

# 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:

Agreeing to the motion to reconsider House Resolution 947, if ordered; and

Adoption of House Resolution 947, if ordered.

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

# MOTION TO RECONSIDER ON HOUSE RESOLUTION 947, PRO- VIDING FOR CONSIDERATION OF H.R. 788, STOP SETTLEMENT SLUSH FUNDS ACT OF 2023; PRO- VIDING FOR CONSIDERATION OF H.J. RES. 98, PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER THE RULE SUBMITTED BY THE NATIONAL LABOR RELA- TIONS BOARD RELATING TO “STANDARD FOR DETERMINING JOINT EMPLOYER STATUS”; AND PROVIDING FOR CONSIDERATION OF S.J. RES. 38, PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER THE RULE SUBMITTED BY THE FEDERAL HIGHWAY AD- MINISTRATION RELATING TO “WAIVER OF BUY AMERICA RE- QUIREMENTS FOR ELECTRIC VE- HICLE CHARGERS”

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to reconsider adoption of the resolution (House Resolution 947) providing for consideration of the bill (H.R. 788) to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes; providing for consideration of the joint resolution (H.J. Res. 98) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to “Standard for Determining Joint Employer Status”; and providing for the joint resolution (S.J. Res. 38) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Highway Administration relating to “Waiver of Buy America Requirements for Electric Vehicle Chargers” offered by the gentleman from Utah (Mr. MOORE).

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to reconsider.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 210, nays 201, answered “present” 1, not voting 21, as follows:

[Roll No. 4]

YEAS—210

Aderholt	Gallagher	Miller (IL)
Alford	Garbarino	Miller (OH)
Allen	Garcia, Mike	Miller (WV)
Amodei	Gimenez	Miller-Meeks
Armstrong	Gonzales, Tony	Mills
Arrington	Good (VA)	Molinaro
Babin	Gooden (TX)	Moolenaar
Bacon	Gosar	Mooney
Baird	Granger	Moore (AL)
Balderson	Graves (LA)	Moore (UT)
Banks	Graves (MO)	Moran
Barr	Green (TN)	Murphy
Bean (FL)	Greene (GA)	Nehls
Bentz	Griffith	Newhouse
Bergman	Grothman	Norman
Bice	Guest	Obernoite
Biggs	Guthrie	Ogles
Bilirakis	Hageman	Owens
Bishop (NC)	Harris	Palmer
Brecheen	Harshbarger	Pence
Buchanan	Hern	Perry
Buchson	Higgins (LA)	Pfluger
Burchett	Hill	Posey
Burgess	Houchin	Reschenthaler
Burlison	Hudson	Rodgers (WA)
Calvert	Huizenga	Rogers (AL)
Cammack	Hunt	Rose
Carey	Issa	Rosendale
Carl	Jackson (TX)	Rouzer
Carter (GA)	James	Rutherford
Carter (TX)	Johnson (LA)	Salazar
Chavez-DeRemer	Johnson (OH)	Schweikert
Ciscomani	Johnson (SD)	Scott, Austin
Cline	Jordan	Self
Cloud	Joyce (OH)	Sessions
Clyde	Joyce (PA)	Simpson
Cole	Kean (NJ)	Smith (MO)
Collins	Kelly (MS)	Smith (NE)
Comer	Kelly (PA)	Smith (NJ)
Crawford	Kiggans (VA)	Smucker
Crenshaw	Kiley	Spartz
Curtis	Kim (CA)	Staubert
D'Esposito	Kustoff	Steel
Davidson	LaHood	Stefanik
De La Cruz	LaLota	Steil
DesJarlais	LaMalfa	Steube
Diaz-Balart	Langborn	Strong
Donalds	Langworthy	Tenney
Duarte	Latta	Thompson (PA)
Duncan	LaTurner	Tiffany
Dunn (FL)	Lawler	Timmons
Edwards	Lee (FL)	Turner
Ellzey	Lesko	Valadao
Emmer	Letlow	Van Drew
Estes	Loudermilk	Van Duyne
Ezell	Lucas	Van Orden
Fallon	Luetkemeyer	Wagner
Feenstra	Luttrell	Walberg
Ferguson	Mace	Waltz
Finstad	Malliotakis	Weber (TX)
Fischbach	Maloy	Webster (FL)
Fitzgerald	Mann	Wenstrup
Fitzpatrick	Massie	Westerman
Fleischmann	Mast	Williams (NY)
Flood	McCaull	Williams (TX)
Foxx	McClain	Wilson (SC)
Franklin, Scott	McClintock	Wittman
Fry	McCormick	Womack
Fulcher	McHenry	Yakym
Gaetz	Meuser	Zinke

NAYS—201

Adams	Caraveo	Costa
Agullar	Carbajal	Courtney
Allred	Cardenas	Craig
Amo	Carson	Crockett
Auchincloss	Casar	Crow
Balint	Case	Cuellar
Barragan	Casten	Davids (KS)
Beatty	Castor (FL)	Davis (NC)
Bera	Castro (TX)	Dean (PA)
Beyer	Cherfilus-	DeGette
Bishop (GA)	McCormick	DeLauro
Blumenauer	Chu	DelBene
Bonamici	Clark (MA)	Deluzio
Bowman	Clarke (NY)	DeSaulnier
Boyle (PA)	Cleaver	Dingell
Brown	Clyburn	Doggett
Brownley	Cohen	Escobar
Budzinski	Connolly	Eshoo
Bush	Correa	Espallat

Evans	Leger Fernandez	Ruiz
Fletcher	Levin	Ruppersberger
Foster	Lieu	Ryan
Foushee	Lofgren	Salinas
Frankel, Lois	Luna	Sanchez
Frost	Lynch	Sarbanes
Gallego	Magaziner	Schakowsky
Garamendi	Manning	Schiff
Garcia (IL)	Matsui	Schneider
Garcia (TX)	McBath	Scholten
Garcia, Robert	McClellan	Schrier
Golden (ME)	McCollum	Scott (VA)
Goldman (NY)	McGarvey	Scott, David
Gomez	McGovern	Sewell
Gonzalez,	Meeks	Sherman
Vicente	Menendez	Sherrill
Gottheimer	Meng	Slotkin
Green, Al (TX)	Mfume	Smith (WA)
Grijalva	Moore (WI)	Sorensen
Harder (CA)	Morelle	Soto
Hayes	Moskowitz	Spanberger
Higgins (NY)	Moulton	Stansbury
Himes	Mrvan	Stanton
Horsford	Mullin	Stevens
Houlahan	Nadler	Strickland
Hoyer	Napolitano	Swalwell
Hoyle (OR)	Neal	Sykes
Huffman	Neguse	Takano
Ivey	Nickel	Thanedar
Jackson (IL)	Norcross	Thompson (CA)
Jackson (NC)	Ocasio-Cortez	Thompson (MS)
Jackson Lee	Omar	Titus
Jacobs	Pallone	Tlaib
Jayapal	Panetta	Tokuda
Johnson (GA)	Pascarella	Tonko
Kamlager-Dove	Payne	Torres (CA)
Kaptur	Pelosi	Torres (NY)
Keating	Peltola	Trahan
Khanna	Perez	Trone
Kildee	Peters	Vargas
Kilmer	Pettersen	Vasquez
Krishnamoorthi	Pingree	Veasey
Kuster	Pocan	Velazquez
Landsman	Porter	Wasserman
Larsen (WA)	Pressley	Schultz
Larson (CT)	Quigley	Waters
Lee (CA)	Ramirez	Watson Coleman
Lee (NV)	Raskin	Wild
Lee (PA)	Ross	Williams (GA)

ANSWERED “PRESENT”—1

Roy

NOT VOTING—21

Blunt Rochester	Davis (IL)	Phillips
Boebert	Hinson	Rogers (KY)
Bost	Jeffries	Scalise
Buck	Kelly (IL)	Scanlon
Carter (LA)	Kim (NJ)	Underwood
Cartwright	Nunn (IA)	Wexton
Crane	Pappas	Wilson (FL)

□ 1359

Mr. MORELLE and Ms. MOORE of Wisconsin changed their vote from “yea” to “nay.”

Mr. WEBER of Texas, Mrs. SPARTZ, Messrs. DAVIDSON, MEUSER, HIGGINS of Louisiana, RUTHERFORD, and JOHNSON of South Dakota changed their vote from “nay” to “yea.”

So the motion to reconsider was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 211, noes 202, answered “present” 1, not voting 18, as follows:

[Roll No. 5]

AYES—211

Aderholt	Gaetz	Miller (OH)
Alford	Gallagher	Miller (WV)
Allen	Garbarino	Miller-Meeks
Amodei	Garcia, Mike	Mills
Armstrong	Gimenez	Molinaro
Arrington	Gonzales, Tony	Moolenaar
Babin	Good (VA)	Mooney
Bacon	Gooden (TX)	Moore (AL)
Baird	Gosar	Moore (UT)
Balderson	Granger	Moran
Banks	Graves (LA)	Murphy
Barr	Graves (MO)	Nehls
Bean (FL)	Green (TN)	Newhouse
Bentz	Greene (GA)	Norman
Bergman	Griffith	Obernolte
Bice	Grothman	Ogles
Biggs	Guest	Owens
Bilirakis	Guthrie	Palmer
Bishop (NC)	Hagaman	Pence
Bost	Harris	Perry
Brecheen	Harshbarger	Pfluger
Buchanan	Hern	Posey
Buchson	Higgins (LA)	Reschenthaler
Burchett	Hill	Rodgers (WA)
Burgess	Houchin	Rogers (MS)
Burlison	Hudson	Rose
Calvert	Huizenga	Rosendale
Cammack	Hunt	Rouzer
Carey	Issa	Rutherford
Carl	Jackson (TX)	Salazar
Carter (GA)	James	Schweikert
Carter (TX)	Johnson (OH)	Scott, Austin
Chavez-DeRemer	Johnson (SD)	Self
Ciscomani	Jordan	Sessions
Cline	Joyce (OH)	Simpson
Cloud	Joyce (PA)	Smith (MO)
Clyde	Kean (NJ)	Smith (NE)
Cole	Kelly (MS)	Smith (NJ)
Collins	Kelly (PA)	Smucker
Comer	Kiggans (VA)	Spartz
Crane	Kiley	Stauber
Crawford	Kim (CA)	Steel
Crenshaw	Kustoff	Stefanik
Curtis	LaHood	Steil
D'Esposito	LaLota	Steube
Davidson	LaMalfa	Strong
De La Cruz	Lamborn	Tenney
DesJarlais	Langworthy	Thompson (PA)
Diaz-Balart	Latta	Tiffany
Donalds	LaTurner	Timmons
Duarte	Lawler	Turner
Duncan	Lee (FL)	Valadao
Dunn (FL)	Lesko	Van Drew
Edwards	Letlow	Van Dwyne
Ellzey	Loudermilk	Van Orden
Emmer	Lucas	Wagner
Estes	Luetkemeyer	Walberg
Ezell	Luttrell	Waltz
Fallon	Mace	Weber (TX)
Feenstra	Malliotakis	Webster (FL)
Ferguson	Maloy	Wenstrup
Finstad	Mann	Westerman
Fischbach	Massie	Williams (NY)
Fitzgerald	Mast	Williams (TX)
Fitzpatrick	McCaul	Wilson (SC)
Fleischmann	McClain	Wittman
Flood	McClintock	Womack
Foxx	McCormick	Yakym
Franklin, Scott	McHenry	Zinke
Fry	Meuser	
Fulcher	Miller (IL)	

NOES—202

Adams	Casas	Davis (NC)
Aguilar	Case	Dean (PA)
Allred	Casten	DeGette
Amo	Castor (FL)	DeLauro
Auchincloss	Castro (TX)	DelBene
Balint	Cherfilus	Deluzio
Barragan	McCormick	DeSaulnier
Beatty	Chu	Dingell
Bera	Clark (MA)	Doggett
Beyer	Clarke (NY)	Escobar
Bishop (GA)	Cleaver	Eshoo
Blumenauer	Clyburn	Espallat
Bonamici	Cohen	Evans
Bowman	Connolly	Fletcher
Boyle (PA)	Correa	Foster
Brown	Costa	Foushee
Brownley	Courtney	Frankel, Lois
Budzinski	Craig	Frost
Bush	Crockett	Gallego
Caraveo	Crow	Garamendi
Carbajal	Cuellar	Garcia (IL)
Cárdenas	Davids (KS)	Garcia (TX)
Carson	Davis (IL)	Garcia, Robert

Golden (ME)	Matsui	Sarbanes
Goldman (NY)	McBath	Schakowsky
Gomez	McClellan	Schiff
Gonzalez,	McCollum	Schneider
Vicente	McGarvey	Scholten
Gottheimer	McGovern	Schrier
Green, Al (TX)	Meeks	Scott (VA)
Grijalva	Menendez	Scott, David
Harder (CA)	Meng	Sewell
Hayes	Mfume	Sherman
Higgins (NY)	Moore (WI)	Sherrill
Himes	Morelle	Slotkin
Horsford	Moskowitz	Smith (WA)
Houlahan	Moulton	Sorensen
Hoyer	Mrvan	Soto
Hoyle (OR)	Mullin	Spanberger
Huffman	Nader	Stansbury
Ivey	Napolitano	Stanton
Jackson (IL)	Neal	Stevens
Jackson (NC)	Neguse	Strickland
Jackson Lee	Nickel	Swalwell
Jacobs	Norcross	Sykes
Jayapal	Ocasio-Cortez	Takano
Johnson (GA)	Omar	Thanedar
Kamlager-Dove	Pallone	Thompson (CA)
Kaptur	Panetta	Thompson (MS)
Keating	Pascrell	Titus
Khanna	Payne	Tlaib
Kildee	Pelosi	Tokuda
Kilmer	Peltola	Tonko
Perez	Krishnamoorthi	Torres (CA)
Kuster	Peters	Torres (NY)
Landsman	Pettersen	Trahan
Larson (WA)	Pingree	Trone
Larson (CT)	Pocan	Vargas
Lee (CA)	Porter	Vasquez
Lee (NV)	Pressley	Veasey
Lee (PA)	Quigley	Velázquez
Leger Fernandez	Ramirez	Wasserman
Levin	Raskin	Schultz
Lieu	Ross	Waters
Lofgren	Ruiz	Watson Coleman
Luna	Ruppersberger	Wild
Lynch	Ryan	Williams (GA)
Magaziner	Salinas	
Manning	Sánchez	

ANSWERED "PRESENT"—1

Roy

NOT VOTING—18

Blunt Rochester	Jeffries	Rogers (KY)
Boebert	Kelly (IL)	Scalise
Buck	Kim (NJ)	Scanlon
Carter (LA)	Nunn (IA)	Underwood
Cartwright	Pappas	Wexton
Hinson	Phillips	Wilson (FL)

□ 1409

Mr. ROY changed his vote from "aye" to "present."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1415

#### STOP SETTLEMENT SLUSH FUNDS ACT OF 2023

Mr. GOODEN of Texas. Mr. Speaker, pursuant to House Resolution 947, I call up the bill (H.R. 788) to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. NEWHOUSE). Pursuant to House Resolution 947, in lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118-18 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 788

*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 "Stop Settlement Slush Funds Act of 2023".*

#### SEC. 2. LIMITATION ON DONATIONS MADE PURSUANT TO SETTLEMENT AGREEMENTS TO WHICH THE UNITED STATES IS A PARTY.

(a) **LIMITATION ON REQUIRED DONATIONS.**—An official or agent of the Government may not enter into or enforce any settlement agreement on behalf of the United States directing or providing for a payment to any person or entity other than the United States, other than a payment that provides restitution for or otherwise directly remedies actual harm (including to the environment) directly and proximately caused by the party making the payment, or constitutes payment for services rendered in connection with the case.

(b) **PENALTY.**—Any official or agent of the Government who violates subsection (a) shall be subject to the same penalties that would apply in the case of a violation of section 3302 of title 31, United States Code.

(c) **EFFECTIVE DATE.**—Subsections (a) and (b) apply only in the case of a settlement agreement entered on or after the date of enactment of this Act.

(d) **DEFINITION.**—The term "settlement agreement" means a settlement agreement resolving a civil action or potential civil action.

#### (e) REPORTS ON SETTLEMENT AGREEMENTS.—

(1) **IN GENERAL.**—Not later than at the end of the first fiscal year that begins after the date of enactment of this Act, and annually thereafter, the head of each Federal agency shall submit electronically to the Congressional Budget Office a report on each settlement agreement entered into by that agency during that fiscal year that directs or provides for a payment to a person or entity other than the United States that is providing restitution for or otherwise directly remedies actual harm (including to the environment) directly and proximately caused by the party making the payment, or that constitutes payment for services rendered in connection with the case, which shall include the parties to each settlement agreement, the source of the settlement funds, and where and how such funds were and will be distributed.

(2) **PROHIBITION ON ADDITIONAL FUNDING.**—No additional funds are authorized to be appropriated to carry out this subsection.

(3) **SUNSET.**—This subsection shall cease to be effective on the date that is 7 years after the date of enactment of this Act.

#### (f) ANNUAL AUDIT REQUIREMENT.—

(1) **IN GENERAL.**—Not later than at the end of the first fiscal year that begins after the date of enactment of this Act, and annually thereafter, the Inspector General of each Federal agency shall submit a report on any settlement agreement entered into in violation of this section by that agency to—

(A) the Committee on the Judiciary, the Committee on the Budget, and the Committee on Appropriations of the Senate; and

(B) the Committee on the Judiciary, the Committee on the Budget, and the Committee on Appropriations of the House of Representatives.

(2) **PROHIBITION ON ADDITIONAL FUNDING.**—No additional funds are authorized to be appropriated to carry out this subsection.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary, or their respective designees.