

Advocacy and Federal agencies rather than create an adversarial one. This amendment will ensure that Advocacy reaches all agencies on RFA compliance on a regular basis.

Mr. Speaker, I urge Members to support my amendment, and I reserve the balance of my time.

□ 1315

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

Mr. Speaker, I rise in opposition to the amendment.

This amendment simply strikes the entire bill and replaces it with a training mandate. Claiming that training is all that is necessary to help agencies comply with their obligations under the RFA completely ignores the problems that the Prove It Act is going to solve.

The Small Business Administration already offers training sessions for regulators and has done so for over 20 years. According to the SBA, they held nine training sessions and trained 139 Federal officials in 2023 alone.

Further, the SBA has already trained personnel at nearly every Federal agency and department since 2003. Despite this training, however, in 2023, SBA sent 46 letters to agencies across government outlining the deficiencies in their RFA analysis. In 30 cases, the SBA found that agencies conducted inadequate analysis of small business impacts.

What this means is that during the rulemaking process for 30 rules, agencies did not comply with already existing law despite the SBA training they likely received.

Mr. Speaker, I urge my colleagues to vote against this amendment, and I reserve the balance of my time.

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

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

Mr. Speaker, there are a few more points I would like to make.

Despite SBA's best efforts to help agencies comply with their obligations under the RFA, those efforts are being ignored. Agencies have had 40 years to develop the experience and expertise necessary to comply with the Regulatory Flexibility Act and still regularly come up short.

The claim that training is the answer is simply an attempt to distract from the importance of the Prove It Act. If we adopt this amendment and training is mandated instead of adopting the Prove It Act's provisions, nothing will change. Small businesses around the country will still be harmed by regulatory agencies blatantly ignoring their obligations under the RFA and discounting the costs of regulations.

The only legitimate solution is to adopt the Prove It Act, which strengthens the RFA and creates mechanisms to force regulatory agencies to comply with the law.

Mr. Speaker, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. RULLI). Pursuant to the rule, the previous question is ordered on the bill and on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

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

Ms. VELÁZQUEZ. 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 will be postponed.

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.

SWANSON AND HUGH BUTLER RESERVOIRS LAND CONVEY- ANCES ACT

Mr. WESTERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8413) to provide for the conveyance of certain Federal land at Swanson Reservoir and Hugh Butler Reservoir in the State of Nebraska, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8413

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 "Swanson and Hugh Butler Reservoirs Land Conveyances Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) FAIR MARKET VALUE.—The term "fair market value", with respect to a specified property right, means the most probable price, as of a specified date, in cash, terms equivalent to cash, or other precisely revealed terms, for which the specified property right should sell after reasonable exposure in a competitive market under all conditions requisite for a fair sale, with the buyer and seller each acting prudently, knowledgeably, and in the self-interest of the buyer or seller, as applicable, and assuming that the buyer and seller are not under undue duress.

(2) FRONTIER COUNTY.—The term "Frontier County" means Frontier County, Nebraska, acting through the Board of Commissioners of Frontier County.

(3) HITCHCOCK COUNTY.—The term "Hitchcock County" means Hitchcock County, Nebraska, acting through the Board of Commissioners of Hitchcock County.

(4) HUGH BUTLER RESERVOIR.—The term "Hugh Butler Reservoir" means the Hugh Butler Lake and Red Willow Dam constructed as part of the Pick-Sloan Missouri

Basin Program, Frenchman-Cambridge Division, as authorized by section 9 of the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (58 Stat. 891, chapter 665).

(5) LAKEVIEW LODGE MANAGEMENT AGREEMENT.—The term "Lakeview Lodge Management Agreement" means the management agreement entitled "Management Agreement between the Bureau of Reclamation, et al., for the Development, Operation, and Maintenance of a Concession Operation at Swanson Reservoir, Nebraska", numbered 23-LM-60-4160, and dated November 1, 2023.

(6) LAKEVIEW LODGE PERMITTED CONCESSION LAND.—The term "Lakeview Lodge Permitted Concession Land" means the approximately 21.5 acres of land and water for the operation of a public concession at Swanson Reservoir, as generally depicted on the map prepared by the Bureau of Reclamation entitled "Lakeview Lodge Concession Boundary" and dated August 2023.

(7) RED WILLOW MANAGEMENT AGREEMENT.—The term "Red Willow Management Agreement" means the management agreement entitled "Management Agreement between the Bureau of Reclamation, et al., for the Development, Management, Operation, and Maintenance of a Concession Operation at Hugh Butler Reservoir, Nebraska", numbered 24-LM-60-5155, and dated March 7, 2024.

(8) RED WILLOW PERMITTED CABIN LAND.—The term "Red Willow Permitted Cabin Land" means the approximately 6.5 acres of land encompassing the 8 permitted cabin lots at the Hugh Butler Reservoir, as generally depicted on the map prepared by the Bureau of Reclamation entitled "Red Willow Cabin Map" and dated March 2024.

(9) RED WILLOW PERMITTED CONCESSION LAND.—The term "Red Willow Permitted Concession Land" means the approximately 23 acres of land and water for the operation of a public service concession at the Hugh Butler Reservoir, as generally depicted on the map prepared by the Bureau of Reclamation entitled "Red Willow Concession Boundary" and dated August 2023.

(10) REQUESTED FEDERAL LAND.—The term "requested Federal land" means each of the following parcels of land, or any subset of those parcels, with respect to which a title transfer agreement is executed:

(A) The Lakeview Lodge Permitted Concession Land.

(B) The Red Willow Permitted Cabin Land.

(C) The Red Willow Permitted Concession Land.

(D) The Swanson Permitted Cabin Land.

(E) The Swanson Permitted Concession Land.

(11) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(12) STATE.—The term "State" means the State of Nebraska.

(13) SWANSON MANAGEMENT AGREEMENT.—The term "Swanson Management Agreement" means the management agreement entitled "Management Agreement between the Bureau of Reclamation, et al., for the Development, Management, Operation, and Maintenance of a Concession Operation at Swanson Reservoir, Nebraska", numbered 24-LM-60-5154, and dated April 19, 2024.

(14) SWANSON PERMITTED CABIN LAND.—The term "Swanson Permitted Cabin Land" means the approximately 6.2 acres of land encompassing the 11 permitted cabin lots at the Swanson Reservoir, as generally depicted on the map prepared by the Bureau of Reclamation entitled "Swanson Cabin Map" and dated March 2024.

(15) SWANSON PERMITTED CONCESSION LAND.—The term "Swanson Permitted Concession Land" means the approximately 20 acres of land and water for the operation of

a public service concession at the Swanson Reservoir, as generally depicted on the map prepared by the Bureau of Reclamation entitled "Swanson Concession Boundary" and dated August 2023.

(16) **SWANSON RESERVOIR.**—The term "Swanson Reservoir" means the Swanson Reservoir and Trenton Dam constructed as part of the Pick-Sloan Missouri Basin Program, Frenchman-Cambridge Division, as authorized by section 9 of the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (58 Stat. 891, chapter 665).

(17) **TITLE TRANSFER AGREEMENT.**—The term "title transfer agreement" means a title transfer agreement entered into under section 3(a)(1) between the Secretary and Frontier County or Hitchcock County, as applicable, that establishes the legal, institutional, and financial terms for the conveyance of the applicable requested Federal land.

SEC. 3. CONVEYANCES OF FEDERAL LAND TO HITCHCOCK COUNTY AND FRONTIER COUNTY, NEBRASKA.

(a) **CONVEYANCES TO HITCHCOCK COUNTY AND FRONTIER COUNTY.**—

(1) **TITLE TRANSFER AGREEMENT.**—Subject to paragraphs (2) and (5) and sections 4 and 5, not later than 3 years after the date of enactment of this Act, the Secretary shall make good faith efforts to enter into negotiations for, and enter into, title transfer agreements with each of Hitchcock County and Frontier County—

(A) under which the Secretary shall convey to Hitchcock County or Frontier County, as applicable, all requested right, title, and interest of the United States in and to the applicable requested Federal land;

(B) that provides that, as a condition of the conveyance, the applicable requested Federal land—

- (i) shall be conveyed in whole; and
- (ii) shall not be subdivided; and
- (C) that provides a plan for—
- (i) a demonstration of—

(I) the technical capability of Hitchcock County or Frontier County, as applicable, to operate and maintain the applicable requested Federal land permanently; and

(II) the ability of Hitchcock County or Frontier County, as applicable, to satisfy financial obligations relating to the applicable requested Federal land; and

(ii) the management by Hitchcock County or Frontier County, as applicable, of the applicable requested Federal land to be conveyed in accordance with the applicable title transfer agreement, including addressing any issues to ensure compliance with applicable State fire, safety, and health codes and standards not later than 2 years after the date of the applicable conveyance.

(2) **REQUIREMENT.**—Notwithstanding section 8002(3)(B) of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (43 U.S.C. 2902(3)(B)), the Secretary shall negotiate the title transfer agreement under paragraph (1) in accordance with the criteria, terms, and conditions described in subtitle A of title VIII of that Act (43 U.S.C. 2901 et seq.).

(3) **OFFER TO CONVEY.**—As soon as practicable after the date on which a title transfer agreement is entered into pursuant to paragraph (1), the Secretary shall offer to convey to Hitchcock County or Frontier County, as applicable, all right, title, and interest of the United States in and to the applicable requested Federal land, in accordance with the terms and conditions described in the applicable title transfer agreement.

(4) **COSTS.**—

(A) **CONSIDERATION.**—

(i) **IN GENERAL.**—As consideration for the conveyance of the applicable requested Fed-

eral land under paragraph (3), Hitchcock County or Frontier County, as applicable, shall pay to the Secretary, for use in accordance with clause (iii), an amount equal to the fair market value of the applicable requested Federal land, as determined by an appraisal conducted—

(I) in accordance with clause (ii);

(II) by a third-party appraiser approved by the Secretary; and

(III) subject to the management requirements under paragraph (5) and section 4.

(ii) **APPRAISAL REQUIREMENTS.**—

(I) **IN GENERAL.**—An appraisal under clause (i) shall be conducted in accordance with the Uniform Standards of Professional Appraisal Practice.

(II) **IMPROVEMENTS.**—For purposes of clause (i), any improvements to the applicable requested Federal land made by a permit holder shall not be included in the appraised value of the applicable requested Federal land.

(III) **RESOLUTION OF DISPUTE.**—Any dispute over the fair market value of the applicable requested Federal land under an appraisal conducted under clause (i) shall be resolved in accordance with section 2201.4 of title 43, Code of Federal Regulations (or a successor regulation).

(IV) **CONSIDERATION OF REVENUES.**—An appraisal under clause (i) shall take into consideration any future income stream that the United States would have derived from the applicable requested Federal land at the time of the conveyance, including revenues to the United States—

(aa) from existing water service and repayment contracts;

(bb) from known or reasonably foreseeable new contracts or renewals;

(cc) as aid to irrigation; and

(dd) from any other authorized source.

(iii) **USE.**—Amounts paid under clause (i) shall be available to the Secretary, subject to further appropriation, for activities relating to the operation of the Hugh Butler Reservoir and Swanson Reservoir.

(B) **CONVEYANCE COSTS.**—As a condition of a conveyance under paragraph (3), Hitchcock County or Frontier County, as applicable, shall be responsible for paying, in advance of the conveyance of the applicable requested Federal land, all survey and other administrative costs, as determined to be necessary by the Secretary, for the preparation and completion of transfer of title to, the applicable requested Federal land.

(5) **MANAGEMENT.**—Hitchcock County and Frontier County shall each manage the applicable requested Federal land conveyed to Hitchcock County or Frontier County, as applicable, under paragraph (3)—

(A) for substantially the same purposes for which the applicable requested Federal land is being used as of the date of enactment of this Act; or

(B) for—

(i) recreation and public purposes consistent with the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (44 Stat. 741, chapter 578; 43 U.S.C. 869 et seq.);

(ii) public access;

(iii) fish and wildlife habitat; or

(iv) the preservation of the natural character of the applicable requested Federal land.

(b) **SUBSEQUENT CONVEYANCE OF REQUESTED FEDERAL LAND.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), on completion of a conveyance to Hitchcock County or Frontier County, as applicable, of the applicable requested Federal land under subsection (a), Hitchcock County or Frontier County, as applicable, may not subsequently reconvey the applicable requested Federal land.

(2) **EXCEPTIONS.**—Notwithstanding paragraph (1), Hitchcock County or Frontier County, as applicable, may subsequently convey the applicable requested Federal land if—

(A) the applicable requested Federal land is reconveyed, at no cost, to an entity located in the State that is recognized by the State as a publicly owned or governmental organization, including—

- (i) a State agency;
- (ii) a county, city, village, or township in, or political subdivision of, the State;
- (iii) a natural resource district; and
- (iv) an irrigation or reclamation district;

(B) Hitchcock County or Frontier County, as applicable, has demonstrated an impending adverse impact if the applicable requested Federal land is not reconveyed;

(C) the entity to which the applicable requested Federal land would be reconveyed has the capacity to continue to manage the applicable requested Federal land for the same purposes for which the applicable requested Federal land has been managed as of the date of enactment of this Act; and

(D) the applicable requested Federal land to be reconveyed would continue to be available for public access.

(3) **FUTURE CONVEYANCES.**—A subsequent conveyance of requested Federal land shall be subject to the requirements of this subsection and subsection (a)(5).

SEC. 4. EFFECT ON RESERVATIONS, EASEMENTS, AND OTHER RIGHTS.

(a) **IN GENERAL.**—A conveyance under section 3(a) shall be subject to—

(1) valid existing rights;

(2) operational requirements of the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (58 Stat. 891, chapter 665), including Swanson Reservoir and Hugh Butler Reservoir;

(3) any flowage easement reserved by the United States to allow full operation of the Swanson Reservoir and Hugh Butler Reservoir, as applicable, for authorized purposes;

(4) any applicable reservations described in the Lakeview Lodge Management Agreement, Red Willow Management Agreement, or Swanson Management Agreement, as applicable;

(5) oil, gas, and other mineral rights reserved of record, as of the date of enactment of this Act, by, or in favor of, the United States or a third party;

(6) any permit, license, lease, right-of-use, flowage easement, or right-of-way of record in, on, over, or across the applicable requested Federal land, whether owned by the United States or a third party, as of the date of enactment of this Act;

(7) as applicable, a deed restriction that prohibits building any new permanent structure on the applicable requested Federal land below an elevation of—

(A) 2,785 feet at Swanson Reservoir; or

(B) 2,628 feet at Hugh Butler Reservoir; and

(8) the granting of applicable easements for—

(A) vehicular access to the applicable requested Federal land; and

(B) access to, and use of, all docks, boat-houses, ramps, retaining walls, and other improvements for which access is provided in a permit for the use of the applicable requested Federal land as of the date of enactment of this Act.

(b) **LIABILITY; TAKING.**—

(1) **LIABILITY.**—The United States shall not be liable for flood damage to a property, Hitchcock County, or Frontier County, or for damages arising out of any act, omission, or occurrence relating to a permit holder, Hitchcock County, or Frontier County, other

than for damages caused by an act or omission of the United States or an employee, agent, or contractor of the United States before the date of enactment of this Act.

(2) **HOLD HARMLESS.**—Hitchcock County, Frontier County, and any entity to which requested Federal land is subsequently conveyed pursuant to section 3(b)(2) shall agree to indemnify and hold harmless the United States for all claims by Hitchcock County, Frontier County, or others arising from—

(A) the design, construction, operation, maintenance, or replacement of Red Willow Dam, Hugh Butler Reservoir, Trenton Dam, or Swanson Reservoir;

(B) the survey of claims, description of claims, delineation of boundaries, conveyance documents, conveyance process, and recording of deeds associated with a conveyance under this Act; or

(C) any damages associated with a structure or land that may be displaced in a flood event.

(3) **NO ADDITIONAL LIABILITY.**—Nothing in this Act increases the liability of the United States beyond the liability provided under chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”).

(4) **TAKING.**—Any temporary flooding or flood damage to a property, Hitchcock County, or Frontier County, shall not be considered to be a taking by the United States.

SEC. 5. INTERIM REQUIREMENTS.

(a) **IN GENERAL.**—During the period beginning on the date of enactment of this Act and ending on the date that is the later of the date that is 3 years after the date of enactment of this Act or the date of conveyance of the applicable requested Federal land under section 3(a), the provisions of the Lakeview Lodge Management Agreement, Red Willow Management Agreement, and Swanson Management Agreement, as applicable, and any applicable permits, shall remain in force and effect.

(b) **EFFECT OF FAILURE TO ENTER INTO TITLE TRANSFER AGREEMENT.**—If, by the date that is 3 years after the date of enactment of this Act, Hitchcock County or Frontier County, as applicable, have not entered into a title transfer agreement with the Secretary under section 3(a)(1), the Secretary shall manage any of the Lakeview Lodge Permitted Concession Land, the Red Willow Permitted Cabin Land, the Red Willow Permitted Concession Land, the Swanson Permitted Cabin Land, and the Swanson Permitted Concession Land, as applicable, that is not subject to a title transfer agreement in accordance with applicable law.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. WESTERMAN) and the gentlewoman from California (Ms. KAMLAGER-DOVE) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

GENERAL LEAVE

Mr. WESTERMAN. 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. 8413, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of Representative SMITH's legislation, which would initiate a transfer of Federal lands under the jurisdiction of the Bureau of Reclamation to the Counties of Frontier and Hitchcock in southern Nebraska.

This legislation was introduced at the counties' request with the hopes of gaining local control after disagreements arose between local stakeholders and the Bureau of Reclamation.

The disagreement stemmed from the Bureau of Reclamation's decision to require the removal of mobile homes surrounding the reservoirs, an action that would significantly impact the local economy.

The cost of this transfer has not yet been determined. However, an appraisal will be conducted, and the counties will be responsible for providing fair market value compensation for these lands.

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

Ms. KAMLAGER-DOVE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the Swanson and Hugh Butler Reservoirs Land Conveyances Act. This bill would authorize the Secretary of the Interior to enter into good faith negotiations with Hitchcock County and Frontier County in southern Nebraska to establish a title transfer agreement for certain lands within the Swanson Reservoir and Red Willow Reservoir lands.

The Swanson Reservoir and Hugh Butler Reservoir serve as home to several communities and popular recreation sites. Transferring ownership of these lands from the Bureau of Reclamation to the counties will allow the counties to manage and develop the land for recreational use and conservation in alignment with the communities' needs.

It is worth noting that there are some health and safety concerns at the concession areas that need to be met to increase public safety and access to recreation facilities.

For that reason, the bill would require that prior to any conveyance, the local entities must demonstrate their ability to effectively operate, maintain, and enhance the lands for the same purposes for which they are currently being used and to establish a concrete plan to address health and safety concerns. This legislation will help improve the management of these sites for the surrounding communities.

Mr. Speaker, I urge my colleagues to vote “yes” on the bill, and I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska (Mr. SMITH), the bill sponsor.

Mr. SMITH of Nebraska. Mr. Speaker, I thank my colleagues on the House Committee on Natural Resources. I appreciate this opportunity, and I appreciate their support of H.R. 8413.

The Swanson and Hugh Butler Reservoirs Land Conveyances Act would begin the process of transferring ownership of roughly 77 acres of land from the Bureau of Reclamation to the Counties of Hitchcock and Frontier together. Importantly, this land does not include any water or power assets.

I am proud to represent Nebraska's Third District, which is home to both reservoirs impacted by this legislation. Over the last few years, working closely with impacted stakeholders, as well as Senator DEB FISCHER, it is clear how important this transfer is to the local communities.

The current management of the land supports local marinas, housing communities, and areas for local economic activity. However, should the Bureau of Reclamation maintain ownership, impending changes to land use policy would force the removal of these businesses and communities from the land.

When the Bureau of Reclamation announced the planned management changes, it spawned extensive collaboration between the local communities, businesses, and housing owners. This collaboration generated outstanding support for a land transfer that would allow for increased local control of the recreational areas.

Further, this would provide long-term certainty for the businesses that depend on revenue brought in by tourism, the locals who enjoy recreational activities at the reservoirs, and some 180 housing owners from three States. These owners and their families have spent generations creating these homes away from home.

Tourism cultivated by current land use arrangements is vital for the local economies. Both counties are highly rural, with Frontier County covering over 700 square miles with just 2,600 residents. There are three restaurants in the entire county, one of which is a marina included in this transfer.

The 110 leaseholders at Swanson Reservoir bring in approximately 500 people multiple times throughout the year who support other local businesses in the area as well.

To put this into perspective, small businesses throughout Frontier and Hitchcock Counties estimate they would lose nearly \$1.5 million in revenue if these leases are terminated. Additionally, the marinas facilitate community activities and drive economic development, which would not occur if not for the patronage generated from the broader communities.

When the public and the Federal Government disagree on how land intended for public access should be used, the reasonable solution is to empower local control, which best suits the local community and visitors, especially considering all the discussion here this afternoon.

Additionally, the transfer comes at no cost to the Federal Government, as the legislation ensures taxpayers are reimbursed at fair market value and public access is maintained.

Mr. Speaker, I thank the chair and ranking member for their work to move this bill forward and certainly Senator FISCHER for her partnership in the Senate, and I urge passage of H.R. 8413.

Ms. KAMLAGER-DOVE. Mr. Speaker, I urge my colleagues to support the legislation, and I yield back the balance of my time.

Mr. WESTERMAN. Mr. Speaker, H.R. 8413 provides a solution to a dispute between Frontier and Hitchcock Counties and the Bureau of Reclamation. These reservoirs, among other benefits, provide valuable recreational access to over 57,000 acres available for public hunting and fishing.

I thank Representative SMITH and all of Nebraska's congressional delegation members for their leadership on this issue. I encourage all Members to support this commonsense, bipartisan legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. WESTERMAN) that the House suspend the rules and pass the bill, H.R. 8413, 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.

RECESS

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

Accordingly (at 1 o'clock and 28 minutes p.m.), the House stood in recess.

□ 1645

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GIMENEZ) at 4 o'clock and 45 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Motions to suspend the rules and pass:

S. 709;

H.R. 9598; and

H.R. 9600,

Amendment No. 1 to H.R. 7198 by Ms. VELÁZQUEZ of New York,

The motion to recommit H.R. 7198, if offered; and

Passage of H.R. 7198, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes or 2-minute votes.

FEDERAL AGENCY PERFORMANCE ACT OF 2024

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 709) to improve performance and accountability in the Federal Government, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. BURCHETT) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 389, nays 6, not voting 37, as follows:

[Roll No. 484]

YEAS—389

| | | |
|-----------------|-----------------|----------------|
| Adams | Clyde | Gottheimer |
| Aderholt | Cohen | Graves (LA) |
| Aguiar | Cole | Green (TN) |
| Alford | Collins | Green, Al (TX) |
| Allen | Comer | Griffith |
| Allred | Connolly | Grothman |
| Amo | Correa | Guest |
| Amodei | Costa | Guthrie |
| Armstrong | Courtney | Hageman |
| Arrington | Craig | Harder (CA) |
| Auchincloss | Crawford | Harris |
| Babin | Crow | Harshbarger |
| Bacon | Cuellar | Hayes |
| Baird | Curtis | Hern |
| Balderson | D'Esposito | Higgins (LA) |
| Balint | Davids (KS) | Hill |
| Banks | Davidson | Himes |
| Barragán | Davis (IL) | Hinson |
| Bean (FL) | Davis (NC) | Horsford |
| Beatty | De La Cruz | Houchin |
| Bentz | Dean (PA) | Houlahan |
| Bera | DeGette | Hoyer |
| Bergman | DeLauro | Hoyle (OR) |
| Beyer | DeBene | Hudson |
| Bice | Deluzio | Huffman |
| Bilirakis | DeSaunier | Huizenga |
| Bishop (GA) | DesJarlais | Hunt |
| Bishop (NC) | Diaz-Balart | Issa |
| Blunt Rochester | Dingell | Ivey |
| Bonamici | Doggett | Jackson (IL) |
| Bost | Donalds | Jackson (NC) |
| Boyle (PA) | Duarte | Jackson (TX) |
| Brecheen | Dunn (FL) | Jacobs |
| Brown | Edwards | James |
| Brownley | Ellzey | Jayapal |
| Buchanan | Emmer | Jeffries |
| Bucshon | Escobar | Johnson (GA) |
| Budzinski | Eshoo | Johnson (SD) |
| Burchett | Espallat | Jordan |
| Burgess | Estes | Joyce (OH) |
| Burlison | Ezell | Joyce (PA) |
| Bush | Fallon | Kamlager-Dove |
| Calvert | Feenstra | Kaptur |
| Cammack | Ferguson | Kean (NJ) |
| Caraveo | Finstad | Keating |
| Carbajal | Fischbach | Kelly (IL) |
| Cárdenas | Fitzgerald | Kelly (MS) |
| Carey | Fitzpatrick | Kelly (PA) |
| Carl | Fleischmann | Kennedy |
| Carson | Flood | Khanna |
| Carter (GA) | Fong | Kiggans (VA) |
| Carter (LA) | Foster | Kildee |
| Carter (TX) | Foushee | Kiley |
| Cartwright | Fox | Kilmer |
| Casar | Frankel, Lois | Kim (CA) |
| Case | Franklin, Scott | Kim (NJ) |
| Casten | Frost | Krishnamoorthi |
| Castor (FL) | Fry | Kuster |
| Castro (TX) | Fulcher | Kustoff |
| Chavez-DeRemer | Garamendi | LaHood |
| Cherfilus- | Garcia (IL) | LaLota |
| McCormick | Garcia (TX) | LaMalfa |
| Chu | Garcia, Robert | Lamborn |
| Ciscomani | Gimenez | Landsman |
| Clark (MA) | Golden (ME) | Langworthy |
| Clarke (NY) | Goldman (NY) | Larsen (WA) |
| Cleaver | Gonzales, Tony | Larson (CT) |
| Cline | Gonzalez, V. | Latta |
| Cloud | Gooden (TX) | LaTurner |
| Clyburn | Gosar | Lawler |

| | | |
|-----------------|---------------|----------------|
| Lee (CA) | Norcross | Spanberger |
| Lee (FL) | Norman | Spartz |
| Lee (NV) | Nunn (IA) | Stanton |
| Lee (PA) | Obornolte | Stauber |
| Lee Carter | Ocasio-Cortez | Steel |
| Leger Fernandez | Ogles | Stefanik |
| Lesko | Owens | Steil |
| Letlow | Pallone | Steube |
| Levin | Palmer | Stevens |
| Lofgren | Panetta | Strickland |
| Lopez | Pappas | Strong |
| Loudermilk | Peltola | Suozi |
| Lucas | Pence | Sykes |
| Luttrell | Perry | Takano |
| Lynch | Peters | Tenney |
| Mace | Pettersen | Thanedar |
| Magaziner | Pfuger | Thompson (CA) |
| Malliotakis | Phillips | Thompson (MS) |
| Maloy | Pingree | Thompson (PA) |
| Mann | Pocan | Tiffany |
| Manning | Posey | Timmons |
| Mast | Pressley | Tlaib |
| Matsui | Quigley | Tokuda |
| McBath | Ramirez | Tonko |
| McCaul | Raskin | Torres (CA) |
| McClain | Reschenthaler | Torres (NY) |
| McClellan | Rogers (AL) | Torres |
| McClintock | Ross | Trahan |
| McCollum | Rouzer | Trone |
| McCormick | Ruiz | Turner |
| McGarvey | Rulli | Underwood |
| McGovern | Ruppersberger | Valadao |
| McIver | Rutherford | Van Drew |
| Meeks | Ryan | Van Dwyne |
| Menendez | Salinas | Van Orden |
| Meng | Sánchez | Vargas |
| Meuser | Sarbanes | Vasquez |
| Mfume | Scalise | Veasey |
| Miller (IL) | Scanlon | Velázquez |
| Miller (OH) | Schakowsky | Wagner |
| Miller (WV) | Schiff | Walberg |
| Miller-Meeks | Schneider | Wasserman |
| Mills | Scholten | Schultz |
| Molinaro | Schrier | Waters |
| Moolenaar | Schweikert | Watson Coleman |
| Mooney | Scott (VA) | Weber (TX) |
| Moore (AL) | Scott, Austin | Webster (FL) |
| Moore (UT) | Scott, David | Wenstrup |
| Moore (WI) | Self | Westerman |
| Moran | Sessions | Wied |
| Morelle | Sewell | Wild |
| Moskowitz | Sherman | Williams (GA) |
| Moulton | Simpson | Williams (NY) |
| Mrvan | Slotkin | Williams (TX) |
| Murphy | Smith (MO) | Wilson (FL) |
| Nadler | Smith (NE) | Wilson (SC) |
| Neal | Smith (NJ) | Wittman |
| Neguse | Smith (WA) | Womack |
| Nehls | Smucker | Yakym |
| Newhouse | Sorensen | Zinke |
| Nickel | Soto | |

NAYS—6

| | | |
|-------|-------------|-----------|
| Biggs | Good (VA) | Rosendale |
| Crane | Greene (GA) | Roy |

NOT VOTING—37

| | | |
|--------------|-------------|--------------|
| Barr | Granger | Porter |
| Blumenauer | Graves (MO) | Rodgers (WA) |
| Boebert | Grijalva | Rogers (KY) |
| Bowman | Lieu | Rose |
| Crenshaw | Luetkemeyer | Salazar |
| Crockett | Luna | Sherrill |
| Duncan | Massie | Stansbury |
| Evans | McHenry | Swalwell |
| Fletcher | Mullin | Titus |
| Galleo | Napolitano | Waltz |
| Garbarino | Omar | Wexton |
| Garcia, Mike | Pelosi | |
| Gomez | Perez | |

□ 1713

Ms. ESCOBAR, Messrs. TIMMONS, and SMUCKER changed their 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.

Stated for:

Mr. BARR. Mr. Speaker, had I been present, I would have voted YEA on Roll Call No. 484.