITH (NE)		X	
MR. KIND	X			MR. REED		X	
MR. PASCRELL	X			MR. KELLY		X	
MR. DAVIS	X			MR. SMITH (MO)		X	
MS. SANCHEZ	X			MR. RICE		X	
MR. HIGGINS	X			MR. SCHWEIKERT		X	
MS. SEWELL	X			MS. WALORSKI		X	
MS. DELBENE	X			MR. LAHOOD (IL)		X	
MS. CHU	X			DR. WENSTRUP		X	
MS. MOORE	X			MR. ARRINGTON		X	
MR. KILDEE	X			DR. FERGUSON		X	
MR. BOYLE	X			MR. ESTES		X	
MR. BEYER	X			MR. SMUCKER		X	
MR. EVANS	X			MR. HERN		X	
MR. SCHNEIDER	X			MS. MILLER		X	
MR. SUOZZI	X						
MR. PANETTA	X						
MS. MURPHY		X					
MR. GOMEZ	X						
MR. HORSFORD	X						
MS. PLASKETT	X						
CHAIRMAN NEAL	X						
TOTALS	24			TOTALS		19	

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

Pursuant to 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.

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 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**

With respect 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 made findings and recommendations that are reflected in 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 Committee advises that general performance goal or objective for which the committee print authorizes funding is to expand Medicare coverage to include dental, hearing, and vision services.

C. INFORMATION RELATING TO UNFUNDED MANDATES

This information is provided in accordance with section 423 of the Unfunded Mandates Reform Act of 1995 (Pub. L. No. 104-4).

The Committee has determined that the committee print does not contain Federal mandates on the private sector. The Committee has determined that the committee print does not impose a Federal intergovernmental mandate on State, local, or tribal governments.

D. ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

E. 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)(2) of the Congressional Accountability Act.

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

With respect to clause 9 of Rule XXI of the Rules of the House of Representatives, the Committee has carefully reviewed the provisions of the subtitle, and states that the provisions of the committee print do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits within the meaning of the rule.

G. DUPLICATION OF FEDERAL PROGRAMS

In compliance with 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: (1) a program of the Federal Government known to be duplicative of another Federal program; (2) a program included in any report to Congress pursuant to section 21 of Public Law 111-139; or (3) a program related to a program identified in the most recent Catalog of Federal Domestic Assistance, published pursuant section 6104 of title 31, United States Code.

CHANGES IN EXISTING LAW MADE BY THE COMMITTEE PRINT, AS TRANSMITTED

With respect to clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee requested but did not receive the text of changes in existing law made by the subtitle, as reported.

DISSENTING VIEWS

[“2D_WMsubtitleEpart4_Views_Insert”]

RICHARD E. NEAL
MASSACHUSETTS
CHAIRMAN

LLOYD DOGGETT, TEXAS
MIKE THOMPSON, CALIFORNIA
JOHN B. LARSON, CONNECTICUT
EARL BLUMENAUER, OREGON
RON KIND, WISCONSIN
BILL PASCRELL, JR., NEW JERSEY
DANNY K. DAVIS, ILLINOIS
LINDA T. SANCHEZ, CALIFORNIA
BRIAN HIGGINS, NEW YORK
TERRE A. SEWELL, ALABAMA
SUZAN DELBENE, WASHINGTON
JUDY CHU, CALIFORNIA
DREW MOORE, WISCONSIN
DAN KILDEE, MICHIGAN
BRENDAN BOYLE, PENNSYLVANIA
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TOM SUZZI, NEW YORK
JIMMY PANETTA, CALIFORNIA
STEPHANIE MURPHY, FLORIDA
JIMMY GOMEZ, CALIFORNIA
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STACEY PLASKETT, VIRGIN ISLANDS

FRANCON CASEY,
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VIRGINIA

GARY ANDRES,
MINORITY STAFF DIRECTOR

September 17, 2021

**DISSENTING VIEWS ON PART 4 SUBTITLE E.
BUDGET RECONCILIATION LEGISLATIVE RECOMMENDATIONS RELATING TO
MEDICARE DENTAL, HEARING, AND VISION COVERAGE**

This subtitle expands the fee-for-service Medicare entitlement to include hearing, vision, and dental benefits. Yet, this critical program is already suffering from funding shortfalls as waves of baby boomers continue to enroll. The Hospital Insurance (HI) Trust Fund that funds Part A of Medicare is expected to be insolvent by 2026, less than five years from today. That means benefits will have to be cut, taxes will have to be raised, or some combination of both.

The Medicare fee-for-service system, as operated today, is simply unsustainable. For years, Washington has punted on structural changes to these entitlement programs. The result has been a slowly crumbling social safety net that is failing health care providers and, most importantly, our seniors who rely on them most.

Either we tackle these problems now or they will tackle seniors who rely on the program.

Fortunately, there is a bright spot: Medicare Advantage, private plans competing for seniors' business, is delivering lower costs, and providing more generous benefits for seniors than the antiquated fee-for-service Medicare.

Premiums for 2021 are expected to be 34% lower than in 2017, which is the lowest monthly premiums have been in 14 years. And since 2017, seniors enrolled in Medicare Advantage plans have seen about \$3.4 billion in total savings.

Privately administered Medicare Advantage plans already provide supplemental hearing, vision and dental benefits to seniors. In fact, nearly nine out of ten total Medicare Advantage plans offer some form of dental, vision, and hearing coverage.

Of course, "Medicare for All" would eliminate these plans that seniors like. Republicans are steadfast in our opposition to that radical scheme.

Republicans also oppose supplanting private plans who are already delivering these benefits with the broken fee-for-service program, and spending hundreds of billions of dollars to bribe these seniors into an antiquated program. To that end, Ways and Means Republicans offered an

amendment allowing for the Democrats' benefit expansion to exist, but only in places where seniors can't get a better deal from private plans. Democrats rejected that commonsense amendment.

Republicans also sought to make sure these new fee-for-service benefits were as accessible and affordable as those in private Medicare Advantage plans. Democrats also rejected that, committing seniors to a shoddily designed benefit that providers reject.

Republicans are also focused on the true pressing issue in Medicare, the looming insolvency of the HI Trust Fund. To that end, Ways and Means Republicans offered an amendment to ensure no further Medicare benefits were added until the future of Medicare as we currently know it had been secured. Democrats rejected our amendment to refocus our attention to Medicare's truly pressing challenges.

For these reasons and more, Ways and Means Republicans reject the Democrats' Medicare irresponsibility as ordered reported by Committee Democrats.

A handwritten signature in black ink that reads "KEVIN BRADY". The signature is stylized with a large, sweeping initial "K" and "B".

Kevin Brady
Republican Leader
Committee on Ways and Means

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**SUBTITLE F — INFRASTRUCTURE FINANCING AND COMMUNITY
DEVELOPMENT**

EXPLANATION OF PROVISIONS

PART I — INFRASTRUCTURE FINANCING

Bond Financing

1. Credit to issuer for certain infrastructure bonds (sec. 135101 of the bill and new sec. 6431A of the Code)

Present Law

In General

Interest paid on bonds issued by State and local governments generally is excluded from gross income for Federal income tax purposes.¹ Because of the income exclusion, investors generally are willing to accept a lower interest rate on tax-exempt bonds than they might otherwise accept on a taxable investment. This, in turn, lowers the borrowing costs for the beneficiaries of such financing.

As an alternative to tax-exempt interest, a variety of tax credit and direct pay bonds have been authorized, subject to applicable requirements, to lower borrowing costs on certain bonds issued by State and local governments. The interest on these bonds is taxable to the bondholder. Because of the tax credit available to the holders of tax credit bonds, investors generally are willing to accept a lower interest rate than they might otherwise accept on a taxable investment. For direct pay bonds, the issuer of the bond receives a payment from the federal government to offset a portion of the interest expense on the bonds.

State and local bonds are classified generally as either governmental bonds or private activity bonds. Governmental bonds are bonds the proceeds of which are primarily used to finance governmental functions or which are repaid with governmental funds. Private activity bonds are bonds in which the State or local government serves as a conduit providing financing to nongovernmental persons (e.g., private businesses or individuals). The exclusion from income for State and local bonds does not apply to private activity bonds, unless the bonds are issued for certain permitted purposes (“qualified private activity bonds”) and other Code requirements are met.

Private Activity Bonds

¹ Sec. 103.

The Code defines a private activity bond as any bond that satisfies (1) the private business use test and the private security or payment test (the “private business test”); or (2) the “private loan financing test.”²

Private Business Test

Under the private business test, a bond is a private activity bond if it is part of an issue in which:

1. More than 10 percent of the proceeds of the issue (including use of the bond-financed property) are to be used in the trade or business of any person other than a governmental unit (“private business use”); and
2. More than 10 percent of the payment of principal or interest on the issue is, directly or indirectly, (a) secured by property used or to be used for a private business use or payments in respect of such property or (b) to be derived from payments in respect of property, or borrowed money, used or to be used for a private business use (“private payment test”).³

A bond is not a private activity bond unless both parts of the private business test (*i.e.*, the private business use test and the private payment test) are met. Thus, a facility that is 100 percent privately used does not cause the bonds financing such facility to be private activity bonds if the bonds are not secured by or paid with private payments. For example, land improvements that benefit a privately-owned factory may be financed with governmental bonds if the debt service on such bonds is not paid by the factory owner or other private parties.

Private Loan Financing Test

A bond issue satisfies the private loan financing test if proceeds exceeding the lesser of \$5 million or five percent of such proceeds are used directly or indirectly to finance loans to one or more nongovernmental persons. Private loans include both business and other (*e.g.*, personal) uses and payments by private persons; however, in the case of business uses and payments, all private loans also constitute private business uses and payments subject to the private business test.

Arbitrage Requirements

The exclusion from income for interest on State and local bonds does not apply to any arbitrage bond.⁴ An arbitrage bond is defined as any bond that is part of an issue if any proceeds of the issue are reasonably expected to be used (or intentionally are used) to acquire higher yielding investments or to replace funds that are used to acquire higher yielding investments.⁵ In

² Sec. 141.

³ The 10 percent private business test is reduced to five percent in the case of private business uses (and payments with respect to such uses) that are unrelated to any governmental use being financed by the issue.

⁴ Sec. 103(a) and (b)(2).

⁵ Sec. 148.

general, arbitrage profits may be earned only during specified periods (*e.g.*, defined “temporary periods”) before funds are needed for the purpose of the borrowing or on specified types of investments (*e.g.*, “reasonably required reserve or replacement funds”). Subject to limited exceptions, arbitrage profits that are earned during these periods or on such investments must be rebated to the Federal Government.

Prior Tax credit and Direct Pay Bonds

In General

As an alternative to tax-exempt interest, a variety of tax credit and direct pay bonds have been authorized, subject to applicable requirements, to lower borrowing costs on certain bonds issued by State and local governments, including the Build America Bonds program, part of the American Recovery and Reinvestment Act of 2009 (“ARRA”).⁶ The authority to issue new tax credit and direct-pay bonds was prospectively repealed by An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, also known as the Tax Cuts and Jobs Act of 2017 (“TCJA”),⁷ effective for bonds issued after December 31, 2017. The authority to issue two types of tax-credit and direct pay bonds, recovery zone economic development bonds and Build America Bonds, expired on December 31, 2010. Because bonds can have repayment terms of several years, a substantial amount of bonds issued prior to such repeal and expiration, as applicable, remain outstanding.

Tax-credit bonds provide tax credits to investors to replace a prescribed portion of the interest cost. The borrowing subsidy generally is measured by reference to the credit rate set by the Treasury Department. An issuer could elect to issue certain tax credit bonds as “direct-pay bonds.” Instead of a credit to the holder, for a “direct-pay bond” the Federal government pays the issuer a percentage of the interest on the bonds.

Qualified Tax Credit Bonds (Prior Law)

In lieu of interest, holders of qualified tax credit bonds receive a tax credit that accrues quarterly. The following bonds are qualified tax credit bonds: qualified forestry conservation bonds, new clean renewable energy bonds, qualified energy conservation bonds, qualified zone academy bonds, and qualified school construction bonds.⁸ Section 54A of the Code sets forth general rules applicable to qualified tax credit bonds.

A taxpayer who holds a qualified tax credit bond on one or more credit allowance dates of the bond during the taxable year is allowed a credit against the taxpayer’s income tax for the taxable year. The annual credit is determined by multiplying the applicable credit rate by the outstanding face amount of the bond. The applicable credit rate for the bond is the rate that the Secretary estimates will permit the issuance of the qualified tax credit bond with a specified maturity or redemption date without discount and without interest cost to the qualified issuer. The Secretary determines credit rates for tax credit bonds based on general assumptions about

⁶ Pub. L. No. 111-5, February 17, 2009.

⁷ Pub. L. No. 115-97, December 22, 2017.

⁸ See secs. 54B, 54C, 54D, 54E, and 54F (as in effect prior to repeal by sec. 13404(a) of Pub. L. No. 115-97).



credit quality of the class of potential eligible issuers and such other factors as the Secretary deems appropriate. The Secretary may determine credit rates based on general credit market yield indexes and credit ratings.

The Hiring Incentives to Restore Employment Act added section 6431(f) to the Code authorizing the issuance of certain qualified tax credit bonds as direct pay bonds.⁹

Build America Bonds (Prior Law)

The Build America Bonds program provides a subsidy to State and local governments to finance capital projects, including the development of infrastructure. Under the program, an issuer could elect to have an otherwise tax-exempt bond (other than a private activity bond), issued prior to January 1, 2011, treated as a “Build America Bond.”¹⁰ In general, Build America Bonds are taxable governmental bonds the interest on which is subsidized by the Federal government by means of a tax credit to the holder (“tax-credit Build America Bonds”) or, in the case of certain qualified bonds, a direct payment to the issuer (“direct-pay Build America Bonds”).¹¹

Unlike the tax credit for bonds issued under section 54A, the credit rate for tax-credit Build America Bonds is not calculated by the Secretary, but rather is set by law at 35 percent. The actual credit that a taxpayer may claim is determined by multiplying the interest payment that the taxpayer receives from the issuer (*i.e.*, the bond coupon payment) by 35 percent.¹²

In lieu of the tax credit to the holder, the issuer of a direct-pay Build America Bond is allowed a refundable credit equal to 35 percent of each interest payment made under such bond.¹³ Although the authority existed to issue tax-credit Build America Bonds, most Build America Bonds were issued as direct-pay Build America Bonds.

Sequestration and Direct Pay Bonds

Pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, sequestration applies to qualified tax credit bonds and Build America Bonds issued as

⁹ Pub. L. No. 111-147, sec. 301, March 18, 2010.

¹⁰ Sec. 54AA (as in effect prior to its repeal by sec. 13404(a) of Pub. L. No. 115-97).

¹¹ Tax-credit Build America Bonds could be issued to finance any governmental purpose for which tax-exempt governmental bonds (excluding private activity bonds under section 141) could be issued under section 103. The eligible uses of proceeds and types of financings for direct-pay Build America Bonds are more limited than for tax-credit Build America Bonds. Direct-pay Build America Bonds could be issued to finance only capital expenditures that could have been financed with tax-exempt governmental bonds.

¹² Original issue discount (“OID”) is not treated as a payment of interest for purposes of determining the tax credit to the taxpayer under the provision.

¹³ Sec. 54AA(g)(1) (as in effect prior to its repeal by sec. 13404(a) of Pub. L. No. 115-97). OID is not treated as a payment of interest for purposes of calculating the refundable credit to the bond issuer under the provision.

direct pay bonds. For such bonds, refund payments and refund offset transactions processed are subject to a percentage reduction (5.7 percent for fiscal year 2021).¹⁴

Explanation of Provision

In General

The provision creates a new direct pay bond called a “qualified infrastructure bond.” Under the provision, an issuer may elect to have an otherwise tax-exempt bond treated as a qualified infrastructure bond, subject to satisfaction of additional requirements. A “qualified infrastructure bond” is any obligation (other than a private activity bond) if the interest on such obligation would be (but for the bond being a qualified infrastructure bond) excludable from gross income under section 103, the issuer makes an irrevocable election to have the provision apply, and the additional requirements are satisfied. In determining if an obligation would be tax-exempt under section 103, the credit allowed to the issuer (discussed below) is not treated as a Federal guarantee. For arbitrage purposes, the yield on a qualified infrastructure bond is reduced by the credit allowed to the issuer (the reduction does not apply in determining the amount of gross proceeds of an issue that qualifies as a reasonably required reserve or replacement fund). A qualified infrastructure bond does not include any bond if the issue price has more than a de minimis amount of premium over the stated principal amount of the bond.

Taxable Interest and Credit Payment To Issuer

The interest on a qualified infrastructure bond is taxable to the bondholder and the issuer of the bond is allowed a credit equal to the applicable percentage of each interest payment made under such bond, subject to the limitation on the applicable percentage discussed below.¹⁵ The applicable percentage for a qualified infrastructure bond (other than current refunding bonds, as discussed below) depends on the calendar year in which the bond is issued as follows:

2022 through 2024	35 percent
2025	32 percent
2026	30 percent
2027 and thereafter (and current refunding bonds).....	28 percent

For example, if an issuer of a qualified infrastructure bond issued in 2022 pays a \$1,000 coupon payment, unless the limitation described in the following paragraph applies, the taxpayer who holds such a bond would include \$1,000 of interest in their income and the issuer would receive a payment of 35 percent of each \$1,000 coupon paid to bondholders. (The net interest cost to the issuer would be \$650.) The payment by the Secretary to the issuer is to be

¹⁴ Additional information, including a summary of prior-year sequestration reduction rates, is available on the IRS’s website, at <https://www.irs.gov/tax-exempt-bonds/effect-of-sequestration-on-state-local-government-filers-of-form-8038-cp>.

¹⁵ OID is not treated as a payment of interest for purposes of calculating the refundable credit under the provision. OID is the excess of an obligation’s stated redemption price at maturity over the obligation’s issue price (sec. 1273(a)).



made contemporaneously with the interest payment made by the issuer and may be made either in advance or as reimbursement. In lieu of payment to the issuer, the payment may (at the direction of the issuer) be made to a person making interest payments on behalf of the issuer.

For purposes of calculating the credit allowed with respect to a payment of interest on a qualified infrastructure bond, the amount of any interest payment taken into account with respect to a bond for any payment date shall not exceed the amount of interest which would have been payable under such bond for such payment date if interest were determined at the applicable credit rate multiplied by the applicable amount for such bond for such payment date.¹⁶

The “applicable credit rate” is the rate which the Secretary estimates will permit the issuance of qualified infrastructure bonds with a specified maturity or redemption date without discount and without additional interest cost to the issuer.¹⁷ The Secretary determines credit rates for qualified infrastructure bonds based on general assumptions about credit quality of the class of potential eligible issuers and such other factors as the Secretary deems appropriate. The Secretary may determine credit rates based on general credit market yield indexes and credit ratings. The applicable credit rate with respect to any qualified infrastructure bond shall be determined as of the first day on which there is a binding, written contract for the sale or exchange of the bond.

The “applicable amount” for a bond for any payment date is (i) in the case of any bond that has more than a de minimis amount of original issue discount (determined under the rules of section 1273(a)(3)), the issue price of such bond (within the meaning of section 148), as adjusted for any principal payments made prior to such date, and (ii) in the case of any other bond, the outstanding principal amount of such bond on such payment date (determined without taking into account any principal payment on such bond on such date).

Regarding sequestration, the provision would provide that in the case of any payment of the credit to or at the direction of the issuer of a qualified infrastructure bond to which sequestration applies, the amount of such payment is increased to an amount equal to (1) such payment (determined before such sequestration), multiplied by (2) the quotient obtained by dividing 1 by the amount by which 1 exceeds the percentage reduction in such payment pursuant to such sequestration. For these purposes, the term “sequestration” means any reduction in direct spending ordered in accordance with a sequestration report prepared by the Director of the Office and Management and Budget pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 or the Statutory Pay-As-You-Go Act of 2010. TCJA repealed the authority to issue certain direct pay bonds after December 31, 2017, and the authority to issue other direct pay bonds expired on December 31, 2010; however, bonds can have repayment terms of several

¹⁶ For example, if an issuer of a qualified infrastructure bond issued in 2022 in a principal amount of \$20,000 (with no premium or discount) and an interest rate of 10 percent per annum pays a \$1,000 semiannual coupon payment and the applicable credit rate for such bond is 8 percent per annum, the taxpayer who holds such a bond would include \$1,000 of interest in their income and the issuer would receive a payment of 35 percent of an \$800 portion (the 8 percent per annum applicable credit rate multiplied by \$20,000, the applicable amount for the bond) of the \$1,000 coupon paid to the bondholders. The net interest cost to the issuer would be \$720.

¹⁷ Given the differences in credit quality and other characteristics of individual issuers, the Secretary cannot set credit rates in a manner that will allow each issuer to issue tax credit bonds at par.

years, and direct pay bonds issued prior to such repeal or expiration, as applicable, remain outstanding and subject to sequestration.

Additional Provisions for Qualified Infrastructure Bonds

To qualify as a “qualified infrastructure bond,” 100 percent of the excess of available project proceeds of the issue of which the bond is a part over the amounts in a reasonably required reserve (within the meaning of section 150(a)(3)) with respect to such issue must be used for (i) capital expenditures or operations and maintenance expenditures in connection with property the acquisition, construction, or improvement of which would be a capital expenditure, or (ii) payments made by a State or political subdivision of a State to a custodian of a rail corridor for purposes of the transfer, lease, sale, or acquisition of an established railroad right-of-way consistent with section 8(d) of the National Trails Act of 1968, but only if the Surface Transportation Board has issued a certificate of interim trail use or notice of interim trail use for purposes of authorizing such transfer, lease, sale, or acquisition.

The term “available project proceeds” means (A) the excess of (i) the proceeds from the sale of an issue, over (ii) issuance costs financed by the issue (to the extent that such costs do not exceed 2 percent of such proceeds) and (B) the proceeds from any investment of such excess.

A bond issued to currently refund a qualified infrastructure bond is not a qualified infrastructure bond unless (i) the average maturity date (determined in accordance with section 147(b)(2)(A)) of the issue of which the refunding bond is a part is not later than the average maturity date of the bonds to be refunded by such issue, (ii) the amount of the refunding bond does not exceed the outstanding amount of the refunded bond, (iii) the refunded bond is redeemed not later than 90 days after the date of the issuance of the refunding bond, and (iv) the refunded bond was issued more than 30 days after the date of the enactment. The applicable percentage with respect to any qualified infrastructure bond issued to currently refund another qualified infrastructure bond is 28 percent. Another section of the provision provides authority for certain advance refunding bonds (when the refunded bond is redeemed more than 90 days after the date of issuance of the refunding bond) to be issued as tax-exempt bonds, subject to applicable requirements. Bonds issued to advance refund qualified infrastructure bonds are not qualified infrastructure bonds.

The requirements of the Davis-Bacon Act in Subchapter IV of chapter 31 of title 40, United States Code apply to projects financed with the proceeds of qualified infrastructure bonds.

Effective Date

The provision is effective for bonds issued after December 31, 2021.

2. Advance refunding bonds (sec. 135102 of the bill and secs. 148 and 149 of the Code)

Present Law

Section 103 generally provides that gross income does not include interest received on State or local bonds. State and local bonds are classified generally as either governmental bonds or private activity bonds. Governmental bonds are bonds the proceeds of which are

primarily used to finance governmental facilities or that are repaid with governmental funds. Private activity bonds are bonds in which the State or local government serves as a conduit providing financing to nongovernmental persons (*e.g.*, private businesses or individuals).¹⁸ Bonds issued to finance the activities of charitable organizations described in section 501(c)(3) (qualified 501(c)(3) bonds¹⁹) are one type of private activity bond. The exclusion from income for interest on State and local bonds only applies if certain Code requirements are met.

The exclusion from income for interest on State and local bonds applies to refunding bonds subject to certain limits. A refunding bond is defined as any bond used to pay principal, interest, or redemption price on a prior bond issue (the refunded bond). Different rules apply to current refunding bonds as opposed to advance refunding bonds.

A current refunding occurs when the refunded bond is redeemed within 90 days of issuance of the refunding bond. There is no statutory limitation on the number of times that tax-exempt bonds may be currently refunded.

A bond is classified as an advance refunding if it is issued more than 90 days before the redemption of the refunded bond.¹⁹ Proceeds of advance refunding bonds are generally invested in an escrow account and held until a future date when the refunded bond may be redeemed. The primary Federal tax policy concern with advance refundings is that (when permitted on a tax-exempt basis) they result in two issues of tax-exempt bonds outstanding simultaneously for more than 90 days to finance the same project or activity and thereby result in increased Federal revenue cost. Prior to An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, also known as the Tax Cuts and Jobs Act of 2017 (“TCJA”),²⁰ the exclusion from gross income for State and local bonds applied, in certain limited circumstances, to advance refundings. For example, governmental bonds and qualified 501(c)(3) bonds generally could be advance refunded one time,²¹ while private activity bonds other than qualified 501(c)(3) bonds could not be advance refunded at all.²² Furthermore, in the case of an advance refunding bond that resulted in interest savings (*e.g.*, a high interest rate to low interest rate refunding), the refunded bond was required to be redeemed on the first call date 90 days after the issuance of the refunding bond that resulted in debt service savings.²³ TCJA amended section 149 to repeal the exclusion from gross income for interest on a bond issued to advance refund another tax-exempt bond, effective for refunding bonds issued after December 31, 2017.

¹⁸ Sec. 141.

¹⁹ Sec. 149(d)(2).

²⁰ Pub. L. No. 115-97, December 22, 2017.

²¹ Sec. 149(d)(3) (as in effect prior to Public Law 115-97).

²² Sec. 149(d)(2) (as in effect prior to Public Law 115-97).

²³ Sec. 149(d)(3)(A)(iii) and (B) (as in effect prior to Public Law 115-97); Treas. Reg. sec. 1.149(d)-1(f)(3). A “call” provision provides the issuer of a bond with the right to redeem the bond prior to the stated maturity.

Explanation of Provision

The provision amends section 149 of the Code to allow the exclusion from gross income for interest on a bond issued to advance refund another tax-exempt bond, subject to limitations similar to those applicable to tax-exempt advance refunding bonds issued prior to December 31, 2017.

Effective Date

The provision is effective for advance refunding bonds issued more than 30 days after the date of enactment.

3. Permanent modification of small issuer exception to tax-exempt interest expense allocation rules for financial institutions (sec. 135103 of the bill and sec. 265 of the Code)

Present Law

Present law disallows a deduction for interest on indebtedness incurred or continued to purchase or carry obligations the interest on which is exempt from tax.²⁴

In the case of a financial institution, the Code generally disallows a deduction for that portion of the taxpayer's interest expense that is allocable to tax-exempt interest.²⁵ The amount of interest that is disallowed is an amount which bears the same ratio to such interest expense as the taxpayer's average adjusted bases of tax-exempt obligations acquired after August 7, 1986, bears to the average adjusted bases for all assets of the taxpayer.

The general rule in section 265(b), denying financial institutions' interest expense deductions allocable to tax-exempt obligations, does not apply to "qualified tax-exempt obligations."²⁶ Instead, as discussed below, only 20 percent of the interest expense allocable to "qualified tax-exempt obligations" is disallowed.²⁷ A "qualified tax-exempt obligation" is a tax-exempt obligation that (1) is issued after August 7, 1986, by a qualified small issuer, (2) is not a private activity bond, and (3) is designated by the issuer as qualifying for the exception from the general rule of section 265(b). For purposes of the definition of qualified tax-exempt obligation, qualified bonds issued to finance the activities of charitable organizations described in section 501(c)(3) ("qualified 501(c)(3) bonds") and refunding bonds issued to refund certain obligations issued before August 8, 1986 are not treated as private activity bonds.

²⁴ Sec. 265(a).

²⁵ Sec. 265(b)(1). A "financial institution" is any person that (1) accepts deposits from the public in the ordinary course of such person's trade or business and is subject to Federal or State supervision as a financial institution, or (2) is a corporation described in section 585(a)(2). Sec. 265(b)(5).

²⁶ Sec. 265(b)(3).

²⁷ Secs. 265(b)(3)(A), 291(a)(3) and 291(e)(1).

A “qualified small issuer” is an issuer that reasonably anticipates that the amount of tax-exempt obligations that it will issue during the calendar year will be \$10 million or less.²⁸ The Code specifies the circumstances under which an issuer and all subordinate entities are aggregated.²⁹ For purposes of the \$10 million limitation, an issuer and all entities that issue obligations on behalf of such issuer are treated as one issuer, and all obligations issued by a subordinate entity are treated as being issued by the entity to which it is subordinate. An entity formed (or availed of) to avoid the \$10 million limitation and all entities benefiting from the device are treated as one issuer.

Generally, composite issues (*i.e.*, combined issues of bonds for different entities) qualify for the “qualified tax-exempt obligation” exception only if the requirements of the exception are met with respect to (1) the composite issue as a whole (determined by treating the composite issue as a single issue), and (2) each separate lot of obligations that is part of the issue (determined by treating each separate lot of obligations as a separate issue).³⁰ Thus, a composite issue may qualify for the exception only if the composite issue itself does not exceed \$10 million, and if each issuer benefitting from the composite issue reasonably anticipates that it will not issue more than \$10 million of tax-exempt obligations during the calendar year, including through the composite arrangement.

Section 291(a)(3) reduces by 20 percent the amount allowable as a deduction with respect to any financial institution preference item. Financial institution preference items include interest on debt to acquire tax-exempt obligations acquired after December 31, 1982, and before August 8, 1986.³¹ Section 265(b)(3) treats qualified tax-exempt obligations as if they were acquired on August 7, 1986. As a result, the amount allowable as a deduction by a financial institution with respect to interest incurred to carry a qualified tax-exempt obligation is reduced by 20 percent.

The American Recovery and Reinvestment Act of 2009 made certain adjustments to section 265 for tax-exempt obligations issued during 2009 and 2010, including increasing from \$10 million to \$30 million the annual limit for qualified small issuers, treating qualified 501(c)(3) bonds as if they were issued by the 501(c)(3) organization for whose benefit they were issued (and not by the actual issuer of such bonds), and, for certain qualifying issues, applying the annual volume limitation at the borrower level (rather than at the level of the pooled financing issuer).³²

Explanation of Provision

²⁸ Sec. 265(b)(3)(C).

²⁹ Sec. 265(b)(3)(E).

³⁰ Sec. 265(b)(3)(F).

³¹ Sec. 291(c)(1).

³² Pub. L. No. 111-5, Division B, sec. 1502, February 17, 2009.

The provision increases from \$10 million to \$30 million the annual limit for qualified small issuers and indexes the annual limit for inflation after 2021.

For “qualified financing issues,” the provision applies the annual volume limitation at the borrower level (rather than at the level of the pooled financing issuer). Thus, for the purpose of applying the requirements of the section 265(b)(3) qualified small issuer exception, the portion of the proceeds of a qualified financing issue that are loaned to a “qualified borrower” that participates in the issue are treated as a separate issue with respect to which the qualified borrower is deemed to be the issuer.

A “qualified financing issue” is any composite, pooled or other conduit financing issue the proceeds of which are used directly or indirectly to make or finance loans to one or more ultimate borrowers each of whom is a qualified borrower. A “qualified borrower” means (1) a State or political subdivision of a State, or (2) an organization described in section 501(c)(3) and exempt from tax under section 501(a). Thus, for example, a \$100 million pooled financing issue could qualify for the section 265(b)(3) exception if the proceeds of such issue were used to make four equal loans of \$25 million to four qualified borrowers. However, if (1) more than \$30 million (or such increased annual limit as may be applicable under the adjustment for inflation) was loaned to any qualified borrower, (2) any borrower was not a qualified borrower, or (3) any borrower would, if it were the issuer of a separate issue in an amount equal to the amount loaned to such borrower, fail to meet any of the other requirements of section 265(b)(3), the entire \$100 million pooled financing issue would fail to qualify for the exception.

Additionally, for purposes of determining whether an obligation is a qualified tax-exempt obligation under section 265(b)(3), the provision would treat qualified 501(c)(3) bonds as if they were issued by the 501(c)(3) organization for whose benefit they were issued (and not by the actual issuer of such bonds).

Effective Date

The provision is generally effective for obligations issued after the date of enactment.

4. Modifications to qualified small issue bonds (sec. 135104 of the bill and sec. 144 of the Code)

Present Law

Interest paid on bonds issued by State and local governments generally is excluded from gross income for Federal income tax purposes.³³ Because of the income exclusion, investors generally are willing to accept a lower interest rate on tax-exempt bonds than they might otherwise accept on a taxable investment. This, in turn, lowers the borrowing costs for the beneficiaries of such financing.

Bonds issued by State and local governments may be classified as either governmental bonds or private activity bonds. Governmental bonds are bonds the proceeds of which are primarily used to finance governmental functions or which are repaid with governmental funds. Private activity bonds are bonds in which the State or local government

³³ Sec. 103.

serves as a conduit providing financing to nongovernmental persons (*e.g.*, private businesses or individuals). The exclusion from income for interest paid on State and local bonds does not apply to private activity bonds unless the bonds are issued for certain permitted purposes (“qualified private activity bonds”) and other Code requirements are met.

Qualified private activity bonds are tax-exempt private activity bonds issued to provide financing for specified privately used facilities. The definition of a qualified private activity bond includes an exempt facility, qualified mortgage, veterans' mortgage, small issue, redevelopment, 501(c)(3), or student loan bond. Generally, qualified private activity bonds are subject to a number of eligibility restrictions that do not apply to governmental bonds. For example, the aggregate volume of most qualified private activity bonds is restricted by annual State volume limitations (the “State volume cap”).³⁴ For calendar year 2021, the State volume cap, which is indexed for inflation, equals \$110 per resident of the State, or \$324,995,000, if greater.³⁵ Qualified small issue bonds are subject to State volume cap.

Qualified small issue bonds (commonly referred to as “industrial development bonds” or “small issue IDBs”) are tax-exempt qualified private activity bonds issued by State and local governments to finance private business manufacturing facilities (including certain directly related and ancillary facilities) or the acquisition of land and equipment by certain farmers. A manufacturing facility is any facility which is used in the manufacturing or production of tangible personal property (including the processing resulting in a change in the condition of such property). Manufacturing facilities include facilities that are directly related and ancillary to a manufacturing facility (as described in the previous sentence) if (1) such facilities are located on the same site as the manufacturing facility, and (2) not more than 25 percent of the net proceeds of the issue are used to provide such facilities.

Qualified small issue bonds are subject to limits on the amount of financing that may be provided, both for a single borrowing and in the aggregate. In general, no more than \$1 million of small issue bond financing may be outstanding at any time for property of a business (including related parties) located in the same municipality or county. Generally, this \$1 million limit may be increased to \$10 million if, in addition to outstanding bonds, all other capital expenditures of the business (including related parties) in the same municipality or county are counted toward the limit over a six-year period that begins three years before the issue date of the bonds and ends three years after such date. Outstanding aggregate borrowing is limited to \$40 million per borrower (including related parties) regardless of where the property is located. The Code permits up to \$10 million of capital expenditures to be disregarded, in effect increasing from \$10 million to \$20 million the maximum allowable amount of total capital expenditures by an eligible business in the same municipality or county.

The American Recovery and Reinvestment Act of 2009 (“ARRA”) made certain temporary adjustments to section 144(a) that expanded the availability of qualified small issue bonds to facilities creating intangible property and modified the related facilities eligible for treatment as part of a manufacturing facility.³⁶ For bonds issued after the date of enactment of

³⁴ Certain private activity bonds are not subject to the State volume cap.

³⁵ Rev. Proc. 2020-45, 2020-46 I.R.B. 1016, p. 1022, November 9, 2020.

³⁶ Pub. L. No. 111-5, Division B, sec. 1301, February 17, 2009.

ARRA and before January 1, 2011, the definition of manufacturing facilities was expanded to mean any facility that is used in the manufacturing, creation, or production of tangible property or intangible property (within the meaning of section 197(d)(1)(C)(iii)). For this purpose, intangible property means any patent, copyright, formula, process, design, knowhow, format, or other similar item. This includes among other items, the creation of computer software, and intellectual property associated bio-tech and pharmaceuticals. In lieu of the directly related and ancillary test otherwise applicable (described above), a special rule for bonds issued after the date of enactment and before January 1, 2011, provides that facilities that are functionally related and subordinate to the manufacturing facility are treated as a manufacturing facility. Functionally related and subordinate facilities must be located on the same site as the manufacturing facility. Because bonds can have repayment terms of several years, a substantial amount of bonds issued under the temporary adjustment may remain outstanding.

Explanation of Provision

The provision increases the limit on qualified small issue bonds that may be outstanding at any time for property of a business (including related parties) located in the same municipality or county from \$10 million to \$30 million and indexes the limit for inflation after 2021. The issuer can elect to have this limit apply (instead of the generally applicable \$1 million limit) if, in addition to outstanding bonds, all other capital expenditures of the business (including related parties) in the same municipality or county are counted toward the limit over a six-year period that begins three years before the issue date of the bonds and ends three years after such date.

Additionally, the provision expands the availability of qualified small issue bonds to finance manufacturing facilities creating intangible property and adds to the related facilities treated as part a manufacturing facility. The definition of manufacturing facility is expanded to include intangible property (within the meaning of section 197(d)(1)(C)(iii)). For this purpose, intangible property means any patent, copyright, formula, process, design, pattern, knowhow, format, or other similar item. It is intended to include among other items, the creation of computer software, and intellectual property associated bio-tech and pharmaceuticals. The provision adds facilities that are functionally related and subordinate to a manufacturing facility as part of the manufacturing facility for purposes of eligible uses of qualified small issue bonds.³⁷ Functionally related and subordinate facilities must be located on the same site as the manufacturing facility. Directly related and ancillary facilities that are not functionally related and subordinate to a manufacturing facility are eligible for financing by qualified small issue bonds if (1) such facilities are located on the same site as the manufacturing facility and (2) not more than 25 percent of the net proceeds of the issue are used to provide such directly related and ancillary facilities.

The provision includes a limitation that precludes the issuance of qualified small issue bonds to refund qualified small issue bonds (refunded bonds) issued prior to the date of enactment for qualified small issue bonds to finance manufacturing facilities for intangible

³⁷ The provision is based in part on a similar rule applicable to exempt facility bonds. Treas. Reg. sec. 1.103-8(a)(3) provides: “(3) Functionally related and subordinate. An exempt facility includes any land, building, or other property functionally related and subordinate to such facility. Property is not functionally related and subordinate to a facility if it is not of a character and size commensurate with the character and size of such facility.”

property or functionally related and subordinate facilities, unless such refunded bonds financed such facilities pursuant to the temporary rule applicable pursuant to ARRA (discussed above), either directly or in a series of refundings.

Effective Date

The provision is generally effective for obligations issued after the date of enactment.

5. Expansion of certain exceptions to the private activity bond rules for first-time farmers (sec. 135105 of the bill and secs. 144 and 147 of the Code)

Present Law

Interest paid on bonds issued by State and local governments generally is excluded from gross income for Federal income tax purposes.³⁸ Because of the income exclusion, investors generally are willing to accept a lower interest rate on tax-exempt bonds than they might otherwise accept on a taxable investment. This, in turn, lowers the borrowing costs for the beneficiaries of such financing.

Bonds issued by State and local governments may be classified as either governmental bonds or private activity bonds. Governmental bonds are bonds the proceeds of which are primarily used to finance governmental functions or which are repaid with governmental funds. Private activity bonds are bonds in which the State or local government serves as a conduit providing financing to nongovernmental persons (e.g., private businesses or individuals). The exclusion from income for interest paid on State and local bonds does not apply to private activity bonds unless the bonds are issued for certain permitted purposes ("qualified private activity bonds") and other Code requirements are met.

Qualified private activity bonds are tax-exempt private activity bonds issued to provide financing for specified privately used facilities. The definition of a qualified private activity bond includes an exempt facility, qualified mortgage, veterans' mortgage, small issue, redevelopment, 501(c)(3), or student loan bond. Generally, qualified private activity bonds are subject to a number of eligibility restrictions that do not apply to governmental bonds. For example, the aggregate volume of most qualified private activity bonds is restricted by annual State volume limitations (the "State volume cap").³⁹ For calendar year 2021, the State volume cap, which is indexed for inflation, equals \$110 per resident of the State, or \$324,995,000, if greater.⁴⁰ Qualified small issue bonds are subject to State volume cap.

Qualified small issue bonds (commonly referred to as "industrial development bonds" or "small issue IDBs") are tax-exempt qualified private activity bonds issued by State and local governments to finance private business manufacturing facilities (including certain directly related and ancillary facilities) or the acquisition of land and equipment by certain farmers.

³⁸ Sec. 103.

³⁹ Certain private activity bonds are not subject to the State volume cap.

⁴⁰ Rev. Proc. 2020-45, 2020-46 I.R.B. 1016, p. 1022, November 9, 2020.

In general, qualified private activity bonds, including qualified small issue bonds, may not be issued for the acquisition of land to be used for farming purposes⁴¹ or for the acquisition of used property.⁴² Under exceptions to these general rules, qualified small issue bonds can be used for the acquisition of land and used property by first-time farmers for farming purposes, subject to certain limitations. The amount of proceeds that can be used for the acquisition of land by a first-time farmer is limited to a specified amount of \$450,000, indexed for inflation for calendar years after 2008.⁴³ The limit is \$558,000 for 2021.⁴⁴ Used equipment to be used for farming purposes on any land satisfying the requirements for acquisition by a first-time farmer is also eligible for a qualified small issue bond up to a limit of \$62,500. Additionally, there is a \$250,000 limit on the amount of net proceeds of a qualified small issue bond used to provide depreciable farm property.

“First-time farmer” means any individual if such individual (including their spouse and minor children) has not at any time had any direct or indirect ownership interest in substantial farmland in the operation of which such individual materially participated and has not received financing under the exception permitting the acquisition of land by a first-time farmer in an amount which, when added to the financing to be provided, exceeds the applicable annual limit (\$558,000 for calendar year 2021).⁴⁵ “Substantial farmland” means any parcel of land unless such parcel is smaller than 30 percent of the median size of a farm in the county in which such parcel is located.⁴⁶

Explanation of Provision

The provision increases the dollar limitations applicable to the use of qualified small issue bonds for the acquisition of land to be used for farming purposes, prior to indexing for inflation, from \$450,000 (which was increased after indexing for inflation in calendar year 2021 to \$558,000) to \$552,500 for bonds issued after the date of enactment and in calendar year 2021, and indexes such limit for inflation after 2021. The provision eliminates the lower dollar limitation on used farm equipment, increases the dollar limitation on acquisition of depreciable farm property from \$250,000 to \$552,500, and indexes such limit for inflation after 2021. Additionally, for purposes of determining if an individual is a first time farmer, the 30 percent size limit used to determine if a parcel of land is substantial farmland will be based on the average, rather than the median, size of a farm in the county in which such parcel is located.

Effective Date

The provision is effective for bonds issued after the date of enactment.

⁴¹ Sec. 147(c)(1)(B).

⁴² Sec. 147(d).

⁴³ Sec. 147(c)(2).

⁴⁴ Rev. Proc. 2020-45, 2020-46 I.R.B. 1016, p. 1022, November 9, 2020.

⁴⁵ Sec. 147(c)(2)(C).

⁴⁶ Sec. 147(c)(2)(E).

6. Certain water and sewage facility bonds exempt from volume cap on private activity bonds (sec. 135106 of the bill and sec. 146 of the Code)

Present Law

Interest paid on bonds issued by State and local governments generally is excluded from gross income for Federal income tax purposes.⁴⁷ Because of the income exclusion, investors generally are willing to accept a lower interest rate on tax-exempt bonds than they might otherwise accept on a taxable investment. This, in turn, lowers the borrowing costs for the beneficiaries of such financing.

Bonds issued by State and local governments may be classified as either governmental bonds or private activity bonds. Governmental bonds are bonds the proceeds of which are primarily used to finance governmental functions or which are repaid with governmental funds. Private activity bonds are bonds in which the State or local government serves as a conduit providing financing to nongovernmental persons (*e.g.*, private businesses or individuals). The exclusion from income for interest paid on State and local bonds does not apply to private activity bonds unless the bonds are issued for certain permitted purposes (“qualified private activity bonds”) and other Code requirements are met.

Qualified private activity bonds are tax-exempt private activity bonds issued to provide financing for specified privately used facilities. The definition of a qualified private activity bond includes an exempt facility, qualified mortgage, veterans' mortgage, small issue, redevelopment, 501(c)(3), or student loan bond.

Exempt facility bonds are often used to finance infrastructure projects. To qualify as an exempt facility bond, 95 percent of the net proceeds must be used to finance an eligible facility. Facilities eligible include, among others, facilities for the furnishing of water and sewage facilities⁴⁸ that, generally, may be privately owned. A facility for the furnishing of water must meet the following two requirements: (1) the water is or will be made available to the public (including electric utility, industrial, agricultural, or commercial users); and (2) either the facility is operated by a governmental unit or the rates for the furnishing or sale of the water have been established or approved by a State or political subdivision thereof, by an agency or instrumentality of the United States, or by a public service or public utility commission or other similar body of any State or political subdivision thereof.

Generally, qualified private activity bonds are subject to a number of eligibility restrictions that do not apply to governmental bonds. For example, the aggregate volume of most qualified private activity bonds is restricted by annual State volume limitations (the “State

⁴⁷ Sec. 103.

⁴⁸ Sec. 142(a).

volume cap”).⁴⁹ For calendar year 2021, the State volume cap, which is indexed for inflation, equals \$110 per resident of the State, or \$324,995,000, if greater.⁵⁰

Exempt facility bonds issued to provide facilities for the furnishing of water and sewage facilities are subject to the State volume cap requirement.

Explanation of Provision

The provision provides an exception to the State volume cap requirement for exempt facility bonds issued to provide facilities for the furnishing of water and sewage facilities if 95 percent or more of the net proceeds of the bonds are used to provide facilities which will be used (i) by a person who was, as of July 1, 2020, engaged in operation of a facility of the type provided, and (ii) to provide service within the area served by such person on such date (or within a county or city any portion of which is within such area), or by a successor in interest to such person for the same use and within the same service area.

Effective Date

The provision is effective for bonds issued after the date of enactment.

7. Exempt facility bonds for zero-emission vehicle infrastructure (sec. 135107 of the bill and sec. 142 of the Code)

Present Law

Qualified private activity bonds are tax-exempt private activity bonds issued to provide financing for specified privately used facilities. The definition of a qualified private activity bond includes an exempt facility, qualified mortgage, veterans’ mortgage, small issue, redevelopment, 501(c)(3), or student loan bond.⁵¹

Exempt facility bonds are often used to finance infrastructure projects. To qualify as an exempt facility bond, 95 percent of the net proceeds must be used to finance an eligible facility.⁵² Facilities eligible for this financing include the following:

⁴⁹ The following private activity bonds are not subject to the State volume cap: qualified 501(c)(3) bonds, exempt facility bonds for airports, docks and wharves, environmental enhancements for hydroelectric generating facilities, and exempt facility bonds for solid waste disposal facilities that are to be owned by a governmental unit. The State volume cap does not apply to 75 percent of exempt facility bonds issued for high-speed intercity rail facilities (100 percent if the high-speed intercity rail facility is to be owned by a governmental unit). Qualified veterans mortgage bonds and exempt facility bonds for qualified public educational facilities, qualified green building and sustainable design projects, and qualified highway or surface freight transfer facilities also are not subject to the State volume cap, but the Code subjects such bonds to volume limitations specific to the category of bonds.

⁵⁰ Rev. Proc. 2020-45, 2020-46 I.R.B. 1016, p. 1022, November 9, 2020.

⁵¹ Sec. 141(c).

⁵² Sec. 142(a).

- Airports,
- Ports (docks and wharves),
- Mass commuting facilities,
- Facilities for the furnishing of water,
- Sewage facilities,
- Solid waste disposal facilities,
- Qualified residential rental projects,
- Facilities for the local furnishing of electric energy or gas,
- Local district heating or cooling facilities,
- Qualified hazardous waste facilities,
- High-speed intercity rail facilities,
- Environmental enhancements of hydro-electric generating facilities,
- Qualified public educational facilities,
- Qualified green building and sustainable design projects, and
- Qualified highway or surface freight transfer facilities.⁵³

Generally, qualified private activity bonds are subject to a number of eligibility restrictions that do not apply to governmental bonds. For example, the aggregate volume of most qualified private activity bonds is restricted by annual State volume limitations (the “State volume cap”).⁵⁴ For calendar year 2021, the State volume cap, which is indexed for inflation, equals \$110 per resident of the State, or \$324,995,000, if greater.⁵⁵

Explanation of Provision

The provision adds a new category of exempt facility bonds for zero-emission vehicle infrastructure.

“Zero-emission vehicle infrastructure” means any property (not including a building and its structural components) if such property is part of a unit which is used to charge or fuel

⁵³ Sec. 142(a)(1)-(15).

⁵⁴ The following private activity bonds are not subject to the State volume cap: qualified 501(c)(3) bonds, exempt facility bonds for airports, docks and wharves, environmental enhancements for hydroelectric generating facilities, and exempt facility bonds for solid waste disposal facilities that are to be owned by a governmental unit. The State volume cap does not apply to 75 percent of exempt facility bonds issued for high-speed intercity rail facilities (100 percent if the high-speed intercity rail facility is to be owned by a governmental unit). Qualified veterans mortgage bonds and exempt facility bonds for qualified public educational facilities, qualified green building and sustainable design projects, and qualified highway or surface freight transfer facilities also are not subject to the State volume cap, but the Code subjects such bonds to volume limitations specific to the category of bonds.

⁵⁵ Rev. Proc. 2020-45, 2020-46 I.R.B. 1016, p. 1022, November 9, 2020.

zero-emissions vehicles, is located where the vehicles are charged or fueled, is of a character subject to the allowance for depreciation (or amortization in lieu of depreciation), is made available for use by members of the general public, accepts payment via a credit card reader (including a credit card reader that uses contactless technology), and is capable of charging or fueling vehicles produced by more than one manufacturer (within the meaning of section 30D(d)(3)). For property which is part of a unit which is used exclusively by fleets of commercial or governmental vehicles, the last three requirements listed do not apply. “Zero-emission vehicle infrastructure” also includes any utility service connections, utility panel upgrades, line extensions and conduit, transformer upgrades, or similar property, in connection with property meeting the applicable requirements.

The term “zero-emissions vehicle” means either a zero-emission vehicle as defined in section 88.102–94 of title 40, Code of Federal Regulations, or a vehicle that produces zero exhaust emissions of any criteria pollutant (or precursor pollutant) or greenhouse gas under any possible operational modes and conditions.

Any zero-emission vehicle infrastructure located within another type of facility or project eligible for financing by exempt facility bonds, or an area adjacent to such a facility or project that primarily serves vehicles traveling to or from such facility or project, is treated as that type of facility or project for purposes of eligibility restrictions applicable to exempt facility bonds.

Except to the extent not applicable due to the treatment described in the preceding paragraph, the State volume cap applies to exempt facility bonds issued for zero-emission vehicle infrastructure.

Effective Date

The provision is effective for obligations issued after December 31, 2021.

8. Application of Davis-Bacon Act requirements with respect to certain exempt facility bonds (sec. 135108 of the bill and sec. 142 of the Code)

Present Law

Qualified private activity bonds are tax-exempt private activity bonds issued to provide financing for specified privately used facilities. The definition of a qualified private activity bond includes an exempt facility, qualified mortgage, veterans’ mortgage, small issue, redevelopment, 501(c)(3), or student loan bond.⁵⁶

Exempt facility bonds are often used to finance infrastructure projects. To qualify as an exempt facility bond, 95 percent of the net proceeds must be used to finance an eligible facility.⁵⁷ Facilities eligible for this financing include the following:

- Airports,

⁵⁶ Sec. 141(c).

⁵⁷ Sec. 142(a).

- Ports (docks and wharves),
- Mass commuting facilities,
- Facilities for the furnishing of water,
- Sewage facilities,
- Solid waste disposal facilities,
- Qualified residential rental projects,
- Facilities for the local furnishing of electric energy or gas,
- Local district heating or cooling facilities,
- Qualified hazardous waste facilities,
- High-speed intercity rail facilities,
- Environmental enhancements of hydro-electric generating facilities,
- Qualified public educational facilities,
- Qualified green building and sustainable design projects, and
- Qualified highway or surface freight transfer facilities.⁵⁸

Generally, qualified private activity bonds are subject to a number of eligibility restrictions that do not apply to governmental bonds. For example, the aggregate volume of most qualified private activity bonds is restricted by annual State volume limitations (the “State volume cap”). For calendar year 2021, the State volume cap, which is indexed for inflation, equals \$110 per resident of the State, or \$324,995,000, if greater.⁵⁹

Explanation of Provision

The provision adds a new requirement for exempt facility bonds issued to provide facilities for the furnishing of water, sewage facilities, qualified highway or surface freight transfer facilities, and zero-emission vehicle infrastructure. These facilities would only be eligible for financing with exempt facility bonds if each entity that receives bond proceeds to conduct construction, alteration, or repair of such facilities agrees to comply with the provisions of subchapter IV of chapter 31 of title 40, United States Code with respect to such construction, alteration, or repair.

Effective Date

The provision is effective for bonds issued after the date of enactment.

⁵⁸ Sec. 142(a)(1)-(15).

⁵⁹ Rev. Proc. 2020-45, 2020-46 I.R.B. 1016, p. 1022, November 9, 2020.

Other Provisions Related to Infrastructure Financing

**9. Credit for operations and maintenance costs of government-owned broadband
(sec. 135111 of the bill and new sec. 6431B of the Code)**

Present Law

While certain broadband property may qualify for some general tax incentives,⁶⁰ no broadband specific tax incentives exist in the Code.

Explanation of Provision

In general

Under the provision, a new credit is provided for the applicable percentage of qualified broadband expenses paid or incurred by an eligible government entity. The Secretary shall pay the credit to an eligible governmental entity upon receipt of information as the Secretary may require.

Credit amount

The applicable percentage is 30 percent in taxable years beginning in 2021 through 2026, 26 percent in taxable years beginning in 2027, and 24 percent in taxable years beginning in 2028.

Qualified broadband expenses for purposes of the credit may not exceed \$400 times the number of qualified households subscribed to the relevant qualified broadband service determined at any time during the taxable year.

Eligible government entities and qualified households

Eligible government entities are any State, local, or Indian tribal government, any political subdivision or instrumentality of such a government, or any entity wholly owned by one or more government or political subdivision or instrumentality thereof.⁶¹ The taxable year for an eligible governmental entity means the fiscal year of the eligible governmental entity.

A qualified household is a personal residence located in a low-income community⁶² that did not have access to qualified broadband service from the eligible governmental entity as of the beginning of the taxable year of the entity.

⁶⁰ Certain broadband related property may be eligible for accelerated depreciation under section 168. The IRS has issued several safe harbors on the recovery of various costs and assets used in providing broadband service. For examples, see Rev. Proc. 2015-12, 2015-2 I.R.B. 266, Rev. Proc. 2011-28, 2011-18 I.R.B. 743, Rev. Proc. 2011-27, 2011-18 I.R.B. 740, and Rev. Proc. 2011-22, 2011-18 I.R.B. 737.

⁶¹ For this purpose, State includes any possession of the United States.

⁶² Under the meaning of section 45D(e).

Qualified Broadband

Qualified broadband expenses are amounts paid or incurred for the operation and maintenance of a qualified broadband network that are properly allocable to qualified households subscribed to the qualified broadband service provided by the network. A qualified broadband network is property owned by an eligible governmental entity used for the purpose of providing qualified broadband service. Qualified broadband service is fixed, terrestrial broadband service providing downloads (uploads) at a speed of at least 25 (three) megabits per second. Amounts are properly allocated if they are allocated ratably among subscribers to the qualified broadband service. Qualified broadband expenses do not include any amount paid or reimbursed by any Federal grant.

Credit Termination

No credit is allowed for any taxable year beginning after December 31, 2028.

Effective Date

The provision is effective for taxable years beginning after December 31, 2020.

PART II — NEW MARKETS TAX CREDIT

1. Permanent extension of new markets tax credit (sec. 135201 of the bill and secs. 45D and 38(c)(4)(B) of the Code)

Present Law

In General

The New Markets Tax Credit (“NMTC”) is a geography-based tax credit program. Under section 45D(a), an investor may claim tax credits for a qualified equity investment in a qualified community development entity (“CDE”). The qualified CDE designates equity investments as qualified equity investments, rendering the investor eligible to receive tax credits. The qualified CDE can only designate up to an amount allocated to it by the Department of the Treasury’s Community Development Financial Institutions Fund (“CDFI Fund”). The CDFI Fund allocates amounts to qualified CDEs through a competitive application process.

The amount of the NMTC is determined on a credit allowance date as an amount equal to the applicable percentage of the qualified equity investment in the qualified CDE on that date. The applicable percentage is five percent for the first three years of the investment and six percent for the remaining four years, for a total credit of 39 percent over seven years. The credit allowance date is the date of the investment and the next six anniversary dates of the investment.

To continue to be eligible for tax credits, the taxpayer must continue to hold the qualified equity investment on the credit allowance date of each year. In other words, if the qualified equity investment ceases, or ceases to be qualified, the remaining tax credits are no longer allowed. The credits already claimed may also be subject to recapture if the CDE ceases to be qualified, if the proceeds of the investment cease to be used in a qualified manner, or if the taxpayer redeems its qualified equity investment.

Regulated financial institutions provide most of the equity for NMTC transactions. In addition to receiving the NMTC, financial institutions often receive credit under the Community Reinvestment Act for investing in low-income census tracts.

Substantially all of the qualified equity investment must be used by the qualified CDE to provide investments in low-income communities through qualified active low-income community businesses.

Qualifying Geography

The NMTC provisions require CDEs to serve or provide investment capital for low-income communities or low-income persons. A low-income community is either (1) a population census tract that meets certain criteria, or (2) a specific area designated by the Secretary. Specifically, a “low-income community” is a population census tract with either (1) a poverty rate of at least 20 percent, or (2) median family income which does not exceed 80 percent of the greater of metropolitan area median family income or statewide median family income (for a nonmetropolitan census tract, does not exceed 80 percent of statewide median family income). In the case of a population census tract located within a high migration rural county, low-income is defined by reference to 85 percent (as opposed to 80 percent) of statewide

median family income. For this purpose, a high migration rural county is any county that, during the 20-year period ending with the year in which the most recent census was conducted, has a net out-migration of inhabitants from the county of at least 10 percent of the population of the county at the beginning of such period. In addition, a population census tract with a population of less than 2,000 is treated as a low-income community for purposes of the NMTC if such tract is within an empowerment zone (the designation of which is in effect under section 1391) and is contiguous to one or more low-income communities.

CDEs may also qualify for the NMTC if they serve targeted populations, as designated by the Secretary, regardless of the composition of the population census tract or tracts in which the targeted populations live. Under this rule, the targeted population is treated as a low-income census tract. For this purpose, a “targeted population” is defined by reference to section 103(20) of the Riegle Community Development and Regulatory Improvement Act of 1994 (the “Act”) to mean individuals, or an identifiable group of individuals, including an Indian tribe, who are low-income persons or otherwise lack adequate access to loans or equity investments. Section 103(17) of the Act provides that “low-income” means (1) for a targeted population within a metropolitan area, less than 80 percent of the area median family income; and (2) for a targeted population within a nonmetropolitan area, less than the greater of 80 percent of the area median family income or 80 percent of the statewide nonmetropolitan area median family income.

Project Structures

In a typical NMTC structure, an intermediary entity (the “investment fund LLC”) receives equity investments from investors (usually financial institutions) and debt from other sources. The investment fund LLC’s proceeds are then invested as equity investment into a qualified CDE. The qualified CDE in turn makes a qualified low-income community investment in a qualified active low-income community business.

A qualified CDE is any domestic corporation or partnership: (1) whose primary mission is serving or providing investment capital for low-income communities or low-income persons; (2) that maintains accountability to residents of low-income communities by their representation on any governing board of or any advisory board to the CDE; and (3) that is certified by the Secretary as being a qualified CDE. A qualified equity investment means stock (other than nonqualified preferred stock) in a corporation or a capital interest in a partnership that is acquired directly from a CDE for cash and includes an investment of a subsequent purchaser if such investment was a qualified equity investment in the hands of the prior holder. Substantially all the investment proceeds must be used by the CDE to make qualified low-income community investments. For this purpose, qualified low-income community investments include: (1) capital or equity investments in, or loans to, qualified low-income community businesses; (2) certain financial counseling and other services to businesses and residents in low-income communities; (3) the purchase from another CDE of any loan made by such entity that is a qualified low-income community investment; or (4) an equity investment in, or loan to, another CDE.

Although equity investments in qualified active low-income community businesses qualify under the NMTC rules, generally, such investments are in the form of loans. Equity investors that own a majority interest in a low-income community business can have their NMTC credits recaptured if the business violates the rules for qualification. However, Treasury regulations provide a “reasonable expectation” safe harbor for CDEs that lend to such a business;

if the CDE “reasonably expects” that the rules are being satisfied, NMTC credits are not subject to recapture.⁶³

A qualified active low-income community business is defined as a business that satisfies, with respect to a taxable year, the following requirements: (1) at least 50 percent of the total gross income of the business is derived from the active conduct of trade or business activities in any low-income community; (2) a substantial portion of the tangible property of such business is used in a low-income community; (3) a substantial portion of the services performed for such business by its employees is performed in a low-income community; and (4) less than five percent of the average of the aggregate unadjusted bases of the property of such business is attributable to certain financial property or to certain collectibles. A business which operates a racetrack or other gambling facility cannot meet the definition of a qualified business and is therefore ineligible to receive allocations from the CDFI Fund.⁶⁴

Allocation Process

The CDFI Fund annually allocates NMTCs to CDEs under a competitive application process. CDEs, in turn, allocate NMTCs to equity investors. The maximum annual amount of NMTCs that the CDFI Fund can allocate is \$3.5 billion for calendar years 2010 through 2019 and \$5 billion for calendar years from 2020 through 2025. No amount of unused allocation limitation may be carried to any calendar year after 2030.⁶⁵

For the 2020 allocation application round, the CDFI Fund awarded 100 CDEs \$5.0 billion in NMTCs from a total of 208 applications requesting \$15.1 billion.⁶⁶ Out of the total awarded, approximately \$3.8 billion (78 percent) of NMTC investment proceeds will likely be used to finance and support loans to or investments in operating businesses in low-income

⁶³ Treas. Reg. sec. 1.45D-1(d)(6)(i).

⁶⁴ Treas. Reg. sec. 1.45D-1(d)(5)(iii)(B).

⁶⁵ A total of \$66 billion of credits had been allocated as of September 2021. As originally enacted in 2000, \$15 billion was authorized for the new markets tax credit program through 2007. Consolidated Appropriations Act, 2001, Pub. L. No. 106-554, sec. 121, December 21, 2000. In 2005, an additional \$1 billion of credits was authorized for qualified areas affected by Hurricane Katrina over a period of three years. Gulf Opportunity Zone Act of 2005, Pub. L. No. 109-135, sec. 101, December 21, 2005. In 2006 and again in 2008, another \$3.5 billion was authorized. Tax Relief and Health Care Act of 2006, Pub. L. No. 109-432, sec. 102, December 20, 2006, and the Emergency Economic Stabilization Act of 2008, Pub. L. No. 110-343, sec. 302, October 3, 2008. In 2009, the allocation amount was increased for 2008 and 2009 from \$3.5 billion to \$5 billion. American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, sec. 1403, February 17, 2009. In 2010, an additional 3.5 billion was allocated for 2010 and 2011. Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, Pub. L. No. 111-312, sec. 733, December 17, 2010. In 2013, an additional \$3.5 billion was allocated for 2012 and 2013. American Taxpayer Relief Act of 2012, Pub. L. No. 112-240, sec. 305, January 2, 2013. In 2014, an additional \$3.5 billion was allocated for 2014. Tax Increase Prevention Act of 2014, Pub. L. No. 113-295, sec. 115, December 19, 2014. In 2015, an additional \$3.5 billion was allocated for five years through 2019. Protecting Americans From Tax Hikes (“PATH”) Act, Division Q of Pub. L. No. 114-113, sec. 141, December 18, 2015. In 2019, an additional \$5 billion was allocated for 2020. Further Consolidated Appropriations Act, 2020, Pub. L. No. 116-94, sec. 141, December 20, 2019. In 2020, an additional \$5 billion was allocated for each of calendar years 2020 through 2025. Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, sec. 112, December 27, 2020.

⁶⁶ Information is available at <https://home.treasury.gov/news/press-releases/jy0340> (last visited September 10, 2021).

communities, and approximately \$1.1 billion (22 percent) of NMTC investment proceeds will likely be used to finance and support real estate projects in low-income communities.⁶⁷

Applications for NMTCs are reviewed in two phases.⁶⁸ In Phase 1, applications are reviewed, scored, and ranked based on two criteria: business strategy and community outcomes. Applicants that meet the minimum scoring thresholds in Phase 1 advance to Phase 2 review and will be provided with “preliminary” awards, in descending order of final rank score, until the available allocation authority is fulfilled. Final rank scores are determined by evaluating management capacity, capitalization strategy, and information regarding previous awards.⁶⁹

In Phase 1, in evaluating and scoring the business strategy criteria, the CDFI Fund is looking for a CDE to articulate, with specificity, its strategy to use an allocation and to describe a long track record serving low-income communities, and of providing products and services like those that it intends to provide through its investments. The CDE can earn “priority points” if it has a track record of five or more years of experience providing capital and/or technical assistance to disadvantaged businesses and communities. For the community outcomes criteria, the CDFI Fund considers the extent to which the CDE is working in particularly economically distressed or otherwise underserved communities, shows that its projected financing activities will generate demonstrable community outcomes, and demonstrates meaningful engagement with community stakeholders when vetting potential investments. In general, the highest ranked applications provide specifics concerning job creation, community development benefits, and a track record of providing capital and/or technical assistance to disadvantaged businesses and communities.

In Phase 2, management capacity is evaluated based on management experience in low-income communities, asset and risk management, and fulfilling government compliance requirements. Capitalization is evaluated based on an applicant’s track record of raising capital, investor commitments (or a strategy to secure such commitments), plan to pass along the benefits of the credit to the underlying businesses, and willingness to invest in amounts that exceed the minimum statutory requirements. Applicants with prior year allocations are evaluated on their effective use of prior-year allocations and whether they have substantiated a need for additional allocation authority.

Alternative Minimum Tax

⁶⁷ Information is available in the 2020 NMTC Award Book. It is available at www.cdfifund.gov/sites/cdfi/files/2021-08/CY2020_NMTC_Program_Award_Book_FINAL.pdf (last visited September 10, 2021).

⁶⁸ The 2020 NMTC program allocation application provides information on reviewer criteria. It is available at https://www.cdfifund.gov/sites/cdfi/files/202104/Updated_CY_2020_NMTC_Allocation_Application_FINAL_21OCT2020.pdf (last visited September 10, 2021). The term “infrastructure” is provided as a business type on page 58 of the application.

⁶⁹ Information on the allocation application review process, general characteristics of a highly ranked application, and application ratings is available at https://www.cdfifund.gov/sites/cdfi/files/2021-09/CY2020_NMTC_Application_Review_Process_26AUG2021.pdf (last visited September 10, 2021).

Individual Alternative Minimum Tax

Individuals and trusts and estates may be subject to the alternative minimum tax (“AMT”), in an amount by which the tentative minimum tax exceeds the regular income tax for the taxable year.⁷⁰ The tentative minimum tax is determined by reference to an alternative minimum taxable income (“AMTI”), which is the taxpayer’s taxable income increased by the taxpayer’s tax preferences and adjusted by determining the tax treatment of certain items in a manner that negates the deferral of income resulting from the regular tax treatment of those items.⁷¹ This amount is compared to an exemption amount that varies by filing status.⁷²

Among the tax preferences and adjustments included in AMTI are an inclusion of certain tax-exempt interest⁷³ and the disallowance of the deduction for State and local taxes, the standard deduction, and certain itemized deductions.⁷⁴

An individual may generally use credits against both regular tax liability and tentative minimum tax liability.⁷⁵

However, the new markets tax credit cannot be used to offset AMT liability because the general business credit (which is the sum of various business tax credits) generally may not exceed the excess of the taxpayer’s net income tax⁷⁶ over the tentative minimum tax (or, if greater, 25 percent of so much of the taxpayer’s net regular tax liability⁷⁷ as exceeds \$25,000).⁷⁸ Any general business credit in excess of the limitation may be carried back one year and forward up to 20 years.⁷⁹

⁷⁰ Sec. 55.

⁷¹ Secs. 56, 57 and 58.

⁷² For taxable years beginning in 2021, the exemption amount is \$114,600 for married individuals filing jointly and surviving spouses, \$73,600 for other unmarried individuals, and \$57,300 for married individuals filing separately. For taxable years beginning in 2021, the phase-out threshold is \$1,047,200 for married taxpayers filing a joint return, and \$523,600 for all other taxpayers (other than estates and trusts). These exemption amounts and the exemption amount phase-out thresholds were increased for taxable years beginning after December 31, 2017 and beginning before January 1, 2026, and the amounts are indexed for inflation.

⁷³ Sec. 57(a)(5).

⁷⁴ Sec. 56(b).

⁷⁵ See sec. 26(a).

⁷⁶ The term “net income tax” means the sum of the regular tax liability and AMT, reduced by the credits allowable under sections 21 through 30D. Sec. 38(c)(1).

⁷⁷ The term “net regular tax liability” means the regular tax liability reduced by the sum of certain nonrefundable personal and other credits. Sec. 38(c)(1).

⁷⁸ Sec. 38(c).

⁷⁹ Sec. 39.

In applying the tax liability limitation to a list of “specified credits” that are part of the general business credit, the tentative minimum tax is treated as being zero.⁸⁰ Thus, the specified credits generally may offset both regular tax and AMT liabilities.

Corporate Alternative Minimum Tax

The corporate AMT was repealed for taxable years beginning after December 31, 2017.

Explanation of Provision

The provision increases the allocation amount from \$5 billion to \$7 billion for calendar year 2022 and from \$5 billion to \$6 billion for calendar year 2023. The allocation amounts for calendar years 2024 and 2025 remain \$5 billion.

The provision also extends the new markets tax credit permanently, with a new allocation amount of \$5 billion for each calendar year after 2025. New carryover periods for unused new markets tax credits automatically follow five calendar years after each allocation year, starting in 2026. The allocation amounts are indexed for inflation after 2024.

The provision also adds the new markets tax credit to the list of specified credits. Thus, the new markets tax credit may offset both regular tax and AMT liabilities.

Effective Date

The provisions to increase the allocation amounts, permanently extend the new markets tax credit, and index the allocation amounts are effective for calendar years after 2021.

The provision to allow the new markets tax credit to be used to offset AMT liability is effective for qualified equity investments initially made after December 31, 2021.

⁸⁰ See section 38(c)(4)(B) for the list of specified credits, which does not presently include the NMTC determined under section 45D.

PART III — REHABILITATION TAX CREDIT**Rehabilitation Tax Credit
(secs. 135301-135306 of the bill and secs. 47 and 50 of the Code)****Present Law**

A 20-percent tax credit is provided for qualified rehabilitation expenditures with respect to a certified historic structure.⁸¹ A certified historic structure means any building that is listed in the National Register, or that is located in a registered historic district and is certified by the Secretary of the Interior to the Secretary of the Treasury as being of historic significance to the district. The credit is generally allowable ratably in each taxable year over the five-year period beginning in the taxable year in which the qualified rehabilitated building is placed in service, for amounts paid or incurred after December 31, 2017.

The basis of the property is reduced by the amount of the rehabilitation credit.⁸²

For qualified rehabilitation expenditures to be eligible for the credit, the building must be substantially rehabilitated. A building is treated as having met the substantial rehabilitation requirement only if the rehabilitation expenditures during the 24-month period selected by the taxpayer and ending within the taxable year exceed the greater of (1) the adjusted basis of the building (and its structural components), or (2) \$5,000.⁸³ Taxpayers are required to use straight-line depreciation in order for rehabilitation expenditures to be treated as qualified.

Qualified rehabilitation expenditures with respect residential property generally do not include any expenditure in connection with the rehabilitation of the portion of a building that is (or expected to be) leased to a tax-exempt entity.⁸⁴ In the case of nonresidential real property, qualified rehabilitation expenditures generally do not include any expenditure in connection with the rehabilitation of a building that is more than 50 percent leased to a tax-exempt entity in a disqualified lease. In general, a disqualified lease includes a lease of tax-exempt-bond-financed property, a lease with a sale option (or its equivalent) to the tax-exempt entity, a lease with a term greater than 20 years, or a sale-leaseback arrangement involving a tax-exempt entity.⁸⁵ For this purpose, a tax-exempt entity generally includes the United States, a state or political subdivision, possession, or any agency or instrumentality of the foregoing (“governmental entity”).⁸⁶

⁸¹ Sec. 47.

⁸² Sec. 50(c).

⁸³ Sec. 47(c)(1)(B). A special rule for phased rehabilitation substitutes a 60-month period for the 24-month period. Sec. 47(c)(1)(B)(ii).

⁸⁴ Secs. 47(c)(2)(B)(5) and 168(h).

⁸⁵ Sec. 168(h)(1)(B).

⁸⁶ Sec. 168(h)(2). Certain exceptions also apply.

Explanation of Provision

The provision makes several changes to the rehabilitation tax credit. The credit rate under the provision is increased temporarily from 20 percent. The credit rate is increased to 30 percent in taxable years beginning in 2020 through 2025, 26 percent in taxable years beginning in 2026, and 23 percent in taxable years beginning in 2027. The credit rate reverts to 20 percent in taxable years beginning after 2027. If qualified rehabilitation expenditures with respect to a qualified rehabilitated building are incurred in taxable years with differing credit rates, the credit rate for the taxable year in which an expenditure is paid or incurred applies to that expenditure.

The provision adds a taxpayer election to increase the credit percentage to 30 percent for certain smaller projects. The amount of qualified rehabilitation expenditures taken into account for this purpose for a qualified rehabilitated building cannot exceed \$2,500,000. A smaller project is defined generally as a qualified rehabilitated building for which the qualified rehabilitation expenditures do not exceed \$3,750,000, and for which no rehabilitation credit was allowed for the two taxable years preceding the first year for which such expenditures are paid or incurred.

The provision modifies the substantial rehabilitation requirement so that the qualified rehabilitation expenditures must exceed the greater of (1) 50 percent (not 100 percent) of the adjusted basis of the building (and its structural components), or (2) \$5,000.

The provision eliminates the limitation requiring reduction of the basis of the property by the amount of the rehabilitation credit.

The provision modifies the definition of tax-exempt use property for purposes of the rehabilitation credit by limiting the relevance of a disqualified lease with respect to tax-exempt entities that are not governmental entities. Under the provision, except in the case of a tax-exempt entity that is a governmental entity, nonresidential real property is not treated as tax-exempt use property even if a lease with respect to the property to a tax-exempt entity comes within the present-law definition of a disqualified lease. Under the provision, rehabilitated nonresidential real property generally is tax-exempt use property if more than 50 percent of the property is leased to any tax-exempt entity that is a governmental entity.

The provision modifies the limitation on leasing a rehabilitated building to tax-exempt entities in the case of certain public schools. Under the provision, this limitation on certain leases does not apply in the case of rehabilitation of a building that was used as a qualified public educational facility⁸⁷ at any time during the five-year period ending with the date the rehabilitation begins, and is used as such immediately after the rehabilitation. A Treasury Department report on the effects of the provision is required within five years after the date of enactment.

Effective Date

The temporary credit rate increase is effective for property placed in service after March 31, 2021. The elective credit rate increase for smaller projects is effective for taxable

⁸⁷ As defined in section 142(k)(1) without regard to section 142(k)(1)(B).

years beginning after December 31, 2021. The modification of the substantial rehabilitation requirement is effective for 24-month (or 60-month) periods ending after December 31, 2021. The elimination of the rehabilitation credit basis adjustment is effective for property placed in service after December 31, 2022. The provision relating to disqualified leases with tax-exempt entities (other than governmental entities) is effective for leases entered into after December 31, 2021. The provision permitting leasing of rehabilitated public schools is effective for property placed in service after December 31, 2021.