

LaMalfa	Newhouse	Smucker
Landsman	Nickel	Sorensen
Langworthy	Norcross	Soto
Larsen (WA)	Nunn (IA)	Spanberger
Latta	Obernolte	Spartz
LaTurner	Ocasio-Cortez	Stansbury
Lawler	Ogles	Stanton
Lee (CA)	Omar	Stauber
Lee (FL)	Owens	Steel
Lee (NV)	Pallone	Stefanik
Lee (PA)	Palmer	Steil
Leger Fernandez	Panetta	Steube
Levin	Pappas	Stevens
Lieu	Pelosi	Strickland
Lofgren	Peltola	Strong
Lopez	Perez	Suozzi
Loudermilk	Peters	Sykes
Lucas	Pettersen	Takano
Luetkemeyer	Pfluger	Tenney
Luna	Phillips	Thanedar
Lynch	Pingree	Thompson (CA)
Mace	Pocan	Thompson (MS)
Malliotakis	Porter	Thompson (PA)
Maloy	Posey	Tiffany
Mann	Pressley	Timmons
Manning	Quigley	Titus
Massie	Ramirez	Tlaib
Matsui	Raskin	Tokuda
McBath	Reschenthaler	Tonko
McCaul	Rodgers (WA)	Torres (CA)
McClain	Rogers (AL)	Torres (NY)
McClellan	Rogers (KY)	Trone
McCollum	Rose	Underwood
McCormick	Ross	Van Drew
McGarvey	Rouzer	Van Dwyne
McGovern	Ruiz	Van Orden
Meeks	Rulli	Vargas
Menendez	Rutherford	Vasquez
Meng	Ryan	Veasey
Meuser	Salazar	Velázquez
Mfume	Salinas	Wagner
Miller (IL)	Sánchez	Walberg
Miller (OH)	Sarbanes	Waltz
Miller (WV)	Scanlon	Wasserman
Miller-Meeks	Schakowsky	Schultz
Mills	Schiff	Waters
Moolenaar	Schneider	Weber (TX)
Moore (AL)	Scholten	Webster (FL)
Moore (UT)	Schrier	Wenstrup
Moore (WI)	Scott (VA)	Westerman
Moran	Scott, David	Wild
Morelle	Self	Williams (GA)
Moskowitz	Sessions	Williams (NY)
Mrvan	Sewell	Williams (TX)
Mullin	Sherman	Wilson (SC)
Murphy	Slotkin	Wittman
Nadler	Smith (MO)	Womack
Napolitano	Smith (NE)	Yakym
Neguse	Smith (NJ)	Zinke
Nehls	Smith (WA)	

NAYS—13

Biggs	Greene (GA)	Perry
Brecheen	Harris	Rosendale
Crane	Mast	Roy
Golden (ME)	McClintock	
Good (VA)	Norman	

NOT VOTING—59

Allen	Fong	Molinaro
Baird	Garamendi	Mooney
Balint	Gomez	Moulton
Bentz	Gosar	Neal
Bishop (GA)	Granger	Pascrell
Blunt Rochester	Griffith	Pence
Bowman	Grijalva	Ruppersberger
Buchanan	Hayes	Scalise
Bush	Hern	Schweikert
Castro (TX)	Higgins (LA)	Scott, Austin
Ciscomani	Jayapal	Sherrill
Cleaver	Keating	Simpson
Clyde	Kuster	Swalwell
Crow	Lamborn	Trahan
D'Esposito	Larson (CT)	Turner
Davidson	Lesko	Valadao
DeLauro	Letlow	Watson Coleman
Diaz-Balart	Luttrell	Wexton
Dunn (FL)	Magaziner	Wilson (FL)
Evans	McHenry	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1912

Mr. JORDAN changed his vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. VALADAO. Mr. Speaker, due to unexpected travel issues, I was not able to make votes this evening. Had I been present, I would have voted YEA on Roll Call No. 356, YEA on Roll Call No. 357, and YEA on Roll Call No. 358.

PERSONAL EXPLANATION

Ms. BUSH. Mr. Speaker, I was not present during today's vote series. Had I been present, I would have voted YEA on Roll Call No. 356, NAY on Roll Call No. 357, and YEA on Roll Call No. 358.

PERSONAL EXPLANATION

Mr. PASCRELL. Mr. Speaker, I regrettably missed three roll call votes. Had I been present I would have voted YEA on Roll Call No. 356 on S. 3249, YEA on Roll Call No. 357 on H.R. 1631, and YEA on Roll Call No. 358 on H.R. 8812.

PERSONAL EXPLANATION

Mr. PENCE. Mr. Speaker, I missed all votes today due to a funeral. Had I been present, I would have voted YEA on Roll Call No. 356, YEA on Roll Call No. 357, and YEA on Roll Call No. 358.

PERSONAL EXPLANATION

Ms. DELAURO. Mr. Speaker, I experienced unavoidable travel delays today returning to Washington from my district. Had I been present, I would have voted YEA on Roll Call No. 356, NAY on Roll Call No. 357, and YEA on Roll Call No. 358.

EXPRESSING THE PROFOUND SORROW OF THE HOUSE OF REPRESENTATIVES ON THE DEATH OF THE HONORABLE SHEILA JACKSON LEE

Mr. DOGGETT. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1366

Resolved, That the House has heard with profound sorrow of the death of the Honorable Sheila Jackson Lee, a Representative from the State of Texas.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Ms. MACE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

MOMENT OF SILENCE IN HONOR OF COREY COMPERATORE

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

Mr. KELLY of Pennsylvania. Mr. Speaker, I rise to recognize the tragic loss we had of a person in Pennsylvania during the Trump rally, Corey Comperatore, who was a husband, a father of two, and a volunteer fireman.

His whole life was that of service. He was very tragically one of the people who was struck by a sniper's bullet. Corey died on the spot.

Mr. Speaker, I ask to take a moment of silence to honor his memory, the sacrifice, and the terrible things his family is going through right now.

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 additional motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

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

GUIDANCE OUT OF DARKNESS ACT

Ms. MACE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 890) to increase access to agency guidance documents, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 890

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 “Guidance Out Of Darkness Act” or the “GOOD Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) AGENCY.—The term “agency” has the meaning given the term in section 551 of title 5, United States Code.

(2) DIRECTOR.—The term “Director” means the Director of the Office of Management and Budget.

(3) GUIDANCE DOCUMENT.—

(A) IN GENERAL.—The term “guidance document”—

(i) means an agency statement of general applicability (other than a rule that has the force and effect of law promulgated in accordance with the notice and comment procedures under section 553 of title 5, United States Code) that—

(I) does not have the force and effect of law; and

(II) is designated by an agency official as setting forth—

(aa) a policy on a statutory, regulatory, or technical issue; or

(bb) an interpretation of a statutory or regulatory issue; and

- (ii) may include—
 - (I) a memorandum;
 - (II) a notice;
 - (III) a bulletin;
 - (IV) a directive;
 - (V) a news release;
 - (VI) a letter;
 - (VII) a blog post;
 - (VIII) a no-action letter;
 - (IX) a speech by an agency official; and
 - (X) any combination of the items described in subclauses (I) through (IX).

(B) **RULE OF CONSTRUCTION.**—The term “guidance document”—

- (i) shall be construed broadly to effectuate the purpose and intent of this Act; and
- (ii) shall not be limited to the items described in subparagraph (A)(ii).

SEC. 3. PUBLICATION OF GUIDANCE DOCUMENTS ON THE INTERNET.

(a) **IN GENERAL.**—Subject to section 5, on the date on which an agency issues a guidance document, the agency shall publish the guidance document in accordance with the requirements under section 4.

(b) **PREVIOUSLY ISSUED GUIDANCE DOCUMENTS.**—Subject to section 5, not later than 180 days after the date of enactment of this Act, each agency shall publish, in accordance with the requirements under section 4, any guidance document issued by that agency that is in effect on that date.

SEC. 4. SINGLE LOCATION.

(a) **IN GENERAL.**—All guidance documents published under section 3 by an agency shall be published in a single location on an internet website designated by the Director under subsection (d).

(b) **AGENCY INTERNET WEBSITES.**—Each agency shall, for guidance documents published by the agency under section 3, publish a hyperlink on the internet website of the agency that provides access to the guidance documents at the location described in subsection (a).

(c) **ORGANIZATION.**—

(1) **IN GENERAL.**—The guidance documents described in subsection (a) shall be—

- (A) categorized as guidance documents; and
- (B) further divided into subcategories as appropriate.

(2) **AGENCY INTERNET WEBSITES.**—The hyperlinks described in subsection (b) shall be prominently displayed on the internet website of the agency.

(d) **DESIGNATION.**—Not later than 90 days after the date of enactment of this Act, the Director shall designate an internet website on which guidance documents shall be published under section 3.

SEC. 5. DOCUMENTS AND INFORMATION EXEMPT FROM DISCLOSURE UNDER FOIA.

If a guidance document issued by an agency is a document that is exempt from disclosure under section 552(b) of title 5, United States Code (commonly known as the “Freedom of Information Act”), or contains information that is exempt from disclosure under that section, that document or information, as the case may be, shall not be subject to the requirements under this Act.

SEC. 6. RESCINDED GUIDANCE DOCUMENTS.

On the date on which a guidance document issued by an agency is rescinded, or, in the case of a guidance document that is rescinded pursuant to a court order, not later than the date on which the order is entered, the agency shall, at the location described in section 4(a)—

- (1) maintain the rescinded guidance document; and
- (2) indicate—
 - (A) that the guidance document is rescinded;
 - (B) if the guidance document was rescinded pursuant to a court order, the case number

of the case in which the order was entered; and

(C) the date on which the guidance document was rescinded.

SEC. 7. RULES OF CONSTRUCTION.

(a) **VALIDITY OF GUIDANCE DOCUMENTS.**—Nothing in this Act shall be construed to mean that noncompliance with any provision of this Act affects or otherwise impacts the validity of any guidance document.

(b) **CONGRESSIONAL REVIEW OF GUIDANCE DOCUMENTS.**—Nothing in this Act shall be construed to affect or otherwise impact whether a guidance document is subject to congressional review under chapter 8 of title 5, United States Code.

SEC. 8. REPORT ON AGENCY COMPLIANCE.

Not later than 5 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Oversight and Accountability of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on agency compliance with this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from South Carolina (Ms. MACE) and the gentleman from Maryland (Mr. RASKIN) each will control 20 minutes.

The Chair recognizes the gentlewoman from South Carolina.

GENERAL LEAVE

Ms. MACE. 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 South Carolina?

There was no objection.

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

Mr. Speaker, I call upon my colleagues to support H.R. 890, the Guidance Out Of Darkness Act, or the GOOD Act.

This bill ensures agency guidance is transparent by requiring agencies to publish legal and regulatory guidance documents online in a single location.

Under current law, agencies are required to proactively disclose statements of policy and interpretations, also commonly known as guidance documents, which have been adopted by the agency and are not published in the Federal Register. These regulatory guidance documents represent agency statements intended to inform the public of how an agency interprets laws and regulations.

Despite this existing publishing requirement, the law currently lacks guidelines for how agencies must publish guidance documents. Federal agencies have typically used a variety of methods to issue their guidance documents, including websites, email, social media, and newsletters. As you can imagine, tracking down guidance documents across these different areas of publication is a very real burden.

H.R. 890 solves this problem by ensuring the central publishing of all guidance documents. This will help the American public and regulated organizations, especially small entities, bet-

ter understand agencies' views of their obligations under the law.

Mr. Speaker, I urge my colleagues to support this commonsense, bipartisan legislation, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 890. I thank the gentlewoman for her leadership.

The bill is titled the Guidance Out Of Darkness Act, suggesting that agency guidance documents are currently sequestered away behind closed doors, shrouded in mystery. This is a bit melodramatic, gothic, and not exactly the reality.

Federal agencies are presently required to disclose any statement of policy and interpretations that are not otherwise published in the Federal Register, but it is true that there are not standardized requirements now for how and where to publish these guidance documents.

The GOOD Act would establish such requirements, directing agencies to publish them on a dedicated website of the agency. It would also require the OMB Director to designate a single website where all such guidance could be found.

This step to make agency guidance documents more organized and accessible makes good sense.

I appreciate my colleagues for working to address a number of concerns raised about the bill as originally drafted. For example, the bill now includes an exception to publishing a guidance document if that document is exempt from disclosure under FOIA, ensuring that the bill does not result in sensitive information winding up in the hands of our adversaries.

However, some valid concerns remain outstanding—chiefly, that the bill's definition of “guidance document” may be overly broad to the extent that it undermines the transparency the bill is meant to advance.

I won't oppose this bill today because I appreciate its stated goal of promoting transparency. I do ask our GOP colleagues to continue working with us in good faith to thoroughly examine and address some lingering concerns before it moves any further through the legislative process.

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

Ms. MACE. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky (Mr. COMER).

Mr. COMER. Mr. Speaker, I urge my colleagues to support H.R. 890, the Guidance Out Of Darkness Act, or the GOOD Act.

Regulatory guidance includes agency statements that, while not intended to have the force and effect of law, establish agency policies on statutory, regulatory, or technical issues. Since such guidance communicates how an agency will administer a law and its programs, it has a significant effect on regulated entities.

Regulated entities and the public should know what agency guidance says about the laws and programs that affect them. However, guidance documents are not easy to find. They are not consistently posted on agency websites.

This inconsistency burdens regulated entities. It especially burdens small businesses that often lack the resources to hire compliance experts. The problem is so bad that agency guidance documents are known as “regulatory dark matter.”

For a brief time, the prior administration brought needed sunshine to this situation. Following the GOOD Act’s passage by the House during the 115th Congress, the prior administration voluntarily adopted the bill’s reforms through an October 2019 executive order after the Senate failed to act.

Under the executive order, guidance was required to become fully transparent online. Across the government, each agency was directed to make available on its website a single searchable, indexed database with links to all guidance documents in effect.

As a result, for the first time, members of the public could easily find whatever agency guidance they needed online in one central location. The order was in effect during 2019 and 2020 but has since been rescinded.

Ever since, agencies have been pulling down their guidance web pages, and guidance has once again fallen into darkness, increasing the potential for agency abuse.

This is why we need to once again pass the GOOD Act in the House and require agencies to publish their regulatory guidance in a single, easily accessible location. The American public deserves nothing less from their government.

I thank my committee colleague, Representative RO KHANNA, for cosponsoring my legislation. I especially thank the ranking member for working with my staff to strengthen the bill and helping us advance a bipartisan bill here today.

Mr. Speaker, I urge my colleagues to support this simple and necessary transparency bill.

Mr. RASKIN. Mr. Speaker, I am in favor of this legislation. I yield back the balance of my time.

Ms. MACE. Mr. Speaker, I encourage my House colleagues to support this commonsense bill to make agency guidance documents more transparent to the American public, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from South Carolina (Ms. MACE) that the House suspend the rules and pass the bill, H.R. 890, 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.

□ 1930

ALLOWING CONTRACTORS TO CHOOSE EMPLOYEES FOR SELECT SKILLS ACT

Ms. MACE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7887) to amend title 41, United States Code, to prohibit minimum experience or educational requirements for proposed contractor personnel in certain contract solicitations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7887

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 “Allowing Contractors to Choose Employees for Select Skills Act” or the “ACCESS Act”.

SEC. 2. USE OF REQUIREMENTS REGARDING EDUCATION OF CONTRACTOR PERSONNEL.

(a) FLEXIBILITY IN CONTRACTOR EDUCATION REQUIREMENTS.—Chapter 33 of title 41, United States Code, is amended by adding at the end the following new section:

“§ 3313. Flexibility in contractor education requirements

“(a) PROHIBITION.—A solicitation may not set forth any minimum educational requirement for proposed contractor personnel in order for a bidder to be eligible for award of a contract unless the contracting officer includes in the solicitation a written justification that explains why the needs of the executive agency cannot be met without any such requirement and clarifies how the requirement ensures the needs are met.

“(b) EXECUTIVE AGENCY DEFINED.—In this section, the term ‘executive agency’ has the meaning given that term in section 133.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 33 of title 41, United States Code, is amended by adding at the end the following new item:

“3313. Flexibility in contractor education requirements.”.

(c) OMB GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall issue guidance to the heads of executive agencies for implementing the amendment made by subsection (a) that includes the following:

(1) Instructions for contracting officers for the justifications under section 3313(a) of title 41, United States Code, as added by subsection (a), including a requirement that each use of an education requirement be determined, justified, and reviewed.

(2) In the case of a solicitation in which education requirements are included, instructions on how alternative certifications, industry-recognized credentials, and work-based learning programs, including apprenticeships, may satisfy such requirements.

(d) APPLICABILITY.—The amendments made by this section shall apply with respect to solicitations issued on or after the date that is 15 months after the date of the enactment of this Act.

(e) REPEAL.—Section 813 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398; 114 Stat. 1654A-214), as implemented in subpart 39.104 of the Federal Acquisition Regulation,

as in effect on July 1, 2024, is repealed as of the date that the guidance required by subsection (c) becomes effective.

(f) GAO REPORT.—Not later than 36 months after the date of the enactment of this Act, the Comptroller General shall submit to Congress an evaluation of executive agency compliance with section 3313 of title 41, United States Code, as added by subsection (a).

(g) DEFINITIONS.—In this section:

(1) EDUCATION REQUIREMENT.—The term “education requirement” includes a requirement that can be met either through—

(A) education alone;

(B) education or experience; or

(C) a combination of education and experience.

(2) EXECUTIVE AGENCY.—The term “executive agency” has the meaning given that term in section 133 of title 41, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from South Carolina (Ms. MACE) and the gentleman from Maryland (Mr. RASKIN) each will control 20 minutes.

The Chair recognizes the gentlewoman from South Carolina.

GENERAL LEAVE

Ms. MACE. 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 South Carolina?

There was no objection.

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

Mr. Speaker, the Federal contractor workforce is several times larger than the 2 million strong civilian workforce the Federal Government employs today. That is because so much government work is outsourced. That includes, for instance, much of the operation and maintenance of the Federal IT systems and the safeguarding of their cybersecurity.

It was disturbing for me to learn, in the course of my work this Congress as chair of the Oversight Committee’s Subcommittee on Cybersecurity, Information Technology, and Government Innovation, that many Federal contract solicitations bar qualified individuals from performing the work.

What are these barriers? Many Federal solicitations include unnecessary degree requirements mandating that individuals who perform various tasks hold specific education credentials such as a 4-year college degree, but training for many jobs in fields like IT and building construction is increasingly available through nondegree pathways like apprenticeships, boot camps, or certifications.

That is why a slew of major private-sector employees have pared back degree requirements in hiring in recent years. In fact, some of our biggest tech companies offer certification programs within their own companies to help their individuals be even more qualified for jobs that are available to them.

When it comes to cybersecurity, the public and private sectors together face