

attempt to do so is an egregious abuse of power.

To make matters worse, thousands and thousands of guidance documents are constantly being produced. So instead of achieving their intended goal of providing clarity, they are making the waters even murkier.

With some regulators enforcing guidance while others do not, small businesses and entrepreneurs are falling deeper into the regulatory maze of the Federal Government.

The Guidance Clarity Act is a simple, straightforward solution. It ensures the first page of guidance documents includes a plain language statement declaring that guidance is not law, nor can it be legally enforced as law. This might seem like a small fix, but this critical statement clarifies for individuals, businesses, and regulators alike that guidance is meant to be helpful. It is a suggestion that can be put in place or disregarded.

It will help regulators do their jobs more efficiently and small businesses, who lack the resources to employ teams of expensive lawyers, to continue to strengthen our workforce and economy.

Mr. Speaker, I thank Chairwoman MALONEY and Ranking Member COMER for bringing the Guidance Clarity Act to the floor. I also thank Senator LANKFORD for getting the bill across the finish line in the Senate. This is a commonsense solution that will help American small business owners, who are the drivers of our economy and embodiment of the American Dream, do what they do best.

Mr. Speaker, I encourage my colleagues to vote in favor of the Guidance Clarity Act.

Mr. KELLER. Mr. Speaker, I have no further speakers, and I yield myself the balance of my time to close.

Mr. Speaker, thanks to the Guidance Clarity Act, small business owners and individuals across the country will soon have the confidence that agency guidance—however helpful and clarifying it may be—is not legally binding.

Mr. Speaker, I urge my colleagues to support this necessary bipartisan legislation, and I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of S. 533, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, S. 533.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROSENDALE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

## CIVIL RIGHTS COLD CASE INVESTIGATIONS SUPPORT ACT OF 2022

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3655) to amend the Civil Rights Cold Case Records Collection Act of 2018 to extend the termination date of the Civil Rights Cold Case Records Review Board.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3655

*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 “Civil Rights Cold Case Investigations Support Act of 2022”.

### SEC. 2. CIVIL RIGHTS COLD CASE RECORDS REVIEW BOARD EXTENSION OF TERM.

Section 5(n)(1) of Civil Rights Cold Case Records Collection Act of 2018 (44 U.S.C. 2107 note; Public Law 115-426) is amended—

(1) by striking “4 years” and inserting “7 years”; and

(2) by striking “4-year period” and inserting “7-year period”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Pennsylvania (Mr. KELLER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

#### GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 3655, a bill to amend the Civil Rights Cold Case Records Collection Act of 2018 to extend the termination date of the Civil Rights Cold Case Records Review Board.

I would like to begin by celebrating that this bill is bipartisan. It is co-led by Senators JON OSSOFF and TED CRUZ, and a companion bill was introduced in the House by my colleague, BOBBY RUSH of Illinois.

The Civil Rights Cold Case Records Collection Act of 2018 requires public disclosure of cold case files from the civil rights era that are still in the possession of Federal agencies. The 2018 law also created a review board tasked to review any agency decisions to delay public disclosure of civil rights cold case files within their possession.

As part of their examination, the review board will submit recommendations to the President, who has final decisionmaking authority over the public records disclosure. Under current law, the review board will be terminated by January of 2024.

This bill, S. 3655, revises the initial term of the board from 4 to 7 years with an optional extension year, if needed. The extension is critical because the work of the review board has been delayed.

The prior administration did not nominate members to the board when the bill was enacted in 2018. The current administration nominated board members in 2021, and all members were confirmed by February of 2022.

As a result of delays in nomination and confirmation of the review board members, S. 3655 provides the board additional time to complete its mission.

This bill has bipartisan support. In addition, the National Archives supports this bill because the extensions will ensure that review board members have enough time to complete their assignments.

Mr. Speaker, I encourage my colleagues to join me in support of the Civil Rights Cold Case Investigations Support Act, and I reserve the balance of my time.

Mr. KELLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in 2019, President Trump signed the Civil Rights Cold Case Investigations Support Act into law after it passed with broad bipartisan support in Congress.

The act directed the National Archives and Records Administration to make a collection of previously sealed civil rights cold case records available for public scrutiny. It also required the National Archives to establish a process for Federal agencies to transmit cold case records—older records from about 1940 to 1979—to the National Archives.

To do this, an independent agency review board was established to review the National Archives’ civil rights cold case records and evaluate which public record disclosures should be postponed.

The review board is also charged with investigating cold case records and requesting relevant documents held by government agencies and the courts be transferred to the National Archives. However, this board was not fully formed until this year, leaving the review board with less time than Congress intended before it terminates at the end of 2024.

The bill before us today, the Civil Rights Cold Case Investigations Support Act, will extend the review board’s term until 2027. This extension will allow the board to increase the volume of cold case documents made available to the public. This will enable journalists, students, and others to lend their expertise to help investigate and resolve unsolved civil rights cold cases.

According to the Department of Justice, about 115 civil rights cases remain unsolved, and the older the cases become, the less likely they will ever be solved.

The 2019 law was necessary to establish a specific process for addressing cold case records instead of having citizens rely on the Freedom of Information Act to directly request individual

records from law enforcement agencies. The Freedom of Information Act is a valuable Federal records transparency tool, but it is not designed for enabling efficient access to open criminal cases.

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Every cold case that is solved as a result of this legislation will provide long-awaited answers to the surviving family members of the victims and bring about resolution to the local communities where these crimes occurred.

S. 3655 will ensure that the review board has the necessary time to complete its critical work.

Mr. Speaker, I thank Senators TED CRUZ and JON OSOFF for moving this bipartisan legislation through the Senate.

Mr. Speaker, I also thank the House Committee on Oversight and Reform Chairwoman CAROLYN MALONEY and Ranking Member JAMES COMER for their support.

Mr. Speaker, I urge that my colleagues support this important bill, and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. RUSH), from the First District, chairman of the Subcommittee on Energy with the Committee on Energy and Commerce, and the House sponsor of the Civil Rights Cold Case Investigation Support Act of 2022.

Mr. RUSH. Mr. Speaker, I thank the chair of the committee, my good friend Congresswoman MALONEY.

Mr. Speaker, I rise today in support of S. 3655, the Civil Rights Cold Case Investigation Support Act of 2022. This bill is the Senate companion to my bill, H.R. 6818, and I am pleased beyond measure to support its passage on the floor today.

Four years ago, Mr. Speaker, Congress passed my bill, the Civil Rights Cold Case Records Collection Act of 2018, into law. That law created a collection of civil rights cold case records to be disclosed to the public, helping to resolve by bringing closure to the more than 100 unsolved cold cases from the civil rights era. It was designed to bring some small measure of comfort to families and communities that have waited far, far too long for answers about the loss of their loved ones so many decades ago. I hope today's passage will bring some sense of closure to these families.

A crucial part of that bill was the creation of the Civil Rights Cold Case Records Review Board, which serves as an independent oversight agency that reviews requests to delay making civil rights cold case records public.

President Biden has appointed, and the Senate has confirmed, some wonderfully qualified nominees to the board, but since the previous administration failed to appoint any members to the board, the board is about to run out of its legislative time before it can truly bring its mission to fruition.

Mr. Speaker, the bill passed in the Senate, and I see no reason why the House cannot pass the bill today. I urge passage of the bill today.

Mr. KELLER. Mr. Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN), from the 12th District, who is the chairwoman of the Subcommittee on Transportation and Maritime Security with the Committee on Homeland Security.

Mrs. WATSON COLEMAN. Mr. Speaker, I rise today on behalf of the Black Americans who were assaulted, terrorized, and killed during the Jim Crow era.

Our Nation has a long and troubling history of failing to deliver justice for victims of racially motivated violence. One could draw a direct line from the lynching of Emmett Till in 1955 to the killing of Trayvon Martin just 10 years ago. In neither case were the killers convicted.

Willie James Howard, Lamar Smith, and Reverend George W. Lee are but a few of the countless Black Americans who were killed for the crime of existing while Black in the Jim Crow South. In not one of these cases was a single perpetrator brought to justice.

I am proud of the students from Hightstown, New Jersey, in my district, who took time to write the Civil Rights Cold Case Records Collection Act with my friend, Congressman BOBBY RUSH. I am now calling on this Chamber to pass the Civil Rights Cold Case Investigation Support Act, which will extend authorization of that legislation.

By passing this bipartisan bill, we can begin to heal the wounds of our past and demonstrate that racist violence has no place in America.

Mr. KELLER. Mr. Speaker, this bipartisan bill continues to make information regarding cold cases available to the public. The American people deserve transparency from their Federal Government. I encourage my colleagues to support this bill, and I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of S. 3655, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, S. 3655.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### DISASTER RESILIENCY PLANNING ACT

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend

the rules and pass the bill (S. 3510) to require the Director of the Office of Management and Budget to issue guidance with respect to natural disaster resilience, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3510

*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 "Disaster Resiliency Planning Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and  
(B) the Committee on Oversight and Reform of the House of Representatives.

(2) AGENCY.—The term "agency" has the meaning given the term in section 306 of title 5, United States Code.

(3) DIRECTOR.—The term "Director" means the Director of the Office of Management and Budget.

(4) REAL PROPERTY.—The term "real property" has the meaning given the term in section 1.856–10 of title 26, Code of Federal Regulations, or any successor thereto.

#### SEC. 3. GUIDANCE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director shall establish guidance requiring the head of each agency to incorporate natural disaster resilience into real property asset management and investment decisions made by the agency.

(b) CONTENTS.—The guidance required under subsection (a) shall direct each head of an agency to incorporate assessments of natural disaster risk information conducted by the agency, such as from vulnerability and other risk assessments, into real property asset management investment decisions made by the agency.

(c) MODIFICATION.—The Director may periodically update the guidance required under subsection (a) as the Director may determine necessary for the purpose of further enhancing natural disaster resilience.

(d) CONSULTATION.—In developing the guidance required under subsection (a), the Director may consult with appropriate entities, including—

(1) the Comptroller General of the United States;

(2) the Administrator of the Federal Emergency Management Agency; and

(3) any other relevant entities, as determined by the Director.

(e) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director shall submit to the appropriate congressional committees a report that describes the guidance required under subsection (a).

(2) BRIEFING.—Not later than 2 years after the date of enactment of this Act, the Director shall brief the appropriate congressional committees on the implementation of the guidance required under subsection (a) across agencies.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Pennsylvania (Mr. KELLER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.