district or in anticipation of an emerging policy debate, Members rely on CRS for its nonpartisan expertise.

All of this work, for committees and for Members, depends on CRS having access to current and reliable data. It is the basis of the objective and informed analysis on which Congress depends to fulfill its Article I obligations.

When Federal agencies are compelled to share data and information with CRS only when it is requested on behalf of a committee, CRS is unable to fulfill its statutory obligation to support Congress in all of its duties.

H.R. 7593 fixes this limitation by granting CRS the authority to secure information and data from Federal agencies, as necessary, to carry out congressional requests; not committee requests, but congressional requests.

This fix is neither groundbreaking nor controversial. There is a nearly century-long chain of Supreme Court precedents that recognize the authority of Congress and, by extension, the legislative support agencies, to gather information from the executive branch.

In fact, GAO and CBO, CRS' sister support agencies, already enjoy greater access authorities because, as Congress has added to their responsibilities, it has also provided them with the additional tools and authorities needed to carry out that additional work.

Unfortunately, the same cannot be said for CRS. The agency's work has expanded tremendously since the 1970s, but Congress has failed to pair its extra responsibilities with extra support.

In granting CRS greater access, this bill requires CRS to maintain the same level of confidentiality for the data and information it receives, as is required by law of the agency from which it obtained. Any CRS employee who violates this requirement will be subject to the same statutory penalties that an employee of a providing agency would face. These provisions, it should be noted, mirror CBO's rigorous confidentiality authorities.

CRS has a long-established record of not making inappropriate or overly expansive information and data requests. Nothing about this resolution changes that. The agency routinely engages in an internal consultation process to ensure that requests are properly scoped and tailored. Maintaining these guardrails around its requests helps CRS properly evaluate the potential ways that data and information may be used.

The agency's strict adherence to its statutory mandate to advise and assist Congress without partisan bias has and will continue to guide its requests.

Updating CRS' statute to better reflect how Congress works today is an Article I strengthening endeavor. It does not concern politics or partisanship. It concerns institutions, plain and simple.

When CRS is unable to fully support Congress, Congress cannot fully act as a coequal branch of government, and when CRS is unable to fully support us as Members in our legislative and representational duties, we are unable to fully support our constituents.

Mr. Speaker, I think we can all agree that both of these scenarios are unacceptable. I urge my colleagues to join me in supporting H.R. 7593.

Mr. KILMER. Mr. Speaker, I don't have any additional speakers. If the chairman is prepared to close, I yield back the balance of my time.

Mr. STEIL. Mr. Speaker, I again thank the Modernization Subcommittee chairwoman, STEPHANIE BICE, for her leadership on this measure. I also thank Ranking Member KILMER, as well as Representatives CAREY and MORELLE.

I urge my colleagues to support H.R. 7593, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WEBER of Texas). The question is on the motion offered by the gentleman from Wisconsin (Mr. STEIL) that the House suspend the rules and pass the bill, H.R. 7593.

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.

CONFIRMATION OF CONGRESSIONAL OBSERVER ACCESS ACT OF 2023

Mr. STEIL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6513) to amend the Help America Vote Act of 2002 to confirm the requirement that States allow access to designated congressional election observers to observe the election administration procedures in congressional elections.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6513

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

SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the ''Confirmation Of Congressional Observer Access Act of 2023'' or the ''COCOA Act of 2023''.

(b) FINDINGS RELATING TO CONGRESSIONAL ELECTION OBSERVERS.—Congress finds the following:

(1) Article 1, section 5, clause 1 of the Constitution grants Congress the authority to ''be the Judge of the Elections, Returns and Qualifications of its own Members''.

(2) The House of Representatives serves as the final arbiter over any contest to the seating of any putative Member-elect.

(3) Congress has exercised this authority—and responsibility—since our Nation's very beginning, from the First Congress through the One Hundred Eighteenth Congress. Over our history, election contests have remained a normal and regular part of the biennial process for electing, recognizing, and seating new Members. Although Congress has opted to revise the statutory framework by which it considers election contests, consideration of such contests has been a regular and recurring part of Congress' constitutional prerogatives and work. For example, across our Nation's history, more than approximately 610 elections have been contested in the House—an average of more than 5 per Congress. Indeed, even discounting the Reconstruction period and its surge in election contests, there have been 110 contested election cases considered in the House since 1933—an average of more than 2 contests per Congress.

(4) These election contest procedures are contained in the precedents of each House of Congress. Further, for the House of Representatives the procedures exist under the Federal Contested Elections Act.

(5) For decades, the House of Representatives has appointed its staff to watch the administration of congressional elections in the States and territories. Critically, congressional observers serve to gather real-time information and data for the House in anticipation of an election contest being filed.

SEC. 2. ACCESS FOR CONGRESSIONAL ELECTION OBSERVERS.

(a) ACCESS REQUIRED.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

(1) by redesignating section 304 and 305 as sections 305 and 306; and

(2) by inserting after section 303 the following new section:

''SEC. 304. ACCESS FOR CONGRESSIONAL ELECTION OBSERVERS.

''(a) FINDING OF CONSTITUTIONAL AUTHORITY.—Congress finds that, regardless of legislative action, it has the authority to send congressional election observers to observe polling locations, any location where processing, scanning, tabulating, canvassing, recounting, auditing, or certifying voting results is occurring, or any other part of the process associated with elections for Federal office under the authorities granted under article 1, section 5, clause 1 and article 1, section 4, clause 1 of the Constitution of the United States. Procedures described herein do not establish any new authorities or procedures with respect to Congress' constitutional authority to observe congressional elections but are provided simply to permit a convenient statutory reference for existing congressional authority and activity.

''(b) REQUIRING STATES TO PROVIDE ACCESS FOR OBSERVERS.—

''(1) REQUIREMENT.—A State shall provide each individual who is acting as a designated congressional election observer for an election for Federal office with full access to clearly observe all elements of election administration procedures, including, but not limited to, access to any area in which a ballot is cast, processed, scanned, tabulated, canvassed, recounted, audited, or certified, including during pre- and post-election procedures.

''(2) RESTRICTIONS ON ACTIVITIES OF OBSERVERS.—No designated congressional election observer may handle a ballot or election equipment (whether voting or nonvoting or whether tabulating or nontabulating), advocate for any position or candidate, take any action to reduce ballot secrecy or voter privacy, take any action to interfere with the ability of a voter to cast a ballot or an election administrator to carry the administrator's duties, or otherwise interfere with the election administration process.

''(3) RULE OF CONSTRUCTION.—Nothing in this section shall prohibit a designated congressional election observer from asking questions of an election administrator, election official, or election worker, or any other State or local official.

''(c) CONDUCT OF OBSERVERS.—

''(1) REMOVAL.—

''(A) AUTHORIZATION REMOVAL BY ELECTION OFFICIAL.—If a State or local election official

has a reasonable basis to believe that a designated congressional election observer has engaged in or imminently will engage in intimidation or deceptive practices prohibited by Federal law, or in the disruption of voting, processing, scanning, tabulating, canvassing, or recounting of ballots, or the certification of results, a State or local election official may remove that observer from the area involved.

''(B) NOTICE TO COMMITTEE.—If a designated congressional election observer is removed from an area under subparagraph (A), the election official shall—

''(i) inform the chair and ranking minority member of the Committee on House Administration of the House of Representatives; and

''(ii) provide written notice detailing the reason or reasons the designated congressional election observer was removed.

''(2) RULE OF CONSTRUCTION.—For purposes of this subsection, the mere presence of a designated congressional election observer during an observation of election administration procedures, without any additional indicia supporting a reasonable basis for removal, is not a sufficient reason for removal under subparagraph (A).

''(3) RIGHT TO REPLACE OBSERVER.—If a designated congressional election observer is properly removed under subparagraph (A), the chair or ranking minority member of the Committee on House Administration of the House of Representatives, as appropriate, may send another designated congressional election observer as a replacement for the remaining duration of the observation of election administration procedures.

''(4) CLARIFICATION REGARDING APPLICABILITY OF CODE OF OFFICIAL CONDUCT.—It is the sense of Congress that, because the Code of Official Conduct for the House of Representatives (rule XXIII of the Rules of the House of Representatives) requires all employees of the House to behave at all times in a manner that reflects creditably on the House, an employee of the House who serves as a designated congressional election observer is subject to the Code of Official Conduct in the employee's role as such an observer.

''(d) DESIGNATED CONGRESSIONAL ELECTION OBSERVER DESCRIBED.—In this section, a 'designated congressional election observer' is a House employee (as contemplated by the Rules of the House of Representatives) who is designated in writing by the chair or ranking minority member of the Committee on House Administration of the House of Representatives, or the successor committee, to gather information with respect to an election, including in the event that the election is contested in the House of Representatives and for other purposes permitted by article 1, section 5, clause 1 and article 1, section 4, clause 1 of the Constitution of the United States.

''(e) STATE DEFINED.—In this section 'State' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.''.

(b) CONFORMING AMENDMENT RELATING TO ENFORCEMENT.—Section 401 of such Act (52 U.S.C. 21111) is amended by striking ''and 303'' and inserting ''303, and 304''.

(c) CLERICAL AMENDMENT.—The table of contents of such Act is amended—

(1) by redesignating the items relating to sections 304 and 305 as relating to sections 305 and 306; and

(2) by inserting after the item relating to section 303 the following:

''Sec. 304. Confirming access for congressional election observers.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. STEIL) and the gentleman from Washington (Mr. KILMER) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. STEIL. 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 H.R. 6513, the COCOA Act of 2023.

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

There was no objection.

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

I rise today in strong support of H.R. 6513, the Confirmation of Congressional Observer Access Act, or the COCOA Act. Ensuring the fairness and accuracy of our elections is of utmost importance for me as chairman of the Committee on House Administration.

□ 1530

The Election Observer Program is one of the key ways my committee has worked to strengthen election administration practices.

Since 1933, there have been 110 contested election cases considered in the House. This averages to over two contests per Congress.

During the 2020 election cycle, House election observers were deployed to Iowa's Second District to oversee the administration of the election of our now-colleague, Representative MARIANNETTE MILLER-MEEKS.

She went on to win that contested race by only six votes, and trained House election observers were instrumental in collecting on-the-ground, factual information for Congress.

The Constitution grants Congress the authority to be the ''judge of the elections, returns, and qualifications of its own Members.'' It is under this constitutional authority that the House established the nonpartisan Election Observer Program.

In the 2022 election cycle, observers were deployed to roughly 25 sites across the country. This long-running program has deployed trained congressional staff as election observers to sites nationwide with close congressional contests.

Deploying election observers is much needed. Strong election integrity increases confidence and participation in our elections, which is a good thing.

Providing a statutory citation for these election observers to monitor election administration practices will achieve this goal.

Elections are partisan, but the administration of elections should never be partisan.

I strongly urge my colleagues to support this bill.

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

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

Mr. Speaker, I rise today in support of H.R. 6513. I am proud to say this measure is the by-product of bipartisan agreement.

Article I, Section 5, Clause 1 of the Constitution grants Congress the authority to be the ''judge of the elections, returns, and qualifications of its own Members.''

The House of Representatives serves as the final arbiter over any contest to the seating of any putative Member-elect.

Simply put, this measure, H.R. 6513, confirms Congress' constitutional authority to designated congressional staff to observe election administration procedures in congressional elections.

I am grateful to my colleague, Chairman STEIL, for agreeing to address several concerns raised in committee with an earlier version of the text.

For example, we were able to agree on the need to preserve the authority of local election officials to remove an observer who is being disruptive or interfering with the elections process, as well as the additional language stating our sense that all House employees deployed as observers must adhere to the Code of Official Conduct while serving in this role.

It is important to balance transparency with security, and at a time when election officials across the country have raised concerns about safety, security, and privacy, we should hold ourselves and our staff to the highest standards.

We are glad to have worked with Chairman STEIL and his staff to reach a bipartisan agreement.

Mr. Speaker, I urge my colleagues to support H.R. 6513, and I reserve the balance of my time.

Mr. STEIL. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. CAREY) to speak on the bill.

Mr. CAREY. Mr. Speaker, I rise in strong support of my bill, H.R. 6513, the Confirmation of Congressional Observer Access Act, or COCOA Act of 2023. It will provide a statutory citation for the long-running, nonpartisan Election Observer Program.

This program has trained and equipped congressional staff to serve as election observers during close election contests.

As we have seen or just heard, election contests can come down to just six votes.

This critical program adds the added layer of accountability for the American people during those close contests.

Ensuring our elections are fair, factual, and accurate is of utmost importance.

I have been proud to work with my colleagues on the Committee on House Administration this Congress to strengthen our Nation's elections.

This program is a strong election integrity measure, and I encourage all of my colleagues to support it.

Mr. KILMER. Mr. Speaker, I thank the lead sponsor of the bill, Mr. CAREY,

both for his leadership on this bill and for his partnership on the Modernization Subcommittee.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. STEIL. Mr. Speaker, I further encourage the strong support of H.R. 6513, the Confirmation of Congressional Observer Access Act.

I encourage my colleagues to vote ''yes,'' and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. STEIL) that the House suspend the rules and pass the bill, H.R. 6513.

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.

BIOSECURE ACT

Mr. COMER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8333) to prohibit contracting with certain biotechnology providers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8333

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 ''BIOSECURE Act''.

SEC. 2. PROHIBITION ON CONTRACTING WITH CERTAIN BIOTECHNOLOGY PROVIDERS.

(a) IN GENERAL.—The head of an executive agency may not—

(1) procure or obtain any biotechnology equipment or service produced or provided by a biotechnology company of concern; or

(2) enter into a contract or extend or renew a contract with any entity that—

(A) uses biotechnology equipment or services produced or provided by a biotechnology company of concern and acquired after the applicable effective date in subsection (c) in performance of the contract with the executive agency; or

(B) enters into any contract the performance of which such entity knows or has reason to believe will require, in performance of the contract with the executive agency, the use of biotechnology equipment or services produced or provided by a biotechnology company of concern and acquired after the applicable effective date in subsection (c).

(b) PROHIBITION ON LOAN AND GRANT FUNDS.—The head of an executive agency may not obligate or expend loan or grant funds to, and a loan or grant recipient may not use loan or grant funds to—

(1) procure, obtain, or use any biotechnology equipment or services produced or provided by a biotechnology company of concern; or

(2) enter into a contract or extend or renew a contract with an entity described in subsection (a)(2).

(c) EFFECTIVE DATES.—

(1) CERTAIN ENTITIES.—With respect to the biotechnology companies of concern covered by subsection (f)(2)(A), the prohibitions under subsections (a) and (b) shall take effect 60 days after the issuance of the regulation in subsection (h).

(2) OTHER ENTITIES.—With respect to the biotechnology companies of concern covered by subsection (f)(2)(B), the prohibitions under subsections (a) and (b) shall take effect 180 days after the issuance of the regulation in subsection (h).

(3) RULES OF CONSTRUCTION.—

(A) CERTAIN ENTITIES.—Prior to January 1, 2032, with respect to biotechnology companies of concern covered by subsections (f)(2)(A), subsections (a)(2) and (b)(2) shall not apply to biotechnology equipment or services produced or provided under a contract or agreement, including previously negotiated contract options, entered into before the effective date under paragraph (1).

(B) OTHER ENTITIES.—Prior to the date that is five years after the issuance of the regulation in subsection (h) that identifies a biotechnology company of concern covered by subsections (f)(2)(B), subsections (a)(2) and (b)(2) shall not apply to biotechnology equipment or services produced or provided under a contract or agreement, including previously negotiated contract options, entered into before the effective date under paragraph (2).

(C) SAFE HARBOR.—The term ''biotechnology equipment or services produced or provided by a biotechnology company of concern'' shall not be construed to refer to any biotechnology equipment or services that were formerly, but are no longer, produced or provided by biotechnology companies of concern.

(d) WAIVER AUTHORITIES.—

(1) SPECIFIC BIOTECHNOLOGY EXCEPTION.—

(A) WAIVER.—The head of the applicable executive agency may waive the prohibition under subsections (a) and (b) on a case-by-case basis—

(i) with the approval of the Director of the Office of Management and Budget, in coordination with the Secretary of Defense; and

(ii) if such head submits a notification and justification to the appropriate congressional committees not later than 30 days after granting such waiver.

(B) DURATION.—

(i) IN GENERAL.—Except as provided in clause (ii), a waiver granted under subparagraph (A) shall last for a period of not more than 365 days.

(ii) EXTENSION.—The head of the applicable executive agency, with the approval of the Director of the Office of Management and Budget, and in coordination with the Secretary of Defense, may extend a waiver granted under subparagraph (A) one time, for a period up to 180 days after the date on which the waiver would otherwise expire, if such an extension is in the national security interests of the United States and if such head submits a notification and justification to the appropriate congressional committees not later than 10 days after granting such waiver extension.

(2) OVERSEAS HEALTH CARE SERVICES.—The head of an executive agency may waive the prohibitions under subsections (a) and (b) with respect to a contract, subcontract, or transaction for the acquisition or provision of health care services overseas on a case-by-case basis—

(A) if the head of such executive agency determines that the waiver is—

(i) necessary to support the mission or activities of the employees of such executive agency described in subsection (e)(2)(A); and

(ii) in the interest of the United States;

(B) with the approval of the Director of the Office of Management and Budget, in consultation with the Secretary of Defense; and

(C) if such head submits a notification and justification to the appropriate congressional committees not later than 30 days after granting such waiver.

(e) EXCEPTIONS.—The prohibitions under subsections (a) and (b) shall not apply to—

(1) any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States;

(2) the acquisition or provision of health care services overseas for—

(A) employees of the United States, including members of the uniformed services (as defined in section 101(a) of title 10, United States Code), whose official duty stations are located overseas or are on permissive temporary duty travel overseas; or

(B) employees of contractors or subcontractors of the United States—

(i) who are performing under a contract that directly supports the missions or activities of individuals described in subparagraph (A); and

(ii) whose primary duty stations are located overseas or are on permissive temporary duty travel overseas; or

(3) the acquisition, use, or distribution of human multiomic data, lawfully compiled, that is commercially or publicly available.

(f) EVALUATION OF CERTAIN BIOTECHNOLOGY ENTITIES.—

(1) ENTITY CONSIDERATION.—Not later than 365 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall publish a list of the entities that constitute biotechnology companies of concern based on a list of suggested entities that shall be provided by the Secretary of Defense in coordination with the Attorney General, the Secretary of Health and Human Services, the Secretary of Commerce, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of State, and the National Cyber Director.

(2) BIOTECHNOLOGY COMPANIES OF CONCERN DEFINED.—The term ''biotechnology company of concern'' means—

(A) BGI, MGI, Complete Genomics, WuXi AppTec, and WuXi Biologics;

(B) any entity that is determined by the process established in paragraph (1) to meet the following criteria—

(i) is subject to the administrative governance structure, direction, control, or operates on behalf of the government of a foreign adversary;

(ii) is to any extent involved in the manufacturing, distribution, provision, or procurement of a biotechnology equipment or service; and

(iii) poses a risk to the national security of the United States based on—

(I) engaging in joint research with, being supported by, or being affiliated with a foreign adversary's military, internal security forces, or intelligence agencies;

(II) providing multiomic data obtained via biotechnology equipment or services to the government of a foreign adversary; or

(III) obtaining human multiomic data via the biotechnology equipment or services without express and informed consent; and

(C) any subsidiary, parent, affiliate, or successor of entities listed in subparagraphs (A) and (B), provided they meet the criteria in subparagraph (B)(i).

(3) GUIDANCE.—Not later than 120 days after the date of the enactment of this Act for the biotechnology companies of concern named in paragraph (2)(A), and not later than 180 days after the development of the list pursuant to paragraph (1) and any update to the list pursuant to paragraph (4), the Director of the Office of Management and Budget, in coordination with the Secretary of Defense, the Attorney General, the Secretary of Health and Human Services, the