

You have warned us that there will be wars and rumors of wars, nation will rise against nation. Earthquakes, famines, pestilence, and persecution will threaten our freedoms and dismantle our security.

On this day of Holocaust remembrance, remind us that the insidious malice that crept into our culture and led to the horrific deaths of tens of millions, including Jews, Roma, Jehovah's Witnesses, gays, and the disabled, is an evil that is still at work today, pervading our communities.

The present turmoil reveals a pivotal moment where You call us to bear testimony to our faithfulness to You and to You alone. In the words of Elie Wiesel: "For the dead and the living, we must bear witness."

Grant us courage, and unite us under the values of dignity, respect, justice, and righteousness that when we reflect on history's extermination of entire peoples, we would affirm that never again means now.

In the strength of Your name we pray.

Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House the approval thereof.

Pursuant to clause 1 of rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Alabama (Mr. CARL) come forward and lead the House in the Pledge of Allegiance.

Mr. CARL led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 3, 2024.

Hon. MIKE JOHNSON,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 3, 2024, at 9:35 a.m.

That the Senate passed S. 2181.

That the Senate passed S. 3126.

That the Senate passed S. 3249.

That the Senate passed S. 3285.

That the Senate agreed to S. Con. Res. 34.

That the Senate agreed to S. Con. Res. 35.

That the Senate agreed to Relative to the death of the Honorable Daniel Robert Graham, former United States Senator from the State of Florida S. Res. 668.

That the Senate agreed to Relative to the death of the Honorable David Hampton Pryor, former United States Senator from the State of Arkansas S. Res. 673.

That the Senate passed without amendment H.R. 593.

That the Senate agreed to H. Con. Res. 89.

With best wishes, I am,

Sincerely,

KEVIN F. MCCUMBER,  
*Acting Clerk.*

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 3, 2024.

Hon. MIKE JOHNSON,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on May 3, 2024, at 12:28 p.m., said to contain a message from the President on his objections to H.J. Res. 98 which he returns without his signature.

With best wishes, I am,

Sincerely,

KEVIN F. MCCUMBER,  
*Acting Clerk of the House.*

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER THE RULE SUBMITTED BY THE NATIONAL LABOR RELATIONS BOARD RELATING TO "STANDARD FOR DETERMINING JOINT EMPLOYER STATUS"—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 118-135)

The SPEAKER laid before the House the following veto message from the President of the United States:

*To the House of Representatives:*

I am returning herewith without my approval H.J. Res. 98, a resolution that would disapprove of the National Labor Relations Board's (NLRB) rule entitled "Standard for Determining Joint Employer Status."

Since day one, my Administration has fought to strengthen workers' right to organize and bargain for higher wages, better benefits, and safer working conditions. The NLRB's rule would prevent companies from evading their bargaining obligations or liability when they control a worker's working condition—even if they reserve such control or exercise it indirectly through a subcontractor or other intermediary. If multiple companies control the terms and conditions of employment, then the right to organize is rendered futile whenever the workers cannot bargain collectively with each of those employers.

Without the NLRB's rule, companies could more easily avoid liability simply by manipulating their corporate structure, like hiding behind subcontractors or staffing agencies. By

hampering the NLRB's efforts to promote the practice and procedure of collective bargaining, Republicans are siding with union-busting corporations over the needs of workers and their unions. I am proud to be the most pro-union, pro-worker President in American history. I make no apologies for my Administration protecting the right to organize and bargain collectively.

Therefore, I am vetoing this resolution.

JOSEPH R. BIDEN, Jr.  
THE WHITE HOUSE, May 3, 2024.

The SPEAKER. The objections of the President will be spread at large upon the Journal and the veto message and the joint resolution will be printed as a House document.

Mr. CARL. Mr. Speaker, I ask unanimous consent that further consideration of the veto message and the joint resolution, H.J. Res. 98, be postponed until the legislative day of May 7, 2024.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

#### RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1600

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CLOUD) at 4 p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

#### SECURING CHAIN OF COMMAND CONTINUITY ACT

Mr. LATURNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6972) to amend title 5, United States Code, to require an Executive agency whose head is a member of the National Security Council to notify the Executive Office of the President, the Comptroller General of the United States, and congressional leadership of such head becoming medically incapacitated within 24 hours, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6972

*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 “Securing Chain of Command Continuity Act”.

**SEC. 2. NATIONAL SECURITY COUNCIL MEDICAL INCAPACITY NOTIFICATION ENHANCEMENT.**

Section 3349 of title 5, United States Code, is amended by adding at the end the following new subsection:

“(c)(1) Not later than 24 hours after the head of an Executive agency who is a member of the National Security Council becomes medically incapacitated or 24 hours in advance of a planned medical procedure where incapacitation is known or may be reasonably assumed, the person serving or who will be serving in an acting capacity as such head or, if no person is or will be so acting, the first assistant to the office of such head, shall submit to the appropriate Federal officials a notification that such head is or will be medically incapacitated.

“(2) If the notification required by paragraph (1) with respect to a head of an Executive agency becoming medically incapacitated is not submitted in accordance with the requirements of such paragraph, not later than 72 hours after such head became subject to such medical incapacity the person serving in an acting capacity as such head or, if no person is so acting, the first assistant to the office of such head, shall submit to the appropriate Federal officials a report including—

“(A) the name of each individual who served in an acting capacity as such head pursuant to such medical incapacity and, for each such individual—

“(i) the dates of such service;

“(ii) whether such individual was authorized to serve in such acting capacity; and

“(iii) a comprehensive list of resources and authorities allocated to such individual while serving in such acting capacity to ensure that such individual could perform the functions and duties of the office of such head;

“(B) an explanation why the notification required by paragraph (1) was not submitted in accordance with the requirements of such paragraph;

“(C) the dates of such head’s medical incapacitation, and if such head has resumed performing the functions and duties of the office, the date such head so resumed performing such functions and duties; and

“(D) an explanation why such head was medically incapacitated.

“(3) In the event the head of an Executive agency remains medically incapacitated on the date the report is submitted under paragraph (2), the person serving in an acting capacity as such head or, if no person is so acting, the first assistant to the office of such head, shall submit periodic updates, as such person or first assistant considers appropriate, to such report to the appropriate Federal officials.

“(4) In this subsection—

“(A) the term ‘appropriate Federal officials’ means the Executive Office of the President, the Comptroller General of the United States, the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives;

“(B) the terms ‘medical incapacity’ and ‘medically incapacitated’ mean, with respect to the head of an Executive agency, that such head is unable to perform the functions and duties of the office of such head due to sickness, injury, or other medical condition

and such inability to perform the functions and duties of the office of such head constitutes a vacancy of the office of such head to which this section and sections 3345, 3346, 3347, 3348, 3349a, 3349b, 3349c, and 3349d apply; and

“(C) the term ‘National Security Council’ means the council established under section 101 of the National Security Act of 1947 (50 U.S.C. 3021).”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kansas (Mr. LATURNER) and the gentleman from Maryland (Mr. RASKIN) each will control 20 minutes.

The Chair recognizes the gentleman from Kansas.

**GENERAL LEAVE**

Mr. LATURNER. 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 gentleman from Kansas?

There was no objection.

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

Mr. Speaker, like many of you, I was shocked this past February when Congress learned that Secretary of Defense Lloyd Austin was medically incapacitated for days before the President or congressional leaders were made aware.

The lack of transparency set off alarm bells on both sides of the aisle and across the national security community.

We are experiencing crises across the world, crises that require our defense leadership to be alert and ready.

Unfortunately, our defense leadership was not ready earlier this year. Secretary Austin was incapacitated, and no one knew.

In these times, we cannot afford to be caught so unprepared. That is why this bill is an important measure to ensure military readiness.

The Securing the Chain of Command Continuity Act requires congressional and Presidential notification when someone who is a member of the National Security Council and is the head of an executive agency becomes medically incapacitated.

Under the bill, the person filling in for the incapacitated official must send the proper notifications within 24 hours of the official’s medical incapacitation.

If the proper notifications are not provided, a report detailing why the notification rules were not followed must be sent to Congress, the President, and the Comptroller General within 72 hours. This is a measured and balanced solution to this national security issue.

I thank my colleagues, Representative KIGGANS of Virginia and Representative DAVIS of North Carolina, for their bipartisan work on this important and timely legislation.

I urge my colleagues on both sides of the aisle to support this bill, and I reserve the balance of my time.

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

Mr. Speaker, I thank Mr. LATURNER for his excellent introduction. I rise also in support of H.R. 6927, which would amend the Federal Vacancies Reform Act of 1998 to require any agency head who is a member of the National Security Council to notify the executive office of the President, GAO, and congressional leadership within 24 hours in the event of medical incapacity.

This bill was brought forth after the hospitalization several months ago of Secretary of Defense Lloyd Austin to treat complications from cancer surgery.

Secretary Austin has taken responsibility for the lack of notification to the President during his hospitalization and has assured the American people that “there were no gaps in authorities and no risks to the Department’s command and control” during his absence.

A congressional hearing on the topic in February confirmed as much, and a classified review found no “ill intent” by the Secretary’s staff.

I commend the Biden administration for the swift action it took to conduct a thorough review of current protocols and to ensure that the Office of the President receives all proper notifications. This bill aligns with the Biden administration’s efforts in the field.

Consistent with the spirit of transparency embodied in the 25th Amendment to the Constitution, which requires congressional leadership to be notified if the President is unable to discharge the duties of his or her office, I agree that Congress should be notified if an agency head who is a member of the NSC is similarly incapacitated.

I support this legislation. I congratulate Secretary Austin on his recovery, and I reserve the balance of my time.

Mr. LATURNER. Mr. Speaker, I thank Mr. RASKIN for his comments.

I yield 5 minutes to the gentlewoman from Virginia (Mrs. KIGGANS).

Mrs. KIGGANS of Virginia. Mr. Speaker, I am proud to rise today to speak in support of my legislation, the Securing the Chain of Command Continuity Act.

At a time when our Nation is facing threats around the world, we cannot afford for those who are critical to America’s national security to disappear without explanation and a clear delegation of their responsibilities.

As someone who served in the Armed Forces for nearly 10 years, I was alarmed by reports back in January that those at the highest levels in the chain of command were not informed when Secretary of Defense Austin required an unexpected leave of absence due to health challenges.

For days, essential members of the National Security Council, including the President, were left in the dark regarding his status, causing a serious breach of command and control that is the bedrock of America’s defense supremacy.

I am concerned for Secretary Austin's health and wish him well. However, the Department of Defense's lack of transparency surrounding his absence is very concerning.

Critical communication breakdowns like these could have disastrous results and put our men and women in uniform at risk.

To ensure America remains capable of combating threats wherever and whenever they occur, we not only need an unparalleled fighting force but also a strong chain of command among our military's leadership that cannot be compromised.

That is why I introduced the Securing the Chain of Command Continuity Act alongside my colleague on the other side of the aisle, Congressman DAVIS of North Carolina, to prevent any similar chain of command breakdowns in the future and preserve the integrity of our national security.

My bipartisan legislation would amend existing law to require all members of the National Security Council to notify the executive office of the President, the Comptroller General of the United States, and to each Chamber of Congress within 24 hours of any planned or emergent medical incapacitation.

In the event this notification does not occur, a comprehensive report must be submitted providing transparency surrounding the incapacitation and related notification failure within 30 days.

At a time when our servicemembers are facing lethal attacks from our adversaries overseas, my bill will help ensure continuous chain of command so that our military and national defense systems can operate seamlessly in case of an emergency and achieve mission success.

It is my goal in Congress to advance legislation that protects our country, our citizens, and our men and women in uniform.

That is why I drafted this national security bill in a way that all commonsense Members can support, no matter which side of the aisle they are on.

I was pleased when the Securing the Chain of Command Continuity Act was passed unanimously out of the House Oversight Committee in February, proving just how nonpartisan this effort is. I thank Congressman DAVIS of North Carolina for his partnership with me on this critical issue.

The world is a dangerous place. We can't afford a lack of transparency from our senior military leaders. We must preserve the integrity of our national security, and I urge my colleagues to vote in favor of this commonsense, bipartisan legislation that will keep our country and our military men and women safe.

Mr. RASKIN. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. DAVIS).

Mr. DAVIS of North Carolina. Mr. Speaker, I thank Ranking Member RASKIN for yielding time.

I rise in support of H.R. 6972, the Securing Chain of Command Continuity Act. As a proud United States Air Force veteran, I join my colleague, Representative KIGGANS of Virginia, who also served our country in uniform, to introduce this bipartisan bill.

If we have learned anything from the past several months, it is, indeed, we are in a more dangerous world. As tensions and threats rise across the globe, timely responses are vital to safeguarding the American people and saving lives.

Congress must require National Security Council agencies to provide a notice of the incapacitation of their agency heads within 24 hours. That is reasonable.

This requirement for our Nation's leaders is a minimum expectation to ensure transparency and accountability. The American people deserve nothing less, and I support the legislation.

Mr. RASKIN. Mr. Speaker, I thank the gentleman from North Carolina for his eloquent remarks, and I reserve the balance of my time.

Mr. LATURNER. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. VAN ORDEN), my friend.

Mr. VAN ORDEN. Mr. Speaker, I spent over 25 years in the United States military. I designed elements from as large as a SEAL team down to a small tactical unit.

The first thing that you establish is something called CCIRs, Commander's Critical Information Requirements, and the first one is: Where is the commander? Is the commander in place and able to make decisions?

Unfortunately, the most powerful Department of Defense in the history of the world, led by Lloyd Austin, failed to do the most simple task that is required of any commander, and that is to inform the Commander in Chief of his presence.

This, to me, is another sign of an incredibly incompetent Department of Defense and the Biden administration's inability to lead and protect this Nation.

I am so thankful that my colleagues across the aisle have identified this also, and they know that the Biden administration must be held accountable for their lack of leadership in protecting the United States of America.

It is unquestionable that the world is a much more dangerous place under the Biden administration and under Secretary Austin's leadership of the Department of Defense.

Again, I thank my colleagues from across the aisle for this bipartisan effort to hold the Biden administration accountable and to make sure that any member of the National Security Council who is incapable of performing their duties is informing the President in a timely manner.

Mr. RASKIN. Mr. Speaker, I yield myself the balance of my time, and I am prepared to close.

Mr. Speaker, we had such a nice bipartisan spirit going. I almost want to

bite my tongue, but I do have to respond to the last speaker who took a gratuitous shot at President Biden and the Biden administration, which has moved very quickly to get behind this legislation and to address this gap in the law.

We do need to always establish the chain of command, and we need to know, as the gentleman from Wisconsin was saying, where is the Commander in Chief? Where is the leader?

That was the question everybody was asking on January 6 when this institution, this body, came under brutal, merciless attack by a mob incited by the former President.

Nearly 150 of our police officers were wounded, brutalized, and hospitalized in that attack, and everybody was asking this very question the gentleman from Wisconsin was asking, which is: Where is the Commander in Chief? Where is the leader? Where is the National Guard?

I am sorry to have to make that refutation of the last interjection by the gentleman from Wisconsin. Again, I thank Mr. LATURNER for the bipartisan spirit with which he brings this legislation forward, and I strongly support it.

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

Mr. LATURNER. Mr. Speaker, I yield myself the balance of my time. We were so close, Mr. Speaker. So close.

Mr. Speaker, I encourage my House colleagues to support this commonsense government transparency bill to address a relevant national security concern.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. LATURNER) that the House suspend the rules and pass the bill, H.R. 6972, as amended.

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

A motion to reconsider was laid on the table.

#### INFORMATION QUALITY ASSURANCE ACT

Mr. LATURNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7219) to ensure that Federal agencies rely on the best reasonably available scientific, technical, demographic, economic, and statistical information and evidence to develop, issue or inform the public of the nature and bases of Federal agency rules and guidance, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7219

*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 "Information Quality Assurance Act".

#### SEC. 2. INFORMATION QUALITY ASSURANCE.

(a) IN GENERAL.—Subchapter 1 of chapter 35 of title 44, United States Code, is amended by adding at the end the following: