America has the most generous immigration system in the world. However, our immigration policies must put the interests of American workers and taxpayers first.

NO RATE REGULATION OF BROADBAND INTERNET ACCESS ACT

GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 2666.

The SPEAKER pro tempore (Mr. LAMALFA). Is there objection to the request of the gentleman from Oregon?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 672 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2666.

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

□ 0913

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2666) to prohibit the Federal Communications Commission from regulating the rates charged for broadband Internet access service, with Mr. DUNCAN of Tennessee in the chair.

The Clerk read the title of the bill.

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

The gentleman from Oregon (Mr. WALDEN) and the gentlewoman from California (Ms. ESHOO) each will control 30 minutes.

The Chair recognizes the gentleman from Oregon.

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

Mr. Chairman, I rise in support of H.R. 2666, the No Rate Regulation of Broadband Internet Access Act.

From the first indication that the Federal Communications Commission intended to reclassify broadband Internet access service as a title II service subject to utility regulation, the Subcommittee on Communications and Technology has made it a priority to ensure that the FCC bureaucracy never has the authority to actually get in and micromanage and regulate rates.

The Internet is a model of innovation, flourishing under decades of light-touch or no-touch regulation. That is how it has flourished, Mr. Chairman.

□ 0915

In recent years, as the FCC has repeatedly attempted to regulate the management of Internet traffic, the potential reach of those regulations has grown, prompting concerns that the FCC would retreat to the world of rate regulation that typified the monopoly telephone era.

Unfortunately, these fears proved well-founded when the FCC announced in early 2015, Mr. Chairman, that it would reclassify the Internet as a utility-style service as part of the newest net neutrality rules—rules that are currently being challenged in the courts, I might add.

I would like to begin by addressing one of the most common attacks against this legislation, Mr. Chairman: that we are attempting to ''gut'' the FCC's authority to implement net neutrality rules. That simply is not the case.

We are supportive of clear, bright-line rules of the road for ISPs and the way they treat Internet traffic. We are for that. In fact, last year I released a discussion draft bill, along with Chairman UPTON and Senator THUNE, that would codify those very rules.

What we don't support is the use of outdated, ill-suited regulations to achieve those goals. This bill isn't intended to touch the net neutrality rules, and, in fact, an amendment I offered up in committee markup goes so far as to make an explicit exemption to ensure that the bill would not impact the FCC's work to ban paid prioritization. What this bill does is prohibit the FCC from regulating the amount charged to a consumer by an ISP for the provision of broadband service, a fact made clear by our definitions.

There is another objection, Mr. Chairman, we have heard repeatedly, and that is that the FCC had chosen to forbear from several of the provisions in title II and that the Chairman of the FCC had promised not to regulate rates anyway, so this bill is really unnecessary.

Again, this is simply not the case. The FCC did forbear from various sections of title II, but the authority to regulate rates through enforcement was and is still very much on the table. In addition, while Chairman Wheeler did promise before our subcommittee and multiple other committees of the Congress that he would not regulate rates, there was nothing to bind him or his successors to that commitment.

The need for the certainty of a statutory ban on rate regulation became even clearer just a few weeks ago when the bill's sponsor, Representative KINZINGER, actually asked the Chairman of the FCC, Chairman Wheeler, whether he believed the FCC should have the authority to regulate rates. Chairman Wheeler's response: ''Yes, sir.''

Given the philosophy of the Chairman himself, it is clearly more pressing than ever that this bill becomes law. The FCC cannot and should not be able to regulate the rates charged by ISPs to their customers. This sort of regulatory overhang clouds the decisionmaking of providers and dissuades them from offering innovative, pro-consumer pricing plans and service offerings, lest the Commission come back after the fact and penalize them.

Take T-Mobile's Binge On service as a prime example. Consumers are able to access video offered by any participant in the program without that data counting toward their monthly usage limits or charges. Edge providers win because their content is viewed more often. The service provider wins because they actually attract more customers. It is called the marketplace. It is innovation in the marketplace responding to what consumers want. Most importantly, consumers win because they are able to access the desired content with no cost or penalty.

Sounds pretty good, doesn't it?

Now, I am not here to advocate for one company over another, but this is called innovation in the marketplace. This is what entrepreneurship is all about. But, unfortunately, under the opaque rules of the FCC, T-Mobile had no way of knowing whether this sort of Binge On pricing scheme would violate the Commission's rules. They didn't know.

And while T-Mobile has taken this risk, many providers may now choose not to do so, ultimately depriving customers of choices they otherwise would have. You see, everybody is a little afraid, does this Chairman or the next Chairman come back, after the fact, and say: Well, you know, that is really not something we think is too dandy to do, so we are going to penalize you. It is called after-the-fact regulation.

So, as an unfortunate corollary to this chapter of Internet history, the same kind of flip-flop we are concerned we will see on rate regulation is exactly what we have seen with respect to Binge On. You see, Chairman Wheeler was ''okay with it'' until he decided maybe not.

As a former businessowner myself, I can tell you that you can't make business additions based on a hope and a prayer of your regulator. I was actually regulated by the FCC. I knew the rules. I followed them. They were clear. They were bright-line.

In an incredibly innovative marketplace, which the Internet thrives in, can you imagine having the lack of clarity and the ability to go back after the fact and, in effect, rate regulate? This will stifle competition, innovation, and consumer choice.

Finally, I would like to address charges that this bill would leave customers helpless to overcharge, or worse, by ISPs. We would all share that concern. We don't want that, and this bill provides protection.

The notion that the FCC, an agency that didn't have authority over Internet service providers' rates until last year—until last year—is the only line of defense between customers and fraud is, frankly, silly. It is a silly claim.

Customers have gotten along just fine without the aid of the FCC regulating rates; and this notion that the FCC is the only cop on the beat for consumers would come as a surprise—a real surprise—to many States attorneys general and consumer advocates

across the Nation. All those protections, and fraud, abuse still prevail out there.

This bill is a carefully tailored piece of legislation that is targeted at just one thing—one thing, Mr. Chairman—and that is unnecessary bureaucratic, Washington-based rate regulation. We used the most narrow definition, inserted rules of construction, and made specific exemptions to the prohibition, all in an attempt to address the concerns that were raised by the witnesses in our hearings that we held, Mr. Chairman, Members at markup and others who participated in the process.

We listened to all of those voices say: How do we make this right? How do we make it narrow? How do we get at just the issue here of a bureaucracy that wants to expand and grow and micromanage and rate regulate?

We sought to prevent unintended consequences, unlike the FCC, who crafted their rules to have the broadest and furthest reaching scope. Imagine that, Mr. Chairman, from a bureaucracy that writes rules, that they would write rules that are broadly written so they have more power for themselves. In fact, many of the changes we made to the bill at full committee markup were inspired by an amendment offered by Representative MATSUI of California. Drawing on her suggested changes, we amended the bill to be a more targeted draft.

We also considered amendments by multiple other Members of Congress but felt that they would not have resulted in the kind of prohibition that this situation narrowly calls for, one that clearly prohibits all flavors of ratemaking, not just before-the-fact tariffing where they say you can charge $7, that is it—that would be tariffing before the fact—but also after-the-fact regulation, where they come back, Mr. Chairman, and say: Oh, by the way, whatever you were charging, we have now kind of thought about that, and we think it was too much or too little or whatever.

While I am disappointed that so many of my colleagues across the aisle cannot support this bill, it wasn't for lack of trying. It wasn't for lack of a hearings process or taking many of their suggestions to heart and modifying our underlying text. I nonetheless, though, strongly believe that this legislation is an essential step in maintaining the robust and vibrant Internet ecosystem that drives our economy, powers innovations, and prompts and promotes new jobs and investment like no other service. The last thing we want to throw on there is the cold water of Washington bureaucracy after-the-fact regulation that will stifle competition and innovation that has so benefited consumers in this great Internet economy in which we find ourselves.

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

Ms. ESHOO. Mr. Chairman, I rise in opposition to H.R. 2666, and I yield myself such time as I may consume.

Mr. Chairman, today we are debating a bill that the majority has titled the No Rate Regulation of Broadband Internet Access Act. It sounds terrific.

On the surface, this bill appears to do what Democrats and Republicans both support. We both support this. What we support is very clear: preventing the FCC from setting the monthly rate that customers pay for Internet access service. But in reality, this bill is about undermining the FCC's authority to protect consumers and ensure a free and open Internet for all.

I listened very carefully to the chairman, whom I respect, who is my friend, talking about innovation, talking about the effect that that has on so much that we do.

I represent the innovation capital of our country and the world, Silicon Valley, so I think that I understand something about innovation and the ingredients that make it work. As the ranking member of the subcommittee, I have made it very clear that I do not support setting rates for customers to pay on Internet access, nor do any of my Democratic colleagues on the committee.

In fact—and the chairman left this out. The chairman left this out. In fact, during the subcommittee and full committee markup of this bill, I offered an airtight, one-page amendment, right here—right here, one-page amendment—to codify that the FCC will permanently forbear from setting the rates that customers pay for Internet access. It is airtight. It is as clear as a bell, but it was rejected twice.

Now, why would the majority reject exactly what they say they are seeking? It is a good question. It is a rhetorical question, but it should be raised. I think it is because this bill is about more than the FCC setting the rates that customers pay for Internet access.

The FCC is the cop on the beat in the communications marketplace. That means the FCC has the responsibility to keep watch over the companies that provide our cell phone, cable, and Internet services to ensure that everyone is treated fairly.

I think, in the absence of the following, not one consumer organization in the country supports the bill that is on the floor because it is overly broad. The definition of rate regulation in this bill leaves the door open for courts to strike down the FCC's authority to protect consumers and act in the public interest if they interpret any of its actions as impacting broadband Internet rates. That is what this bill does. That is what we object to. We do not object to, essentially, what the title of the bill is, No Rate Regulation of Broadband Internet Access.

These protections include prohibiting Internet service providers, ISPs, from capping the amount of data that customers can use; outlawing pay-for-privacy agreements where consumers have to pay fees to avoid having their data collected and sold to third parties; enforcing net neutrality rules against blocking Web sites; and reviewing mergers that increase consolidation and limit choice in the broadband Internet market.

As I said a moment ago, it is no wonder this bill is opposed by over 70 public interest groups, including the National Hispanic Media Coalition, the Consumer Federation of America, and the National Consumer Law Center. And the White House has said that it will veto the bill.

We could have come here with a very simple bill that essentially is what my amendment stated: no rate regulation. That is what the majority says that they are for, except the bill goes way beyond that.

I want to make it clear to my colleagues and to the American people that may be tuned in to this debate: This bill, in its broadness, is an attack on consumers and an attack on the FCC's net neutrality rules. Now, that is not a surprise because the majority has never supported that. And that is why I urge my colleagues to oppose H.R. 2666.

Mr. Chairman, I include in the RECORD three letters from consumer organizations.

I reserve the balance of my time.

APRIL 12, 2016.

Hon. PAUL RYAN,
Speaker,
House of Representatives.
Hon. NANCY PELOSI,
Democratic Leader,
House of Representatives.

DEAR SPEAKER RYAN AND LEADER PELOSI: We understand that floor consideration of H.R. 2666, the ''No Rate Regulation of Broadband Internet Access Act,'' is expected following a meeting of the House Committee on Rules this week.

The undersigned groups strongly urge you and your colleagues to vote against H.R. 2666, because it would block the Federal Communications Commission (FCC) from fulfilling its essential consumer-protection responsibilities. This would be disastrous for all of the people and businesses in America that use the Internet. Simply, H.R. 2666 would prevent the FCC from doing its job to protect the American people.

H.R. 2666's overly broad definitions and undefined language would create extreme regulatory uncertainty. It would hamstring the FCC's ability to carry out its congressionally-mandated responsibilities. The impacts of this legislation are wide-ranging and difficult to fully enumerate, given the broad definitions of ''rates'' and ''regulation'' in the bill, which conflict with legal precedent. Yet several harmful impacts are readily apparent.

First, it is clear that the bill is yet another attempt to undermine the FCC's Open Internet Order and the principles of net neutrality. The Order ''expressly eschew[ed] the future use of prescriptive, industry-wide rate regulation'' and the FCC forbore from the legal authorities that enable it to set rates.

Although the FCC is not setting rates, stripping away its authority to review monopoly charges and other unjust and unreasonable business practices would harm everyone. It would especially harm the families and small businesses that rely on an affordable and open Internet to find jobs, do schoolwork, or reach consumers to compete in the 21st century global marketplace.

This legislation threatens the FCC's ability to enforce merger conditions that provide low-cost broadband to disadvantaged communities, harming low-income Americans who already have limited broadband access, and further widening the digital divide.

It would give a free ride to companies currently imposing punitive data caps and introducing zero-rating schemes, which the FCC has rightly questioned and continues to investigate. And despite the bill's imprecise references to interconnection and paid prioritization, it would leave open the very real possibility that these companies may try to extort and extract additional payments from websites and applications to reach their customers—even though the ability to download and upload the content of their choosing is exactly what broadband customers pay for.

By using the term interconnection in an undefined manner, H.R. 2666 also creates significant uncertainty about what, if anything, the FCC can do to protect the public from interconnection-related harms. Congestion at interconnection points—locations where the Internet's backbone infrastructure connects to last-mile providers such as Comcast and AT&T—has hurt consumers and online businesses in recent years, and this bill would leave the public vulnerable to those harms.

Lastly, the legislation would undermine the FCC's efforts to protect consumer privacy, including oversight of so-called ''pay-for-privacy'' plans that require customers to pay significant additional fees to their broadband provider to avoid having their online data collected and sold to third parties.

In sum, the broad definition of ''regulation'' in H.R. 2666 would make it difficult, if not impossible, for the FCC to review and then prohibit even clearly anti-competitive and anti-consumer actions by broadband companies. Under the bill, broadband providers could characterize any and every rule or determination the FCC makes as a ''rate regulation'' if it prevents these ISPs from charging abusive penalties or tolls.

Over four million Americans called for the FCC to protect an open Internet. It is time for members of Congress to stop sneak attacks that would allow big cable companies to break net neutrality rules without consequences. We strongly believe that the limited and inadequate exemptions in the current bill are neither credible nor sufficient. These limited exceptions for a small number of regulatory issues are not enough, as they simply create opportunities for companies to circumvent them.

Congress has made the FCC the guardian of the public interest. The Commission must be able to protect America's Internet users from unreasonable business practices.

It is unfortunate that the Energy & Commerce Committee Majority twice rejected proposed compromises that would have been harmonious with the FCC's decision not to set broadband rates, while ensuring the Commission still had the ability to protect consumers. Instead, this bill is little more than a wolf in sheep's clothing that would reduce the FCC's oversight abilities and strip away communications rights for hundreds of millions of Americans.

We respectfully urge you to vote against this bill to show your support for America's consumers and businesses that need the free and open Internet.

Sincerely,

18MillionRising.org, Alternate ROOTS, Arts & Democracy, Center for Media Justice (CMJ), Center for Rural Strategies, Cogent Communications, Inc., Color Of Change, Common Cause, Common Frequency, Consumer Action, Consumer Federation of America, Consumer Watchdog, Daily Kos, Demand Progress, Engine, Faithful Internet, Families for Freedom, Fight for the Future, Free Press Action Fund, FREE! Families Rally for Emancipation and Empowerment.

Future of Music Coalition, Generation Justice, Global Action Project (GAP.), Greenlining Institute, Human Rights Defense Center, Instituto de Educacion Popular del Sur de California (IDEPSCA), Line Break Media, Martinez Street Women's Center, Media Action Center, Media Mobilizing Project, National Consumer Law Center, on behalf of its low-income clients, National Hispanic Media Coalition (NHMC), New America's Open Technology Institute, Ohio Valley Environmental Coalition, Open Access Connections, People's Press Project, PhillyCAM, Progressive Technology Project, Prometheus Radio Project, Public Knowledge.

School for Designing a Society, St. Paul Neighborhood Network (SPNN), TURN, United Church of Christ, OC Inc., Urbana-Champaign Independent Media Center, Voices for Racial Justice, Women Action Media, Working Films, Working Narratives, Writers Guild of America, West.

CONSUMER UNION,
Washington, DC, April 14, 2016.

Hon. PAUL RYAN,
Speaker,
House of Representatives.
Hon. NANCY PELOSI,
Democratic Leader,
House of Representatives.

DEAR MR. SPEAKER AND MADAM LEADER: Consumers Union, the policy and advocacy division of Consumer Reports, urges the House not to approve H.R. 2666, the ''No Rate Regulation of Broadband Internet Access Act.'' We believe this legislation is unnecessary, and we are concerned that it would undermine the Federal Communications Commission's net neutrality rule and other important responsibilities of the Commission in protecting consumers and competition in the broadband marketplace.

We share the concerns voiced during the bill's consideration in Committee, that ''rate'' and ''rate regulation'' could be interpreted to interfere on a broad scale with the Commission's authority to prevent all manner of discriminatory treatment simply because there is some direct or indirect price-related manifestation or effect. Indeed, the Committee states in its report that the term ''rates'' should ''be interpreted broadly, extending beyond a simple price to any provider-offered fee, rate level, rate structure, discount, incentive, or similar customer-facing proposal.'' We are concerned that, other than outright denial of service or interconnection, anticompetitive discrimination would most likely take the form of some kind of price differential—including data caps, throttling, anticompetitive subsidies, and paid prioritization, just to name some of the most obvious.

Moreover, there is no indication that the Commission has any intent to regulate rates for broadband service, now or in the future, or that it has seriously entertained the possibility of doing so. Indeed, the Open Internet Order explicitly disclaims such intent. This bill is a flawed and harmful solution to a non-existent and wholly theoretical problem.

The Open Internet Order is key to ensuring that the benefits of the Internet are widely available—that everyone has access to it on equal, nondiscriminatory terms. We hope the House will allow the Commission to appropriately enforce the Open Internet Order, without injecting new and unnecessary uncertainty into the scope of its authority. We urge that H.R. 2666 be defeated.

Respectfully,

GEORGE P. SLOVER,
SENIOR POLICY COUNSEL,
Consumers Union.

COMPUTER & COMMUNICATIONS INDUSTRY ASSOCIATION,
Washington, DC, April 14, 2016.

Re CCIA Letter on H.R. 2666—No Rate Regulation of Broadband Internet Access Act.

Hon. NANCY PELOSI,
Democratic Leader,
House of Representatives, Washington, DC.

DEAR MINORITY LEADER PELOSI: As you know, an open Internet has been a driving force of economic growth, innovation, and a key to American competitiveness. It is a crucial input for businesses large and small, and an essential component of the lives of everyday Americans for expression, education, and work.

Unfortunately, H.R. 2666, the No Rate Regulation of Broadband Internet Access Act, threatens the FCC's ability to enforce sensible rules to ensure the Internet remains competitive and open. As you consider this legislation this week, I hope you will take into account the negative consequences this bill would have for consumers and businesses that rely on Internet access.

Despite the bill's title, H.R. 2666 goes far beyond rate regulation. A closer look will not just reveal the potential for higher costs to consumers and businesses, but also significant regulatory uncertainty. Of considerable concern are the bill's intentionally broad definitions. For example, the bill's definitions of ''regulation'' and ''regulate'' include the Commission's enforcement authority. This would prevent the Commission from pursuing its longstanding Congressional mandates of promoting competition and consumer protection. Without such authority, the FCC would not be able to review and prohibit anti-competitive actions that could hurt consumers and businesses.

During consideration by the Energy & Commerce Committee, Democratic Members sought to find common ground with amendments that would more clearly define what the bill seeks to prevent—ratemaking for broadband. However, these efforts were rejected on party-line votes. The bill's ambiguity remains a significant concern for businesses and will impair the FCC's obligation to ensure that basic rules of the road will protect the openness that has made the Internet so useful. I urge you to consider the effects on the open Internet and vote against H.R. 2666.

Sincerely,

ED BLACK,
President & CEO, Computer & Communications Industry Association.

□ 0930

Mr. WALDEN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN). She is the vice chairman of the full Energy and Commerce Committee and a very important member of our subcommittee.

Mrs. BLACKBURN. Mr. Chairman, I appreciate the opportunity to come to the floor today and stand in support of this bill. It is the right step.

The gentlewoman from California references the amendment that she had wanted, but her amendment was not exactly what that bill is.

What we are seeking to do is to encourage the FCC to make good on the promise that they have made. In March 2015, Chairman Wheeler was speaking at the Mobile World Congress in Barcelona.

He was talking about net neutrality and rules and regulations. He said:

This is not regulating the Internet. Regulating the Internet is rate regulation, which we don't do.

Whoops, they do. That is what they are trying to do.

Now, there is a difference in what the gentlewoman was seeking to do in committee, not have tariffs or regulation. But if they had gone ahead and done it, then we would have to get into a process of trying to undo. That is what people don't like. They don't like that kind of mess.

What they want is something very explicit. That is what Mr. KINZINGER's bill does. It very explicitly says: FCC, you cannot, you shall not, and you will not do rate regulation. It is not what the American people want to see. It is what the FCC has promised they will not do.

So what we are doing is helping a federal agency keep their word, keep their promise, and not get into rate regulation. Of course, we all know that what they would like to do is regulate the Internet so they can tax the Internet, so they can then come in and set all the rates, and so they can then come in and assign priority and value to content.

It is a commerce issue, it is a free speech issue, and it is an issue for the American people who want to make certain that the information service they have known, appreciated, and utilize every day in the virtual marketplace is not going to be regulated by a Federal Government agency.

Ms. ESHOO. Mr. Chairman, I would note that the FCC chairman is not a Member of Congress. It is only Congress that can write a statute. The amendment that I offered codified—codified—that there would be no rate regulation of the Internet.

Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE), the distinguished ranking member of the full committee.

Mr. PALLONE. Mr. Chairman, I want to thank my colleague from California, the ranking member of our subcommittee.

Mr. Chairman, today we are considering a deceptively simple bill, H.R. 2666. The bill states that the FCC may not regulate rates for broadband Internet access service, but I urge Members on both sides of the aisle to not fall for this rhetoric and misinformation.

Just because this bill is short in length does not mean it is narrow in scope. It is designed to gut the FCC because, as experts have pointed out, the definitions in the bill for rate regulation could mean almost anything.

While the Republicans claim that they intend the bill to be narrow, we have heard over and over that their draft would swallow vast sections of the Communications Act. Most notably, this bill could undermine the FCC's ability to protect consumers.

Democrats repeatedly offered help to improve this bill. But make no mistake, there was not a negotiation. We offered suggestions, but were rebuffed time and again. In fact, we raised concerns from the beginning that the original bill failed to define rate regulation.

Then, at the eleventh hour, the Republicans provided their own take-it-or-leave-it definition with no Democratic input. This is not negotiating.

The result of this one-sided conversation is the definition of rate regulation that simply confirms our worst fears. The definition is so broad that it effectively would gut the agency.

Now, we have said repeatedly that we do not want the FCC to set rates. But we can't support a bill that undermines the FCC's core mission. We can't support a bill that prevents the agency from acting in the interest of the public.

We can't support a bill that prevents the agency from protecting consumers from discriminatory practices, and we certainly cannot support a bill that undercuts the FCC's net neutrality rules. The Republicans rebuffed all of our efforts to narrow H.R. 2666 so that consumers are not harmed.

If we are at all serious about passing a narrow bill, then accomplishing these goals would not be that hard. Our collective interests should be aligned. But that clearly is not the intent of my Republican colleagues.

Mr. Chairman, I urge Members to cast a vote against H.R. 2666.

Mr. WALDEN. Mr. Chairman, may I inquire as to how much time each side has remaining?

The CHAIR. The majority has 19 minutes remaining. The minority has 22½ minutes remaining.

Mr. WALDEN. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. KINZINGER). He is the author of this legislation and is a very serious member of the Subcommittee on Communications and Technology and a great patriot for this country.

Mr. KINZINGER of Illinois. Mr. Chairman, I thank the committee, and I thank the other side of the aisle. Even though this is something that we are going to put through and we would love to have a lot more support from the other side of the aisle, we do appreciate the working relationship.

Mr. Chairman, let me just say that this is, in my mind, very simple. When the FCC, in essence, chose to reclassify broadband Internet access service as a common carrier, that gave them the classification and the ability to regulate rates of private companies.

Understanding this, it was the concern, as we looked around, that we want to make sure that the FCC does not have the power to regulate the rates charged for Internet access.

If you look back in the history of this country and, really, what technology and what the Internet has been able to do for jobs, for economic growth, and for everything along that line, it has all been because it is free of government regulation. So let's just put this into law, that the FCC shouldn't have the authority.

In a couple of hearings, Chairman Wheeler, the chairman of the FCC, was asked: Do you believe you should have the right or the ability to regulate the rates charged for Internet, for broadband access?

He said: No. I forbear that.

In fact, I asked the chairman: What if we put into law a simple statement that said that the FCC shouldn't have that authority?

Amen, basically, is what he said.

Now, over the next year, we have run into some more issues. All of a sudden 3 weeks ago I asked the chairman the same question again, and he admits that, actually, the FCC should have the ability to regulate broadband Internet access.

This is Congress simply doing its job. Congress' job is to determine what authority the FCC should and should not have. That is what we were invented for. That is what we were created for, to determine those laws and those rules.

All we are doing is taking back a little bit of power from the FCC and saying: Look, let's keep the Internet free market. Let's keep broadband free market.

Congress is going to have its say in this. I hope the other side of the aisle and my colleagues join me in supporting this measure.

It is the right thing for our country, and it is a great first step in preserving the Internet as free for future generations.

Ms. ESHOO. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Kentucky (Mr. YARMUTH). He is an outstanding member of the committee.

Mr. YARMUTH. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, as I said on Wednesday during debate on the rule, the bill before us today is a vague solution in search of a nonexistent problem.

While we all share concerns about the idea of broadband Internet rate regulation, Chairman Wheeler has made it absolutely clear that the FCC will not seek to regulate those rates.

But since this bill is before the House anyway, I thought I would offer an amendment that would address an actual problem that can be fixed by the FCC.

Section 317 of the Communications Act of 1934 requires broadcasters to disclose the true identity of political advertising sponsors.

The FCC currently relies on an outdated 1979 staff interpretation of the law that does not account for the dramatic changes that have taken place in our campaign system over the last 6 years, including the Citizens United and McCutcheon decisions. The rule

makes sense. The American people ought to know who is actually trying to influence their votes.

Unfortunately, sponsors in today's world don't indicate who is actually paying for the ad. No. We get sponsors like Americans for Kittens and Puppies. That is not very helpful in disclosing to the American people who is trying to influence them.

It would be, for instance, if somebody ran an ad promoting sugared soft drinks and, instead of Coca-Cola or Pepsi being the actual people paying for the ad, you would have the advertising agency: This ad is sponsored by Ogilvy & Mather or McCann Erickson. That is not very helpful to the American people.

So this has resulted in a major loophole in which special interests and wealthy donors can anonymously spend limitless amounts of money to influence the outcomes of our elections. That is not what Congress intended.

Despite having the authority to do so, the FCC has refused to take action to close this loophole. My amendment, by restating the original constitutional intent, would have sent a message to the FCC that it is time to act.

We all know how much secret money has flooded our politics, weakened accountability in government, and made it harder for voters to develop a true opinion of the individuals they will send to Congress to represent them.

My amendment would have helped to change that and, hopefully, would have begun to restore a minimum level of honesty in our electoral system.

The amendment was germane within the rules of this body, and the solution it provided was well within the authority of the FCC.

Most importantly, an overwhelming majority of Americans—Republicans, Democrats, and Independents—want us to do this. They want us to reform and fix our broken campaign finance system.

Unfortunately, Republicans on the Rules Committee voted against the interests of a majority of Americans and blocked my amendment from coming to the floor.

While they killed my amendment, I am glad the amendment offered by my colleague, Mr. LUJÁN, will be up for consideration today.

It will give us a chance to debate the lack of disclosure and transparency in campaign ads. Unlike the underlying bill, it offers a specific solution to a real problem.

Mr. WALDEN. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE), another terrific member of our Subcommittee on Communications and Technology.

Mr. LANCE. Mr. Chairman, as a member of the Communications and Technology Subcommittee, I rise in strong support of Mr. KINZINGER's bill.

The Internet has dramatically changed the global economy and how every one of us lives daily life. It is the great equalizer, providing an open platform to boost innovation and job creation, expand expression and free speech, as much as any invention in history.

But some unelected officials here in Washington are eager to regulate it, and some in office across the country are eager to tax it. We must prevent both.

The prosperity and opportunity we have come to know from the Internet will be compromised if Internet access becomes another victim of an overweening governmental agency.

The apps on your mobile phone and for your online accounts, your social sphere and your personal and professional information come not from the permission of unelected officials, but from the work of innovators who have invented this 21st century technology.

They must remain empowered to continue their innovation. We cannot allow the government a foothold for Internet control.

Mr. Chairman, I strongly support H.R. 2666.

Ms. ESHOO. Mr. Chairman, I yield 3 minutes to the gentleman from Vermont (Mr. WELCH), a wonderful and important member of the Subcommittee on Communications and Technology.

Mr. WELCH. Mr. Chairman, I thank my ranking member on the Communications and Technology Subcommittee and the chair of the Communications and Technology Subcommittee.

There are two questions here. First is net neutrality. One of the biggest decisions that the FCC made was to protect net neutrality.

Before they issued their order, they had literally millions of comments from people all across this country, in your district and in mine, urging that net neutrality be maintained and preserved. The chairman and the FCC did that with their order.

Now, that has raised some questions as to whether the assertion of FCC authority is going to result in micromanaging through regulation, and that would be a legitimate concern if it were a concern.

But the chairman has made it extremely clear that he has no intention whatsoever of doing any kind of rate regulation under title II. He is not going to do it. It hasn't been done.

So this bill, which is going to ''prohibit rate regulation'' has some significant and potentially very dangerous consequences for two things, net neutrality and protection of consumers.

We need an FCC that is going to be there to protect consumers against some potentially bad practices, like cramming or overbilling, things that traditionally the FCC has done as the agency that is protecting consumers against bad practices.

□ 0945

The reason why many experts believe that this bill would result in that happening is because there is no definition of rate regulation. There is none. The burden on legislators, when we propose something, is to be clear and specific as to what it is that is being proposed. There is no definition whatsoever in this bill about rate regulation. This bill is founded on an apprehension that something bad will happen, but it gives an undefined answer to prevent an undefined event from happening. So the effect here is that you have a bill that is playing on the fear of the unknown.

My preference would be for us to not pass this bill, not endanger the authority of the FCC to take steps that help consumers in your district and in my district, and to focus where we should be focusing, in my view, on steps that we can take to improve broadband access in speeds, particularly for rural areas, rural Vermonters. There is a common goal that we have in our committee to try to get the broadband out and deployed at higher speeds in all of our areas, particularly the rural areas that are in jeopardy.

I urge my colleagues to vote ''no.''

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

I would just like to point out for the RECORD that on page 4 of the bill, H.R. 2666, on line 7, there is a definition of broadband Internet access service. We also have the definition of rate; we have the definition of regulation all spelled out in the bill. And very specific to the issue of cramming and illegal actions on truth-in-billing and all, those are also called for in the bill.

He may be looking at an old draft of the bill or something, but it is not the legislation before us. We do define what rate regulation is. We do make sure that the FCC continues to enforce subpart Y, part 64, title 47 of the Code of Federal Regulations, relating to truth-in-billing requirements. That is lines 18 through 20 of the bill. So those things actually were addressed in the legislation that is now before the House.

Mr. Chair, I yield 2 minutes to the gentleman from Illinois (Mr. SHIMKUS).

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Chair, it actually was great to follow my colleague from Vermont, who is a thoughtful individual, who always raises good questions, who really is open to debate, and he stumbles onto the truth in this.

This does have an issue of net neutrality. Our problem has always been, we now have a Federal agency imposing what there was no need or desire, by many of us, to fix. So now we are trying to make sure that this Federal agency doesn't kill the goose that laid the golden egg.

There is a fear. He was correct in also saying there was a fear.

So how do you ease that fear?

You enshrine into law the promises made by the administration and by the Chairman of the FCC. You take away the fear. It is not like, well, maybe this is what he said, but maybe he will do

this. Just codify it. Then we know what the law is. Then everyone who brings it into litigation can say, well, here is the black and white law. Of course, we also have trouble with the courts. We would hope that the courts would read the black and white language of the law and then rule that way.

All we are trying to do is trust, but verify. What we see is that the net neutrality debate was a fix seeking a problem, which there was no problem. No one can stand on our side today and say we have not advanced greatly by this new technological age and that we need more government to help cause it to flourish more.

We are afraid of a Federal agency. We are afraid that the FCC has gone too far. We need to enshrine this into law. Everybody knows the ground rules. That is all my colleague, Mr. KINZINGER, is trying to do.

I would ask my colleagues to support it.

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

Mr. WALDEN. Mr. Chair, may I get an update on the time remaining on each side?

The CHAIR. The gentleman from Oregon has 13 minutes remaining. The gentlewoman from California has 16½ minutes remaining.

Mr. WALDEN. Mr. Chair, I yield 1 minute to the distinguished gentleman from North Dakota (Mr. CRAMER), who has an incredible background in rate regulation and the commission there and is a terrific member of our subcommittee.

Mr. CRAMER. Mr. Chair, as the chairman said, I served nearly 10 years as a title II rate regulator on the North Dakota Public Service Commission, and I know what title II rate regulation looks like. The Internet is not an appropriate vehicle or medium for this type of regulation. The Internet is not a monopoly railroad, the Internet is not a monopoly telephone company, it is not a monopoly electric or gas utility. The Internet is a dynamic, competitive innovator. Even the threat of this type of regulation stifles that innovation, and we do not want that to happen.

I want to address the amendment that was referred to by the ranking member of the subcommittee, who I have great respect for. She referred to the term ''permanent forbearance.'' That is a contradiction in terms. Forbearance is, by definition, temporary. He who has the authority to forebear has the authority to unforebear. That is exactly what her amendment did. That is why it was not adequate to this bill.

This legislation simply codifies that which the President of the United States and the Chairman of the Federal Communications Commission promised: to not regulate rates. If they promised to do it, God bless them. But we don't know that the next Chairman and the next President will live up to that promise. This law ensures that that promise is kept by codifying it.

Ms. ESHOO. Mr. Chair, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Chair, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished majority leader of the United States House of Representatives.

Mr. MCCARTHY. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, the biggest goal of the innovation initiative is to bring government into the modern age, making the policies that come out of Washington reflect and adapt to the world today.

What has shaped our world more in the 21st century than the Internet?

Education, commerce, communication, information. Everything in our lives has changed because of the Internet.

How did the Internet become something so important, so useful, and so widespread?

Government left it alone. It expanded to reach and help billions because bureaucrats weren't allowed to micromanage it.

I remember hearing this from AOL founder Steve Case. It was back in 1985. He said only 3 percent of people were online for an average of just 1 hour a week. Today, the Internet has reached about 40 percent of the world. That is an amazing growth.

Unfortunately, the freedom that led to this amazing success is at risk. Right now, it is an open question whether the FCC can regulate Internet rates. Congress needs to clarify that it has no authority to do so.

If the FCC were to regulate rates, it could harm every American across the country that has a Wi-Fi connection by imposing artificial restraints on their plans and service options, it would stop needed investment in expanding and improving the Internet, and it would block innovation that we depend on to create better and faster Internet. Regulating rates means its bureaucrats think that they can manage the Internet better than the private sector, which has already brought fast and affordable connections to millions across the country.

I know the FCC and President Obama promised they wouldn't regulate broadband Internet rates from their offices in Washington, and that is a good thing. But that doesn't mean I am not concerned. I don't know about you, Mr. Chair, but after 7 years of broken promises, I have a hard time trusting this administration will follow through.

So today we are voting to hold the administration to its word. They promised not to regulate rates. This legislation bars the FCC from regulating rates. It is as simple as that. I can't imagine why anyone would object.

I want to thank Congressman KINZINGER for his work on this legislation, holding the FCC and the Obama administration accountable.

The innovation initiative is all about giving the American people the freedom to grow and prosper. With this, the Internet stays a little freer, executive overreach is held back, and we leave space for the people to innovate without the Federal Government trying to control it all.

Ms. ESHOO. Mr. Chair, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Chair, I yield 1 minute to the gentleman from Missouri (Mr. LONG), another distinguished member of our Subcommittee on Communications and Technology.

Mr. LONG. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, you don't need a Ph.D. from MIT to understand what is going on here. Despite President Obama and Federal Communications Commission Chairman Wheeler's past promises not to regulate the retail rates of Internet service providers, the Chairman announced last week that the FCC will start a new regulatory framework for the evolving business data market, and told other House Energy and Commerce Committee members and me last month that the FCC should have the authority to regulate broadband rates.

Today, services provided over modern high-speed broadband facilities to customers are unregulated. It is a vibrant market where broadband companies compete vigorously for customers.

If the administration gets in their way, the FCC will reverse course, price regulate business services, and create disincentives for further investment and deployment of high-speed fiber networks throughout the Nation. These burdens would harm investments, stifle innovation, and cost tens of thousands of jobs.

Mr. Chair, our economy and American workers cannot afford this impact. I urge my colleagues to join me and support this crucial bill.

Ms. ESHOO. Mr. Chair, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Chair, I yield 1 minute to the gentleman from Louisiana (Mr. SCALISE), another member of the Republican leadership, who is also a really important member of our committee and subcommittee.

Mr. SCALISE. I thank Chairman WALDEN, and I want to thank my colleague, Congressman KINZINGER, for his leadership on bringing this bill to the floor.

Mr. Chair, what we are trying to do here is to continue to allow the great innovation that we have seen from the technology industry. It has happened not because government has sat there and regulated every aspect of what they do. It is because government, frankly, hasn't figured out how to regulate them because the industry moves so fast. I think that has been a good thing.

It has shown that if you allow an industry to go out there and invest private money in creating great new technologies, great new products, and you look at the development and deployment of broadband, it is literally changing people's lives for the good. It

has allowed America to be such a great technological leader.

But then when you see the threat of the FCC setting rates, regulating broadband, it will send a chilling effect that will not only kill that investment and slow down the ability and the growth that we have seen that has been so revolutionary in this country, but it will kill jobs in this country.

We need to stop the threat of the FCC being able to set rates in a way that can slow down that growth. We have seen such tremendous growth in the technology industry by the government not being in this arena. What Congressman KINZINGER is doing with this bill protects taxpayers and protects the growth and innovation that we need in this country.

I urge adoption of the bill.

□ 1000

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

Mr. WALDEN. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS), another great member of our committee.

Mr. BILIRAKIS. Mr. Chairman, I rise in support of H.R. 2666, the No Rate Regulation of Broadband Internet Access Act, which will prohibit the FCC from regulating the rates charged for broadband Internet access service.

This bill will help prevent further FCC overreach, save tens of thousands of jobs, keep rates affordable for consumers, and provide certainty for the future of broadband regulation.

For the last year and a half, the FCC has insisted it would not regulate broadband Internet rates. That changed last month when Chairman Wheeler reversed course and contradicted all previous testimony on the FCC's intent to regulate rates.

Many of our local businesses and organizations would suffer from further FCC overreach. Many already suffer from the uncertainty and vague new legal standards that have been imposed by the FCC. Regulating rates before and even after they are issued would further infuse the worst government meddling into a market that should remain nimble and competitive.

I thank Congressman KINZINGER for his excellent and timely work on this bill, and I urge my colleagues to support H.R. 2666.

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

Mr. WALDEN. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. CARTER), a gentleman who cares deeply about this issue.

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

Mr. Chairman, I rise to express my support for H.R. 2666.

In 2015, the FCC reclassified Internet service providers as title II common carriers, giving themselves the ability to regulate Internet rates and user privacy. The administration has promised that this new agency power will not be used to regulate broadband rates; however, FCC Chairman Tom Wheeler has admitted that the FCC should have the authority to do so. This regulatory uncertainty is why this bill is needed.

H.R. 2666 would prohibit the FCC from regulating rates charged for broadband Internet access and would hold the administration to the promise it made to American consumers. Preventing government interference with broadband retail rates would give smaller providers greater confidence when making investments, particularly those that would increase Internet access in rural and small communities.

I urge my colleagues to help prevent the government micromanagement of Internet access by supporting H.R. 2666.

Ms. ESHOO. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. CLARKE), an important member of the committee.

Ms. CLARKE of New York. I thank our ranking member, Ms. ESHOO, and the chairman.

Mr. Chairman, I rise to oppose H.R. 2666, the No Rate Regulation of Broadband Internet Access Act, which would prohibit the FCC from regulating rates for broadband Internet access.

I agree with the premise behind the bill. The Commission should not be setting rates for broadband access. In fact, we have heard from FCC Chairman Wheeler. He has stated several times that he does not intend to set rates.

Like millions of Americans who made their voices heard last year, I support a free and open Internet. I do not believe the FCC needs to get into the business of regulating consumer broadband rates. H.R. 2666, however, is overbroad and far-reaching. The unintended consequences of the bill before us would undermine important consumer protections and would threaten a free and open Internet.

For these reasons, I urge my colleagues to oppose the bill before us today.

Mr. WALDEN. Mr. Chairman, how much time remains on both sides?

The Acting CHAIR (Mr. GRAVES of Louisiana). The gentleman from Oregon has 7 minutes remaining, and the gentlewoman from California has 15½ minutes remaining.

Mr. WALDEN. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. I thank the chairman for his work on this important bill.

Mr. Chairman, I rise in support of H.R. 2666, the No Rate Regulation of Broadband Internet Access Act.

The bill does just that—prohibits the Federal Communications Commission from unnecessarily regulating broadband rates. This legislation ensures that not only the current Commission but future Commissions will not have the option to regulate broadband Internet rates, which will protect the free market, encourage competition, and promote jobs; and that is what we need to be all about.

Plain and simple, unelected Washington bureaucrats at the FCC have set out with another solution in search of a problem. By shifting the classification of broadband Internet to be a title II common carrier, the FCC is, simply, reclassifying broadband Internet to fall under their rulemaking purview.

This is nothing more than another power grab by the administration to regulate and control yet another industry. It is estimated that, if rules regulating broadband services are carried out, it could cost over 43,000 jobs, and I think we can all agree that it is not time to gamble with American jobs. When bureaucrats in Washington play the regulation game, no one wins.

I am a proud cosponsor of H.R. 2666, and I encourage my colleagues to join me in support of this legislation.

Ms. ESHOO. Mr. Chairman, I have no further requests for time, and I am prepared to close.

I yield myself such time as I may consume.

Mr. Chairman, this has been an interesting discussion on the floor this morning. For people who are tuned in, I think that I want to stay away from Federal talk, telecommunications talk, governmentese.

What this debate is all about is the Internet. There is a clear difference between how the Democrats view the Internet and how to protect its openness and its accessibility, and that rests in net neutrality—not a very sexy term. What it means is that no ISP can get in the way of the consumer. All you have to do is look in your purse or in your pocket. What you take out and the content that you view and whatever the Internet carries, no company can get in the way of that—to chop it up, to slow it down, to speed it up, to charge more.

Now, our Republican colleagues have fought mightily, and I salute them with their mightily launched campaign in that they don't believe in that, and that is really what is underneath this. They talk about Federal bureaucracies. They don't like that. They talk about bureaucrats. They don't like them. They talk about the President. They don't like him.

What is at the heart of all of this is that we believe in that open, accessible Internet. We do not believe that the executive branch—in this case, the FCC—should be able to regulate broadband rates. We have said so. We have said so time and again.

The gentleman from North Dakota objected to my amendment. He said that it was an oxymoron. Our amendment codified. No one else codified. We offered codification in the law that not only this FCC Commission but all future Commissions—all future Chairmen—could not exact rate regulation. I don't know what needs to be done in order to get to ''yes'' around here, and it is curious to me that all of the speakers on the other side never referenced what we put on the table—that there is agreement.

Really, this bill goes beyond that, and that is what we object to. There is

not one consumer organization in our country that supports what the majority is doing. We stand with consumers. They need a cop on the beat—we don't need the rate regulation of broadband by the FCC—just the way other agencies are supposed to look after the best interests of the American people. In fact, in the Communications Act, the public interest is stated over 100 times. We believe in that. The majority has gone too far with this bill. It can hurt small businesses, and it will hurt consumers. That is where we draw the line.

Mr. Chairman, for all of these reasons, I urge my colleagues to vote ''no'' on H.R. 2666. It goes too far. We were willing to meet and join hands and have something sail through the House—and I think it would have in the other body as well—and that is that there be no rate regulation of broadband Internet. I don't know. Maybe the majority was shocked that we agreed with their talking point. We are serious about it. We offered a solution to it that was rejected not once but twice. Very disappointing. For all of these reasons and with what my colleagues stated on this side in the magnificent statements that they made, I urge the House to reject this legislation because it goes well beyond its stated intent.

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

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

I do appreciate the comments by my friend, and I consider her a good friend. We have worked together on a lot of issues successfully and have found common ground time and time again. Then there are days like today when we just see things differently and, perhaps, read them differently. That is what democracy is, after all, all about: competing ideas that come to an open marketplace where we can have an up-or-down vote by the people's Representatives.

Let me talk about a couple of things, Mr. Chair.

First of all, there is the issue of net neutrality, itself. As my friend from California knows, I put together a draft bill in January of 2015—nearly a year and a half ago now. That bill read: no blocking, no paid prioritization, no throttling, and it required transparency, which are the core principles of an open Internet order. My colleagues on this side of the aisle are for all of those things. The door remains open for Democrats to join us in sponsoring that legislation. We looked forward to that, hopefully, in going forward, but we couldn't reach agreement on those very clear positions.

My colleague said, Gee, they are for not having the Federal Communications Commission regulate rates for broadband Internet access service. I think that is an accurate description of what the gentlewoman said she was for. Let me go to page 3 of the bill and just, simply, read from line 6, section 2: ''Regulation of broadband rates prohibited.'' Line 7: ''Notwithstanding any other provision of law, the Federal Communications Commission may not regulate the rates charged for broadband Internet access service.'' That is what this bill does.

Now, here is where people may get a little confused because, on the one hand, we say no tariffing. That means no setting of the rates ahead of time. We agree that that is a bad idea. You have heard that from both sides of the aisle here. Yet, you see, the door that remains cracked open is the one they refuse to close; so the chilling winter air of regulatory overreach blows through that crack in the door because, if you don't close the ability of the agency to come in after the fact and say ''what you did on your rates we no longer think is correct,'' then you have after-the-fact rate regulation, which is even more uncertain than up-front tariffing, than an up-front setting of the rates. It is with this that we find ourselves in disagreement with my friends across the aisle. You see, they are willing to say no tariffing in advance, but they are not willing to close the door that allows the chilly air that will freeze out innovation—a post-action regulation—from occurring.

Having been in small business for 20-plus years earlier in my life and in the radio business, I know what regulation is. I know how to follow them. I know what a public file is. I actually kept them and did all of these things in our little radio station; but I cannot imagine if, after the fact, my regulator could come back and say: Do you know those ads you sold to the local car dealer? Even though they were printed on your rate card and they were publicly disclosed and all of that, we think, maybe, that was a little too high.

□ 1015

So you have to go back and you have to change things. There is no definition of how far back they could go. Could they go back 6 months? A year? 2 years? 10 years? I don't know.

See, I guess you get to the point that the Internet thrives today in an environment where it was never regulated. That is what really made it go off the charts, is the innovators in Silicon Valley and I daresay in my district, in Oregon, and elsewhere, all over the world literally. There is no central-only point of innovation when it comes to the Internet and technology. It is global.

The economy has flourished globally and has done all that without three Commissioners—or two Commissioners and one Chairman, three people in America deciding what you can and can't do.

You have got to go: Mama, can I? Daddy, can I? Can I after the fact? Is it going to be okay? This is the new environment when you treat the Internet like an old, black, dial-up phone.

Fundamentally, that is what Chairman Wheeler decided to do with pressure from the White House. They lost their independence as an agency when they went down this path to say that the Internet is now like an old phone line. Or, as you heard the former member of the Public Utility Commission from North Dakota, my friend, Mr. CRAMER, who was in the rate regulation business, say, the Internet, it is not appropriate to regulate it as an old common carrier, an old railroad system that is a monopoly because the Internet is not a monopoly. We want innovation for consumers. We want the competition in the marketplace that we know drives down prices.

When you have three people in America wanting to set the rates after the fact, which is what would happen in the FCC with a partisan Commission, as it is constructed today, they get to make the call, not consumers who say: you know, I kind of like that Binge On thing. That is new and innovative.

And the Chairman will say: Well, yeah. We let that go. We think that is okay. That is the point. The Chairman got to say: We think that is okay.

Prior to title II regulation, the chairman didn't have a say in that. The marketplace did. The consumers could go: I don't like that, so I am going to that carrier. Some other carrier can say: I don't like what they're doing, and I am going to offer you this.

Now all that is going to get second-guessed by a government that is too big and is too much in our lives, and that is only going to get more regulatory in its scope and scheme.

Finally, let me just restate the argument raised earlier that somehow consumers could be hurt by truth-in-billing fraud or paid prioritization. We specifically addressed those in the bill that came to the floor.

We listened to our colleagues. We listened to those who testified. We made changes in the bill. We didn't do everything that everybody wanted because this is a compromise process.

It is a good piece of legislation that protects consumers, encourages innovation, and does what our constituents want us to do: draw clear statutory lines that agencies have to follow, not devolve all authority to them.

Mr. Chairman, I urge passage of H.R. 2666.

I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2666

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''No Rate Regulation of Broadband Internet Access Act''.

SEC. 2. REGULATION OF BROADBAND RATES PROHIBITED.

Notwithstanding any other provision of law, the Federal Communications Commission may not regulate the rates charged for broadband Internet access service.

SEC. 3. EXCEPTIONS.

Nothing in this Act shall be construed to affect the authority of the Commission to—

(1) condition receipt of universal service support under section 254 of the Communications Act of 1934 (47 U.S.C. 254) by a provider of broadband Internet access service on the regulation of the rates charged by such provider for the supported service;

(2) enforce subpart Y of part 64 of title 47, Code of Federal Regulations (relating to truth-in-billing requirements); or

(3) enforce section 8.9 of title 47, Code of Federal Regulations (relating to paid prioritization).

SEC. 4. ADDITIONAL RULE OF CONSTRUCTION.

For purposes of this Act, broadband Internet access service shall not be construed to include data roaming or interconnection.

SEC. 5. DEFINITIONS.

In this Act:

(1) BROADBAND INTERNET ACCESS SERVICE.—The term ''broadband Internet access service'' has the meaning given such term in the rules adopted in the Report and Order on Remand, Declaratory Ruling, and Order that was adopted by the Commission on February 26, 2015 (FCC 15–24).

(2) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(3) RATE.—The term ''rate'' means the amount charged by a provider of broadband Internet access service for the delivery of broadband Internet traffic.

(4) REGULATION.—The term ''regulation'' or ''regulate'' means, with respect to a rate, the use by the Commission of rulemaking or enforcement authority to establish, declare, or review the reasonableness of such rate.

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 114–490. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The Chair understands that amendment No. 1 will not be offered.

AMENDMENT NO. 2 OFFERED BY MR. YARMUTH

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–490.

Mr. YARMUTH. Mr. Chairman, as the designee of the gentleman from New Mexico (Mr. BEN RAY LUJÁN), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 20, strike ''; or'' and insert a semicolon.

Page 3, line 22, strike the period and insert ''; or''.

Page 3, after line 22, insert the following:

(4) promulgate regulations that require a television broadcast station, AM or FM radio broadcast station, cable operator, direct broadcast satellite service provider, or satellite digital audio radio service provider, to the extent such station, operator, or provider is required to make material in its public inspection file available on, or upload such material to, an Internet website, to make such material available or upload such material in a format that is machine-readable, such that the format supports the automated searching for particular text within and among documents, the bulk downloading of data contained in such material, the aggregation, manipulation, sorting, and analysis of the data contained in such material, and such other functionality as the Commission considers appropriate.

The Acting CHAIR. Pursuant to House Resolution 672, the gentleman from Kentucky (Mr. YARMUTH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. YARMUTH. Mr. Chairman, I rise to offer an amendment that will make it easier for the American people to figure out who is trying to influence their vote through campaign ads.

Right now, when someone is placing a political commercial on the air, the TV station is required to upload to the FCC public site information that identifies the name of the ad's sponsor, the duration of the ad, and the cost of the ad. But the FCC's site is cumbersome, slow, and impossible to search, which defeats the purpose of this requirement.

This amendment clarifies that nothing in the underlying bill will prevent the FCC from requiring those entities that must submit a public inspection file to do so in a machine-readable format, which would guarantee that it is easily sortable, searchable, and downloadable.

Adopting the Luján amendment will send a message to the FCC that there is strong congressional support for making this information more accessible so that the American people have at least a chance to figure out who is trying to influence our elections.

Furthermore, this amendment would fix a real-world problem, unlike the underlying bill, which is a vague solution in search of a nonexistent problem.

I reserve the balance of my time.

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

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

Mr. WALDEN. Mr. Chairman, this amendment states that nothing in the bill shall affect the FCC's authority to require that TV and radio stations and video and audio satellite providers make their public inspection files available online or in a machine-readable format.

Mr. Chairman, I was in the radio business for 21 years. I would guess I am probably one of the few, if only, people who have actually had to maintain a public file.

I don't know if the gentleman knows all the things that are in those public files. I would be happy to go through the very long list of them.

I don't think the way the amendment is constructed is perhaps what he is seeking. I understand the part about public disclosure of time purchase, who is purchasing it, and all of that.

But the public file includes all FCC authorizations, applications and related materials, contour maps, ownership reports and related materials, portions of Equal Employment Opportunity file, the public and broadcasting manual itself, children's television programming reports, DTV transition education reports, citizen agreements, then the political file, letters and emails from the public, material relating to FCC investigations and complaints, issues/program lists, donor lists for noncommercials educational channels, records concerning children's programming commercial limits, local public notice certifications and announcements, time brokerage agreements, must-carry or retransmission consents elections, joint sales agreements, and it goes on and on.

Ours was a full drawer. We were just a little AM and FM radio station, and it was a full drawer in a filing cabinet.

By the way, if you didn't have each file in the proper order, you could be fined. You had to have the political catechism in there. You had to have all these things.

I understand what the gentleman is going for, and I am for disclosure. We had to do it. We did it. People came and looked at the file. It was all open and transparent, and now it does have to be online already.

I just think this is an inappropriate place to go down this other path, when we are dealing with rate regulation of the Internet. I realize the gentleman cares passionately about the political disclosure issue, but I would just argue, Mr. Chair, that this is the wrong place.

I think the amendment is clumsily worded in terms of the scope and magnitude that would occur in terms of making all this machine-readable. Because I am thinking about a little AM radio station out there that is barely keeping the doors open, and we are going to tell them they have got to have their contour maps machine-readable? I don't even know how to do that. I know some programs like Adobe you can click, and some you can't. I don't know. It is a pretty big new requirement on these stations.

Mr. Chairman, I oppose the amendment.

I reserve the balance of my time.

Mr. YARMUTH. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Ms. CLARKE).

Ms. CLARKE of New York. Mr. Chairman, I rise today to support the Luján, Pallone, Yarmuth, and Clarke amendment.

This commonsense amendment would ensure that the FCC can easily determine who is paying for political ads. More specifically, this amendment would guarantee that nothing in this bill would prevent the FCC from requiring that TV broadcast stations, AM and FM radio broadcast stations, cable operators, direct broadcast satellite service providers, or satellite digital audio radio service providers

upload the public inspection file in the format that is machine-readable.

Unfortunately, there is a large amount of unlimited money moving through our electoral system. This amendment gives all voters the peace of mind of knowing our elections are fair and transparent.

I urge my colleagues to support this amendment.

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

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

First, in response to Chairman WALDEN—and I know that he shares my interest in creating effective disclosure of campaign contributions and ads—this amendment does not mandate any particular form of machine-readable information. It only says that the Commission is not prohibited from requiring that certain parts of information are readable in machine format.

I want to read a few quotes on disclosure:

''Disclosure requirements deter actual corruption and avoid the appearance of corruption by exposing large contributions and expenditures to the light of publicity.''

''With modern technology, disclosure now offers a particularly effective means of arming the voting public with information.''

''Today, given the Internet, disclosure offers much more robust protections against corruption.''

''Because massive quantities of information can be accessed at the click of a mouse, disclosure is effective to a degree not possible at the time Buckley, or even McConnell, was decided.''

All of the quotes are from the majority opinion in McCutcheon v. Federal Election Commission, written by Chief Justice Roberts.

Now, I don't agree with the decision, but I sure do agree with his position that disclosure is critical to the integrity of our electoral system in the wake of this decision.

I believe that adopting the commonsense Lujan amendment shows that Congress values transparency in government and will help restore a level of trust with the public.

I urge my colleagues to support it.

I yield back the balance of my time.

Mr. WALDEN. Mr. Chairman, I rise for my closing statement to oppose the gentleman's amendment.

Again, I think it is overly broad. Beyond that, the gentleman from Kentucky kind of hit it on the head when he said that this doesn't require the FCC to do anything in terms of the machine-readable technology and all. Because, in theory, in reality, the way it is written, it basically says: nothing in this bill prevents them from doing something, by the way, which they can already do.

The whole point, though, is this has nothing to do with the issue at hand in the legislation. Our constituents really believe we should take one issue at a time.

The issue here is about controlling a bureaucracy from doing something it has never had the power to do before: giving clarity in the marketplace, that they cannot regulate the rates of Internet service providers, which, in effect, has the ability of regulating innovation in new offerings for consumers.

So I must oppose this amendment and ask my colleagues to do the same.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–490.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 20, strike ''; or'' and insert a semicolon.

Page 3, line 22, strike the period and insert ''; or''.

Page 3, after line 22, insert the following:

(4) act in the public interest, convenience, and necessity.

The Acting CHAIR. Pursuant to House Resolution 672, the gentleman from California (Mr. MCNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, I rise to offer an amendment to H.R. 2666. This amendment would help to rein in some of the unintended consequences of the bill by preserving the FCC's authority to act in the public interest, convenience, and necessity.

The public interest is a key principle that the Commission has used to protect consumers since Congress first created the agency in 1934, and it is just as important today.

The FCC has consistently looked to the public interest standard when taking action to protect consumers, foster innovation, and increase competition.

The standard has been a hallmark of many of the most important policies of the Commission. To give you a sense, the words ''public interest'' appear over 100 times in the Communications Act. That is 100 times. That is how pervasive it is.

Even with the amended version of the bill that was reported out of committee, serious concerns remain that the bill is going to have far-reaching and unintended consequences.

For example, it could be that the Commission would no longer be able to investigate data caps, pay for privacy practices.

The Commission could also lose further protections for various types of unfair and discriminatory practices that affect how much they pay for broadband.

My amendment would seek to limit some of those unintended consequences by ensuring that the Commission continues to have the authority that has historically served it so well.

Moreover, by preserving the FCC's authority to act in the public interest, my amendment would safeguard the broad aims that the Communication Act embodies.

□ 1030

This amendment would continue to appropriately focus the FCC toward promoting the public good. I urge my Members to support it.

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

Mr. WALDEN. Mr. Chairman, I must rise in opposition to this amendment.

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

Mr. WALDEN. Mr. Chairman, this one is a little more insidious than the last one because what it does is precisely what the gentleman says it does. It says, ''Nothing in this act can affect the FCC's authority to act in the public interest, convenience, or necessity.''

And he is right. That term of art is all over communications law. Let me make that clear: all over communications—it is so broad, you can drive a rate-regulated truck back through it, a de facto after-the-fact regulation. And that is the point.

When you give the bureaucracy wide-open language that says ''in the public interest,'' it sounds good on its face, but the practical impact for someone who wants to regulate, it is on their own authority, they go, well, we think that rate is in the public interest to bring down after the fact.

See, then what we have done is empower others unelected to make decisions based on a term of art which, while it may be pervasive, is also wide open. That is what we are trying to avoid here, Mr. Chairman.

See, the FCC could say, we are not going to rate regulate unless we want to rate regulate because we will determine on our own whether it is in the public interest to do so.

All that sounds good, ''public interest'' sounds good, and it is good and it is an important part of our law, but in this case, remember where we start. Until Chairman Wheeler was directed, in effect, by the White House to treat the Internet like an old utility, none of this was regulated. That is the vibrant Internet we have today, and that is what Republicans are trying to preserve, an open Internet.

We are all with you on blocking and throttling and pay prioritization and those issues. I have got draft legislation to legally say no to all of that.

But when it comes to suffocating innovation in the marketplace and new offerings to consumers and really the vibrant competition that has been out here to this point, we have to draw a line with our friends.

They say you don't want to tariff in advance, and we are with them on that, but the worst thing—the worst thing—when you are in business is the uncertainty of after-the-fact decisionmaking by your regulator—after-the-fact decisionmaking by your regulator. Unfortunately, Mr. MCNERNEY's proposal here, his amendment would allow that door to remain open, allow the agency to have this unfettered authority.

Now, we have got provisions throughout the bill and in other law, both at State and Federal level, to protect consumers against fraud and to protect consumers on truth-in-billing. All those things are there. Those protections remain.

Our sole purpose here and why we have been very narrow and specific and clear in our legislation is rate regulation is not something the FCC should take on. Consumers should have that power and authority, and people who want to innovate against the giant companies out there should be able to enter that marketplace with creative new packages that allow consumers to make choices and not have to go to Washington, D.C., and seek privilege and an audience with the chairman to find out if what they are proposing might be okay after the fact if they do it.

Mr. Chairman, I have to rise in opposition to Mr. MCNERNEY's amendment. He is a good member of the committee. I like working with him, but in this case, the amendment is horribly flawed and would do grave damage to the marketplace.

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

Mr. MCNERNEY. Mr. Chairman, I certainly appreciate—or I sort of appreciate the chairman's comments, and I do appreciate the idea of broadness here; but if you look at what the actual bill says, ''may not regulate rates charged for broadband Internet services,'' that is the definition of broad. You can't get any broader than that. So we want to rein that in a little bit.

We don't want unintended consequences out here, but let me say what my amendment says. ''Act in the public interest, convenience, and necessity.''

Would the chairman like it if I took out ''convenience''? Should I just say ''act in the public interest and necessity''? Would that be good enough, Mr. Chairman?

Mr. WALDEN. Will the gentleman yield?

Mr. MCNERNEY. I yield to the gentleman from Oregon.

Mr. WALDEN. What I think would be really good is you withdraw your amendment and vote for the underlying bill that is really clear in its scope and faith and is a really good legislative product.

Mr. MCNERNEY. Well, again, I appreciate the chairman's and Mr. KINZINGER's work on this, and I appreciate working with the chairman on this, but I am going to have to insist that we look at this amendment and take it seriously. I do want to protect the public interest. That is really what this comes down to.

Again, the term shows up 100 times in the act, so let's not turn our back on the intent of the act. Let's move forward in a way that protects the public interest.

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

Mr. WALDEN. Mr. Chairman, I would again urge opposition to the amendment of the gentleman from California (Mr. MCNERNEY).

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

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

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

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

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

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114–490 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. YARMUTH of Kentucky.

Amendment No. 3 by Mr. MCNERNEY of California.

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

AMENDMENT NO. 2 OFFERED BY MR. YARMUTH

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 179, noes 231, not voting 23, as follows:

[Roll No. 150]

AYES—179

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Farenthold
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (MS)
Titus
Tonko
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—231

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis

MacArthur
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—23

Bass
Black
Collins (NY)
Connolly
Delaney
DesJarlais
Duncan (SC)
Engel
Fattah
Fincher
Hanna
Jones
Lieu, Ted
Marchant
Nadler
Payne
Pelosi
Rangel
Simpson
Stivers
Thompson (CA)
Tsongas
Waters, Maxine

□ 1056

Ms. STEFANIK, Messrs. ALLEN, NUGENT, YOUNG of Indiana, GROTHMAN, and MESSER changed their vote from ''aye'' to ''no.''

Messrs. FARENTHOLD, ISSA, Ms. JACKSON LEE, Mr. CHAFFETZ, Ms. VELÁZQUEZ, and Mr. POLIS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. SESSIONS was allowed to speak out of order.)

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 1206, H.R. 3724, H.R. 4885, AND H.R. 4890

Mr. SESSIONS. Mr. Chairman, yesterday, the Rules Committee issued four announcements outlining the amendment processes for:

H.R. 1206, No Hires for the Delinquent IRS Act;

H.R. 3724, Ensuring Integrity in the IRS Workforce Act;

H.R. 4885, IRS Oversight While Eliminating Spending Act; and

H.R. 4890, a bill to impose a ban on the payment of bonuses to employees of the Internal Revenue Service until the Secretary of Treasury develops and implements a comprehensive customer service strategy.

The amendment deadline for each bill has been set for 10 a.m. on Monday, April 18. For more details and the text of the bill, please contact me or visit the Rules Committee Web site.

AMENDMENT NO. 3 OFFERED BY MR. MCNERNEY

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 173, noes 231, not voting 29, as follows:

[Roll No. 151]

AYES—173

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—231

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—29

Black
Brady (TX)
Bridenstine
Cárdenas
Collins (NY)
Connolly
Delaney
DesJarlais
Duncan (SC)
Engel
Fattah
Fincher
Hanna
Jones
Kildee
Lieu, Ted
Marchant
Nadler
Paulsen
Payne
Pelosi
Rangel
Schweikert
Simpson
Stivers
Thompson (CA)
Veasey
Wagner
Walz

□ 1102

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. PAULSEN. Mr. Chair, on rollcall No. 151, I was meeting with a constituent. Had I been present, I would have voted ''no.''

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. GRAVES of Louisiana, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2666) to prohibit the Federal Communications Commission from regulating the rates charged for broadband Internet access service, and, pursuant to House Resolution 672, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

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

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. YARMUTH. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. YARMUTH. I am in its current form.

Mr. WALDEN. Mr. Speaker, I reserve a point of order on the motion to recommit.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Yarmuth moves to recommit the bill H.R. 2666 to the Committee on Energy Commerce with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

SEC. ____ Upon enactment of this Act it shall be in order to consider in the House of Representatives the concurrent resolution (H. Con. Res. 125) establishing the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026. All points of order against consideration of the concurrent resolution are waived. The concurrent resolution shall be considered as read. All points of order against provisions in the concurrent resolution are waived. The previous question shall be considered as ordered on the concurrent resolution and on any amendment thereto to adoption without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget; and (2) one motion to recommit.

Mr. WALDEN (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the motion to recommit.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 5 minutes.

Mr. YARMUTH. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

Ladies and gentlemen, today, April 15, is the deadline for Congress to enact a budget resolution; but here we are, set to leave town without taking any action.

To their credit, Republicans did write a budget and it was approved by their members of the Budget Committee. So why, after months of promises of a return to regular order, would Speaker RYAN refuse to allow a floor vote on the Republican budget, the budget of his own party, the party he leads?

Our obligation here in Congress is to control the purse strings of the country. So why would a former Budget Committee chair not want a vote on his party's budget, unless he didn't want people to know what is inside of it.

I don't blame him. Our Democratic budget invests in education, infrastructure, medical research, job training, job creation, American priorities that improve our communities today and increase revenue in the future. It is why they are called investments. In contrast, the Republicans took the European austerity approach: eviscerating each of those investments and taking health coverage away from 20 million Americans, ending Medicare as we know it, and jeopardizing the retirement of millions of Americans. It also makes us less competitive, and encourages companies to ship jobs overseas.

Nobody knows the backlash from this rebuke of American values better than Speaker RYAN, because the budget he wrote 4 years ago, when he was running for Vice President, had to be disavowed by his Presidential candidate running mate, Mitt Romney. It was so abhorrent to the American people that even his own running mate couldn't support it.

So I get it, Mr. Speaker. I like your budget even less than you do. But you have it, and the people deserve to know what is in it and where their Representatives stand on it.

You know, earlier this week, Speaker RYAN gave a speech explaining why he wasn't going to be a candidate for President, and he said one of the reasons was we have too much work to do here in Congress.

Well, he sure is right. So why are we here, and why were we here yesterday and the day before working on bills that have no consequence to the American people when we should be doing the most important business we can, and that is to decide how much money we are going to spend and where for the American people.

This motion to recommit is simple. It says, upon the bill's passage, we will bring the Republican budget to the floor.

So don't hide behind procedural roadblocks to block debate. If you believe in your budget, make the case before the cameras and the American people. Let them see the contrast in our parties' values so they can decide for themselves.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

POINT OF ORDER

Mr. WALDEN. Mr. Speaker, I raise a point of order against the motion because the instruction contains matter in the jurisdiction of a committee to which the bill was not referred, thus violating clause 7 of rule XVI, which requires the amendment to be germane to the measure being amended.

Committee jurisdiction is a central test of germaneness, and I am afraid I must insist on my point of order.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The gentleman from Oregon makes a point of order that the instructions proposed in the motion to recommit offered by the gentleman from Kentucky are not germane.

Clause 7 of rule XVI—the germaneness rule—provides that no proposition on a subject different from that under consideration shall be admitted under color of amendment.

One of the central tenets of the germaneness rule is that an amendment may not introduce matter within the jurisdiction of a committee not represented in the pending measure.

The bill, H.R. 2666, as amended, addresses rates for broadband Internet access service, which is a matter within the jurisdiction of the Committee on Energy and Commerce.

The instructions in the motion to recommit propose an amendment consisting of a special order of business of the House, which is a matter within the jurisdiction of the Committee on Rules.

As the Chair ruled in similar proceedings yesterday, the instructions in the motion to recommit are not germane because they are not within the jurisdiction of the Committee on Energy and Commerce.

Accordingly, the motion to recommit is not germane. The point of order is sustained, and the motion is not in order.

The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WALDEN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 241, noes 173, not voting 19, as follows:

[Roll No. 152]

AYES—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—173

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—19

Black
Collins (NY)
Connolly
Delaney
DesJarlais
Duncan (SC)
Engel
Fattah
Fincher
Hanna
Jones
Lieu, Ted
Marchant
Nadler
Payne
Pelosi
Rangel
Simpson
Thompson (CA)

□ 1126

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HANNA. Mr. Speaker, on rollcall No. 152 on H.R. 2666, I am not recorded because I was absent for personal reasons. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mrs. BLACK. Mr. Speaker, on roll call No. 150 for passage of the Yarmuth Amendment No. 2, rollcall No. 151 for passage of the McNerney Amendment No. 3, rollcall No. 152 for final passage of H.R. 2666 which took place Friday, April 15, 2016, I am not recorded because I was unavoidably detained.

Had I been present, I would have voted "nay" on rollcall No. 150, the Yarmuth Amendment No. 2, on rollcall No. 151, the McNerney Amendment No. 3. I would have voted "aye" on rollcall No. 152 for final passage of H.R. 2666.

PERSONAL EXPLANATION

Mr. SIMPSON. Mr. Speaker, on April 15, 2016, I was absent and was unable to vote. Had I been present, I would have voted as follows:

Rollcall No. 150—"No."
Rollcall No. 151—"No."
Rollcall No. 152—"No."

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the gentleman from California (Mr. MCCARTHY) for the purpose of inquiring of the majority leader about the schedule for the week to come.

(Mr. MCCARTHY asked and was given permission to revise and extend his remarks.)

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, on Monday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30.

On Tuesday and Wednesday, the House will meet at 10 a.m. for morning hour and at noon for legislative business.

On Thursday, the House will meet at 9 a.m. for legislative business. No votes are expected in the House on Friday.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business today.

Mr. Speaker, since next Monday is Tax Day, the House will also consider four commonsense bills aimed at protecting all taxpayers.

First will be H.R. 1206, the No Hires for the Delinquent IRS Act, sponsored by Representative DAVID ROUZER, and will ensure that IRS employees—the very people who are responsible for collecting taxes from every American—pay their own taxes.

H.R. 4885, the IRS Oversight While Eliminating Spending Act, sponsored by Representative JASON SMITH, will require fees collected by the IRS to be subject to congressional appropriations so that there is proper oversight into how the taxpayer money is spent.

H.R. 3724, the Ensuring Integrity in the IRS Workforce Act, sponsored by Representative KRISTI NOEM, will prohibit the IRS from rehiring someone who has been fired for cause.

□ 1130

Finally, Mr. Speaker, H.R. 4890, the IRS Bonuses Tied to Measurable Metrics Act, sponsored by Representative PAT MEEHAN, will ban IRS bonuses until they can demonstrate improved customer service. It just doesn't get any more common sense than that.

Mr. HOYER. Mr. Speaker, I thank my friend for that information. I want to ask him just one question on one of those commonsense bills that seeks to remove those employees who work for the IRS who collect taxes, that if they are delinquent, they will be removed.

Does that apply to the Congress of the United States as well which levies those taxes, that if we have any Members who are delinquent, that they, too, would be removed?

I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

The bill solely deals with the IRS, but he can always offer an amendment.