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FULL COMMITTEE  
BUSINESS MEETING:  
MARK-UP OF SEVERAL BILLS  
AND POSTAL-NAMING  
MEASURES

FOR THE  
COMMITTEE ON  
OVERSIGHT AND ACCOUNTABILITY  
U.S. HOUSE OF REPRESENTATIVES  
ONE HUNDRED EIGHTEENTH CONGRESS

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MALLORY COGAR, Deputy Director of Operations and Chief Clerk

CONTACT NUMBER: 202-225-5074

JULIE TAGEN, Minority Staff Director

CONTACT NUMBER: 202-225-5051

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# C O N T E N T S

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	Page
Meeting held on September 18, 2024 .....	1

## BILLS CONSIDERED

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* H.R. 3642, the Executive Branch Accountability and Transparency Act of 2023 Bill Discussed .....	1
* H.R. 9598, the Office of National Drug Control Policy Reauthorization Act of 2024 Bill Discussed .....	6
* H.R. 9592, the Federal Register Modernization Act Bill Discussed .....	13
* H.R. 5300, the GAO Inspector General Parity Act Bill Discussed .....	16
* H.R. 9597, the Federal Acquisition Security Council Improvement Act of 2024 Bill Discussed .....	18
* H.R. 9595, the Federal Improvement in Technology Procurement Act Bill Discussed .....	20
* H.R. 9566, the Source code Harmonization And Reuse in Information Technology Act Bill Discussed .....	23
* H.R. 9596, the Value Over Cost Act of 2024 Bill Discussed .....	25
* H.R. 5536, the Grant Transparency Act of 2023 Bill Discussed .....	27
* H.R. 9593, the Manager Attitudes and Notions According to Government Employee Responses Act Bill Discussed .....	30
* H.R. 8784, the Full Responsibility and Expedited Enforcement Act Bill Discussed .....	34
* H.R. 9594, the Protecting Taxpayers' Wallets Act Bill Discussed .....	37
* H.R. 825, the Banning Operations and Leases with the Illegitimate Venezuelan Authoritarian Regime Act Bill Discussed .....	43
* H.R. 7507, a bill to designate the Bill Barrett Post Office Building in Nebraska Bill Discussed .....	50
* Several Postal-Naming Measures Measures Discussed .....	50&53

## INDEX OF DOCUMENTS

---

- \* Article, DHS HSI, “Lead Defendant in Long Running Drug Trafficking Conspiracy Extradited”; submitted by Rep. Biggs.
- \* Statement, for the Record on FREE Act, by Rep. Celeste; submitted by Chairman Comer.
- \* Coalition Letter, Protecting Taxpayers’ Wallets Act; submitted by Rep. Perry.
- \* Coalition Letter, AFGE, Protecting Taxpayers’ Wallets Act; submitted by Rep. Raskin.
- \* Coalition Letter, NTEU, Protecting Taxpayers’ Wallets Act, MANAGER Act; submitted by Rep. Raskin.
- \* Coalition Letter, NATCA, Protecting Taxpayers’ Wallets Act; submitted by Rep. Raskin.

*Documents are available at: docs.house.gov.*

**FULL COMMITTEE BUSINESS MEETING:  
MARK-UP OF SEVERAL BILLS AND  
POSTAL-NAMING MEASURES**

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**Wednesday, September 18, 2024**

U.S. HOUSE OF REPRESENTATIVES  
COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY,  
*Washington, D.C.*

The Committee met, pursuant to notice, at 10:08 a.m., in room 2154, Rayburn House Office Building, Hon. James Comer [Chairman of the Committee] presiding.

Present: Representatives Comer, Jordan, Grothman, Cloud, Palmer, Higgins, Sessions, Biggs, Mace, LaTurner, Fallon, Donalds, Perry, Timmons, Burchett, Greene, McClain, Boebert, Fry, Luna, Langworthy, Burlison, Waltz, Raskin, Norton, Lynch, Connolly, Krishnamoorthi, Khanna, Mfume, Porter, Brown, Stansbury, Garcia, Frost, Lee, Casar, Crockett, Goldman, Moskowitz, and Pressley.

Chairman COMER. The Committee will please come to order. A quorum is present.

Without objection, the Chair is authorized to declare a recess at any time.

Pursuant to Committee Rule 5(b) and House Rule XI, Clause 2, the Chair may postpone further proceedings today on the question of approving any measure or matter or adopting an amendment on which a recorded vote or the yeas and nays are ordered.

The Committee will continue to use the electronic system for recorded votes on amendments and passage of the bills before the Committee. Of course, should any technical issues arise, which I do not anticipate, we will immediately transition to traditional roll call votes. Any procedural or motion-related votes during today's markup will be dispensed with by a traditional roll call vote.

Our next item for consideration is H.R. 3642, the executive branch Accountability and Transparency Act of 2023. The clerk will please designate the bill.

The CLERK. H.R. 3642, the executive branch Accountability and Transparency Act of 2023, a bill to require the Office of Government Ethics to establish and maintain a centralized data base for executive branch ethics records of non-career appointees.

Chairman COMER. Without objection, the bill should be considered as read, and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of substitute. The clerk will please designate the amendment.

The CLERK. An amendment in the nature of a substitute to H.R. 3642, as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for the purposes of further amendment.

I now recognize myself for 5 minutes for a statement on the bill and the amendment.

It has been said that sunlight is the best disinfectant. That is why preventing conflicts of interest in the Federal work force requires public access to and scrutiny of financial and ethics disclosure. Such legal requirements are the basis of the U.S. Government's anti-corruption and enforcement efforts. The executive branch Accountability and Transparency Act represents an opportunity to continue to update the Federal ethics disclosures regime in a way that eases the public's access to non-career Federal employee filings.

Specifically, the bill modernizes the Federal financial and ethics disclosure system to improve timely access to records that are otherwise required to be publicly accessible. It does so by directing Federal agencies to create and maintain common data bases, housing covered employee filings in a way that eases public access and scrutiny. This bill resembles recent laws providing similar changes to financial and ethics disclosure processes for Members of Congress and Federal judges, such as the STOCK Act and the Court-house Ethics and Transparency Act.

Simply put, this bipartisan legislation improves the transparency and accessibility of the established Federal ethics disclosure system in order to better prevent executive branch employee conflicts of interest. I thank my colleague, Mr. Langworthy, for introducing this legislation and urge my colleagues to support the bill.

I now recognize the Ranking Member for his statement.

Mr. RASKIN. And thank you kindly, Mr. Chairman. The executive branch Accountability and Transparency Act would promote transparency and trust in government by improving the people's access to the ethics records of political appointees in the executive branch. Ethics records, like public financial disclosures, waivers, and recusals, are already available to the public under FOIA, but this bill would eliminate existing hurdles by proactively making them accessible to the public without compelling people to submit a FOIA request. Federal agencies would be required to make certain ethics records available in a publicly accessible data base where they would remain available for 6 years in accordance with the Ethics in Government Act of 1978. Transparency is of central importance to a well-functioning executive branch ethics program, and creating a streamlined mechanism for the public to access ethics records will help us all to ensure public trust and accountability.

I thank my colleagues, Representatives Nick Langworthy and Jill Tokuda, for introducing this commonsense legislation in the House; and Senators Grassley, Peters, Padilla, and Lankford for introducing the Senate companion. I yield back.

Chairman COMER. The gentleman yields back. I now recognize the sponsor of the bill, Mr. Langworthy, from New York.

Mr. LANGWORTHY. Thank you, Mr. Chairman. I am very proud to have introduced H.R. 3642, the executive branch Accountability and Transparency Act, which would require executive branch agencies to create publicly accessible data bases for the ethics records and financial disclosures of their non-career employees.

While our current ethics system, based on disclosure, disqualification, and divestiture, aims to regulate conflicts of interest, accessing ethics records on executive branch officials by the public so that they can see it themselves whether conflicts of interest exist remains a challenge. These individuals are public servants, and their financial disclosures and ethics records should be readily available for public scrutiny, not scattered across the obscure corners of a government website. My bill, H.R. 3642, would ensure that this information is consolidated in a publicly accessible data base so that any American citizen can see for themselves that non-career employees in our Federal Government are in full compliance with ethics rules and are held to the strict standard of transparency as required by law.

H.R. 3642 would further require the Office of Government Ethics to guide agencies in creating accessible websites for these records, ensuring that the data bases are developed in a manner that does not continue to obscure these documents from the outside world. And finally, my bill allows for bulk downloads of documents, streamlines public access to ethics disclosures, and ensures that all of these records are kept online for a period of 6 years. H.R. 3642 will accomplish this while only ensuring that a sensitive request for ethics guidance and any other private or sensitive information is not publicized. My bill today builds on efforts like the STOCK Act and the Courthouse Ethics and Transparency Act to improve transparency within our government.

I am proud to share that H.R. 3642 enjoys support from a bipartisan coalition of Members, many of whom are Members of this Committee. I encourage my colleagues to support this important step toward greater transparency in the government and accountability, and I yield back.

Chairman COMER. The gentleman yields back. Do any other Members seek recognition? The Chair will recognize Ms. Norton.

Ms. NORTON. Thank you, Mr. Chairman. I have an amendment at the desk.

Chairman COMER. The clerk will distribute the amendment to all Members. The clerk will designate the amendment.

The CLERK. Amendment to the amendment in the nature of a substitute to H.R. 3642, as offered by Ms. Norton of the District of Columbia.

Chairman COMER. Without objection, the amendment is considered as read.

I reserve a point of order.

The gentlelady from Washington, D.C. is recognized for 5 minutes to explain her amendment.

Ms. NORTON. I ask unanimous consent that the amendment be considered as read.

Mr. Chairman, while I support the goal of this bill, I oppose the application of this bill to employees of the District of Columbia. My amendment would strike this application. This bill applies to, among others, "a special government employee as defined in Section 202(a) of Title 18 of the U.S. Code," who is employed in the Executive Office of the President. Section 202(a) of Title 18 of the U.S. Code defines a special government employee to include D.C. employees. As a matter of law, the D.C. Government is not part of the Federal Government, and D.C. employees are not Federal employees.

Section 202(a) of Title 18 of the U.S. Code was first enacted in 1962 before the District had Home Rule. In 1962, D.C. employees were part of the Federal personnel system. After enactment of the Home Rule Act in 1973, D.C. developed its own personnel system. D.C. employees are now part of the D.C. personnel system and are no longer part of the Federal personnel system. Unfortunately, Congress did not update all the definitions of the U.S. Code to account for the removal of D.C. employees from the Federal personnel system. The term, "special government employee," is one of those instances. D.C. employees should be treated the same as state and local employees. This bill does not apply to any state or local government employees and, therefore, it should not apply to any D.C. employees. While there are almost certainly no D.C., state or local government employees in the Executive Office of the President, as a matter of principle, I am offering this amendment so that D.C. employees are treated the same as employees of state and local governments.

I also note the applicability of this bill to D.C. may not administrable [sic]. Because D.C. employees are employed by D.C. and not the Federal Government, they file their financial disclosure statements with the D.C. Government, not the Federal Government. I urge adoption of my amendment, and I yield back.

Chairman COMER. The gentlelady yields back. I want to thank Ms. Norton for offering this amendment aimed at ensuring that employees of the Washington, D.C. Government are not unintentionally captured in the provisions of the underlying bill. I am glad to assure Ms. Norton that the special employees in the bill only include those who are employed in the Executive Office of the President.

Since the bill's definition of an agency distinguishes between each executive agency and each component of the Executive Office of the President, any Washington, D.C. employees who are not employed in the Executive Office of the President would not be covered by this bill. Therefore, special exclusion for D.C. officials is unnecessary. I, therefore, oppose this amendment's inclusion in the underlying bill.

Do any other Members seek recognition? The Chair recognizes Mr. Langworthy from New York.

Mr. LANGWORTHY. Thank you, Mr. Chairman. As the underlying bill is aimed at easing access to otherwise publicly available financial and ethics disclosure records, such filings for employees of Washington, D.C. Government that may 1 day exist should not be exempted. Notably, we are unaware of any D.C. Government employees employed in the Executive Office of the President, so the



underlying bill already would not actually apply to anyone, making this amendment unnecessary.

However, if for some reason, under an unknown future circumstance, a D.C. Government employee were to become employed in the Executive Office of the President and be subject to the Federal financial and ethics disclosure laws, the gentlelady's amendment would specifically exempt their records from being included in the respective publicly accessible data base. There is no good reason for the filings for a Federal employee that are otherwise required to be included in the data base should not be exposed to the same public scrutiny as others by the sheer virtue of their being a D.C. employee. That is why I oppose this amendment, and I encourage my colleagues to do the same. I yield back.

Chairman COMER. The gentleman yields back. Does any other Member seek recognition? I recognize the Ranking Member.

Mr. RASKIN. Thank you, Mr. Chairman. I just heard Mr. Langworthy's explanation. The problem is that other state and local government employees who also conceivably could end up in the White House are not covered here, and I think the gentlelady from the District of Columbia is just asking for a uniformity and symmetry of treatment among people who are in local and state governments, which seems to make sense to me. So, I do not see any problem with cleaning it up in this way. I yield back.

Chairman COMER. The gentleman yields back. Do any other Members wish to speak on the amendment?

[No response.]

Chairman COMER. Seeing none, the question is on the amendment, offered by Ms. Norton.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[Chorus of noes.]

Chairman COMER. In the opinion of the Chair, the noes have it, and the amendment is not agreed to.

The question is now on the amendment in the nature of a substitute.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

The question is now on favorably reporting H.R. 3642, as amended.

All those in favor, signify by saying aye.

[Chorus of ayes.]

All those opposed, signify by saying no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it, and the bill is ordered favorably reported.

The Chair recognizes Mr. Biggs.

Mr. BIGGS. Mr. Chair, I ask for a roll call vote.

Chairman COMER. A roll call has been requested by Mr. Biggs. As previously announced, further proceedings on the bill will be postponed.

Our next item for consideration is H.R. 9598, the Office of National Drug Control Policy Reauthorization Act of 2024.

The clerk will please designate the bill.

The CLERK. H.R. 9598, the Office of National Drug Control Policy Reauthorization Act of 2024, a bill to amend the Office of National Drug Control Policy Reauthorization Act to reauthorize such office, and for other purposes.

Chairman COMER. Without objection, the bill should be considered as read, and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of a substitute. The clerk will please designate the amendment.

The CLERK. An amendment in the nature of a substitute to H.R. 9598, as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for the purposes of further amendment.

I now recognize myself for 5 minutes for a statement on the bill and the amendment.

We have a drug overdose crisis in this country. It is unacceptable and intolerable. In 2019, roughly 70,000 people in the United States died of an overdose. In 2021, that number rose to over 106,000 and in 2022, over 111,000. In 2023, overdose deaths remained over 100,000 with over 107,000 Americans dying of an overdose. Overdose deaths remain near record highs. This is an ongoing, deadly national emergency that affects every community in our Nation.

The Office of National Drug Control Policy, or ONDCP, was established in the Executive Office of the President with a specific mission to coordinate the governmentwide resources to combat the loss of life and human misery caused by illicit narcotics and overdoses. This bill, the Office of National Drug Control Policy Reauthorization Act of 2024, will reauthorize ONDCP and two critical grant programs the office administers at current spending levels for the next 7 years. Specifically, the bill will reauthorize the High Intensity Drug Trafficking Areas Program, which helps local law enforcement coordinate efforts to take down drug traffickers, and the Drug-Free Community Program, which works in communities across the country to prevent young people from ever trying drugs in the first place.

I commend the great Americans who work hard to get results through the Drug-Free Communities Coalitions. We listened to these coalitions and ensured that the grant limitation for local communities was increased from \$125,000 to \$150,000 and gave the ONDCP Director the ability to award up to two additional grants to eligible coalitions rather than the previous limit of one.

I want to thank Congressman John Duarte of California and Elissa Slotkin of Michigan for their efforts to reauthorize HIDTA. Key elements of this bipartisan bill, H.R. 7185, have been incorporated into the reauthorization bill to ensure that HIDTA re-

sources are used to combat fentanyl, including granting the Attorney General the authority to temporarily reassign U.S. attorneys to prioritize fentanyl trafficking. I am sure that every single Member of this Committee knows constituents and their families who have been tragically impacted by illicit narcotics, especially synthetic opioids like fentanyl.

No drug has affected our communities more in recent years than fentanyl. The DEA has assessed that virtually all of the deadly fentanyl found in the United States is mass produced by transnational criminal organizations in Mexico using precursor chemicals sourced from China and then smuggled into the United States across the southwest border. This bill requires the Secretary of Homeland Security to assess how an increase in encounters at the Southwest border affects DHS' ability to prevent the unlawful entry of fentanyl and other illicit drugs into the United States. It also directs the ONDCP Director to coordinate with the Departments of Homeland Security, Justice, and State to ensure that the appropriate agencies are properly resourced to ensure that traffickers of illicit drugs are held accountable under Title 8 immigration authorities.

I want to also thank Congresswoman González-Colón of Puerto Rico and Stacey Plaskett, my friend from the U.S. Virgin Islands, for their work on H.R. 920 in ensuring that the Caribbean Counternarcotics Strategy is codified in this reauthorization package, ensuring that ONDCP will properly assess the threat of drug trafficking into the United States through the Caribbean. Ranking Member Raskin, I want to thank you and your staff for working with us to make this important bill a reality over the past year. H.R. 9598 represents an important reauthorization effort in the House Oversight Committee's legislative jurisdiction. I also want to thank the Chairs and Ranking Members of the Energy and Commerce and House Judiciary Committee and their professional staff for closely coordinating our shared jurisdiction within this bill. I urge all of my colleagues to support this bipartisan bill, so we can keep the U.S. Government's collective resources and the next administration properly focused on addressing the national drug crisis in our great country.

I now yield to the Ranking Member for his statement.

Mr. RASKIN. And thank you, Mr. Chairman, for advancing this important bipartisan legislation to reauthorize ONDCP. The Office of National Drug Control Policy coordinates the whole-of-government response to the Nation's addiction and substance abuse crisis. We know that we are struggling with a profound epidemic, but new data shows that opioid overdose deaths have decreased as of November 2022, due in no small part to the actions of the Office of National Drug Control Policy to address the addiction-overdose crisis.

The Administration understands the need to address the problem at both the supply and demand levels. ONDCP has already taken decisive action to intercept the flow of fentanyl and other illicit substances into America. This reauthorization will help to tackle the problems of supply, including by funding the High Intensity Drug Trafficking Areas Program, providing more than \$275 million in grant-making to law enforcement entities to help keep harmful

drugs off the streets. The reauthorization also helps to confront problems of demand. The Drug-Free Communities Program, for example, brings together 35,000 people across the country to help prevent and combat youth substance use. I am proud the authorization would make sure this grant program continues.

Research shows that harm reduction strategies work. Under the Biden-Harris Administration, ONDCP has adopted harm reduction strategies as part of the national campaign to address the addiction crisis and save lives. The Office has supported communities' access to naloxone, syringe service programs, and fentanyl test strip distribution. The legislation will allow the Office to continue its harm reduction efforts and will direct an evidence-based examination of opioid reversal medications like naloxone. During last year's hearing examining reauthorization, I raised my concerns about the need to identify and respond to emerging illicit drug threats, including xylazine, a street drug used by veterinarians as a tranquilizer for large animals. I am glad to see this legislation will allow the Office to continue this work to address new threats as they come to market and plague our communities.

Mr. Chairman, I thank you and your staff for working on this bipartisan legislation, and I am happy to support reauthorization through 2031. I yield back.

Mr. CONNOLLY. Would my friend yield?

Mr. RASKIN. Yes, by all means. I yield to the gentleman from Virginia.

Chairman COMER. The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. I thank the Ranking Member for yielding. May I ask him a question? Is the Ranking Member in possession of a letter I sent him and the Chairman on September 16 with respect to Schedule F?

Mr. RASKIN. Yes, I am very much in possession of the letter addressed to Chairman Comer and to myself on September 16 by you.

Mr. CONNOLLY. And in that letter, is it not the case that I request and have requested that the bill, H.R. 1002, Saving the Civil Service Act, should be marked up and should be added to a markup before we break for the election?

Mr. RASKIN. Very much so.

Mr. CONNOLLY. And can I inquire of the Ranking Member, does he share that view?

Mr. RASKIN. Yes. The letter advances the proposal to put into the markup session, H.R. 1002, your legislation, Save the Civil Service Act, and to defend the professional civil service against efforts to replace it and trash it, and I think this is a matter of some urgency.

Mr. CONNOLLY. And would it not be true, Mr. Ranking Member, that, in fact, this is bipartisan legislation that passed the previous Congress on the Floor of the House and was passed out of this Committee?

Mr. RASKIN. Yes, it passed in the last Congress, and it deals with proposals, like from the Project 2025, to replace more than 50,000 Federal employees with people who are party loyalists appointed directly by the President.

Mr. CONNOLLY. And would the Ranking Member find it striking to know that prominent Republican officials from Republican administrations, including, inter alia, the Central Intelligence Agency Director, Mike Hayden; the former Deputy Homeland Security Secretary, James Loy; the former Director of National Intelligence, Mike McConnell; the former Deputy Secretary of State and Director of National Intelligence, John Negroponte; and former Navy Secretary and NASA Administrator, Sean O'Keefe, have, in fact, endorsed this legislation and registered their disapproval of the proposed Schedule F in Project 2025?

Mr. RASKIN. Well, those are serious professional civil servants, current and former, who want to defend the idea of merit in the Federal work force.

Mr. CONNOLLY. I thank the Ranking Member for yielding.

Mr. RASKIN. You bet.

Chairman COMER. Do any other Members seek recognition?

Mr. BIGGS. Mr. Chairman?

Chairman COMER. The Chair recognizes Mr. Biggs from Arizona.

Mr. BIGGS. I have an amendment at the desk.

Chairman COMER. The clerk will distribute the amendment to all Members.

[Pause.]

Chairman COMER. The clerk will designate the amendment.

The CLERK. Amendment to the amendment in the nature of a substitute to H.R. 9598, as offered by Mr. Biggs of Arizona.

Chairman COMER. Without objection, the amendment is considered as read.

I reserve a point of order.

The gentleman from Arizona is recognized for 5 minutes to explain his amendment.

Mr. BIGGS. Thank you, Mr. Chairman. I thank you and the Ranking Member for your work on this bill. The Biden-Harris Administration has facilitated the worst border crisis in history. Since January 2021, more than 10 million aliens have entered the country illegally and encountered Border Patrol, have been paroled into the country under the Administration's abusive authorities under the INA, or are got-aways who evaded Border Patrol entirely when illegally crossing between ports of entry. And, in fact, in the last 16 months, just reported this morning, the CBP One app has allowed 813,000 individuals to come in and be distributed into the country. And also, under the Haiti, Nicaragua, Cuba, and Venezuela Program, 530,000-plus illegal aliens have come in that way and been released into the country.

This legislation ensures that the ONDCP, which leads and coordinates the Nation's drug policy and administers drug control programs, is properly focused on mitigating the deadliest part of the border crisis: the fentanyl overdose epidemic. Overdose deaths remain at record highs. In 2019, roughly 70,000 people in the U.S. died of an overdose. In 2021, that number rose to over 106,000; in 2022, over 111,000 deaths; and in 2023, overdose deaths remained over 100,000, with over 107,000 Americans dying of an overdose in that year.

One of the major programs administered by ONDCP is the High Intensity Drug Trafficking Areas, or HIDTA Program. Arizona's

HIDTA was established in 1990 and works to facilitate and enhance drug control efforts across 83 Federal, state, local, and tribal law enforcement agencies, working in 9 of 15 Arizona counties. This coordinating work is indispensable as law enforcement seek to stop the flow of illegal drugs into the country at and between ports of entry and to make seizures before drug traffickers reach major metro areas and highways in the interior of the country. The Arizona HIDTA Task Force plays a crucial role in not only drug interdiction, but in building cases against drug traffickers.

In fact, earlier this year, the Homeland Security Investigations announced the extradition indictment of Rodrigo Paez-Quintero, a Mexican national who faces charges related to at least nine drug trafficking events from the Lukeville Port of Entry through Oaxaca and up to Phoenix. And I have got the release here, and I would ask that be admitted to the record.

Chairman COMER. Without objection, so ordered.

Mr. BIGGS. Thank you, Mr. Chairman, and that release specifically credits support from the Arizona HIDTA. It is critically important that law enforcement properly use tools at their disposal when conducting investigations and building cases against drug traffickers. Failure to do so jeopardizes the government's ability to successfully prosecute defendants, allowing drug offenders to go free, and may violate the constitutional rights of Americans.

My amendment adds language to the base text of the bill to remind ONDCP and its grant recipients of their obligations under the Fourth Amendment to the U.S. Constitution. In 2018, the Supreme Court held that the government's acquisition of cell site location information constituted a Fourth Amendment search. And last year, Senator Ron Wyden, who I work with occasionally on these issues, and he is, I remind people, sits across the aisle from me, but we work on these issues, he revealed the existence of an ONDCP-funded program whose 2014 promotional materials claimed the ability to obtain cell site location data and allowed information to be obtained by law enforcement without a warrant or a court order.

As a result of this Committee's investigation into the program, I am satisfied that the program is currently in compliance with the Supreme Court's finding in the Carpenter decision. However, I believe that this amendment and the reporting requirements included in base text of the bill are necessary to ensure that America's Fourth Amendment rights are protected and that the government is able to successfully prosecute drug traffickers, thus, Mr. Chairman, the purpose of the bill. And I yield back.

Chairman COMER. The gentleman yields back. Do any other Members seek recognition? The Chair recognizes Ranking Member Raskin.

Mr. RASKIN. Thank you, Mr. Chairman. I just have a couple of questions about this, and perhaps the gentleman from Arizona would be willing to just indulge me a couple of inquiries about it.

Mr. BIGGS. Yes.

Mr. RASKIN. I mean, it seems commonsensical and intuitive that any program that gets money under this section shall be conducted in a manner consistent with the Fourth Amendment. I am just wondering about the negative implication for all of the other pro-

grams that we have adopted where we do not have language like that. And it seems a little bit curious to me that we would say this program shall be conditioned on compliance with the Fourth Amendment, but none others. And similarly, you know, what about the Second Amendment, the First Amendment, the Eighth Amendment, the due process and equal protection under the Fourteenth Amendment? I mean, wouldn't we say that it is implied in everything we do that it must be consistent with the Constitution?

Mr. BIGGS. Well, thanks for the question, and I agree with you that we certainly would hope that every government agency, from local on up to the feds, would always adhere to the constitutional constraints that it has, but I will just point out a couple of things.

First of all, the language that we have here is language we have taken from other surveillance programs as well, and so it is not entirely unique. But second, I would remind the gentleman of the FISA Program where we sought to invoke the warrant requirement, and it failed on a 212–212 vote. And that was largely not the vote itself, but the move to have a warrant requirement in FISA, which, by the way, we would just assume—I mean, just naturally you would say, of course they are going to follow the Fourth Amendment, but they were not. They were not following it, and so that is why we wanted to specifically throw that warrant requirement into FISA. And I think that whenever we have surveillance programs, that we probably want to remind our actors who we are delegating authority to and funding, that we expect them to adhere to the Fourth Amendment and other constitutional provisions.

Mr. RASKIN. Well, I appreciate that. I remember the debate about the warrant requirement in FISA because that was a case dealing with evidence that was already within the property and possession of the Federal Government, and so there was ambiguity about whether the warrant requirement needed to be observed in that case. And so, there was an effort to impose it when the courts had said a warrant requirement was not necessary. I mean, here, I think it is stating the truism that the Constitution shall apply against what the government does. I agree with it completely.

I am just worried about, you know, pasting it onto one piece of legislation and not every piece of legislation, and I do not know whether we want to get into the habit of saying everything that the government does should be consistent with the Constitution or whether that is unnecessary. So, I appreciate very much the gentleman's response and I will think about it some more.

Mr. HIGGINS. Will the Ranking Member yield?

Mr. RASKIN. Yes, by all means.

Mr. HIGGINS. I thank the Ranking Member. I would be supportive of a continuous endeavor by this Committee as we consider legislation that would affect law enforcement operations across the country by grant provision. I would encourage and be willing to participate in ongoing endeavors by this Committee to remind our law enforcement agencies that the modern phenomena of violation of Fourth Amendment rights is real, that we have noticed, the injury has been significant, and we insist that if you draw money from this legislation that is born of this legislation or born of that legislation or born of the next, we will be watching very closely that your agency complies with Fourth Amendment guidelines. So,

the Ranking Member's question was why would we put it on this legislation and not many others? I might suggest that moving forward, we do indeed add Fourth Amendment language to many bills that we consider, and I yield back.

Mr. RASKIN. Great. I would submit for the gentleman from Arizona's consideration the possibility of adding the Fourth and Fourteenth Amendments to include due process, and I suppose, you know, I mean, it improves the point, but consider that, and I am happy to yield back.

Chairman COMER. The gentleman yields back. I will recognize myself. I want to thank Mr. Biggs for offering this amendment to ensure the privacy rights of Americans are protected. The High Intensity Drug Trafficking Areas Grant Program, as reauthorized by the bill, funds strategies developed and implemented by coalitions of Federal, state, local, and tribal law enforcement agencies to counter illicit drug trafficking. This amendment will require any such program or activity that receives funds made available through HIDTA Program to be conducted in a manner consistent with the requirements of the Fourth Amendment, the Constitution of the United States, which protects Americans from unwarranted search and seizure. I support my colleague's well intentioned and its inclusion in the underlying bill.

Do any other Members seek recognition?

[No response.]

Chairman COMER. Seeing none, the question is now on the amendment, offered by Mr. Biggs from Arizona.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

Mr. RASKIN. I have another amendment, Mr. Chairman.

Chairman COMER. OK. For what purpose does Mr. Raskin seek recognition?

Mr. RASKIN. Thank you, Mr. Chairman. I want to offer an amendment to the amendment in the nature of a substitute on behalf of—

Chairman COMER. The clerk will designate the amendment to the amendment.

The CLERK. Amendment to the amendment in the nature of a substitute to H.R. 9598, as offered by Mr. Raskin of Maryland on behalf of Ms. Stansbury of New Mexico.

Chairman COMER. Without objection, the amendment is considered as read.

I reserve a point of order.

The gentleman from Maryland is recognized for 5 minutes.

Mr. RASKIN. Thank you, Mr. Chairman. The intent of the gentlelady's amendment is plain to get the Director of the Office of Drug Control Policy to render a report, within 4 months, analyzing and describing strategies to regulate the shipment of pill press machines and their parts using reports previously prepared by the office. And this goes to the problem of pill machines and the production of illegal and illicit drugs that way, and so I think it supports



the overall thrust of the legislation as something that every Member could support. And I am happy to yield back.

Chairman COMER. The gentleman yields back. I want to thank Ms. Stansbury for offering this amendment to ensure the Office of National Drug Control Policy has a strategy to address the illicit use of pill press machines. Cartels trafficking illicit drugs, including fentanyl, use pill presses to produce pills that look like prescription medications but actually contain deadly drugs, such as fentanyl. I support this targeted amendment's inclusion in the underlying bill.

Do any other Members seek recognition?

[No response.]

Chairman COMER. Seeing none, the question is on the amendment, offered by the gentlelady from New Mexico.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

The question is now on the amendment in the nature of a substitute.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

The question is now on favorably reporting H.R. 9598, as amended.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it.

The Chair recognizes the gentleman from Louisiana.

Mr. HIGGINS. Mr. Chair, I ask for a recorded vote.

Chairman COMER. A recorded vote has been called. A recorded vote is ordered. As previously announced, further proceedings on the question will be postponed.

Our next item for consideration is H.R. 9592, the Federal Register Modernization Act. The clerk will please designate the bill.

The CLERK. H.R. 9592, the Federal Register Modernization Act, a bill to amend Title 44 to modernize the Federal Register, and for other purposes.

Chairman COMER. Without objection, the bill should be considered as read, and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of a substitute. The clerk will please designate the amendment.

The CLERK. An amendment in the nature of a substitute to H.R. 9592, as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for the purposes of further amendment.

I now recognize myself for 5 minutes for a statement on the bill and the amendment.

Our government must be both transparent and accountable to the American people. Laws requiring proper record keeping are vital to both. In 1935, the Federal Register Act established the Federal Register, a daily publication of the Federal Government's activities, including Presidential documents, proposed and final rules, and public notices. In other words, the Federal Register provides official notice to the public and Congress that an executive branch document exists. The Federal Register also provides the building blocks for the Code of Federal Regulations, which makes it easier for the American public to find and understand the Federal Regulations governing our Nation.

In 1994, the Government Publishing Office began publishing the Federal Register online with modern search tools and downloadable content. Congress has recently taken steps to make the Federal Register more efficient by passing the Federal Register Printing Savings Act in 2017. However, additional reforms are still needed to alleviate the Government Publishing Office of the 1935 law's requirement to print and distribute paper copies of the Federal Register each day.

H.R. 9592 allows the Government Publishing Office to stop wasting paper and money and instead publish the Federal Register and Code of Federal Regulations online and streamlines the process for Federal agencies to transmit official documents to the National Archives. And the bill provides safeguards so that backup physical copies are properly stored, and alternate publication systems can be established in cases of a continuity of governmental national crisis. Taken together, these reforms will bring the Federal Register into the 21st century and save taxpayer dollars. I urge my colleagues to join me in supporting this commonsense legislation. I thank my colleagues, Congressmen Higgins and Connolly, for their work together seeing these overdue reforms get done. I now yield to the Ranking Member.

Mr. RASKIN. Thank you, Mr. Chairman. The Federal Register Modernization Act represents a step forward in streamlining how the government retains public records and how we communicate with the public. The Federal Register Act of 1935 was designed to ensure government transparency by requiring publication of Federal laws, Presidential proclamations, agency rules, and public notices in the Federal Register. With increasing use of digital devices to conduct government operations, an electronic edition of the Federal Register is published each day. The duplication of agency document submissions to the Office of the Federal Register creates unnecessary redundancy and administrative burdens.

In 1936, the Office of the Federal Register published 2,620 pages. By 2023, the Federal Register had expanded to more than 90,000 pages. The volume of Federal documentation has grown exponentially over the last century, so the need for a more efficient process is understandable. The Federal Register Modernization Act would align with current digital practices of Federal agencies and elimi-

nate the need for multiple print submissions. The bill allows for the electronic-only publication of the Federal Register, except for two hard copies maintained by the office.

By maintaining and improving the digital format of the Federal Register, the office will operate more efficiently, ultimately benefiting both Federal agencies and the public. I support this common-sense legislation and I am happy to yield back.

Chairman COMER. Any other Members seek recognition? I now recognize the sponsor of the bill, Mr. Higgins from Louisiana.

Mr. HIGGINS. Thank you, Mr. Chairman, Mr. Ranking Member, and I thank my colleague and friend, Congressman Connolly, for his support and co-lead on this bill. He and I have had many friendly debates during our time together on this Committee, and I am honored to be able to lead a bill with him. Today, I offer the Federal Register Modernization Act, which originally, I think it is of note, was introduced by our former colleague, Representative Mark Meadows. I offer the Modernization Act, which updates critical pieces of our Federal infrastructure, the Federal Register and the Code of Federal Regulation, to align with the technological realities of today's world.

For decades, the Government Publishing Office, the GPO, has been required to actually print physical copies of the Federal Register, which has acted as our government's newspaper, informing Americans of government actions. But as technology has advanced, our laws and practices have not kept up. These old practices force agencies to produce and store hard copies of new rules and regulations, wasting taxpayer money and government resources. The Federal Register Modernization Act is a commonsense, good governance bill that updates archaic practices to reflect our times and technological advances. This simple solution eliminates the requirement to print physical copies of the Federal Register and replaces that requirement with a fully electronic publication.

May I add that this bill does not remove the original publication of written historical record for our government. That is maintained. It is the duplicity and the layers and layers of reproduction that are removed. This bill requires two hard copies of the Federal Register to be kept in separate locations to ensure continuity of government in case of national emergency. Further, during emergencies, it allows the Office of the Federal Register to establish a temporary website ensuring the American people have access to essential information while safeguarding transparency.

This bill is not about anything other than increasing government efficiency, saving taxpayer dollars, reducing agency burdens, and ensuring the American people can access government information. This is a straightforward effort to bring our government's record keeping into the 21st century. Again, I want to thank Congressman Connolly for his bipartisan efforts to increase efficiencies in our government, and I urge my colleagues on both sides of the aisle to support the legislation. Mr. Chairman, I yield.

Chairman COMER. The gentleman yields back. Do any other Members seek recognition?

[No response.]

Chairman COMER. Seeing none, the question is now on the amendment in the nature of a substitute.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

The question is now on favorably reporting H.R. 9592, as amended.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[No response.]

Chairman COMER. The Chair recognizes Mr. Higgins.

Mr. HIGGINS. Mr. Chair, I ask for a recorded vote.

Chairman COMER. A recorded vote has been ordered. As previously announced, further proceedings on the question will be postponed.

Our next item for consideration is H.R. 5300, the GAO Inspector General Parity Act. The clerk will please designate the bill.

The CLERK. H.R. 5300, the GAO Inspector General Parity Act, a bill to amend provisions relating to the Office of the Inspector General of the Government Accountability Office, and for other purposes.

Chairman COMER. Without objection, the bill should be considered as read, and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of substitute. The clerk will please designate the amendment.

The CLERK. An amendment in the nature of a substitute to H.R. 5300, as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for the purposes of further amendment.

I now recognize myself for a statement on the bill and amendment.

Two years ago, this Committee helped pass, in bipartisan fashion, sweeping reforms for the inspector general community. Those reforms passed in the Fiscal Year 2023 National Defense Authorization Act provided critical reforms to enable both the independence of Federal agency inspectors general and proper congressional oversight over their activities. As a legislative branch entity, the Government Accountability Office's Inspector General was not included in those reforms. H.R. 5300 fixes that by providing the GAO Inspector General the same resources and oversight now provided to other IGs across the government.

Those reforms include requiring the head of GAO to notify the Congress if the GAO Inspector General is to be removed or transferred, providing Congress the knowledge it needs to weigh in on such decisions if necessary. The bill also provides a passthrough budget for the Office of Inspector General, providing an additional layer of independence for the IG from the agency it oversees. Finally, the bill requires the GAO Inspector General to have its own legal counsel separate from the GAO, thus ensuring proper independence. This will allow the GAO Inspector General to continue

working to keep GAO accountable to the American people and Congress.

I want to thank Congressman Garcia and Congresswoman McClain for introducing this commonsense bipartisan legislation. I urge my colleagues to support, and I now recognize the Ranking Member for his opening statement.

Mr. RASKIN. And thank you, Mr. Chairman. I also want to thank Representatives Garcia and McClain for introducing the GAO Inspector General Parity Act, which I strongly support. It would provide the GAO Office of Inspector General the same protections granted to other Federal IGs in recent reforms. The lack of such protections gives the appearance that the GAO IG is somehow less independent than other IGs. These include allowing the IG to hire their own independent counsel for legal advice and the 30-day notification requirement prior to the IG being removed from office. It is a good bill, I fully support it, and I yield back.

Chairman COMER. Any other Members seek recognition?

Mr. GARCIA. Yes, Mr. Chairman.

Chairman COMER. I now recognize the sponsor of the bill, Mr. Garcia.

Mr. GARCIA. Thank you, Mr. Chairman. Proud to be here to see our Committee advance our bipartisan Government Accountability Office Inspector General Parity Act. The GAO, of course, is an independent nonpartisan Agency responsible for monitoring government operations to detect waste, fraud, and abuse in government, and we all know that they are a critical partner for our entire Committee. Like every agency, the GAO has an inspector general to watch over their operations and to ensure that the Agency follows the law. Now, it may seem odd that the government watchdog agency has their own internal watchdog, but it is important that every agency have an independent inspector general.

Congress has, in the past several years, passed numerous reforms to strengthen the inspector general system for all of our agencies, to guarantee their independence and to make sure that they have the tools and resources to accomplish their mission. Those reforms, regrettably, have not applied to the GAO. This bill is a simple and bipartisan fix to correct these omissions. Among other reforms, we will ensure that the GAO Inspector General has an independent general counsel, and that they can communicate budget requests directly with Congress without any interference. These are smart, bipartisan policies which will make sure that a critical agency is strengthened.

This bill passed the Senate unanimously, thanks to the Senate sponsors, and in this House, I am grateful for the support of Chairman Comer and Ranking Member Raskin especially, and our co-lead, Congresswoman McClain. I urge adoption of this overdue bill, and I thank you, and I yield back.

Chairman COMER. Any other Members wish to be heard?

[No response.]

Chairman COMER. Seeing none, the question is now on the amendment in the nature of a substitute.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

The question is now on favorably reporting H.R. 5300, as amended.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[No response.]

Chairman COMER. The Chair now recognizes Mr. Burlison.

Mr. BURLISON. Mr. Chairman, I request a recorded vote.

Chairman COMER. A recorded vote has been requested by the gentleman from Missouri. A recorded vote is ordered. As previously announced, further proceedings on the question will be postponed.

Our next item for consideration is H.R. 9597, the Federal Acquisition Security Council Improvement Act of 2024. The clerk will please designate the bill.

The CLERK. H.R. 9597, the Federal Acquisition Security Council Improvement Act of 2024, a bill to amend Title 41 to make changes with respect to the Federal Acquisition Security Council, and for other purposes.

Chairman COMER. Without objection, the bill should be considered as read, and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of a substitute. The clerk will please designate the amendment.

The CLERK. An amendment in the nature of a substitute to H.R. 9597, as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for the purposes of further amendment.

I recognize myself for 5 minutes for a statement on the bill and the amendment.

Our foreign adversaries have been using information technology and telecommunications equipment to infiltrate and exploit the systems of the U.S. Government's Federal agencies. Congress has worked to address this threat by passing numerous bills to prohibit Federal agencies from purchasing or using technology from sources of concern. This includes legislation to prohibit Federal agencies from using telecommunications and video surveillance equipment provided by certain Chinese companies, legislation to prohibit Federal agencies from procuring electronic products or services that include semiconductors produced by certain Chinese companies, and legislation to prohibit Federal agencies from buying or using drones manufactured or assembled by certain Chinese companies.

In addition to these outright prohibitions, Congress also established the Federal Acquisition Security Council, or the FASC. The FASC has the authority to recommend that agencies exclude certain sources from Federal procurement processes or remove certain technologies from Federal information systems. However, Congress must have a more active role in directing the FASC to consider the exclusion or removal of certain sources of concern from Federal systems.

This bill, the FASC Improvement Act, authorizes FASC to issue binding removal and exclusion orders when directed by Congress. Such new binding removal and exclusion orders would complement the existing authorities of the FASC to issue recommendations. However, this new authority provides Congress a streamlined and standardized process for prohibiting Federal agencies from buying or using a source of concern in the future. To carry out this responsibility, the FASC needs to have adequate support and be appropriately resourced. H.R. 9597 provides this support by strengthening the governing structure of the FASC by moving it into the Executive Office of the President and elevating the FASC Agency membership requirements.

This bill expands the FASC's focus to include acquisition security more broadly beyond its current narrower focus on supply chain risk and requires the FASC to proactively monitor and evaluate certain sources for ongoing risk. This bill also relocates currently authorized appropriations to establish a FASC program office within the Office of National Cyber Director. This FASC program office is authorized to provide the FASC critical operational, legal, and policy support it needs to draft and issue removal and exclusion orders, such support it currently lacks.

Importantly, this bill incorporates best practices for the recent governmentwide procurement prohibitions I mentioned earlier, including necessary due process considerations, national security exemptions, case-by-case waiver processes, and second-order prohibitions. In other words, the FASC Improvement Act consolidates the past 6 years of congressional legislation addressing national security procurement risks by reforming established processes and expanding authorities.

We need to ensure the executive branch can properly act to protect the Federal supply chain and agency information systems from nefarious technology influenced by a foreign adversary. This bill will help prevent American taxpayer dollars from supporting companies owned or controlled by foreign enemies and hostile actors. This bipartisan bill provides the FASC with the teeth and resources it needs to protect the Federal supply chain.

I want to thank the Ranking Member and his staff for partnering on this legislation. I urge my colleagues to support this necessary and timely national security reform legislation. I now yield to Ranking Member Raskin.

Mr. RASKIN. Thank you, Mr. Chairman. I am glad to have worked on the Federal Acquisition Security Improvement Act with you. This bill has benefited from extensive input from OMB and the National Cyber Director.

The Federal Acquisition Security Council was established in 2018. The bill would strengthen it by moving it into the Executive Office of the President, increasing its membership requirements, and requiring the President to name a Chair. The bill would expand the Council's authorities beyond supply chain security to include acquisition security more broadly, and grants it the authority to issue removal or exclusion orders of specific companies when necessary or when directed to do so by Congress. Finally, the bill would create a streamlined process for Congress to designate sources of concern and requires the Council to initiate an investiga-

tion into these congressionally designated sources with appropriate due process, governmentwide input, and potential subcontractor prohibitions.

I commend the staffs on both sides of the aisle, Mr. Chairman, for their hard work on this measure, and I yield back.

Chairman COMER. The gentleman yields back. Do any other Members seek recognition on the bill?

[No response.]

Chairman COMER. Seeing none, the question is now on the amendment in the nature of a substitute.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All opposed, say no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it. The amendment is agreed to.

The question is now in favorably reporting H.R. 9597, as amended.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed—

The Chair recognizes the gentleman from Missouri.

Mr. BURLISON. I request a recorded vote.

Chairman COMER. A recorded vote is ordered. As previously announced, further proceedings on the question will be postponed.

Our next item for consideration is H.R. 9595, the FIT Procurement Act. The clerk will please designate the bill.

The CLERK. H.R. 9595, the FIT Procurement Act, a bill to require the Office of Government Ethics to improve Federal technology procurement, and for other purposes.

Chairman COMER. Without objection, the bill should be considered as read, and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of a substitute. The clerk will please designate the amendment.

The CLERK. An amendment in the nature of a substitute to H.R. 9595, as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for the purposes of further amendment.

I now recognize myself for 5 minutes for a statement on the bill and the amendment.

The FIT Procurement Act streamlines the procurement process for small businesses and small transactions and will enable the government to take full advantage of commercial best practices. This legislation achieves this in three ways: first, by increasing the Macro Purchase Threshold, or the MPT, from \$10,000 to \$25,000; second, by increasing the Simplified Acquisition Threshold, or the SAT, from \$250,000 to \$500,000; and third, by authorizing advance payments for certain types of software and cloud computing.

On the first, I would note that purchases under the MPT, which currently account for a tiny fraction of overall government contract spending, do not require the involvement of a Federal contracting



officer. For this reason, raising the MPT from \$10,000 to \$25,000 is estimated by George Mason's Center for Government Contracting to save more than \$40 million annually in Federal administrative costs. This allows contracting officers to spend more time on larger acquisitions where the potential for waste, fraud, and abuse is far greater.

Further, purchases under the MPT and below the SAT are subject to simplified procedures in order to reduce administrative costs and promote opportunities for small businesses. By increasing the SAT from \$250,000 to \$500,000, this bill provides opportunities for small businesses and reduces administrative burden for smaller government contracts. Finally, by allowing for advance payments for software services, this bill saves taxpayer dollars by allowing Federal agencies to access discounts that are only available through upfront payments.

I want to thank Representative Burlison for his leadership on the House companion of this important legislation. I urge my colleagues to support this important government efficiency reform legislation. I now yield to Ranking Member Raskin.

Mr. RASKIN. Thanks, Mr. Chairman. The FIT Procurement Act will streamline and simplify Federal procurement to help agencies acquire commercial technology in a more timely way and make it easier for businesses to compete for contracts. It would require the Federal Acquisition Institute to create a cross-functional information and communications technology acquisition training program for people tasked with acquiring information and communications technology. It would also increase the simplified acquisition threshold from \$250,000 to \$500,000, and also increase the micro-purchase threshold from \$10,000 to \$25,000. These changes would save money by decreasing the amount of time contracting officials spend on these contracts.

The bill would also require the Chief Acquisition Officers Council to identify and eliminate specific unnecessary procedural barriers that disproportionately affect the ability of small businesses to compete for Federal contracts with a focus on streamlining documentation and qualification requirements unrelated to the protection of privacy and civil liberties and related matters. I support the bill. I yield back.

Chairman COMER. The gentleman yields back. Do any other Members seek recognition? The Chair recognizes the sponsor of the bill, Mr. Burlison from Missouri.

Mr. BURLISON. Thank you, Mr. Chairman. This bill, H.R. 9595, the FIT Procurement Act, would improve Federal procurement by deploying a number of reforms aimed at reducing administrative burden and training the acquisition work force. The reforms in this bill would streamline and simplify the Federal procurement process and ultimately save taxpayer dollars by reducing Agency acquisition costs.

This bill requires the director of the Federal Acquisition Institute to develop and implement cross-functional information and communications technology training for the acquisition work force, which is key. Having worked in the private sector in software procurement, the software is only as good as the folks are that are trained to use it. This training will support those responsible for pur-

chasing ICT for the Federal Government and ensure that they have the latest information about how to best select and purchase this technology.

This bill significantly increases the number of purchases by the Federal Government that use commercial best practices. Specifically, the bill increases the simplified acquisition threshold from \$250,000 to \$500,000 and the micro-purchase threshold from \$10,000 to \$25,000. Purchases under the micro-purchase threshold are the closest the Federal Government gets to following commercial buying practices because they do not require the involvement of a Federal contracting officer.

Raising the MPT to \$25,000 is estimated to save \$40 million annually in administrative costs. Twenty-three percent of the Federal Government's open market transactions occur between \$10,000 and \$25,000, but these transactions actually only account for about 1 percent of the total spend. So, increasing the MPT to \$25,000 allows contracting officers to spend more time on larger acquisitions where the potential is greater for waste, fraud, and abuse. Purchases above the MPT and below the SAT are subject to simplified procedures in order to reduce administrative costs and promote opportunities for small businesses. By increasing the SAT to \$500,000, this bill improves the economic efficiency for small businesses and reduces administrative burden for smaller government contracts.

This bill also requires the Administrator for Federal Procurement Policy to issue guidance on how agencies can increase competition by broadening the way they consider past performance. This bill will save taxpayer dollars by reducing administrative purchasing costs and allowing contracting officers to spend more time focused on the larger projects. The bill also authorizes advanced payments for cloud computing services. For the private sector, cloud computing providers often provide discounts for upfront payment, and this bill will allow that. This bill saves taxpayer dollars by allowing the Federal agencies to access the same discounts by paying upfront.

I would like to thank Senator Gary Peters and Senator Ted Cruz for championing this bill in the Senate, and I thank the Chairman and his staff for working with me on this bill and bringing it to the Committee for markup, and I urge my colleagues to support this legislation. I yield back.

Chairman COMER. The gentleman yields back. Do any other Members seek recognition?

[No response.]

Chairman COMER. Seeing none, the question is now on the amendment in the nature of a substitute.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

The question is now on favorably reporting H.R. 9595, as amended.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed—

The Chair recognizes the gentleman from Missouri.

Mr. BURLISON. I request a recorded vote.

Chairman COMER. A recorded vote is ordered. As previously announced, further proceedings on the question will be postponed.

Our next item for consideration is H.R. 9566, the Source Code Harmonization and Reuse in Information Technology, or SHARE IT Act. The clerk will please designate.

The CLERK. H.R. 9566, the Source Code Harmonization and Reuse in Information Technology Act, a bill to require government-wide source code sharing, and for other purposes.

Chairman COMER. Without objection, the bill should be considered as read, and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of a substitute. The clerk will please designate the amendment.

The CLERK. An amendment in the nature of a substitute to H.R. 9566, as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for the purposes of further amendment.

I now recognize myself for 5 minutes on the amendment.

Each year, the Federal Government spends about \$6 billion on software. Much of this spending goes toward developing custom code to support specific agency programs and service delivery. The SHARE IT Act would require agencies to share their custom code with other Federal agencies. Without a requirement to share this custom code, agencies may hire contractors to reproduce the same solution that the government has already paid for at another agency. To reduce redundant and unnecessary costs, once one agency invests in developing custom code, that code should be made available to other agencies looking to solve a similar problem. This bill mandates that agencies publicly list the custom code they make or buy and share this code with the rest of the government. Further, this bill appropriately exempts from disclosure code for national security systems, classified code, or code whose disclosure would create an identifiable risk to individual privacy.

I encourage my colleagues to support this straightforward, good government bill, and I want to thank Representative Langworthy for his leadership on this smart, forward-thinking technology legislation. I now yield to the Ranking Member for his statement.

Mr. RASKIN. Thank you, Mr. Chairman. Every year, Federal agencies spend billions purchasing software, including custom-developed code for websites, public data bases, and mobile apps, to improve the public's experience using government services. But too often, agencies keep custom-developed code for internal use rather than sharing it across the Federal Government. This undermines interoperability, security, efficiency, and certainly cost effectiveness in the Federal Government's acquisition and use of software. The bill seeks to address these problems.

In 2016, President Obama released a Federal source code policy requiring that custom source code developed specifically by or for

the Federal Government be made available for reuse by all Federal agencies. Among other things, the policy required the GSA to create *Code.gov* to facilitate code sharing among agencies. As of 2019, *Code.gov* featured more than 6,000 code bases from 26 different Federal agencies. Despite this success, many of the 24 largest agencies required to post their custom-developed code inventory to *Code.gov* under the policy have not yet done so, and the policy lacks an effective enforcement mechanism to establish compliance.

To improve compliance and further unlock the benefits of sharing custom-built code, the SHARE IT Act would require agencies to publicly list the custom code they purchase or produce and to share such code, along with the key technical components, either publicly or governmentwide. Among other things, it assigns agency chief information officers the responsibility of overseeing compliance.

I support the purpose of this bill, which is to promote innovation, collaboration, efficiency, and better value for the American people. However, as the Administration has pointed out, it will require several key improvements before it can truly live up to its promise. Most importantly, Federal entities will need additional funding to effectively meet the requirements of the bill. I implore my colleagues to continue soliciting and addressing feedback from Federal agencies to ensure that the bill is fully implementable, and I do look forward to our continued work together toward that goal. I yield back to you, Mr. Chairman.

Chairman COMER. I now recognize the sponsor of the bill, Mr. Langworthy, from New York.

Mr. LANGWORTHY. Thank you, Mr. Chairman. I am very proud to have introduced the Source Code Harmonization and Reuse in Information Technology Act, also known as the SHARE IT Act. This is a straightforward, commonsense measure that would require Federal agencies to share custom-developed software code with one another. Each year, the Federal Government spends around \$6 billion on software, a portion of which goes toward developing custom code. These investments are often necessary for managing complex government programs. But without code sharing, we see redundancy as agencies pay contractors to recreate solutions the government has already funded elsewhere. This siloing of information by government agencies for no good reason is a clear waste of taxpayer dollars and a waste of time as innovative solutions are not shared across the Federal Government.

In 2016, the Office of Management and Budget introduced a Federal source code policy that led to the creation of *Code.gov*, which provides access to more than \$1 billion worth of custom code. But this policy lacked proper accountability or enforcement mechanism to realize the potential of this new policy. Today, 13 agencies still do not share their code, resulting in duplicative acquisitions, millions in taxpayer dollars wasted on solutions that have already been arrived at but are ultimately siloed away. The SHARE IT Act fixes this problem. My bill would mandate that agencies publicly list and share their custom code, ending this siloing and saving taxpayer dollars. Additionally, my bill includes reasonable safeguards exempting sensitive or classified information from these new requirements. Finally, the SHARE IT Act would also hold the chief information officers accountable for ensuring code is listed

and shared across agencies and requires the Federal CIO to report to Congress on compliance.

I would like to thank my colleague, Representative Timmons, for his support of this bill, and I urge the rest of my colleagues to support this straightforward legislation to improve efficiency, encourage innovation, and save taxpayers' precious resources. I yield back.

Chairman COMER. The gentleman yields back. Do any other Members wish to speak on the amendment?

[No response.]

Chairman COMER. Seeing none, the question is now on the amendment in the nature of a substitute.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, say no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

The question is now on favorably reporting H.R. 9566, as amended.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those—the Chair recognizes Mr. Fry.

Mr. FRY. I request a recorded vote.

Chairman COMER. A recorded vote is ordered. As previously announced, further proceedings on the question will be postponed.

Our next item for consideration is H.R. 9596, the Value Over Cost Act. The clerk will please designate the bill.

The CLERK. H.R. 9596, the Value Over Cost Act, a bill to amend Title 41 and Title 10 to provide best value through the Multiple Award Schedule Program, and for other purposes.

Chairman COMER. Without objection, the bill should be considered as read, and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of a substitute. The clerk will please designate the amendment.

The CLERK. An amendment in the nature of a substitute to H.R. 9596, as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for the purposes of further amendment.

I now recognize myself for 5 minutes for a statement on the bill and the amendment.

I support the Value Over Cost Act, which modernizes the General Services Administration's governmentwide Multiple Award Schedule Program. GSA's Multiple Award Schedule Program is the Federal Government's most used contracting procedure for commercial products and services. Federal agencies rely on the Multiple Award Schedule to purchase the best commercial products, services, and solutions at the best price.

Currently, GSA is required to evaluate the lowest overall cost alternative when determining what will be available on the Multiple Award Schedule. This requires a burdensome process which can ac-

tually lead to higher prices as contractors pass the administrative costs along to the Federal Government. Sometimes the lowest overall cost alternative process leads to some contractors not wanting to do business with the government at all. This bill allows GSA to consider awarding contracts based on best value in addition to the lowest overall cost alternative. By allowing GSA to choose to award contracts based on best value, this bill puts the Multiple Award Schedule Program on a level playing field with the other acquisition procedures. This choice maximizes the Federal Government's ability to procure modern technology and helps empower the small business community.

I want to thank Representative Donalds for his leadership on this issue and urge my colleagues to support this targeted government efficiency bill. I now yield to Ranking Member Raskin.

Mr. RASKIN. Thank you, Mr. Chairman. The GSA keeps a list of goods and services available to Federal agencies from multiple GSA selected vendors at different prices. This schedule is known as the Federal Supply Schedule. Agencies may order commercial goods and services listed in the schedule in different quantities at the prices stated on the schedule. This provides a simplified process for agencies to get goods and services while also obtaining volume discounts.

Current law is ambiguous about whether the contracts and orders under the Schedule Program must be the lowest price or the best value. Best-value contracts consider price but also things like the quality of a product or the expertise of the service provider. The bill would clarify that both the lowest price and the best value are acceptable outcomes for contracts under the Schedule Program.

I thank Congressman Donalds and Congressman Connolly for their work on the legislation. I yield back.

Chairman COMER. The Chair now recognizes the sponsor of the bill, Mr. Donalds from Florida.

Mr. DONALDS. Thank you, Mr. Chairman. I want to thank you, Mr. Chairman, and also the Ranking Member for their support of the Values Over Cost Act. I also want to thank my colleague on the Democrat side of the aisle, Mr. Connolly, for working on this measure. This is a simple, much-needed, and commonsense piece of legislation.

Overall, my bill seeks to modernize the Federal procurement process by providing GSA with additional contracting flexibility, specifically by allowing for the consideration of best value in addition to the lowest overall cost alternative. Instead of just looking at the initial price tag, the Federal Government should be fiscally responsible and also consider the contractual value of products and services over time if it is in the best interest of the Federal Government. My bill provides this necessary flexibility to do just that. This is a measure that I am glad that we are moving in this Committee. My hope is that we obviously get it out of the House and that the Senate agrees with us, and then we can put these commonsense pieces of reform to the Federal process in place. With that, Mr. Chairman, I yield back.

Chairman COMER. The gentleman yields back. Do any other Members seek recognition? The Chair recognizes Mr. Moskowitz.

Mr. MOSKOWITZ. Thank you, Mr. Chairman. I want to thank my colleague from Florida for bringing this bill. I have always considered Representative Donalds from Florida a deep thinker, and the length of the bill took me days to read, but in all seriousness, this bill is actually excellent policy.

As someone who awarded billions of dollars of goods and services as the former Director of Emergency Management in the state of Florida, I can tell you, doing it only as the lowest price—in the industry it is called bid it to win it, where companies come out and just put a low bid on something to win it. That then leads to change orders, which then drives up the long-term cost. So, what is interesting is that for the longest time, having this idea that we are awarding it to the lowest bidder means we are actually saving the Federal Government money does not necessarily wind up being true. Best value, which takes into account experience and qualifications and price, allows the Government to get the best deal with the best vendor.

And so, to me, this is something that states are doing, all states are doing. In fact, there is not a single state right now that awards contracts only on lowest price. They all consider best value. So do cities, so do counties, and so this is definitely keeping up with the times, and I want to thank my colleague from Florida for bringing this bill.

Chairman COMER. Do any other Members seek recognition?

[No response.]

Chairman COMER. Seeing none, the question is now on the amendment in the nature of a substitute.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

The question is now on favorably reporting H.R. 9596, as amended.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those—for what purpose does the gentleman from South Carolina seek recognition?

Mr. FRY. Mr. Chairman, I request a recorded vote.

Chairman COMER. A recorded vote is ordered. As previously announced, further proceedings on the question will be postponed.

Our next item for consideration is H.R. 5536, the Grant Transparency Act of 2023. The clerk will please designate the bill.

The CLERK. H.R. 5536, the Grant Transparency Act of 2023, a bill to require transparency and notices of funding opportunity, and for other purposes.

Chairman COMER. Without objection, the bill should be considered as read and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of a substitute. The clerk will please designate the amendment.

The CLERK. An amendment in the nature of a substitute to H.R. 5536, as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for the purposes of further amendment.

I now recognize myself for 5 minutes for a statement on the bill and the amendment.

Countless state and local governments and nonprofits rely on Federal grants to improve their communities and accomplish their missions. Each year, hundreds of billions of dollars in Federal grants are awarded to improve education, community development, job training, transportation, and other initiatives across the country. Despite this, applying for Federal grants can be a complicated process, especially for smaller organizations or new grant applicants which may be unaware of how selection criteria are weighted. And after an entity concludes its application process, they are often left wondering why they were or were not chosen for Federal financial assistance.

The Grant Transparency Act of 2023 requires agencies to clarify the award selection criteria within their grant application process. The bill requires agencies to clarify the selection criteria and evaluation methods for making competitive grant program awards. If an applicant does not receive an award, they deserve to know how that decision was made in order to improve future applications.

I want to thank Committee Members Russell Fry and Jasmine Crockett for leading this bill in the House of Representatives. This simple bill has the potential to make a meaningful impact on countless communities and nonprofits nationwide. I encourage all my colleagues to support this straightforward bipartisan bill. I now yield to Ranking Member Raskin.

Mr. RASKIN. Thank you, Mr. Chairman. I also support 5536 and commend Mr. Fry and Ms. Crockett for their bipartisan leadership.

The bill seeks to increase transparency in the Federal grant making review and award process. It does so by strengthening agency compliance with Title 2 of the Code of Federal Regulations, which describes the contents that notices of funding opportunities must include. It requires each notice of funding opportunity for a competitive Federal grant to include specific information about how applications will be assessed, ensuring that all applicants have greater access to the information they need to submit competitive applications.

The Biden-Harris Administration has taken important steps to strengthen transparency and to improve the accessibility and inclusivity of the Federal grant-making process. For example, in April of this year, the OMB announced significant updates to the Uniform Grants Guidance, which governs how agencies make grants and provides other forms of financial assistance. The updates focused on reducing compliance costs, removing barriers to entry and accessibility, and making Federal funding easier to track. H.R. 5536 is completely aligned with these goals.

I urge all of our colleagues to support it, and I yield back to you, Mr. Chairman.



Chairman COMER. The gentleman yields back. The Chair now recognizes the sponsor of the bill, the gentleman from South Carolina, Mr. Fry.

Mr. FRY. Thank you, Mr. Chairman. In my time in office, my staff and I have heard from countless small, rural, local governments that they do not understand often why they are not awarded Federal grants, especially if they meet all the listed criteria when applying. The Grant Transparency Act, along with my colleague on the other side of the aisle, Ms. Crockett, would ensure that these applicants can better understand that criteria being evaluated in the application process for Federal grants.

Many times, grant applicants feel as though the decisions are being made behind closed doors and they just do not understand. This bill would require government agencies to shine a light on their decisionmaking processes. With this legislation, Federal Government agencies would be required to disclose their selection methods for awarding competitive grants. Our local governments back home deserve that transparency.

State and local governments across South Carolina's 7th congressional District, and really nationwide, compete for Federal grant money on a continual basis. Federal grant money allows investment to come to our communities and improve the daily lives of our constituents ranging from sewer and wastewater systems, airports, fire stations, and recreational facilities. These are all things that we rely on and utilize in our daily lives. But applying for Federal grants can be a complicated process, especially if you do not have the staff in which to do it. Grant writers and applicant staff may even sometimes be unaware of which selection criteria are weighted more heavily. And so, after a grant applicant concludes the process, they are often left wondering why they were or were not chosen for a particular award. But if they knew ahead of time what to focus on, they would be set up for success.

While Federal regulations include a detailed description of the required contents for notice of funding opportunities, we have found that many Federal Government agencies are inconsistent with transparency in the selection criteria. For example, a DOT grant could be way different than an EPA grant notice in terms of what is included upfront. Grant writers really have to navigate the bureaucratic labyrinth when working on applications, and so that is what prompted this legislation.

The Grant Transparency Act of 2023 addresses these uncertainties by clarifying the award selection criteria within the grant application process. Specifically, the bill requires in law that the grant-making agency notice of funding opportunity for competitive grants have three things: one, a description of any rating system, evaluation, and selection criteria the agency uses to assess applicants for competitive grants; two, a statement on whether the agency uses a weighted scoring method and a description of that method; and three, any other qualitative or quantitative merit-based approach the agency uses to evaluate applications for competitive grants.

I think we all can agree that applicants deserve to be able to give it their best shot when they are applying for Federal funds. Grants should be awarded based on merit and not any type of political fa-

voritism. With this legislation, grant applicants for Federal grants would have access to the proper information on an agency's criteria and methodology when submitting the application, and if an applicant does not receive a grant, they should know how that decision was made. Grant applicants put in many hours fixing up their applications, gaining local support, and dotting their I's and crossing their T's. I am proud to have supported this bipartisan legislation that would give the tools in the toolbox to our grant applicants in South Carolina and across the country.

At the end of the day, my constituents sent me to Washington to represent them and make Washington actually work for them and not against them. The Grant Transparency Act makes Washington work better for my constituents back home and across the country. It is these small changes that can actually make a real difference. So today, I urge my colleagues to vote in support of the Grant Transparency Act and to get this one step closer across the finish line, and with that, Mr. Chairman, I yield.

Chairman COMER. The gentleman yields back. Any other Members seek recognition?

[No response.]

Chairman COMER. Seeing none, the question is now on the amendment in the nature of a substitute.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

The question is now on favorably reporting H.R. 5536, as amended.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed—for what purpose does the gentleman from Missouri seek recognition?

Mr. BURLISON. I request a recorded vote.

Chairman COMER. A recorded vote is ordered. As previously announced, further proceedings on the question will be postponed.

Our next item for consideration is H.R. 9593, the Manager Attitudes and Notions According to Government Employee Response, or MANAGER Act. The clerk will please designate the bill.

The CLERK. H.R. 9593, the Manager Attitudes and Notions According to Government Employee Responses, or MANAGER Act, a bill to require annual surveys of Federal employee managers, and for other purposes.

Chairman COMER. Without objection, the bill should be considered as read and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of a substitute. The clerk will please designate the amendment.

The CLERK. An amendment in the nature of a substitute to H.R. 9593, as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for the purposes of further amendment.

I will now recognize myself for 5 minutes for a statement on the bill and the amendment.

Each year, the Office of Personnel Management administers a governmentwide survey of Federal agency employees. This survey, called the Federal Employee Viewpoint Survey, assesses how employees perceive their policies and leadership of their agencies. While the survey is completed by all Federal employees, there are no specific questions asked of employees in a supervisory position. This gap means the unique experiences and views of Federal managers are unaccounted for. Such insights would be valuable for understanding how the performance of the Federal civil service can be improved and agency leadership can be empowered to effectively lead.

The MANAGER Act requires the existing survey to include manager-specific questions for every supervisory Federal employee. For example, Federal managers will be asked whether they have confidence in their agency's leadership and whether they feel supported when attempting to discipline poor performers. Survey recipients will have the option to provide narrative responses to each question to add critical and informed context for policymakers. The bill also requires the survey questions to be formatted in a way that allows for comparison across agencies and requires the survey results to be made publicly available on each agency's website.

Federal managers are vital to the programmatic and mission success of Federal agencies. Their voices should be heard. Congress needs to learn from the experiences of Federal managers and learn about the challenges they face in their jobs. I want to thank the Government Operations Subcommittee Chairman, Pete Sessions, for bringing this forward-thinking legislation before the House Oversight Committee, which has explicit jurisdiction over the Federal civil service. I urge my colleagues to join me in supporting this commonsense legislation. I now yield to Ranking Member Raskin for his statement.

Mr. RASKIN. Thank you, Mr. Chairman. H.R. 9593, the MANAGER Act, sponsored by our distinguished colleague, Pete Sessions, would add survey questions to the Office of Personnel Management's annual Federal Employee Viewpoint Survey, also known as FEVS. These questions would specifically survey Federal agency managers, which the bill defines as a Federal worker at the GS-13 level or higher who serves in a supervisory position.

We agree with Mr. Sessions that we need to get more input and feedback from all levels of our work force, including managers and supervisors. We know that serving as a manager in the Federal Government is difficult, critical, and often overlooked work, but the Office of Personnel Management has registered serious concerns about the specific way this bill is written. According to OPM, roughly 264,000 Federal employees would now qualify as managers under the bill. That number includes approximately 8,000 senior executive leaders who serve as the liaison between political appointees in the career civil service. In the past, the Merit Systems Protection Board and nongovernmental Senior Executives Associa-

tion have led on surveys of senior executives, but these surveys are not annual or conducted in a predictably timely way.

While we agree that surveys specific to the concerns of Federal work force managers should be conducted on a more consistent basis, it is unclear whether the intent of the proposed legislation is to add a new managerial section to the existing Federal Employee Viewpoint Survey or to require a standalone annual survey of managers. This basic ambiguity suggests that the survey was not designed with practical application in mind. Moreover, the bill prescribes specific questions that are hyper focused on the punitive responsibilities of senior managers. As OPM noted in its comments to the Committee on the bill, "The proposed questions focus on only one facet of being a manager, and they reflect the assumption that exacting punitive reprisals against poor-performing employees is the central part of the manager's job." A comprehensive management survey would obviously include questions about motivating, inspiring, and retaining employees, training and retraining workers, building team morale, and creating innovation and change to improve program effectiveness.

Senior managers do more than punish poor performers. They coach and grow talent. They lead teams to help in disaster recovery. They help new administrations communicate new priorities. They motivate, teach, and learn. It is puzzling why the questions in the MANAGER Act do not reflect the full breadth of senior manager responsibilities. I know that my friends claim that these survey questions also ask about manager morale, but even those questions are focused on how managers feel about disciplining employees. For example, one morale question is, "I have confidence my agency leadership will support me if I discipline an employee."

We oppose this bill as drafted because of its punitive focus as if the Federal Government operates on the principles of a reality TV show like "you are fired" instead of acknowledging the millions of exceptional performers across the Federal Government, the legislation is all about discipline and punishment.

We also oppose the bill because the Majority did not work with OPM and its methodologists to ensure that the questions are designed and asked in ways that would generate feedback and information needed to make good policy decisions. OPM noted that the "Proposed specific questions and legislative text would lead to confusing and misleading data, and to obtain useful data, the entire set of proposed questions would need survey professionals to rework and rewrite them."

We would be happy to work with you, Mr. Sessions, to engage OPM and create a survey of Federal managers that would be effective, one that would capture the full range of responsibilities of our talented Federal managers and employees and methodologies that will produce meaningful data for improving management. So, we do oppose the bill as drafted, regrettably, and I yield back.

Chairman COMER. The Chair now recognizes the sponsor of the bill, the Chairman of the Government Operations Subcommittee, Mr. Sessions from Texas.

Mr. SESSIONS. Mr. Chairman, thank you very much, and I appreciate the distinguished gentleman from Maryland for his comments as the Ranking Member. I speak today in support of H.R. 9593, the

Manager Attitudes and Notions According to Government Employee Responses, the MANAGER Act.

Mr. Chairman, we are bringing this forth because we have held now for a year and a half or more a number of not only open investigations that was done on a bipartisan basis, but also hearings that we held. We have taken time on a bipartisan basis to look at the government performance, to look at how government does its job. I am pleased to report that many of these items that we took on were corrected because of, I think, feedback that was done on a bipartisan basis. I could point to a number of issues, but I will point, first of all, to the work that we accomplished on passports. It was a working relationship that we had not only with Mr. Mfume, but we also had with the Administration. But, however, it is important to note the American people got it a long time before we engaged in this issue.

But the managers of the business saw that their day-to-day operations, not just in passport operations, but across the government are being not just challenged, but really changed as a result of this Administration. And while I do not disagree on the surface with the Administration, I will say that they gave confusing signals, signals that the management of the organization felt like they were at a disadvantage because they did not receive clarification. We, in fact, did not go for the most negative parts of this addition of words to be added, questions to be asked. We went to the ones that managers themselves have provided us, managers across the government who say they want to make sure that as they put forth the issues of managing a work force, of listing employees, of trying to make their business work, that they did not put themselves in jeopardy.

So, as we all know, there are a number of facts and factors that happened with this Administration that decided to change and then not follow with respect to employees reporting to their work locations. It might be called a COVID type of response, but the bottom line is the day-to-day responsibilities of getting results on behalf of the American people, making sure that they represent not just the taxpayer but the grandmother, the veteran, the people who are there who seek the government. Whether it is a government agency that provides necessary information or simply information, the government has a responsibility, and that falls upon the managers to make sure that what they do works.

So, I would like to ask that the gentleman from Maryland really look into this rather than looking through it. And that is, that we believe that managers at all levels of the government should be included and that the questions which we are adding to this bill, which I am very open to try and change, that they would be allowed to ask questions that put themselves in a predicament, and one of those might be it is time to come back to work. Will they be supported by their secretary or their management? Will they be in a position where they know that if they follow the procedures that are written, they will follow? And so, we are trying to hear feedback about their ability to effectively mature, get in and manage, and make sure the culture of the Federal Government employee is protected.

So, I would ask that the gentleman please look at this, of the importance of what it is. And we ask employees, tens of thousands of employees. We should also ask their managers what are those things that you think you deal with where you might be at odds with not only employee, but perhaps the management of the organization. This is something that I think is normal.

In my 16 years at AT&T, we asked these same questions of managers, and I would ask that they allow this, an opportunity to filter in and us work on this. But I am willing to work with them to change the bill to accommodate the right things. Mr. Chairman, I yield back my time.

Chairman COMER. The gentleman yields back. Do any other Members seek recognition?

[No response.]

Chairman COMER. Seeing none, the question is now on the amendment in the nature of a substitute.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed by saying no.

[Chorus of noes.]

Chairman COMER. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

The question is now on favorably reporting H.R. 9593, as amended.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, no—the Chair recognizes the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, I would like to ask for a recorded vote.

Chairman COMER. A recorded vote is ordered. As previously announced, further proceedings on the question will be postponed.

Our next item for consideration is H.R. 8784, the Full Responsibility and Expedited Enforcement, FREE Act. The clerk will please designate the bill.

The CLERK. H.R. 8784, the Full Responsibility and Expedited Enforcement, FREE Act, a bill to require each agency to evaluate the permitting system of the agency to consider whether a permit by rule could replace that system, and for other purposes.

Chairman COMER. Without objection, the bill should be considered as read and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of a substitute. The clerk will please designate the amendment.

The CLERK. An amendment in the nature of a substitute to H.R. 8784, as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for the purposes of further amendment.

I now recognize myself for a statement on the bill.

H.R. 8784, the Full Responsibility and Expedited Enforcement Act, or FREE Act, provides desperately needed reform in Federal permitting. Federal permitting has been far too slow for far too

long. Just ask former President Obama, who learned that many projects during his presidency were not shovel-ready, or look to projects that were supposed to be permitted in the wake of COVID-19, but have been bogged down with bureaucratic review.

The FREE Act promises relief for all permit applicants, whether for infrastructure, home construction, critical minerals mining, farming, ranching, or a host of other worthy activities. The bill takes a proven permit streamlining concept, permitting-by-rule, and pushes its adoption governmentwide across all types of permitting. Permitting-by-rule is a process in which the government establishes the conditions an applicant needs to meet to qualify for a permit, and then allows the applicants to obtain a permit by certifying that they meet these conditions. This process saves time and reduces administrative burden.

This bill allows agencies to provide permits for common activities using the permitting-by-rule process. Further, H.R. 8784 stipulates that an application for a permit under the permitting-by-rule process shall be automatically granted within 180 days if the application contains an adequate certification of the requirements and the application has not otherwise been approved or disapproved by the agency. This legislation also requires agencies to advise permit applicants of any deficiencies in their applications for coverage under a permit by rule, affording applicants an opportunity to supply corrections to avoid denial of coverage. This legislation creates powerful incentives for agencies to do their jobs, to review permit applications within the required time period and issue decisions, up or down, on why their applicants get their permits.

I thank Representative Celeste Maloy, Representative Lori Chavez-DeRemer, and Representative Mary Peltola for their bipartisan leadership on this issue. Both Congresswoman Maloy and Chavez-DeRemer serve on the House Transportation and Infrastructure Committee, where they are very aware of the currently burdensome Federal permitting process, especially on critical infrastructure projects. I urge my colleagues to support this important and sensible legislation.

I also ask unanimous consent to enter a letter of support from Representative Maloy into the record. Representative Maloy has shown incredible leadership on the FREE Act as the bill's sponsor. I commend her for using her background in Federal permitting in Utah to advance this legislation. This bill is an important step to reduce tape, encourage innovation, and improve the permitting process.

The letter, without objection, so ordered.

Chairman COMER. I now yield to Ranking Member Raskin for his statement.

Mr. RASKIN. Thank you, Mr. Chairman. Federal agencies review applications for permits that are required for a lot of different kinds of projects, including infrastructure, transportation, energy and mining. Agencies consider factors under the rules, such as whether a project is in public interest, whether it would pollute our air and water, and, when relevant, whether it would be a good use of our public lands. The Full Responsibility and Expedited Enforcement Act, or FREE Act, is the latest attempt, dressed up in the language of permitting reform, to simply open the floodgates on

corporate development of waters and lands for sweetheart oil, gas, and mining projects.

The permit reform embodied in the FREE Act would strip agencies of the ability to do a proper, individualized review of essentially any permit applications that come across their desks. Rather than carefully reviewing permit applications on a case-by-case basis, the agencies would have to create processes that would lead to categorical approval of permits if applicants meet certain limited threshold standards. This attack on public regulatory review includes additional provisions that favor applicants over the expertise of the civil servants who work to protect our lands and access to clean air and water. For example, the bill allows permit holders to immediately sue the Federal Government in U.S. District Court if a permit is denied or if a permit holder's action is restricted due to noncompliance with permit requirements rather than going through an administrative appeals process through the agency first.

Amazingly, the bill flips the burden of proof onto the agency to show that an applicant did not meet the already limited standards rather than requiring an applicant to prove that it did meet the standards. Completely reversing the American rule on attorneys' fees, the bill further empowers polluters and discourages Federal enforcement actions by requiring Federal agencies to pay for the attorney fees of a permit holder or applicant that prevails under the completely tilted legal conditions provided under the bill.

Perhaps most alarmingly, this permit-by-rule system would eliminate any opportunity for the public to weigh in on permit applications through the notice and comment period as is currently standard for most, if not all, permits. This would prevent the communities that would be directly affected by permitted projects from having their voices heard even when their land could be taken or their water polluted.

I strongly encourage our colleagues to vote no on this lopsided bill and to maintain Federal agencies' ability to thoroughly review permit applications to ensure that all proper measures are taken to protect our lands, air and water under the rule of law. And I yield back to you, Mr. Chairman.

Chairman COMER. Do any other Members seek recognition?

[No response.]

Chairman COMER. Seeing none, the question is now on the amendment in the nature of a substitute.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[Chorus of noes.]

Chairman COMER. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

The question is now on favorably reporting H.R. 8784, as amended.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, say no—for what purpose does the gentleman from Arizona seek recognition?

Mr. BIGGS. A recorded vote, please.



Chairman COMER. A recorded vote is ordered. As previously announced, further proceedings on the question will be postponed.

Our next item for consideration 9594, the Protecting Taxpayers' Wallets Act. The clerk will please designate the bill.

The CLERK. H.R. 9594, the Protecting Taxpayers' Wallets Act, a bill to amend Chapter 71 of Title 5, United States Code, to charge labor organizations for the agency resources and employee time used by such labor organizations, and for other purposes.

Chairman COMER. Without objection, the bill should be considered as read, and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of a substitute. The clerk will please designate the amendment.

The CLERK. An amendment in the nature of a substitute to H.R. 9594, as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for purposes of further amendment.

I now recognize myself for 5 minutes for a statement on the bill and the amendment.

H.R. 9594, the Protecting Taxpayers' Wallets Act, would charge Federal employee unions a fee to compensate Federal agencies and the Nation's taxpayers for resources used to support union activities. Under Federal law, certain Federal employees are authorized official time for collective bargaining purposes and during the time the employee otherwise would be in a duty status. In other words, Federal agency employees who also serve as employees of a Federal employee union, may conduct, and be paid to conduct, official union activities when they would otherwise be performing their regular job duties. This bill would shift the financial burden of supporting such official time away from the taxpayers to the Federal employee union organizations.

It would shock American taxpayers that Federal employees are being paid to work substantial hours in support of public sector unions instead of the agency operations, missions, and programs they were hired for in the first place. In some notable cases, Federal employees dedicate all their working hours to union activities. This bill would discourage overuse and abuse of official time by Federal employees and help restore a healthy balance to employees' time.

I want to thank my colleague, Congressman Scott Perry from Pennsylvania, for his attention to this matter and for leading the Protecting Taxpayers' Wallets Act. I urge my colleagues to support this sensible reform. I now yield to Ranking Member Raskin.

Mr. RASKIN. Thank you very much, Mr. Chairman. I see this bill as union busting. The bill's deceptive title masks its true purpose to attack and eliminate unions that represent Federal Government workers, and there are hundreds of thousands of them. In the process, the Protecting Taxpayers' Wallets Act accomplishes the opposite of its explicitly stated policy goal.

The bill would redefine what is known as official time or time spent representing employees in grievance hearings and negotiating collective bargaining agreements as personal time. It would

require Federal agencies to charge public sector unions a fee when they use office space and parking spaces or incur other expenses for what the authors are calling non-agency business. Even more egregiously, the bill would allow an agency to unilaterally decertify a legally formed public sector union if it refused to pay fees imposed by this bill. This, to me, is standard issue anti-union, anti-worker propaganda, which flies in the face of 46 years of Federal law in practice.

In an overwhelmingly bipartisan vote, Congress passed the Civil Service Reform Act of 1978, which specifically codified the concept of official time. The Senate report that accompanied the law stated that official time is of “mutual interest to both the agency and the labor organization.” Part of that law’s original purpose was that a recognized Federal employee union was required to represent both all union members and all non-union employees who benefit from the union. So, Federal unions represent all Federal employees at their designated agencies, playing an essential role in the governance of a successful workplace. This bill would deprive all Federal employees of representation before their agency on the terms that have governed for the last half century.

The law is clear about when a union leader’s duties qualify for official time and when they do not, ensuring the use of official time is indeed official, necessary, and in the public interest. Official time can be used only for representational activities like creating fair promotion procedures, establishing efficient and flexible work hours, setting procedures that protect employees from on-the-job injuries and risks, enforcing protections against unlawful discrimination, developing telework practices, providing workers with a voice in determining work conditions, and representing employees in grievance and disciplinary actions. It cannot be used for internal union business.

Contrary to what the Majority argues today, official time actually saves taxpayers money because it provides agency officials and union leaders with a far less expensive and formal way to negotiate agreements outside of time-consuming administrative processes or expensive legal engagement and court appearances. It is preposterous to authorize an agency to terminate the certification of a labor organization. It is the workers, not the agency, who get to choose who represents them and how. No agency should have unilateral authority to decertify the unions that represent the workers.

Again, this bill is a wolf in sheep’s clothing. It is wasteful public sector union busting disguised as fiscal restraint. I oppose it in the strongest of terms, and I encourage all my colleagues who support unions and working people to do the same. Thank you for the time, Mr. Chairman. I yield back to you.

Chairman COMER. The Chair now recognizes the distinguished sponsor of the bill, the gentleman from Pennsylvania, Mr. Perry.

Mr. PERRY. Thank you, Mr. Chairman. Before I start comments on the bill, I ask unanimous consent to enter a letter of support for the Protecting Taxpayers’ Wallets Act into the record. The following organizations have signed onto the letter: Americans for Prosperity, Americans for Tax Reform, Club for Growth, Institute for the American Worker, National Taxpayers Union, and Open Competition Center.

Chairman COMER. Without objection, so ordered.

Mr. PERRY. Thank you, Mr. Chairman, and thanks to you and your staff for working with us to include this bill in today's mark-up.

This bill remedies a longstanding injustice: taxpayers bearing the financial burden of Federal employees being paid to conduct union activities when they would otherwise be performing their job responsibilities as public servants, what they were hired to do. Put another way, when we pay VA employees to care for our veterans or Social Security caseworkers to process claims, we expect them to be doing that work. We expect a nurse at the VA to be doing a job of a nurse and dealing with the VA patients there, not spending 100 percent of their time working on behalf of their bargaining unit. And we are not saying that bargaining unit activities should not occur, but we are saying that that time should be compensated because you are not doing the work that you were actually hired for.

Now, instead, as reports going back years have shown, Federal agencies have shown a disturbing pattern of abusing or overusing official time. According to a January 2017 GAO report, 346 Veterans Affairs employees spent 100 percent of their time doing union activities while being paid by the Federal Government to do VA activities. It is not Perry saying that. It is certainly not Chairman Comer saying that. That is the Government Accountability Office report. I do not know if my friends on the other side of the aisle dispute that, but that is what they say.

Now, while the Biden Administration has unfortunately ceased regular reporting on governmentwide use of taxpayer-funded union time, information that agencies have provided paints a bleak picture. So, we do not have everything, because the Biden Administration has stopped the reporting, but in Fiscal Year 2023, the Social Security Administration paid 14 employees over \$1.4 million not to process claims or do work for our Nation's seniors, but for union activity, this at a time when the vast majority of the buildings that we surveyed in town here on another committee I sit on, the headquarters of those buildings have occupancy rates in the single digits. These people are not even, many times, present for work at the location where we are paying for the building, and, at best, some of them in the low teens. It is unacceptable to the American taxpayer.

Meanwhile, my friends say, well, it saves us money. Well, I do not know how much money it is saving us. The last count that I saw, we are about ready to go over the threshold of \$36 trillion in debt; every hundred days, another trillion dollars. We are not saving much money here. The bill would not only require labor organizations to consistently and accurately record the use of union time and agency resources provided for union use, but it requires the head of each agency to charge for the value of said time and resources.

The American taxpayers, look, who is their advocate? I get that the union is there to advocate for the employees. But in the negotiation, the person on the other side of the table has nothing to lose because the taxpayers are the ones that foot the bill. They are not at the table. Their voice is not heard.

Again, this bill does not disallow the use of official time. Official time can still be used for the expressed purpose that it is currently used for. It merely requires labor unions to compensate the taxpayers for the work that they are not getting. The job description does not say—when you get hired at the VA or the Social Security Administration, the job description does not say “official union representative.” It says “caseworker.” It says “nurse.” It says “doctor.” It says whatever, but that is not the job that is being performed, and after all, it is the taxpayers who are losing out on the services and resources that they are paying for, for other purposes.

And to my good friend, I will just close with this. Just because that is the way it has always been done for the last 50 years does not mean we should not take a look, and it does not mean that it could not be done better. I think it can be done better, which is the purpose of this legislation. I urge adoption. I yield the balance. I thank the Chairman.

Chairman COMER. The gentleman yields back. Any other Members seek recognition?

Mr. RASKIN. I seek recognition, Mr. Chairman, to introduce a statement from the American Federation of Government Employees and the AFL–CIO.

Chairman COMER. Without objection, so ordered.

Mr. RASKIN. Thank you.

Chairman COMER. Seeing no other Members seeking—the Chair recognizes Mr. Biggs.

Mr. BIGGS. Thank you, Mr. Chairman. I move to strike the last word, and I ask Mr. Perry if he would engage in just a brief colloquy with me.

Mr. PERRY. Yes, sir, Mr. Biggs.

Mr. BIGGS. Because I just want to clarify. Did you say 346 individuals in the Veterans Administration spent their entire year, their entire work period, working for the union?

Mr. PERRY. I did not say that. That is what the 2017 GAO report said.

Mr. BIGGS. They came into work and they did not do anything on casework or anything like that? So, if a—

Mr. PERRY. That is according to the report. That is correct.

Mr. BIGGS. They just advocated for union positions?

Mr. PERRY. That is correct.

Mr. BIGGS. So, for the past 3 fiscal years at the National Nuclear Regulatory Commission, my understanding is that there was two employees that also used just 100 percent of their official time doing union work. Do you know about that?

Mr. PERRY. I am unfamiliar, but I will take your word for it.

Mr. BIGGS. Well, did you know that they were paid their full salaries to do absolutely no work that they were hired to do at NRC?

Mr. PERRY. That is consistent with the rest of the reports that we have gotten from agencies and organizations like the GAO.

Mr. BIGGS. And that the government, in other words, the taxpayer—in Fiscal Year 2023, those employees earned between \$165,000 and \$169,000 a year. Did you know that?

Mr. PERRY. Well, I assume that is the salary for those positions, right? So, they would receive the salary for the position they were

hired for and then conduct none of the activities for which they were hired because they were conducting these other activities.

Mr. BIGGS. It is astounding to me that that is going on. If they are going to do union activities, they should be paid by the union dues perhaps, perchance. Just thinking. Further, 36 NRC employees also used some amount of official time doing union work getting paid by the taxpayer. You know, Mr. Chairman, I am astonished that there is any opposition to this bill at all, and thank you for bringing it, Mr. Perry. And I will yield back, Mr. Chairman.

Chairman COMER. The gentleman yields back. The Chair recognizes Ms. Stansbury from New Mexico.

Ms. STANSBURY. Thank you, Mr. Chairman. I actually want to just say on the note of discussing unions that we are union strong in my office and so many offices across the Democratic Caucus because our unions protect the rights of our workers, they ensure fair pay, safe working conditions, and ensure that the workers, whether they are Federal workers or in any other industry, have every opportunity to make a fair living wage and to care for their families.

But I do want to take this opportunity to say thank you to the Chairman and to the Ranking Member to help advance the amendment that passed earlier in this Committee this morning on a bipartisan basis to help address the fentanyl supply chain, which we know is just devastating our communities. I especially am so grateful for the bipartisan support that this amendment garnered here in the Committee and just want to say that when we work together, we can and we will tackle the biggest challenges that are impacting our communities.

And on a personal note, I have shared here in this Committee previously that the issue of the fentanyl crisis is deeply personal for me. I will never forget the morning several years ago when I received my first phone call that a loved one had died suddenly of a fentanyl overdose. I was actually sitting on the House Floor in the New Mexico State House of Representatives shortly after I had been elected, and since that time, there have been other calls.

In New Mexico and all across this country, whether it is in Albuquerque or rural communities across New Mexico, countless families are experiencing the devastating losses from the opioid and fentanyl crisis. And far too many examples we have of loved ones who have been lost because of tablets and counterfeit pills that they are buying on the street for just a few pennies, a few dollars from drug traffickers and suppliers, who are adapting rapidly to an economy that is killing our communities. They are pouring fentanyl into the streets of our communities. And that is why we have to fight back on a bipartisan basis to focus on the global criminal networks and suppliers of illicit drugs, who are bringing these drugs into our communities and who are counterfeiting pill manufacturing across the country. And today, we did just that by coming together on a bipartisan basis to empower the ONDCP to target the fentanyl supply chain and to stop the prevalence of fentanyl coming into our communities.

So, I say thank you to my colleagues for supporting this amendment, and with that, I yield back.

Mr. RASKIN. Yes. Would the gentlelady yield?

Ms. STANSBURY. I yield to the Ranking Member.

Mr. RASKIN. I want to commend the gentlelady from New Mexico for her excellent leadership on the fentanyl crisis and on cracking down on these pill-making operations.

I did want to respond to my colleagues about H.R. 9594, the so-called Protecting Taxpayers' Wallets Act. They are really challenging a central premise of labor management law that goes back more than a half century in America, both in the public and the private sector. The way that private collective bargaining agreements work is that if there are shop stewards who work to pursue grievances or collective bargaining agreements or to help manage the workplace, they continue to be paid under their previous salaries.

There is nothing remotely extraordinary or strange about that at all. And so, what they are really attacking, of course, is the whole idea of having labor unions. And we understand labor unions are under attack at a time when labor unions are more popular than they have been in decades because of the tremendous economic inequality in the country, where you get people at the top of the income and wealth ladder who are taking vastly disproportionate shares of economic gains. And it is employees and workers who need unions to try to claim a place in the middle class, and so this really is an assault on unions and on middle class economics. And I am happy to yield back to the gentlelady.

Ms. STANSBURY. Thank you to the Ranking Member. You know, as a former Federal employee and as a former Federal employee that was in an exempted class that had tried to previously unionize, I want to talk about just for a moment and to emphasize what the Ranking Member just said, that protections for all Federal workers are critical because, otherwise, they get exploited just like all workers. They get expected to work nights, weekends, to do dangerous things and compromising things that they would not otherwise find within their values or the requirements of their job to do. And so, protection of Federal workers is just as important as it is for all workers, and I appreciate the Ranking Member pointing that out. Thank you. I yield back.

Chairman COMER. The time has expired. Does any other Member seek recognition on the Perry bill?

[No response.]

Chairman COMER. Seeing none, the question is now on the amendment in the nature of a substitute.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[Chorus of noes.]

Chairman COMER. In the opinion of the Chair, the ayes have it. The amendment is agreed to.

The question is now on favorably reporting H.R. 9594, as amended.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

For what purpose does the gentleman from Arizona seek recognition?

Mr. BIGGS. I request a roll call, please.

Chairman COMER. A recorded vote is ordered. As previously announced, further proceedings on the question will be postponed.

Our next item for consideration is H.R. 825, the Banning Operations and Leases with the Illegitimate Venezuelan Act. The clerk will please designate the bill.

The CLERK. H.R. 825, the Banning Operations and Leases with the Illegitimate Venezuelan Act, a bill to prohibit contracting with persons that have business operations with the Maduro regime, and for other purposes.

Chairman COMER. Without objection, the bill shall be considered as read and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of a substitute. The clerk will please designate the amendment.

The CLERK. An amendment in the nature of a substitute to H.R. 825, as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for the purposes of further amendment.

I recognize myself for 5 minutes for a statement on the bill and the amendment.

The people of Venezuela have faced years of repression. Political persecution, human rights abuses, and press censorship are all commonplace under the brutal, illegitimate, anti-American regime of Maduro, a regime closely allied with Russia, Iran, Cuba, and the People's Republic of China. The American Government should always stand in solidarity with the long-suffering people of Venezuela and against this dictatorship. Part of that solidarity should be to ensure that the current regime is denied any resources that will allow it to continue the oppression of its citizenry.

This past July, Maduro and his representatives falsely claimed victory in Venezuela's Presidential election. As usual, he has been accused of intimidating and repressing his opposition in order to cling to power. Just last week, on September 12, the U.S. sanctioned 16 of his allies in response to accusations they engaged in human rights abuses and election obstruction. While not all of his allies will be subject to sanctions, the money of hardworking U.S. taxpayers should not ultimately find its way to those who support the regime of a ruthless dictator.

H.R. 825 is straightforward. It requires Federal agencies to ensure that they are not contracting with any entity that conducts business with his allies. That said, it also includes appropriate exceptions, such as situations of national security for the purposes of providing humanitarian assistance, disaster relief, and other urgent lifesaving measures, or to carry out noncombatant evacuations.

This is not a new concept to the U.S. Congress. The Fiscal Year 2020 National Defense Authorization Act contained a provision, Section 890, that prohibited the Pentagon from entering into contracts with companies that also have contracts with any Venezuelan Government entity under his control. As with H.R. 825, there are waivers for contracts related to providing humanitarian assistance and disaster relief, among other exemptions.

The BOLIVAR Act would extend the prohibitions under Section 890 to the rest of the Federal Government. I support this Act. And I want to thank my colleagues on the Committee, Representative Mike Waltz and Representative Debbie Wasserman Schultz, for leading this bill. I ask my colleagues to support H.R. 825, a measured response and a most timely piece of legislation. I now yield to Ranking Member Raskin for his statement.

Mr. RASKIN. I thank the Chairman. The BOLIVAR Act would temporarily prohibit executive agencies from entering into contracts for the procurement of goods or services with anybody that they determine, with the concurrence of the Department of State, who knowingly engages in significant business operations with the Maduro regime in Venezuela. The bill goes on to list certain exceptions, including contracts vital to U.S. national security or necessary for purposes of providing humanitarian assistance, disaster relief, and other urgent lifesaving measures, or to carry out non-combatant evacuations.

I certainly understand the motivation behind this bill. The Maduro regime's blatant disregard of the recent election results in Venezuela is a violation of international law and has left this undemocratic regime more isolated than ever. I know that the State Department believes the bill could exacerbate tensions with Venezuela, and contracting experts at OMB believe that the complexities and uncertainties involved in trying to implement a bill this far reaching in an expedited timeframe could cause more cost to the procurement system than the benefits that would be achieved. However, the Department of Defense, which conducts almost two-thirds of Federal procurement, has had a policy in place just like the BOLIVAR Act for 2 years now.

So, I will support the bill today, but I do ask the Chairman to work with us to try to address some of the Administration's specific concerns before the bill goes to the Floor. But I will support it, and I yield back to you, Mr. Chairman.

Chairman COMER. The Chair now recognizes the sponsor of the bill, the gentleman from Florida, Mr. Waltz.

Mr. WALTZ. Yes. Thank you, Mr. Chairman, and thank you for bringing this legislation to the markup. Just a couple of points to add to your opening statement there.

You know, Venezuela has the largest oil reserves in the world, and despite this, the regime's mismanagement, their human rights violations, their repression, the massive corruption has created an economic contraction of over 80 percent of the Venezuelan economy. With shortages in food, water, and fuel, 8 million Venezuelans have fled their country, more than the refugee crisis from places like Syria. And if we want to get to the root causes of the migration crisis and the illegal immigration crisis that is facing the United States, this gets at it.

Thank you for noting that Maduro has been charged by the U.S. Department of Justice for narcoterrorism and drug trafficking. Thank you for noting that the NDAA in 2020 put these restrictions on companies seeking to do business with the Defense Department. We are simply looking to expand that. It is bipartisan. It has been introduced by Representative Wasserman Schultz. I appreciate the



Ranking Member's support for it as well, and similar legislation passed the U.S. Senate unanimously in the 117th Congress.

And just in terms of the concerns, a couple of things. One, the concern that the bill would have any practical effect other than to make U.S. Government contracting more difficult or to unnecessarily raise tensions with the regime at this time, look, I think we need to send a very strong message to any foreign company that wants to work with the U.S. Government, it needs to think twice about working with the Maduro regime. But I think the firms that will be most affected—I mean, you have a number of foreign entities that are saying one thing, and then they turn a blind eye and are doing business with a brutal socialist dictatorship with extrajudicial killings that have the opposition either in exile or under some type of arrest or in hiding. And I firmly believe we need to take a stronger stand, and I think this is a bipartisan approach.

The other concern that this Act may be observed as an escalation of policy, look, the prohibition is only in place for 3 years or when the U.S. Government recognizes a legitimate government of Venezuela. Recognition is still the Administration's prerogative. The other claim that the Administration's targeted sanctions approach seeks to promote accountability for antidemocratic actors and not punish the Venezuelan people. I will just remind my colleagues that the legislation explicitly exempts humanitarian assistance and provides exemptions if it is in the national security interest of the United States. So, I think that is ample flexibility, but we need to take a much stronger stand.

Enough is enough in terms of the brutality of the Maduro regime, the impacts on the United States both from an energy standpoint and with a migration crisis, and I appreciate both the Chairman and Ranking Member's support. I yield.

Chairman COMER. The gentleman yields back. Do any other Members seek recognition?

[No response.]

Chairman COMER. Seeing none, the question is now on the amendment in the nature of a substitute.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it. The amendment is agreed to.

The question is now on favorably reporting H.R. 825, as amended.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed—the Chair recognizes the gentleman from Arizona.

Mr. BIGGS. I request a roll call vote, please.

Chairman COMER. A recorded vote is ordered. As previously announced, further proceedings on the question will be postponed.

Mr. RASKIN. Mr. Chairman?

Chairman COMER. Yes.

Mr. RASKIN. Could I be recognized for a unanimous consent request?

Chairman COMER. Yes.

Mr. RASKIN. There are two letters I would like to be submitted for the record, one from the National Treasury Employees Union and the other from the National Air Traffic Controllers Association opposing H.R. 9594.

Chairman COMER. Without objection, so ordered.

Any other Members seek recognition?

[No response.]

Chairman COMER. Seeing none, the Chair declares the Committee in recess until 3 p.m. We will return promptly at 3 p.m.

I will remind all Members that we will use electronic voting, so votes will move very quickly.

The Committee stands in recess.

[Recess.]

Chairman COMER. The Committee will come back to order. I appreciate everybody coming back.

The question is on favorably reporting H.R. 3642, as amended. Members will record their votes using the electronic voting system. The clerk will now open the vote on favorably reporting H.R. 3642.

[Voting.]

Chairman COMER. Have all Members been recorded?

[No response.]

Chairman COMER. All right. Have all Members been recorded who wish to be recorded?

[No response.]

Chairman COMER. Does any Member wish to change their vote?

[No response.]

Chairman COMER. The clerk will close the vote and report the vote total.

The CLERK. Mr. Chairman, on this vote the yeas are 36, the nays are zero, and the present is 1.

Chairman COMER. The ayes have it, and the bill is ordered favorably reported.

Without objection, the motion to reconsider is laid on the table.

The question is now on favorably reporting H.R. 9598. Members will record their votes using the electronic voting system. The clerk will now open the vote on favorably reporting H.R. 9598.

[Voting.]

Chairman COMER. Have all Members been recorded who wish to be recorded?

[No response.]

Chairman COMER. Does any Member wish to change their vote?

[No response.]

Chairman COMER. The clerk will close the vote and report the vote total.

One second, if that is all right. Does anybody object?

[No response.]

Chairman COMER. Does anyone else wish to vote?

[No response.]

Chairman COMER. Now the clerk will close the vote and report the vote total.

The CLERK. Mr. Chairman, on this vote the ayes are 38. The nays are zero.

Chairman COMER. The ayes have it, and the bill is ordered favorably reported.

Without objection, the motion to reconsider is laid on the table.

The question is now on favorably reporting H.R. 9592. Members will record their votes using the electronic voting system. The clerk will now open the vote on favorably reporting H.R. 9592.

[Voting.]

Chairman COMER. Have all Members been recorded who wish to be recorded?

Mr. GROTHMAN. Yes. Hold on.

Chairman COMER. All right, Glenn. We will wait for you, Glenn.

[Pause.]

Chairman COMER. All right. Does anyone else wish to change their vote?

[No response.]

Chairman COMER. The clerk will close the vote and report the vote total.

The CLERK. Mr. Chairman, on this vote the ayes are 38. The nays are zero.

Chairman COMER. The ayes have it, and the bill is ordered favorably reported.

Without objection, the motion to reconsider is laid on the table.

The question is now on favorably reporting H.R. 5300. Members will record their votes using the electronic voting system. The clerk will now open the vote on favorably reporting H.R. 5300.

[Voting.]

Chairman COMER. Have all Members been recorded who wish to be recorded?

[No response.]

Chairman COMER. Does any Member wish to change their vote?

[No response.]

Chairman COMER. The clerk will close the vote and report the vote total.

The CLERK. Mr. Chairman, on this vote the ayes are 39. The nays are zero.

Chairman COMER. The ayes have it, and the bill is ordered favorably reported.

Without objection, the motion to reconsider is laid on the table.

The question is now on favorably reporting H.R. 9597. Members will record their votes using the electronic voting system. The clerk will now open the vote on favorably reporting H.R. 9597.

[Voting.]

Chairman COMER. Have all Members been recorded who wish to be recorded?

[No response.]

Chairman COMER. Does any Member wish to change their vote?

[No response.]

Chairman COMER. The clerk will close the vote and report the vote total.

The CLERK. Mr. Chairman, on this vote the ayes are 39. The nays are zero.

Chairman COMER. The ayes have it, and the bill is ordered favorably reported.

Without objection, the motion to reconsider is laid on the table.

The question is now on favorably reporting H.R. 9596. Members will record their votes using the electronic voting system. The clerk will now open the vote on favorably reporting H.R. 9596.

[Voting.]

Chairman COMER. Have all Members been recorded who wish to be recorded?

[No response.]

Chairman COMER. Does any Member wish to change their vote?

VOICE. Mr. Frost.

VOICE. Mr. Frost.

Chairman COMER. Got it.

VOICE. And Mr. Timmons.

Chairman COMER. Has everyone voted that wishes to vote?

[No response.]

Chairman COMER. The clerk will close the vote and report the vote total.

The CLERK. Mr. Chairman, on this vote the ayes are 39. The nays are zero.

Chairman COMER. The ayes have it, and the bill is ordered favorably reported.

Without objection, the motion to reconsider is laid on the table.

The question is now on favorably reporting H.R. 9595. Members will record their votes using the electronic voting system. The clerk will now open the vote on favorably reporting H.R. 9595.

[Voting.]

Chairman COMER. Have all Members been recorded who wish to be recorded?

[No response.]

Chairman COMER. Does any Member wish to change their vote?

[No response.]

Chairman COMER. The clerk will close the vote and report the vote total.

The CLERK. Mr. Chairman, on this vote the ayes are 39, the nays are zero.

Chairman COMER. The ayes have it, and the bill is ordered favorably reported.

Without objection, the motion to reconsider is laid on the table.

The question is now on favorably reporting H.R. 9566. Members will record their votes using the electronic voting system. The clerk will now open the vote on favorably reporting H.R. 9566.

[Voting.]

Chairman COMER. Have all Members been recorded who wish to be recorded?

[No response.]

Chairman COMER. Does any Member wish to change their vote?

[No response.]

Chairman COMER. The clerk will close the vote and report the vote total.

The CLERK. Mr. Chairman, on this vote the ayes are 39. The nays are zero.

Chairman COMER. The ayes have it, and the bill is ordered favorably reported.

Without objection, the motion to reconsider is laid on the table.

The question is now on favorably reporting H.R. 5536. Members will record their votes using the electronic voting system. The clerk will now open the vote on favorably reporting H.R. 5536.

[Voting.]

Chairman COMER. Have all Members been recorded who wish to be recorded?

[No response.]

Chairman COMER. Does any Member wish to change their vote?

[No response.]

Chairman COMER. The clerk will close the vote and report the vote total.

The CLERK. Mr. Chairman, on this vote the ayes are 39. The nays are zero.

Chairman COMER. The ayes have it, and the bill is ordered favorably reported.

Without objection, the motion to reconsider is laid on the table.

The question is now on favorably reporting H.R. 9594. Members will record their votes using the electronic voting system. The clerk will now open the vote on favorably reporting H.R. 9594.

[Voting.]

Chairman COMER. Have all Members been recorded who wish to be recorded?

[No response.]

Chairman COMER. Does any Member wish to change their vote?

[No response.]

Chairman COMER. The clerk will close the vote and report the vote total.

The CLERK. Mr. Chairman, on this vote the ayes are 21. The nays are 18.

Chairman COMER. The ayes have it, and the bill is ordered favorably reported.

Without objection, the motion to reconsider is laid on the table.

The question is on favorably reporting H.R. 9593. Members will record their votes using the electronic voting system. The clerk will now open the vote on favorably reporting H.R. 9593.

[Voting.]

Chairman COMER. Have all Members been recorded who wish to be recorded?

[No response.]

Chairman COMER. Does any Member wish to change their vote?

[No response.]

Chairman COMER. The clerk will close the vote and report the vote total.

The CLERK. Mr. Chairman, on this vote the ayes are 22. The nays are 18.

Chairman COMER. The ayes have it, and the bill is ordered favorably reported.

Without objection, the motion to reconsider is laid on the table.

The question is now on favorably reporting H.R. 8784. Members will record their votes using the electronic voting system. The clerk will now open the vote on favorably reporting H.R. 8784.

[Voting.]

Chairman COMER. Have all Members been recorded who wish to be recorded?

[No response.]

Chairman COMER. Does any Member wish to change their vote?

[No response.]

Chairman COMER. The clerk will close the vote and report the vote total.

The CLERK. Mr. Chairman, on this vote the ayes are 22. The nays are 18.

Chairman COMER. The ayes have it, and the bill is ordered favorably reported.

Without objection, the motion to reconsider is laid on the table.

The question is now on favorably reporting H.R. 825. Members will record their votes using the electronic voting system. The clerk will now open the vote on favorably reporting H.R. 825.

[Voting.]

Chairman COMER. Have all Members been recorded who wish to be recorded?

[No response.]

Chairman COMER. Does any Member wish to change their vote?

[No response.]

Chairman COMER. The clerk will close the vote and report the vote total.

The CLERK. Mr. Chairman, on this vote the ayes are 34. The nays are 6.

Chairman COMER. The ayes have it, and the bill is ordered favorably reported.

Without objection, the motion to reconsider is laid on the table.

I now call up H.R. 7507 for consideration. The clerk will please designate the bill.

The CLERK. H.R. 7507, to designate the facility of the United States Postal Service located at 203 East 6th Street in Lexington, Nebraska as the Bill Barrett Post Office Building.

Chairman COMER. Without objection, the bill should be considered as read, and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of a substitute. The clerk will please designate the amendment.

The CLERK. An amendment in the nature of a substitute to H.R. 7507 is offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for the purposes of further amendment.

Does any Member wish to speak on the bill? The Chair recognizes the lady from Florida.

Mrs. LUNA. I just want to speak in support of this bill. I realize last time we had Post Office cold war. I do not think we have Post Office cold war this time, so hopefully everyone can support it. It was a cold war last time, but we are good.

Chairman COMER. All right. The gentlelady yields back. The Chair recognizes the Ranking Member.

Mr. RASKIN. Thank you, Mr. Chairman, and we are delighted to support this, and we are also delighted to support Ms. Luna's legislation for naming of the bill despite the fact that there was not complete unanimity within the state. We have a similar situation now in the state of Maryland with Congressman Mfume's wonderful bill to designate a post office in the name of Elijah Cummings, the great former Chairman of this Committee. Unfortunately, we do not have complete unanimity in Maryland on this, and I would hope that we would be able to move today to include that with the package that we are moving forward.

I do not know if my distinguished colleague from Baltimore might be interested in saying a word about it as well.

Mr. MFUME. I would. On a point of personal privilege, I want to thank the Chairman, Chairman Comer, and yourself, Ranking Member Raskin, as well as other Members of this Committee on both sides of the aisle for their bipartisan support of this. We are trying to find a way to bring it forward, and it is my hope that we will do that at our next meeting. As you know and as you said, Representative Cummings chaired this Committee with distinction. His portrait hangs on the wall in front of us, and he was the friend of many Members of this Committee.

I would urge, Mr. Chairman, in whatever way we can that we move forward, and I will be guided by your direction on this.

Chairman COMER. Yes, sir.

Mr. RASKIN. If I could just reclaim my time for 1 second, Mr. Chairman. I just want to say that former Chairman Cummings was also the Ranking Member of this Committee for 7 years. He served in the House of Representatives for 23 years and is a beloved and revered figure in our state, and I hope we can just move with dispatch to make this happen, and I thank Mr. Mfume for his leadership on this bill. I am happy to yield back to you, Mr. Chairman.

Chairman COMER. Thank you. The gentleman yields back. And I will state publicly, we will be having a markup in November. Your post office bill, naming the post office after Chairman Cummings, will be one of the postal bills.

Mr. MFUME. Thank you.

Chairman COMER. And we have had two similar situations. We have taken several months to get Representative Luna's postal bill through because of the rule that everyone in the state has to sign on. We got the same situation. You have my word, publicly, we will get that on the *en bloc*—

Mr. MFUME. Yes, and I—

Chairman COMER. And I am a cosponsor of your bill.

Mr. MFUME. You are, and I thank you very much for that. I should point out that the one Member of our state who did not sign on was not because that person had any problem with the late Member Elijah Cummings. It is because that person does not sign on to any bill to name anything after anybody. So, in this instance, I will be followed by your direction. I want to thank you. I want to thank Ranking Member Raskin for his remarks.

Chairman COMER. Thank you. Any other Members seek recognition?

[No response.]

Chairman COMER. Hearing none, the question is now on the amendment in the nature of a substitute to H.R. 7507.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it. The amendment in the nature of a substitute to H.R. 7507 is agreed to.

Pursuant to notice, I now call up the following *en bloc* postal naming bills, which were distributed in advance on this markup: H.R.s 7507, as amended, 6116, 7158, 7508, 8057, 8405, 8516, 8717, 8841, 8868, 8909, 8919, 8976, 9174, 9285, 9322, 9421, 9580, 9549, 9600, and 8641.

Without objection, the bills are considered read.

Chairman COMER. If any Member would like to speak on any of the measures, they may do so now.

[No response.]

Chairman COMER. Does any Member seek recognition?

[No response.]

Chairman COMER. The question is now on favorably reporting the *en bloc* package.

All those in favor, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed, signify by saying no.

[No response.]

Chairman COMER. In the opinion of the Chair, the ayes have it. The *en bloc* measures are favorably reported.

The motion to reconsider is laid on the table.

So, pursuant to House Rule XI, Clause 2, I ask that Committee Members have the right to file with the clerk of the Committee supplemental additional minority and dissenting views.

Without objection.

Additionally, the staff is authorized to make necessary technical and conforming changes to the bills ordered reported today, subject to the approval of the Minority.

Without objection, so ordered.

If there is no further business before the Committee, without objection, the Committee stands adjourned. Thank you, everybody, for being here today.

[Whereupon, at 3:31 p.m., the Committee was adjourned.]