

DeFazio
DeGette
Delahunt
DeLauro
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Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
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Doggett
Donnelly (IN)
Doyle
Dreier
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Duncan
Edwards (MD)
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Ehlers
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Frank (MA)
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Frelinghuysen
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Garrett (NJ)
Gerlach
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Gingrey (GA)
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Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
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Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (WA)
Heinrich
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Hensarling
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Hoyer
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Inglis
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Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kanjorski
Kaptur
Kennedy

Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
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Kline (MN)
Kosmas
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Lamborn
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Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
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Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsock
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris
Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Oliver
Ortiz
Owens

Pallone
Pastorel
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perrillo
Peters
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Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
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Thompson (CA)
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Thompson (PA)
Thornberry
Tiberi
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Titus
Tonko

Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
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Wasserman
Schultz
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Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield

Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—12

Andrews
Bachus
Brady (TX)
Conyers
Deutch
Hastings (FL)
Hinojosa
Hoekstra
Kagen
Olson

Sánchez, Linda T.
Tiahrt

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

□ 1346

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. BACHUS. Madam Speaker, on July 14, 2010, I missed rollcall votes 437, 438 and 439 while visiting with World War II veterans from my district at the National World War II Memorial as part of the Birmingham Honor Flight program. Had I been present, I would have voted "nay" on Nos. 437 and 438 and voted "yea" on No. 439.

TELEWORK IMPROVEMENTS ACT OF 2010

Mr. LYNCH. Madam Speaker, pursuant to House Resolution 1509, I call up the bill (H.R. 1722) to improve teleworking in executive agencies by developing a telework program that allows employees to telework at least 20 percent of the hours worked in every 2 administrative workweeks, 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. Pursuant to House Resolution 1509, the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in House Report 111-535, is adopted and the bill, as amended, is considered read.

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

H.R. 1722

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 "Telework Improvements Act of 2010".

SEC. 2. TELEWORK.

(a) IN GENERAL.—Part III of title 5, United States Code, is amended by inserting after chapter 63 the following:

"CHAPTER 65—TELEWORK

"Sec.

"6501. Definitions.

"6502. Governmentwide telework requirement.

"6503. Implementation.

"6504. Telework Managing Officer.

"6505. Evaluating telework in agencies.

"§ 6501. Definitions

"For purposes of this chapter—

"(1) the term 'agency' means an Executive agency (as defined by section 105), except as otherwise provided in this chapter;

"(2) the term 'telework' or 'teleworking' refers to a work flexibility arrangement under which an employee performs the duties and responsibilities of such employee's position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work;

"(3) the term 'continuity of operations', as used with respect to an agency, refers to measures designed to ensure that functions essential to the mission of the agency can continue to be performed during a wide range of emergencies, including localized acts of nature, accidents, public health emergencies, and technological or attack-related emergencies; and

"(4) the term 'Telework Managing Officer' means, with respect to an agency, the Telework Managing Officer of the agency designated under section 6504.

"§ 6502. Governmentwide telework requirement

"(a) TELEWORK REQUIREMENT.—

"(1) IN GENERAL.—Not later than one year after the date of the enactment of this chapter, the head of each agency shall establish a policy under which employees shall be authorized to telework, subject to paragraph (2) and subsection (b).

"(2) AGENCY POLICIES.—The head of each agency shall ensure—

"(A) that the telework policy established under this section—

"(i) conforms to the regulations promulgated by the Director of the Office of Personnel Management under section 6503, and

"(ii) authorizes employees to telework to the maximum extent possible without diminishing agency operations and performance; and

"(B) that information on whether a position is eligible for telework is included in descriptions of available positions and recruiting materials."

"(b) PROVISIONS RELATING TO CERTAIN CIRCUMSTANCES.—Nothing in subsection (a) shall be considered—

"(1) to require the head of an agency to authorize teleworking in the case of an employee whose duties and responsibilities—

"(A) require daily direct handling of classified information; or

"(B) are such that their performance requires on-site activity which cannot be carried out from a site removed from the employee's regular place of employment; or

"(2) to prevent the temporary denial of permission for an employee to telework if, in the judgment of the agency head, the employee is needed to respond to an emergency.

"(c) RULE OF CONSTRUCTION.—Nothing in this chapter shall—

"(1) be considered to require any employee to telework;

"(2) prevent an agency from permitting an employee to telework as part of a continuity of operations plan; or

"(3) authorize telework by an employee who has been officially disciplined for violations of subpart G of the Standards of Ethical Conduct for Employees of the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography."

"§ 6503. Implementation

"(a) RESPONSIBILITIES OF AGENCIES.—The head of each agency shall ensure that—

"(1) appropriate training is provided to supervisors and managers, and to all employees who are authorized to telework, as directed by the Telework Managing Officer of such agency;

"(2) the training covers the information security guidelines issued by the Director of the Office of Management and Budget under this section;

“(3) no distinction is made between teleworkers and nonteleworkers for purposes of—

“(A) periodic appraisals of job performance of employees,

“(B) training, rewarding, reassigning, promoting, reducing in grade, retaining, or removing employees,

“(C) work requirements, or

“(D) other acts involving managerial discretion;

“(4) in determining what constitutes diminished performance in the case of an employee who teleworks, the agency shall consult the performance management guidelines of the Office of Personnel Management; and

“(5) in the case of an agency which is named in paragraph (1) or (2) of section 901(b) of title 31, the agency incorporates telework in its continuity of operations plans and uses telework in response to emergencies.

“(b) RESPONSIBILITIES OF OPM.—The Director of the Office of Personnel Management shall—

“(1) not later than 180 days after the date of the enactment of this chapter, in consultation with the Administrator of General Services, promulgate regulations necessary to carry out this chapter, except that such regulations shall not apply with respect to the Government Accountability Office;

“(2) provide advice, assistance, and any necessary training to agencies with respect to the requirements of this chapter, including with respect to—

“(A) questions of eligibility to telework, such as the effect of employee performance on eligibility, and

“(B) making telework part of the agency's goals, including those of individual supervisors and managers; and

“(3) in consultation with the Administrator of General Services, maintain a central, publicly available telework website that includes—

“(A) any regulations relating to telework and any other information the Director considers appropriate,

“(B) an e-mail address which may be used to submit comments to the Director on agency telework programs or agreements, and

“(C) a copy of all reports issued under section 6505(a).

“(c) SECURITY GUIDELINES.—The Director of the Office of Management and Budget, in coordination with the National Institute of Standards and Technology, shall issue guidelines not later than 180 days after the date of the enactment of this chapter to ensure the adequacy of information and security protections for information and information systems used while teleworking. Such guidelines shall, at a minimum, include requirements necessary—

“(1) to control access to agency information and information systems;

“(2) to protect agency information (including personally identifiable information) and information systems;

“(3) to limit the introduction of vulnerabilities;

“(4) to protect information systems not under the control of the agency that are used for teleworking;

“(5) to safeguard wireless and other telecommunications capabilities that are used for teleworking; and

“(6) to prevent inappropriate use of official time or resources that violates subpart G of the Standards of Ethical Conduct for Employees of the Executive Branch by viewing, downloading, or exchanging pornography, including child pornography.”.

“§6504. Telework Managing Officer

“(a) DESIGNATION AND COMPENSATION.—Each agency shall designate an officer, to be known as the ‘Telework Managing Officer’. The Telework Managing Officer of an agency shall be designated—

“(1) by the Chief Human Capital Officer of such agency; or

“(2) if the agency does not have a Chief Human Capital Officer, by the head of such agency.

“(b) STATUS WITHIN AGENCY.—The Telework Managing Officer of an agency shall be a senior official of the agency who has direct access to the head of the agency.

“(c) LIMITATIONS.—An individual may not hold the position of Telework Managing Officer as a noncareer appointee (as defined in section 3132(a)(7)), and such position may not be considered or determined to be of a confidential, policy-determining, policy-making, or policy advocating character.

“(d) DUTIES AND RESPONSIBILITIES.—Each Telework Managing Officer of an agency shall—

“(1) provide advice on teleworking to the head of such agency and to the Chief Human Capital Officer of such agency (if any);

“(2) serve as a resource on teleworking for supervisors, managers, and employees of such agency;

“(3) serve as the primary point of contact on telework matters for agency employees and (with respect to such agency) for Congress and other agencies;

“(4) work with senior management of the agency to develop and implement a plan to incorporate telework into the agency's regular business strategies and its continuity of operations strategies, taking into consideration factors such as—

“(A) cost-effectiveness,

“(B) equipment,

“(C) training, and

“(D) data collection;

“(5) ensure that the agency's telework policy is communicated effectively to employees;

“(6) ensure that electronic or written notification is provided to each employee of specific telework programs and the agency's telework policy, including authorization criteria and application procedures;

“(7) develop and administer a tracking system for compliance with Governmentwide telework reporting requirements;

“(8) provide to the Director of the Office of Personnel Management and the Comptroller General such information as such individuals may require to prepare the reports required under section 6505, including the techniques used to verify and validate data on telework, except that this paragraph shall not apply with respect to the Government Accountability Office;

“(9) establish a system for receiving feedback from agency employees on the telework policy of the agency;

“(10) develop and implement a program to identify and remove barriers to telework and to maximize telework opportunities in the agency;

“(11) track and retain information on all denials of permission to telework for employees who are authorized to telework, and report such information on an annual basis to—

“(A) the Chief Human Capital Officer of such agency (or, if the agency does not have a Chief Human Capital Officer, the head of such agency), and

“(B) the Director of the Office of Personnel Management, for purposes of preparing the reports required under section 6505(a), except that this subparagraph shall not apply with respect to the Government Accountability Office;

“(12) ensure that employees are notified of grievance procedures available to them (if any) with respect to any disputes that relate to telework; and

“(13) perform such other duties and responsibilities relating to telework as the head of the agency may require.

“(e) RULE OF CONSTRUCTION REGARDING STATUS OF TELEWORK MANAGING OFFICER.—Nothing in this section shall be construed to prohibit an individual who holds another office or position in an agency from serving as the Telework Managing Officer for the agency under this chapter.

“§6505. Evaluating telework in agencies

“(a) ANNUAL REPORT BY OPM.—

“(1) IN GENERAL.—The Director of the Office of Personnel Management shall submit to the Comptroller General and the appropriate committees of Congress a report evaluating the extent to which each agency is in compliance with this chapter with respect to the period covered by the report, and shall include in the report an evaluation of each of the following:

“(A) The degree of participation by employees of the agency in teleworking during the period. In the case of an agency which is an Executive department, the evaluation will include the degree of participation by employees of each component within the department, including—

“(i) the total number of employees in the agency;

“(ii) the number and percentage of such employees who are eligible to telework; and

“(iii) the number and percentage of such employees who do telework, broken down by the number and percentage who telework 3 or more days per week, one or two days per week, and less frequently than one day per week.

“(B) The method the agency uses to gather data on telework and the techniques used to verify and validate such data.

“(C) Whether the total number of employees who telework is at least 10% higher or lower than the number who teleworked during the previous reporting period and the reasons identified for any such change.

“(D) The agency's goal for increasing the number of employees who telework in the next reporting period.

“(E) The extent to which the agency met the goal described in subparagraph (D) for its previous report, and, if the agency failed to meet the goal, the actions the agency plans to take to meet the goal for the next reporting period.

“(F) The best practices in agency telework programs.

“(G) In the case of an agency which is named in paragraph (1) or (2) of section 901(b) of title 31, the extent to which the agency incorporated telework in its continuity of operations plans and used telework in response to emergencies.

“(2) MINIMUM REQUIREMENT FOR COMPLIANCE.—For purposes of the reports required under this subsection, the Director shall determine that an agency is in compliance with the requirements of this chapter if the Director finds that the agency—

“(A) reported the requested data accurately and in a timely manner; and

“(B) either met or exceeded the agency's established telework goals, or provided explanations as to why the goals were not met as well as the steps the agency is taking to meet the goals.

“(3) REPORTING PERIOD; TIMING.—The Director shall submit a report under this subsection with respect to the first 1-year period for which the regulations promulgated by the Director under section 6503(b) are in effect and each of the 4 succeeding 1-year periods, and shall submit the report with respect to a period not later than 6 months after the last day of the period to which the report relates.

“(4) EXCLUSION OF GOVERNMENT ACCOUNTABILITY OFFICE.—The Director shall not submit a report under this subsection with respect to the Government Accountability Office.

“(b) REPORTS BY COMPTROLLER GENERAL.—

“(1) EVALUATIONS OF REPORTS BY DIRECTOR OF OPM.—Not later than 6 months after the Director submits a report under subsection (a), the Comptroller General shall review the report and submit a report to the appropriate committees of Congress. The report shall evaluate the compliance of the Office of Personnel Management and agencies with this chapter and address the overall progress of agencies in carrying out this chapter, and shall include such other information and recommendations as the Comptroller General considers appropriate.

“(2) REPORTS ON GOVERNMENT ACCOUNTABILITY OFFICE.—The Comptroller General shall submit a report with respect to the Government Accountability Office in the same manner and in accordance with the same requirements applicable to a report submitted by the Director with respect to any other agency under subsection (a).”

“(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Oversight and Government Reform of the House of Representatives; and

“(2) the Committee on Homeland Security and Governmental Affairs of the Senate.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—(1) The analysis for part III of title 5, United States Code, is amended by inserting after the item relating to chapter 63 the following:

“65. Telework 6501”.

(2) Section 622 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005, as contained in the Consolidated Appropriations Act, 2005 (5 U.S.C. 6120 note) is amended by striking “designate a ‘Telework Coordinator’ to be” and inserting “designate a Telework Managing Officer or designate the Chief Human Capital Officer or other career employee to be”.

SEC. 3. POLICY GUIDANCE.

Not later than the expiration of the 120-day period which begins on the date of the enactment of this Act, the Director of the Office of Management and Budget shall issue policy guidance requiring each Executive agency (as such term is defined in section 105 of title 5, United States Code), when purchasing computer systems, to purchase computer systems that enable and support telework, unless the head of the agency determines that there is a mission-specific reason not to do so.

SEC. 4. AUTHORITY FOR TELEWORK TRAVEL EXPENSE TEST PROGRAMS.

(a) IN GENERAL.—Subchapter I of chapter 57 of title 5, United States Code, is amended by adding at the end the following:

“§5711. Authority for telework travel expense test programs

“(a)(1) Notwithstanding any other provision of this subchapter, under a test program which the Administrator of General Services determines to be in the interest of the Government and approves, an employing agency may pay through the proper disbursing official any necessary travel expenses in lieu of any payment otherwise authorized or required under this subchapter for employees participating in a telework program. Under an approved test program, an agency may provide an employee with the option to waive any payment authorized or required under this subchapter. An agency shall include in any request to the Administrator for approval of such a test program an analysis of the expected costs and benefits and a set of criteria for evaluating the effectiveness of the program.

“(2) Any test program operated under this section shall be designed to enhance cost savings or other efficiencies that accrue to the Government.

“(3) Under any test program operated under this section, if an agency employee voluntarily relocates from the pre-existing duty station of that employee, the Administrator may authorize the employing agency to establish a reasonable maximum number of occasional visits to the pre-existing duty station before that employee is eligible for payment of any accrued travel expenses by that agency.

“(4) Nothing in this section is intended to limit the authority of any agency to conduct test programs.

“(b) The Administrator shall transmit a description of any test program approved by the

Administrator under this section, and the rationale for approval, to the appropriate committees of the Congress at least 30 days before the effective date of the program.

“(c)(1) An agency authorized to conduct a test program under this section shall provide to the Administrator, the Telework Managing Officer of that agency, and the appropriate committees of Congress a report on the results of the program not later than 3 months after completion of the program.

“(2) The results in a report described under paragraph (1) may include—

“(A) the number of visits an employee makes to the pre-existing duty station of that employee;

“(B) the travel expenses paid by the agency;

“(C) the travel expenses paid by the employee; or

“(D) any other information the agency determines useful to aid the Administrator, Telework Managing Officer, and Congress in understanding the test program and the impact of the program.

“(d) No more than 10 test programs under this section may be conducted simultaneously.

“(e) The authority to conduct test programs under this section shall expire 7 years after the date of the enactment of the Telework Improvements Act of 2010.

“(f) In this section, the term ‘appropriate committees of Congress’ means the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.”.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter I of chapter 57 of title 5, United States Code, is amended by adding at the end the following:

“Sec. 5711 Authority for telework travel expense test programs.”.

SEC. 5. TELEWORK RESEARCH.

(a) RESEARCH BY OPM ON TELEWORK.—The Director of the Office of Personnel Management shall—

(1) conduct studies on the utilization of telework by public and private sector entities that identify best practices and recommendations for the Federal government;

(2) review the outcomes associated with an increase in telework, including the effects of telework on energy consumption, the environment, job creation and availability, urban transportation patterns, and the ability to anticipate the dispersal of work during periods of emergency; and

(3) make any studies or reviews performed under this subsection available to the public.

(b) USE OF CONTRACT TO CARRY OUT RESEARCH.—The Director of the Office of Personnel Management may carry out subsection (a) pursuant to a contract entered into by the Director using competitive procedures.

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. LYNCH) and the gentleman from California (Mr. ISSA) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. LYNCH. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, as chairman of the House subcommittee with jurisdiction over the Federal workforce, postal service, and the District of Columbia, I'm pleased to offer H.R. 1722 for consideration. This legislation seeks to improve and expand access to telework for Federal employees in the executive branch.

The bipartisan measure before us today was introduced by Congressman

JOHN SARBANES of Maryland, along with myself and Representatives FRANK WOLF, GERRY CONNOLLY of Virginia, JIM MORAN of Virginia, DUTCH RUPPERSBERGER of Maryland, and DANNY DAVIS of Illinois back in March 2009. The bill was then amended and ordered reported favorably by our subcommittee on March 24, and again shortly thereafter by the Oversight and Government Reform Committee on April 14, 2010.

□ 1350

Madam Speaker, despite the evolving nature of the way the Federal Government conducts its affairs, telework, which allows an employee to regularly perform work from a remote location other than their usual workplace, continues to be underutilized by Federal agencies. Experience has consistently demonstrated that the private and public sector employers who utilize telework experience increased productivity and retention rates. More specifically, the U.S. Patent and Trademark Office and the Defense Information Systems Agency have successfully used telework programs, which shows potentially how telework can transform and enhance agencies' customer service offerings for our citizens and do so with greater efficiency and lower costs.

H.R. 1722 provides for improvements to increase the number of Federal employees that participate in telework programs by requiring agencies to develop comprehensive telework policies within 1 year that allow authorized employees to telework and by directing the Office of Personnel Management to develop regulations on overall telework policies and to annually evaluate agency telework programs.

H.R. 1722 also seeks to elevate the importance of incorporating telework into the continuity of operations planning for our Federal agencies. For example, Office of Personnel Management Director John Berry estimated that the use of telework reduced the estimated cost of lost productivity during the recent snowstorms this past winter in the District of Columbia by approximately \$30 million per day.

I urge my colleagues on both sides of the aisle to vote in favor of moving telework forward by passing H.R. 1722, the Telework Improvement Act. This legislation has long enjoyed bipartisan support in the Oversight Committee and in the House over several Congresses and will help ensure the government operates more efficiently and effectively as a modern-day employer.

With that, I reserve the balance of my time.

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

Madam Speaker, I rise with serious concerns with H.R. 1722, the Telework Improvement Act. This began as a bipartisan bill, and if our one opportunity, a motion to recommit, is passed, it will have an opportunity to end as a bipartisan bill. There is no

question in my mind that telework is the future. It, in fact, is the present. Virtually every Member of Congress has remote access. Virtually every Member of Congress and many of their staff carry BlackBerrys and use other tools so that we can work here and around the world. It would be just about impossible for a Member of Congress and their key staff to bounce back and forth between their far-away districts, here on the Hill, and various meetings if we didn't have the ability to be portable in our information access. So we are not here to talk about telework as though it is a bad thing, because it can be an extremely effective tool.

We do have concerns. One of our specific concerns in the underlying legislation is, at a time in which we're borrowing nearly 40 percent of the operating cash of our government—put in another way, once you get past entitlements, everything we spend is borrowed—it would seem ridiculous that something that can save money, that is argued to save money, in fact, is not required to be at least neutral in its expenditure. This bill is expected to cost millions of dollars per year and, like most government estimates, is likely to cost far more than that if it's expanded to its logical conclusion.

So, Madam Speaker, it is my hope that as we begin offering what we were not allowed to offer under the rule, which would be any amendments that would curtail the millions of dollars in costs over 5 years or to deal with the reality that if you're going to claim that you can save the construction of office buildings, you should be required to show that you are saving it. If you claim that you are going to be more efficient by not having a commute time, you should at least be required to show it. Additionally, we are very concerned that recent discoveries have shown that there are vulnerabilities which have not been properly cared for in this bill. The bill authorizes it but does not require it.

I am, however, pleased that in a number of areas, the majority has made improvements and has taken many suggestions. The committee did work, as you would expect us to, in favor of the efficiency and effectiveness of the Federal workforce in getting this bill as far as we could go. It is my sincere hope that one and only one opportunity to further amend would be accepted and that this will be a broadly bipartisan bill at the end.

I reserve the balance of my time.

Mr. LYNCH. I thank the gentleman for his remarks.

GENERAL LEAVE

Mr. LYNCH. For the record, Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks with respect to H.R. 1722.

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

There was no objection.

Mr. LYNCH. I would now like to yield 5 minutes to the lead sponsor of this measure, Mr. SARBANES of Maryland.

Mr. SARBANES. I thank the gentleman for yielding, and I want to thank him for his work in shepherding this through the process of bringing it to the House floor.

Madam Speaker, I am delighted that we are going to be voting today on the Telework Improvements Act of 2010, a bill that I introduced some time ago with bipartisan cosponsorship. And I want to acknowledge Congresswoman NORTON, who is here, Congressman DAVIS, Congressman CONNOLLY, JIM MORAN of Virginia, and other cosponsors.

I do also want to salute the fact that we had bipartisan support for this from the outset—Congressman WITTMAN, SHELLEY MOORE CAPITO and, of course, FRANK WOLF, who has really been a leader on this issue from the get-go. He was working on telework before I even came to Congress and understood what a valuable contribution telework could make to our Federal workforce and its productivity.

What this bill will do is expand the Federal telework policy, which was begun in a nascent way. There was just a survey done that indicated about 10 percent of the Federal workforce is now teleworking at least 1 day a week, but it can take that up to the next level by establishing a policy across our Federal agencies that promote telework and make it clear to employees how they can go about taking advantage of that opportunity. It would instruct the Office of Personnel Management to develop telework regulations, a uniform governmentwide telework policy for Federal employees. And that's important because, if you look at the different agencies, some of them have been very successful in pushing telework forward. Others have not been as attentive to it.

What this is going to do is it's going to establish an expectation to cut across our Federal workforce and encourage this opportunity. Critical to that is to designate a telework managing officer within each agency who takes responsibility, who has accountability for making sure that the telework policy is being distributed broadly within that agency, is helping to evaluate it, make sure that it's working properly.

There will be greater access provided, as a result of this bill, to telework training and education to more employees and supervisors. And the Office of Personnel Management is also going to make sure, in cooperation with the Government Accountability Office, that there's a periodic evaluation conducted so that we can see how this telework policy is advancing forward.

So these are some of the key elements of the bill that is on the floor today. I'm appreciative that Congressman ISSA recognizes the inherent value of pursuing telework. And as I said, we

did have bipartisan support at every step along the way.

Why is it important to do teleworking? I would say this is a win times five when you look at. First of all, it's going to help the Federal workforce recruit better out in the market. The private sector is doing this, and they're recruiting people, using this as an opportunity for more flexible work arrangements. The Federal workforce should be doing the same thing.

It will help to improve productivity and morale among the workforce. Those agencies that have taken full advantage of teleworking have shown that productivity has been enhanced within their agency.

□ 1400

And, frankly, it leads to more of a culture of looking at performance and delivery of important functions in the workplace, so that you're seeing that productivity rise, not just among those who are teleworking, but across an entire agency where teleworking is being implemented in a meaningful way.

At one point in the evolution of this legislation, we actually were going to attach it to an energy bill because it will have the effect of reducing the carbon footprint of the Federal Government. People won't need to be in their cars as much going back and forth to work if they can take advantage of teleworking opportunities to some extent. So that's a third win here.

A fourth win, very important, is the continuity of operations. We've seen situations where the Federal Government may be forced to shut down. If you've got telework in place, you can continue to run the operations of these agencies, even in that situation. And the best example of this we had this past winter was when we had a snowstorm that shut down the Federal Government, except 30 percent of the workforce was able to engage in their operations.

Mr. ISSA. Madam Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. WOLF), one of the cosponsors of the bill.

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Madam Speaker, I rise in strong support of the bill. But let me just say, Mr. ISSA said that the Republicans wanted to be part of this. And I think we've got to start doing things in this institution in a bipartisan way. Quite frankly, I skimmed the motion to recommit, and it looks like it's pretty good. So the more we can kind of work together, the better, the better it will be for all of us. And so I appreciate the gentleman giving me this time.

I've been involved in this issue for a number of years. IBM—in fact, many times I hear Members on both sides say we should be more like the private sector. IBM has 115,000 employees every day teleworking. And if you want the government to be like the private sector, allow the Federal employees to do

the same. And it saves them roughly \$450 million a year.

There's nothing magic about strapping yourselves into a metal box and driving 25 and 35 miles a day to a place and sitting before a laptop when you can do it at home.

Simon and Garfunkel, in the song called "The Boxer," says: "Man hears what he wants to hear and disregards the rest." This Congress on both sides many times only hears what it wants to hear and more often than not disregards the rest.

Let me tell you, 9/11, if you were here on 9/11, nothing worked. If you couldn't have teleworked, or if we had more telework, we could have had a continuity of government. The government shut down. It shut down. Would you rather have somebody not working at home and getting paid or working?

Secondly, the earthquake in California, the so-called World Series earthquake. Do you remember that? Norm Mineta was Secretary of Transportation. That's when telework really took off, because had they had to go into work, the people of California wouldn't have had highways. They wouldn't have been able to get search and rescue people there.

Continuity of government. Hurricanes. Has anyone ever heard of Katrina?

You want to shut down the government in the South, Louisiana and Texas, and say go home and we'll pay you? Or do you want them to telework at home, where they can do, where they can get and connect to a Veterans Administration, someone's who's having a difficult problem, maybe some who has prostate cancer: How can I connect? How can I get my treatment?

Telework. Telework makes all the difference in a tornado. As tornadoes hit and destroy, telework gives you that ability to do it.

Continuity of government, saving money. So man hears what he wants to hear. But what you're disregarding, this is important. This is a good "yes" vote for continuity of government. This is a good "yes" vote so you can serve your constituents. This is a good "yes" vote if you really want to save money. The vote to save money today, the vote that will save money will be the vote for this bill.

I want to thank, again, Mr. ISSA. And I would urge you, Mr. Chairman, if you can take—I think the motion to recommit has a lot of good things. But I think it's more important that we come together and find some things that we can come together and work in a bipartisan way.

But for continuity of government and to save money, I ask for a "yea" vote on this bill.

Mr. LYNCH. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. TOWNS), the full committee chairman, energetic and wise chairman of the Oversight Committee.

Mr. TOWNS. Let me thank you, Mr. LYNCH, for the hard work that you have done on this bill.

And let me begin by saying to the other side, I hope we're talking about the same legislation here, because in the committee, the only—as I remember very vividly—the only amendment that was offered was accepted. We accepted the amendment. And of course, the committee voice voted the legislation out.

Now I hear about this motion to recommit. And I understand working together. I do believe in that, and I think you accomplish a whole lot more when you do that.

But the point is, we have not even seen the motion to recommit. So, therefore, you're talking about working together and sharing information but, at the same time, you're withholding information. That, to me, I find very, very strange.

This is a committee that would welcome ideas and suggestions. But the point is that we can't go through a whole process and then, at the end of the process, you complain about the fact that I did not have an opportunity.

I want you to know that we recognize the importance of amendments, and if they strengthened the legislation we would have accepted it.

So I want to thank all the folks that worked on this. And it seems hard, I understand now, to imagine with the sweltering summer heat that has arrived, but during February's record-breaking snowstorm, the Federal Government in the D.C. area shut down for nearly an entire work week. We now have almost forgotten that. The government's lost productivity was significantly reduced because so many employees were not able to get to work. After the storm, OPM Director John Berry reported that the government saved approximately \$30 million—and I repeat that—saved almost \$30 million a day in the productivity costs because of the growing number of teleworking employees. H.R. 1722 will help the government do even better. And I think that we should not lose sight of that.

The legislation builds on the government's current telework capability and will strengthen it by requiring the head of each agency to establish a telework policy. The legislation also holds agencies accountable for successful implementation of their telework policy.

I should note that similar bipartisan legislation sponsored by Senator DANIEL AKAKA and, of course, GEORGE VOINOVICH, passed the United States Senate by unanimous consent as well.

I am pleased to offer my support for this bipartisan, good-government bill that will save the taxpayers money while reducing energy consumption, air pollution, and traffic congestion. It will promote more flexibility for Federal employees and allow the government to attract top talent from every State and every district in the country.

This is win-win-win legislation. I urge all Members to support the bill.

And of course I say to my colleagues, let's move forward. Let's not look

back. Let's move forward. We know what we need to do.

And of course, again, let me say that any amendment that was offered was accepted.

□ 1410

Mr. ISSA. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Mr. Speaker, I would like to thank Ranking Member ISSA for his great work on this bill. I appreciate your words and Congressman WOLF's words concerning the things that we need to do. Telework is a nonpartisan issue. It just make sense. It's how do we create efficiencies? And these days we want to be able to do more with less in what is definitely a resource-challenged environment.

Despite the fact there are numerous benefits of teleworking, such as reduced traffic congestion and reduced energy consumption, cost savings, competitive hiring and retention, and emergency preparedness, as we saw during the snowstorm, many Federal agencies continue to underutilize telework. And this bill is going to help ensure that Federal employees who are eligible to telework are able to do so without diminishing agency operations and performance.

Under this legislation, Federal employees handling classified information, though, would not be eligible to telework. And folks, that's a group of people that we are missing out on. There's a great opportunity there to bring those folks that work in secure networks to the table to participate in telework. And I offered an amendment that was rejected by the Rules Committee that would have required the Office of Personnel Management to report on the status of any programs for teleworking by Federal employees whose primary duties require access to secure networks, and to identify at least two sites for a possible teleworking pilot program. And I look forward in the future to working with my colleagues to further explore the potential for secure teleworking.

We all know in this region there are a number of agencies that have their employees working on secure networks. We ought to make sure we are looking at bringing those folks in. We saw during the snowstorm \$30 million of efficiency we picked up during that period of time. So this truly is a nonpartisan issue of looking at increased efficiencies. We ought to be looking across the board at all the ways that we can lift telework up, make it available for every different aspect of Federal work operations to make sure we are doing all we can to increase efficiencies, folks. And this is entirely possible.

We have had conversations with folks within the agencies. They are ready, willing, and able to pursue this. We need to give them the mechanism to get this done. The desire is there. The need is there. Whenever we match

those two together, we have the ability to get this done. So again, this is a nonpartisan issue. I urge all of my colleagues to vote in favor of this, and let this be the first step to making sure we have telework as an opportunity for the entire Federal workforce.

Mr. LYNCH. Mr. Speaker, I want to thank the gentleman from Virginia for his thoughtful comments.

At this time I yield 1 minute to our distinguished majority leader, Mr. HOYER.

Mr. HOYER. I thank the gentleman for yielding.

I want to thank Mr. LYNCH and certainly my colleague from Maryland, Congressman SARBANES, for his leadership and for his efforts on this bill. I also want to thank those members of the subcommittee and Mr. ISSA for facilitating this bill coming to the floor.

I have been working on this issue along with FRANK WOLF for a very long time, indeed over two decades. Congressman WOLF and I, Congressman WOLF from Virginia, a Republican, and myself served on the Treasury and Postal Committee, which is now called the Financial Services Subcommittee of the Appropriations Committee. That committee many, many years ago, and interesting enough John Berry, who is now the director of the Office of Personnel Management, was on my staff at that point in time. And we worked on this issue of telework, which makes so much sense for so many reasons. It saves gas. That's an important issue. It helps the environment in doing so. Reduces road congestion, lowers commuting costs for all drivers, helps employees balance work and family, and saves employers money.

Now, let me speak about the family aspect of this. Think to yourself the average commuter certainly in the Washington metropolitan area spends some 35 minutes on the road. If you are in my district, you spend 45 minutes to an hour on the road. Mr. CONNOLLY is shaking his head. Many of his constituents do the same. The gentleman from Virginia is in the same aspect. Think of that time that is not necessarily very productive, but could be family time. And a less stressed-out worker could be performing their services, when now we deal with so much work being done from a technology aspect where you don't need to be at a given site. That is what this legislation seeks to enhance.

And again, I congratulate Mr. SARBANES from my State for his leadership and for the bipartisan leadership. It would bring flexibility to 21st-century Federal workers by creating guidelines for increased teleworking, or telecommuting as some call it.

With today's technology, many employees perform at least some of their work, and indeed some all of their work, functions at their homes or at an alternate worksite closer to their homes, eliminating or reducing the need to commute. That's what the gentleman from Virginia was talking

about in terms of a secure site, which could be—we had one in Prince Frederick. We have one at the community college in Waldorf, Maryland. I don't know whether they are secure sites. I think they are not. But a secure site for a group of employees who need such a secure site closer to their home effects all of the same kinds of efficiencies that I have talked about.

That's why this bill is such an important encouragement to the Federal Government, one of the world's largest employers, to effect this efficiency. It is also I think a lesson that we have learned from the private sector, many of whom telecommute or telework. Many insurance agencies, when you call your insurance agent for information, you have no idea where they are sitting, and don't care. All you want to know is that they respond to the question you have and can access the information you need, which of course they can do on their computer. So this is a very effective, efficient, family friendly, environmentally friendly action for us to take.

I commend Mr. SARBANES, Mr. LYNCH and the committee for their leadership on this, and I commend Mr. ISSA as well for his leadership.

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

The chairman and the majority leader both make good points, and I would like to address them for just a moment. The chairman, who I have had a good working relationship with, made the point that this passed out of committee without anything left unresolved. And to a certain extent I would agree with him. Except of course we didn't have a score on this. We never do. We didn't know what this bill was going to cost. And when we discovered that this was going to cost millions of dollars every year, we made it clear before the last round of a request for a vote that we would have to find an offset or we would have to modify the bill to ensure that it would not cause the taxpayers to look at this as simply a perk for government.

Because ultimately we can talk about morale, but the Federal workforce makes on the average \$60,000 more than their private-sector counterparts. So morale should already be good in an organization the size of the government that has added a quarter of a million new workers since we went into a recession.

There is no question that telework can justify this if it's done properly. Our amendment is going to seek, our one motion to recommit—we weren't allowed any amendments—to try to at least trim around the edges to have our Members be able to go home and say of course we supported telework, but we made sure there were some safeguards of the American people's money.

The amendments that we tried to offer to what was known in advance to be a closed rule, a please do not suggest, create a process problem that I hope, Mr. Speaker, that you will be

sensitive, along with the American people, to. Our committee has 40 or so members. That's roughly one-tenth of the Congress. So 9 out of 10 Members of the House never get an opportunity to be there. As a matter of fact, including the Delegates, it works out just exactly as 10 percent. So 400 people didn't have input when we were working this through committee.

Some may have noticed the bill, but as the majority leader said, he has been working on this for 20 years. Who would have thought it would come to the floor now? So can we as a body deny the process of 400 people, 400 voters, if you will, or representatives of voters, including yourself, Mr. Speaker? How can we deny you the ability to look at something when it's going to become a bill on the floor and offer constructive amendments?

The process of the Rules Committee is supposed to deal with germaneness. It's supposed to deal with whether or not your amendment is properly written, whether it seeks to amend a portion of the bill allowed to be amended. That's not the way it is here in the House right now. We had amendments perfectly allowable, and they simply were ruled out because you could. So we will use our one opportunity, our motion to recommit. We trust that we have written it properly, and that it will be found to be in order. And we trust that both sides will see that it is modest, it's moderate, it's intended simply to deal with cost and other concerns in the bill.

There is no killer in this bill. There's nothing the American people would not be happy with in this bill the way it is. And there is nothing they will be unhappy with if the motion to recommit passes. We structured it that way. We would like to have something that started off as bipartisan end as bipartisan.

Mr. Speaker, I truly believe we are going to have that opportunity. I would hope that everyone in this body will view it that way, look at it carefully, come to the same conclusion, and we will leave here today on a bipartisan basis.

I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, I just want to ask for a clarification, did the gentleman say that the Federal employees make an average of \$60,000 more than their counterparts?

Mr. ISSA. If the gentleman would yield, that's correct.

I'm sorry, Mr. Chairman. It's pay and benefits.

□ 1420

Mr. LYNCH. Sixty thousand dollars more.

Mr. ISSA. At \$175,000, one Congressman to another, yes. The typical American making \$35,000 or \$40,000 understands we make a lot more.

Mr. LYNCH. The typical Federal employee makes \$60,000 more?

Mr. ISSA. In pay and benefits.

Mr. LYNCH. If the gentleman would produce some type of—that fact's not

in evidence at all. I'm sure that we have kids that are working for \$30,000, \$40,000 a year. How are they making \$60,000 more than their counterparts?

Mr. ISSA. Even though it's not germane to today, I'll be glad to make that available to the gentleman.

Mr. LYNCH. Mr. Speaker, at this time I yield 5 minutes to the gentlelady, Congresswoman ELEANOR HOLMES NORTON, from the District of Columbia.

Ms. NORTON. I thank the gentleman from Massachusetts for yielding, but I particularly thank him for his leadership on many issues in our subcommittee, not the least of which is this issue which he has shepherded to the floor so rapidly. And I certainly want to thank Mr. SARBANES, add my kudos to those he's already heard from the leadership, what he has shown when he was a member of our subcommittee.

Mr. Speaker, this bill does nothing more than give us a presumption in favor of teleworking, and I believe that's the most important thing the bill does. You have heard we have been doing something called teleworking for decades, but that was whatever agency chose to move forward, whatever employees chose to participate.

I can't imagine what the ranking member is talking about when he says millions of dollars this is going to cost the Federal Government. Mr. WOLF, from his side, essentially rebutted that by getting up and talking about how much money it saved and citing examples.

Let me cite an example of something that is almost intuitive. I had occasion to speak to a practitioner, small practitioner, and he was glowing about how his practice has, in fact, developed and expanded. He didn't have to have an office anymore. He has a tiny hole on Tenth Street, and he's got about 15 lawyers working out of their homes.

In a real sense, the Federal Government is behind. There is no case to be made that when you allow people to work at home, you somehow are costing the government more money. Perhaps it costs a few dollars in administrative costs, transaction costs to set up the system, but anybody from the private sector hearing a Federal official get up and say, "Oh, we're going to teleworking and boy is that going to cost us an arm and a leg" will scratch his head and say, "What is he talking about? Don't they know this is one of the first and most important things the private sector has done, invested money in doing, precisely to save money?" They look at the bottom line. That's the conclusion they reached long before today.

When I speak of the presumption in favor of telework, notice that an agency has a 20 percent goal every 2 weeks of doing telework. We wouldn't have set that goal if they were already doing it. And the fact that you have to do it gives us a some uniformity across the government, and with the appropriate exceptions allows many, many work-

ers, many, many employees to buy into what has now become essentially a workforce practice everywhere with a workforce as large as ours.

The bill, it's very careful. Managers are going to have to be trained. Many are old-school managers. They do not know perhaps as well do I feel instinctively as at home with employees under their supervision who telework. They're going to have to learn how it's done. And importantly, teleworking, as opposed to coming in, does not affect your job performance evaluation. So people are not going to have to think, if I'm in the boss's face for 8 or 9 hours a day, I've got to do better than this mother who is at home and producing as much work as I do.

Continuative operations has been talked about here.

Post 9/11, the closest thing we have even had to continuity of operations is the kind of teleworking that goes on anyway in the Federal Government. Everybody in the Federal Government at certain levels does teleworking. They take their work home. Employees have been voting with their feet. Managers have been allowing them to vote with their feet and take the work home.

The flexibility, we cannot say enough about the flexibility. We're in an era where fathers and mothers feel responsibility for their children and where, because they are adept at technology, they are able to get as much done and more done. They're doing it at home rather than spending what in this region could easily be an hour or so back and forth each way.

Everybody teleworked in the snowstorm. There weren't a lot of people just sitting at home. We are doing it anyway. We are just not doing it systematically. We are doing it episodically. Doing it that way, we are, in fact, wasting money. Let's, in fact, save money by making sure that as many as are capable are doing what they can given the new technology.

Mr. ISSA. Mr. Speaker, I note the gentlelady acts as though already everybody teleworks. It's very clear that the people who were able to telework, that, quote, saved us \$30 million during that snowstorm, were the people who have redundant activities, for the most part, people who had a duplicate computer, duplicate capacity. That costs money. That is an item that we simply want to make sure is cost justified.

You know, many people on the other side of the aisle, including the next speaker, have talked about the private sector. Well, I, for one, came from the private sector, and I very much understand that we do a cost benefit.

The previous speaker talked about insurance salesmen. You don't care where they are. That's right. An insurance salesman is usually a commission person. It's somebody who's very accountable for their pay because it's earned and justified against revenue. More importantly, even their package of perks is figured into that.

So, in the private sector, if somebody costs, if you will, \$190,000 dollars—or as the average Federal worker costs, non-uniformed, \$119,000 per worker versus \$59,000 in the private sector—in the private sector they know what their sales or revenues or profits are relative to that cost. In the public sector, we don't.

All we're seeking to do, all we're talking about here today is we want telework to be used and rolled out extensively where it can be at least revenue or cost-neutral relative to alternatives of bringing people in. That's all we're asking for. We believe it's reasonable.

I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, I do want to note that we do have one study here that I think is probably the most extensive one done on comparing private sector jobs to Federal jobs, and that is by the Bureau of Labor Statistics, and they compared occupation to occupation. They took an engineer in private sector versus an engineer working for the Federal Government, and they have reported that Federal employees are paid 22 percent less than their private sector counterparts.

At this point, I yield 5 minutes to an energetic and diligent member of our subcommittee, the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. Mr. Speaker, I thank my good friend and colleague from Massachusetts (Mr. LYNCH) for his outstanding leadership on this and so many other issues on the Oversight and Government Reform Committee. I also thank the ranking member, Mr. ISSA, for his friendship and his leadership on our committee as well.

□ 1430

I particularly want to thank my colleague from Virginia (Mr. WOLF) who's been a long-time leader in telework, and my colleague and friend from Maryland (Mr. SARBANES) for his leadership on this legislation. Without that leadership, we wouldn't be here today and relief wouldn't be on the way to our Federal workforce and hard-pressed commuters in the national capital region.

Mr. Speaker, before I came to Congress, I represented a major jurisdiction in the national capital region, Fairfax County, for 14 years, the last five being its chairman; and I, like Mr. ISSA, came from the private sector. I spent the last 20 years of my career before coming here working for a number of information technology companies, and I saw firsthand the value of telework in the private sector.

One of the major employers in my district, for example, is AT&T. I went and visited a major facility they have in my district. Thirty-three percent of their workforce teleworks regularly, 33 percent; and their estimated cost savings in terms of reduced absenteeism is \$2,000 per employee. So, if we took that kind of statistic and superimposed it

on the Federal workforce, we would obviously save a lot more than whatever the implementation costs of this bill might be.

I believe, like my colleagues who have spoken before, this is critical. This is critical for Federal operations. Every Federal agency now needs to have a continuity of operations plan in place; and in the national capital region, tragically, that is underscored.

FRANK WOLF, my colleague from Virginia, talked about 9/11. He was here in Congress while I was a supervisor in Fairfax County. My office was in the fire station, Fire Station 30 in Merrifield, and my men and women in that fire station were backup to the Arlington Fire Department at the Pentagon the day it was attacked, the second worst terrorist attack in American history. And I saw what they went through, and I know what happened to this region that day. A continuity of operations plan, if we needed a reminder, a tragic reminder, of how critical that is to our national security, 9/11 was it.

Subsequently, we've had lots of natural events here in the national capital region that have further reminded us of how important it is that the largest single employer in our region, the Federal Government, have a vigorous telework program in place because, without that, there is no continuity of operations plan of any meaning.

So for national security reasons and in service to the taxpayers we serve through the Federal agencies, we must have a vigorous telework program in place.

In the national capital region, if we could reach 20 percent of our daily commuters of 2.5 million people teleworking at least 1 day a week, we could take 4 to 6 percent of the cars off the road every day, improving air quality, improving congestion, and improving productivity. The Federal Government being the largest employer has a special responsibility. I mentioned AT&T has 33 percent teleworking in its workforce. The average in the Federal Government ranges from 6 to 10 percent, far below what the private sector is, in fact, doing. We can and must do better. The Federal workforce lends itself to telework in some ways that are unique to the Federal workforce, and we know the benefits.

We've heard some arguments here that only 10 percent of the Congress sits in the Oversight and Government Reform Committee, and, therefore, we need more time to make sure that we can examine this legislation and its costs. I will argue there are no net costs to this bill. I would argue that this bill has been scored before in many incarnations, in legislation that was before the previous Congress and voted on, in legislation in the other body. So it's not like we didn't know, and we know that the productivity gains and savings are considerable but more than wipe out any potential implementation costs. Whatever costs there are can and

will be absorbed by the implementing Federal agencies, and we know that. That ought not to be an excuse for inaction.

This is something that can bring us together on a bipartisan basis. I do find it a little ironic, however, to hear about the need to come together and maybe we can use the motion to recommit to do that when our side of the aisle has not seen the motion to recommit, and obviously we can't buy something in the hopes that it's going to do something positive, and I would urge my colleagues to share the motion to recommit so that perhaps we can come to common ground on that.

But at the end of the day, this legislation is critical to the future workforce of the Federal Government and, frankly, for the national security of the national capital region.

Mr. ISSA. Mr. Speaker, I yield myself just 1 minute.

Mr. Speaker, my good friend from Virginia was accurate in almost everything he said, but the one part that I'd like to correct is we don't need more time. We had sufficient time, once the scoring was in, to figure out what needed to be changed among the various hundred or so Republicans who were not on the committee, and we offered them. And the gentleman from Virginia is not on the Rules Committee so he's not part of that hidden hand that simply doesn't allow any dissent or any amendments or any corrections once a decision has been made by the majority. So, you know, I appreciate the fact he has been good to work with and that he is not somebody who would have limited that, and we would be happy to share all of our amendments if we had a chance of having them ruled in.

I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. DAVIS), who has been a long-time advocate on this issue.

Mr. DAVIS of Illinois. Mr. Speaker, I rise in support of H.R. 1722, the Telework Improvements Act. This legislation is similar to a bill I introduced last Congress that passed the House with bipartisan support by voice vote. Unfortunately, the Senate never acted on that bill so I am pleased that we once again have the opportunity to move telework legislation forward with the leadership of Representative SARBANES.

We currently know that telework continues to be underutilized by Federal agencies and improvements are needed to allow more Federal employees to participate in telework programs.

Telework provides numerous benefits including increased flexibilities for both employers and employees, continuity of operations during emergency events—as noted by the massive snow storms that shut down the government during February, yet saved the government an estimated \$30 million each day and decreased energy use and air pollution by minimizing the amount of congestion on the roads.

Study after study has shown these benefits to be paramount to making the Federal Government more efficient, productive, and prepared. However, a top information security officer at the State Department recently stated: "the real national security issue is if we had something that disrupted the ability of the Federal workforce to get to the office, could we continue to provide the services of government? I think you'd find that many departments and agencies would have problems." This speaks to the need and importance of the passage of this bill.

In addition, according to a survey of Patent and Trademark Office employees, 80 percent of employees who telework report that the flexibility of working at home has allowed them to decrease the amount of sick leave used by at least 8 hours per year.

Since the 109th Congress, my office has aggressively participated in the Telework program and created a more worker friendly environment for our working families.

The attributes of teleworking alone allows greater flexibility for these parents while increasing a better work attitude and work product. I encourage all Members of Congress to get more involved in the Telework program in the future as we move to make a more efficient and productive government.

I am pleased to join Representative SARBANES in supporting H.R. 1722.

Plus, we've heard the tremendous cost savings that exist, as well as the anti-pollution measures that take place, but I feel very fortunate in my office to have had individuals who have effectively used telework, I guess to the nth degree; and it has proven to be not only cost savings, but it also has provided them the opportunity to spend time with young children, with their families to the extent they needed to do. This gives us an opportunity to recruit the best and the brightest and have them be productive. It is a great measure. I am pleased to support it.

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

As I begin, my staff is bringing over to the chairman a copy of something I am going to include in the RECORD from the Bureau of Economic Analysis, Department of Commerce. The chairman may recognize the Department of Commerce is part of the administration and part of government.

Their assessment in 2008—and it has only become greater—is that we have as Federal workers against average—this is not against average of job per job but just against the working stiff, whatever they do in the outside world versus the working stiff in government, \$29,169.63 of additional wages. What makes the huge difference the American people don't always see is that in the private sector, a typical benefit package is about \$9,881. Well, a civilian Federal Government employee has a benefit package on the average worth about \$40,784 or \$30,900 more.

So, Mr. Speaker, we do have the Department of Commerce currently, during the Obama administration, telling us very clearly—not that engineer versus engineer. I appreciate the way

you can match up various jobs, but the Federal workforce is a highly skilled and highly paid workforce, and we should understand that if we are going to have telework go greater and greater—and I approve of it doing it—we have two reasons to do it.

One is continuity of government, and sometimes continuity of government can cost more. It can be for redundant computers, redundant centers and so on, no question at all. But often it is, and as it is justified in this bill by many of the people speaking on it on both sides of the aisle, it is also about avoiding traffic, avoiding building new buildings, avoiding heating and air conditioning, avoiding costs. All the minority would like to make sure is that this expansion meets one of those requirements or the other. If it is necessary and it costs more, fine. Of course you can have redundant facilities; but if it is intended to be cost savings, let's make sure it's cost savings.

I reserve the balance of my time.

□ 1440

Mr. LYNCH. Mr. Speaker, I thank the gentleman for the sheet, but I do want to note this does not compare job-to-job, nor does it indicate that there is anything close to a \$60,000 delta between the private and the public employee.

I yield 1 minute to the gentleman from New Jersey (Mr. SIREs), who also has been an energetic worker on this issue.

Mr. SIREs. Mr. Speaker, I rise today in strong support of H.R. 1722, the Telework Improvements Act of 2010. This bill will modernize the Federal Government and establish our Federal agencies as a model for telework.

During the month of February, when snowstorms shut down D.C. and other parts of the east coast, telework was used to keep our government operating at an optimum level. However, according to the Office of Personnel Management, only 56 percent of government agencies have formally introduced telework in their continuity of operations plans.

Teleworking benefits are economic, social, and environmental. The Congressional Budget Office scored this legislation as deficit neutral, and telework produces savings from reduced office space as well as increased productivity during emergencies in inclement weather.

H.R. 1722 would allow employees more flexibility and create a higher quality of life. Also this legislation would reduce traffic congestion. Traffic congestion costs our Nation billions of dollars in wasted fuel, time, and productivity.

Congestion is very prevalent in my district in New Jersey, which is just across the river from New York. However, it also is a problem that is growing in rural areas throughout this country. Transportation contributes nearly 28 percent of the greenhouse gasses emitted in the United States,

and teleworking can act as a tool to lower this number.

I urge my colleagues to support the passage of H.R. 1722.

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

Mr. LYNCH. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. HIMES).

Mr. HIMES. A sincere thank you to the gentleman from Massachusetts for his leadership on this issue.

Mr. Speaker, I too rise in strong support of H.R. 1722, the Telework Improvements Act. We have heard articulated today a set of very powerful arguments around security, around productivity and around cost savings for the passage of this measure.

I would like to note that I represent, like my friend from New Jersey, a district whose economic vitality is compromised by the commuting situation. Many of my constituents spend otherwise what could be productive hours looking at the taillights of other cars on 95 and on the Merritt Parkway as it runs through Connecticut.

One additional reason why the Federal Government should lead and why we should pass this act today is that the Federal Government should lead on telecommuting, on increasing not just its productivity, but increasing the productivity of the private sector in places like Connecticut, which I represent.

I am a strong backer of the Telecommuter Tax Fairness Act, H.R. 2600, and a variety of other measures that will help with telecommuting. I appreciate the leadership, and I urge my colleagues to support and pass this bill.

Mr. ISSA. I yield myself such time as I may consume.

Mr. Speaker, although we have 12 minutes left on our side in debate, I don't intend to use it. I also don't intend to continue to have the American people hear haggling on the House floor about how much one side gets paid or another. For that reason, I will today post at republicans.oversight.house.gov the Department of Commerce report in sufficient detail for people to realize that \$60,072.97 is roughly the additional amount in pay and benefits that Federal employees receive than the average private sector.

But the interesting thing about the Federal workforce versus the gentleman who was talking about commuting from Bridgeport and other parts in his State, is they are not laid off. They are not suffering. As a matter of fact, they have been net-hired. The growth that has occurred over the last 2 years has been in government. The pay increases have been in government. The benefit increases have been in government.

Now, we are not talking about telework as a benefit, although some speakers have talked about family time because you can telework and so on. We are talking about telework for one of two reasons that are justified, and Republicans will today, I hope,

vote for the motion to recommit and then vote for final passage, because it either is part of the job of government, the sustainability, the continuity of government, and we want to make sure we use telework in order to advance that, or remote access, if you will, or it saves the taxpayers dollars.

If someone doesn't drive for an hour and they work an hour more remotely, that is a good thing. But if we are simply improving quality of life, having redundant computers at a cost of several thousand dollars plus several more thousand dollars in maintenance and overhead and renewal and software support, Mr. Speaker, we are not doing what the American people expect us to do.

The American people expect us to start being safeguarders of their precious money, which isn't even current but the money we are going to have to take from them in the future to pay back what we are borrowing today.

If we don't start counting the pennies, the nickles and the dollars and make sure they are well spent, then it is very clear we will never get to any kind of an affordable government, a balanced budget, and there will be an inevitably that the United States will look too much like Greece and not enough like the country that we were so proud of this past Fourth of July.

We have a great tradition, a tradition of small government and large private sector. Mr. Speaker, I want to make sure that our government works more efficiently so we can have a smaller government that meets the basic requirements, not that we simply expand government with one after another programs.

With that, I fully expect that we will make this bill better, that we will continue to work on telework being to the advantage of the American taxpayer and not simply an additional item to be spent.

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

Mr. LYNCH. Mr. Speaker, in closing, I again would like to express my strong support for the passage of H.R. 1722, the Telework Improvements Act of 2010. I would like to thank Mr. SARBANES, our lead sponsor on this measure which is before us today, which promotes good and common sense governance policy which will ensure a more efficient, responsive Federal government, especially in times of national security and weather-related emergencies.

Moreover, H.R. 1722 will allow executive branch agencies to act more like other 21st century employers, particularly private sector employers, which for years have utilized and reaped the benefits of telework in terms of increased job productivity as well as employee moral.

I want to paraphrase the words of my Republican colleague, Mr. WOLF of Virginia, who said that the vote for saving money and the vote for cutting costs here is a "yes" vote on this measure.

With that, I urge my colleagues to vote in favor of H.R. 1722.

Mr. BLUMENAUER. Mr. Speaker, I am proud today to have the opportunity to support H.R. 1722, the Telework Improvements Act of 2009. I would like to thank Representative SARBANES, Representative LYNCH, Chairman TOWNS and Representative WOLF for their leadership on this legislation and for working to improve the lives of government employees across the country. Giving people the flexibility to work from home, when possible, makes the federal government a more productive and environmentally responsible employer by saving money, decreasing greenhouse gas emissions, decreasing congestion and improving productivity.

Currently only 10 percent of eligible federal employees telework on a regular basis, even though many federal jobs would be well suited to teleworking. 95 percent of federal government employees expressed interest in teleworking, but the majority of these workers said there was not adequate support from their agency to do so. This bill will give federal workers the flexibility to telework when appropriate. There are many private companies, such as Intel in my home state of Oregon, where up to one third of employees telework regularly, and these companies have seen increased employee satisfaction, employee retention, and an average savings of \$4,500 a year per employee in transportation costs and time savings.

Unfortunately, teleworking is a case where the federal government has missed the opportunity to lead by example, and now we need to catch up. Federal government employees should be able to take advantage of the same technology for workplace flexibility, time savings, and environmental benefits that private sector employees do.

This winter, the federal government was essentially shut down for a week because of snowstorms. Even with the minimal support in place for teleworking, estimates suggest that the federal government saved \$30 million a day, because of teleworking.

Finally, we cannot discuss the importance of telework without looking at the environmental impact. The Telework Exchange estimates that if 20 percent of Americans were to telework, we could eliminate 67 million tons of greenhouse gas emissions annually and reduce Persian Gulf oil imports by 40 percent. More to the point for this legislation, if all eligible federal employees were to telework for two days per week, it would save 2.7 metric tons of pollution each year.

This bill is an important first step, and I would also like to encourage my colleagues to look at the telework provisions in legislation I have introduced. H.R. 3271, Green Routes to Work, is a collection of green commuting tax incentives. The legislation promotes a variety of commuting methods, including transit, bicycling and walking, but it also provides a tax credit for qualified teleworking expenses. I hope that my colleagues will look at Green Routes to Work as another tool to incentivize teleworking.

Encouraging teleworking will help the federal government be a better partner as we look for ways to improve families' quality of life and make all communities safer, healthier and more economically secure. Putting money back in individuals' pockets, saving the federal government money, reducing carbon emis-

sions and reducing time spent in traffic are important aspects of a livable community, and I am proud to support this legislation.

Ms. ESHOO. Mr. Speaker, I rise today in support of H.R. 1722, the Telework Improvements Act of 2009. I supported this legislation when it came to the House floor earlier this year, and I intend to vote in favor of it again today.

Technology plays an integral role in how our entire country works today. It has made workplace communication more efficient. It has eliminated borders across the globe to allow every aspect of the U.S. economy to flourish. It permits our first responders to stay connected during times of emergency and natural disasters. So many in the workforce already take advantage of the benefits of technology and the federal government should be able to as well.

The Telework Improvements Act will define telework for all federal agencies and establish a policy that authorizes employees to telework. This legislation will reduce the numbers of cars on the road, attract more talent to the federal workforce, and save taxpayer dollars over the long-term.

As a Member of the Intelligence Committee, I'm also pleased this legislation places a priority on ensuring the security of government information. We know all too well the dangers of data breaches, viruses, and cyberattacks to sensitive government information. H.R. 1722 requires the Office of Management and Budget, in coordination with the National Institute on Standards and Technology to issue guidelines for information and security protections for telework.

I applaud the work of Representative SARBANES on this legislation and I urge all my colleagues to support H.R. 1722, the Telework Improvements Act of 2009.

Mr. VAN HOLLEN. Mr. Speaker, as a representative of a district with a large number of federal employees, I rise in strong support of H.R. 1722, the Telework Improvements Act. I want to thank Chairmen TOWNS and LYNCH and Representative SARBANES for their leadership in crafting this important bi-partisan bill.

If passed, this measure will put the federal government on equal footing with many private sector employers and state governments which allow their employees to perform many of their duties and responsibilities from home or at another work site.

The Telework Improvements Act requires each executive agency to establish a policy that enables federal employees to telework in a way that does not diminish employee performance or agency operations, and that ensures that no distinction is made between teleworkers and non-teleworkers for performance appraisal and training purposes.

Having the option to telework will enhance the quality of life for many federal employees and save money for the taxpayers. For example, there is an effort underway to attract more young people to federal government service to offset the growing number of older employees who are retiring. Offering prospective employees the option to telework increases the possibility that those employees with families will join the federal workforce.

Telework also is smart fiscally. According to the Office of Personnel Management, during the blizzard that hit Washington, DC last winter, the government lost \$71 million worth of productivity for each day it remained closed.

This number might have been far larger had some federal workers not had the opportunity to work from home.

The Telework Improvements Act means environmental, administrative and fiscal common sense. Increasing telework opportunities for employees of the country's largest employer means fewer cars on the roads as workers commute less; it means lower carbon emissions; it means better quality of life for workers and their families; and, it means reduced costs for taxpayers and higher government efficiency because of lower absenteeism.

I encourage my colleagues to join me in supporting the bill and I urge its immediate passage.

Mr. LYNCH. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. JACKSON of Illinois). Pursuant to House Resolution 1509, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. ISSA. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ISSA. I am, in its present form. The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Issa moves to recommit the bill H.R. 1722 to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith with the following amendment:

Page 5, strike line 11 and all that follows through page 6, line 9, and insert the following:

“(b) LIMITATIONS.—

“(1) CERTAIN EMPLOYEES NOT AUTHORIZED TO TELEWORK.—An employee may not telework under a policy established under this chapter if any of the following apply to the employee:

“(A) The employee has a seriously delinquent tax debt (as determined under paragraph (2)).

“(B) The employee has been officially disciplined for violations of subpart G of the Standards of Ethical Conduct for Employees of the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties.

“(C) The employee received a payment under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.) but was ineligible to receive the payment under the criteria described in section 2605(b)(2) of such Act (42 U.S.C. 8624(b)(2)).

“(D) The employee has been officially disciplined for being absent without permission for more than 5 days in any calendar year.

“(2) DETERMINATION OF SERIOUSLY DELINQUENT TAX DEBT.—

“(A) IN GENERAL.—For purposes of paragraph (1)(A), a ‘seriously delinquent tax debt’ means an outstanding debt under the Internal Revenue Code of 1986 for which a notice of lien has been filed in public records pursuant to section 6323 of such Code, except that such term does not include—

“(i) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or section 7122 of such Code;

“(ii) a debt with respect to which a levy has been issued under section 6331 of such Code upon accrued salary or wages (or, in the case of an applicant for employment, a debt with respect to which the applicant agrees to be subject to a levy issued under such section upon accrued salary or wages); and

“(iii) a debt with respect to which a collection due process hearing under section 6330 of such Code, or relief under subsection (a), (b), or (f) of section 6015 of such Code, is requested or pending.

“(B) REGULATIONS.—The Office of Personnel Management shall, for purposes of carrying out this paragraph, prescribe any regulations which the Office considers necessary, except that such regulations shall provide that an individual shall be given a reasonable amount of time to demonstrate that the individual’s debt is described in clause (i), (ii), or (iii) of subparagraph (A).

“(3) CERTIFICATION OF SAVINGS.—An agency may not permit employees to telework under a policy established under this chapter unless the head of the agency certifies to the Director of the Office of Personnel Management that the implementation of the policy will result in savings to the agency.

“(4) PROVISIONS RELATING TO CERTAIN CIRCUMSTANCES.—Nothing in subsection (a) shall be considered—

“(A) to require the head of an agency to authorize teleworking in the case of an employee whose duties and responsibilities—

“(i) require daily direct handling of classified information; or

“(ii) are such that their performance requires on-site activity which cannot be carried out from a site removed from the employee’s regular place of employment; or

“(B) to prevent the temporary denial of permission for an employee to telework if, in the judgment of the agency head, the employee is needed to respond to an emergency.

“(C) PROHIBITING COLLECTIVE BARGAINING ACTIVITIES WHILE TELEWORKING.—Notwithstanding any provision of chapter 71, any time during which an employee teleworks may not be treated as ‘official time’ for purposes of the authority to carry out any activity under section 7131 of this title.

“(d) REQUIREMENT THAT PRESIDENTIAL AND VICE-PRESIDENTIAL RECORDS CREATED ON NON-OFFICIAL ELECTRONIC MAIL OR SOCIAL MEDIA ACCOUNTS WHILE TELEWORKING BE COPIED TO OFFICIAL ELECTRONIC MAIL ACCOUNTS.—In the case of any employee who, while teleworking pursuant to a policy established under this chapter, creates or receives a Presidential record or Vice-Presidential record within the meaning of chapter 22 of title 44, United States Code, through a non-official electronic mail account, a social media account, or any other method (electronic or otherwise), the employee shall electronically copy the record into the employee’s official electronic mail account.

“(e) RULE OF CONSTRUCTION.—Nothing in this chapter shall—

“(1) be considered to require any employee to telework; or

“(2) prevent an agency from permitting an employee to telework as part of a continuity of operations plan.”

Mr. ISSA (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

Mr. LYNCH. I object.

I reserve a point of order.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

The SPEAKER pro tempore. The gentleman from Massachusetts’ point of order is reserved.

Pursuant to the rule, the gentleman from California is recognized for 5 minutes in support of his motion.

Mr. ISSA. Mr. Speaker, this is a straightforward motion. It is a motion that, if passed, will cause the Republicans to vote for this, if not unanimously, virtually unanimously. If we take out the \$30 million in cost by insisting that there be reasonable offsets, then we will in fact have fixed one of the problems that was unnecessary in the bill. Additionally, as was so well read by our Clerk just a moment ago, it is very, very clear that there are some small areas but meaningful areas. We do not want the American people to believe that telecommuters are downloading pornography full time the way \$200,000-plus executives at SEC, the Securities and Exchange Commission, were doing.

Now, I wanted to include in the motion to recommit that if you’re found downloading while telecommuting, you’d be fired, but it turns out, Mr. Speaker, the rules of the House prevent me from offering that. I am not allowed under the rules to insist on behalf of the American people that somebody be terminated if they’ve downloaded endless pornography while telecommuting. So instead we have simply said in the motion to recommit that if they’re found downloading pornography, they can no longer telecommute.

Likewise, on a number of other areas we feel that the American people should know that there is accountability. Accountability as to the Presidential Records Act. Mr. Speaker, as you know, the Presidential Records Act is extremely important. That if somebody is working offsite, we want to ensure that they do not use a Gmail account or in some other way go off system and have that lost for the rest of eternity. It is too important and it is too uniform a law to not make sure it is included in this Act. Additionally, the question of official business.

Now, often motions to recommit include poison pills. This is not one. We wanted to make sure that if there’s a union contract in which there’s union negotiation or other time allotted—official time—that it not be done clandestinely around telecommuting. The fact is that if a union leader who is also a Federal employee has a right to have so much time spent doing that, this would not stop them, but it would make it very clear that you can’t simply be working out of your house and use that as collective bargaining time or other work that would not be manageable.

It’s very clear that we were limited in this. This does not fix everything, Mr. Speaker. This does not fix everything I’d like to fix, but it simply makes the bill revenue neutral and in a couple of important areas assures the American people that their taxpayer

dollars are not being misused while someone is telecommuting.

With that, I yield to the gentleman from Georgia.

Mr. GINGREY of Georgia. Mr. Speaker, I want to thank Mr. ISSA for offering this motion to recommit.

Since the stimulus passed last February, the private sector has shed over 3.2 million jobs and unemployment now stands at a staggering 9.5 percent. Now is not the time to give another perk to Federal employees while the rest of America is struggling to make ends meet.

By requiring Federal agencies to duplicate an existing law and spend 20 percent of their official time out of the office and on a mobile worksite, we’re costing the taxpayers another \$32 million while promoting an inefficient Federal workforce.

□ 1500

I’m proud that this motion to recommit corrects some of these problems. Thankfully, if adopted, this motion will require that each agency must certify to the Office of Personnel Management that the agency’s telework program will save money, rather than increase spending. Furthermore, teleworking privileges will not be granted to employees that have been disciplined for poor work performance and behavior, such as viewing pornography on work computers, having a record of being absent without permission, or who are delinquent in paying their taxes.

Finally, Mr. Speaker, I am very proud that this motion will prohibit Federal employees from engaging in union or collective bargaining activities while teleworking. OPM reported that in fiscal year 2008 alone, nearly 3 million official time hours were used in collective bargaining or arbitration of grievances against an employer, equating to over \$120 million tax dollars spent on union activities. It’s irresponsible, Mr. Speaker, to use these dollars for nonrelated official duties while on official time.

So, Mr. Speaker, this motion to recommit is necessary to save precious tax dollars and ensure the integrity of the Federal workforce. I commend Mr. ISSA for bringing this forward. I urge my colleagues to support this motion.

Mr. ISSA. I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I rise to claim time in opposition to the motion.

The SPEAKER pro tempore. Does the gentleman continue to reserve his point of order?

Mr. LYNCH. No.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. LYNCH. Mr. Speaker, there are a number of points here that I would like to make at the outset, and I appreciate the spirit in which the gentleman has offered these amendments.

Many of the concerns that the gentleman has raised in his motion to recommit have been addressed in the bill.

I would like to begin by saying that right now, with respect to tax delinquency and enforcing the tax laws against Federal employees, we have greater protections right now in place against those Federal employees than exist against any other employee in America today. We have the ability to remove them from their jobs. We have the ability to garnish their wages. We have the ability to demand of them compliance with the tax law that is much more difficult to implement against the average private sector employee. So I do not think that the measures here and the “seriously delinquent” category that does not exist under the IRS Tax Code well serves the underlying purpose of this bill.

I do want to say that prohibiting collective bargaining activity while teleworking is also a question of possible violation with other statutes that I believe may be infringed upon by this motion. So I would be very, very concerned about—obviously we were given this motion about a minute ago—well, a couple of minutes ago, so I’m not so sure how that would affect Taft-Hartley collective bargaining rights. But it would appear that they would do a carve-out here for those workers who are teleworking and yet unable to exercise the rights that otherwise might exist in those employees. So I am very, very concerned about that.

I understand the restrictions. Further, the amended version of H.R. 1722 already incorporates language to restrict allowing employees to telework based on previous disciplinary issues that might have been presented.

With respect to the concern raised by my friend and colleague with respect to accessing pornographic sites, I should note that history has shown us that those who rail against weaknesses of the human spirit are usually the very people who succumb to those very weaknesses. But we would certainly agree that that is inappropriate behavior and it should be punished. I tend to think that that is a point of agreement, but I think it’s just a matter of how to implement that prohibition.

There is also a difficulty at the heart of this, which is that the gentleman’s motion to reconsider requires us to demonstrate a savings now at this level. Here’s the problem: We are not in an Appropriations Committee. We have not appropriated any money for this. We don’t have the ability to do that. This is authorization. So how are we supposed to know where the break point on savings might be when we don’t know, in this forum, how much money might be spent?

Those are structural flaws, I think, in the bill that prevent us from accepting the amendment at this time. However, I understand that some Members may see one or two of these issues as decisive on their behalf, and I would understand and respect the Members’ rights to vote as they might on this measure. But because of the issues that I have raised—one, because it creates a

level of impossibility for us to demonstrate savings when we don’t know how much money is going to be used in implementing this measure. That will be decided by the appropriators. And, as well, we realize that to set this up, in order to establish the teleworking protocols, there will be an expenditure to begin with, but the savings will result at a later time. So I urge my colleagues to vote against this.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 1722, if ordered; and the motion to suspend the rules on S. 1508.

The vote was taken by electronic device, and there were—yeas 303, nays 119, not voting 10, as follows:

[Roll No. 440]

YEAS—303

Ackerman	Carney	Gerlach
Aderholt	Carson (IN)	Giffords
Adler (NJ)	Carter	Gingrey (GA)
Akin	Cassidy	Gohmert
Alexander	Castle	Gonzalez
Altmire	Chaffetz	Goodlatte
Arcuri	Chandler	Gordon (TN)
Austria	Childers	Granger
Baca	Coble	Graves (GA)
Bachmann	Coffman (CO)	Graves (MO)
Bachus	Cole	Grayson
Barrett (SC)	Conaway	Green, Al
Barrow	Connolly (VA)	Green, Gene
Bartlett	Conyers	Griffith
Barton (TX)	Cooper	Guthrie
Bean	Costa	Hall (NY)
Berkley	Costello	Hall (TX)
Biggert	Courtney	Halvorson
Bilbray	Crenshaw	Hare
Bilirakis	Critz	Harman
Bishop (NY)	Cuellar	Harper
Bishop (UT)	Culberson	Heinrich
Blackburn	Dahlkemper	Heller
Blunt	Davis (AL)	Hensarling
Boccheri	Davis (KY)	Hergert
Boehner	Davis (TN)	Herseth Sandlin
Bonner	DeFazio	Hill
Bono Mack	Dent	Himes
Boozman	Diaz-Balart, L.	Hinchey
Boren	Diaz-Balart, M.	Hodes
Boswell	Djou	Holden
Boucher	Doggett	Hunter
Boustany	Donnelly (IN)	Inglis
Boyd	Dreier	Israel
Brady (TX)	Driehaus	Issa
Bright	Duncan	Jackson (IL)
Broun (GA)	Edwards (TX)	Jackson Lee
Brown (SC)	Ehlers	(TX)
Brown-Waite,	Ellsworth	Jenkins
Ginny	Emerson	Johnson (IL)
Buchanan	Etheridge	Johnson, Sam
Burgess	Fallin	Jones
Burton (IN)	Flake	Jordan (OH)
Buyer	Fleming	Kaptur
Calvert	Forbes	Kildee
Camp	Fortenberry	Kind
Campbell	Foster	King (IA)
Cantor	Fox	King (NY)
Cao	Franks (AZ)	Kingston
Capito	Frelinghuysen	Kirk
Cardoza	Gallely	Kirkpatrick (AZ)
Carnahan	Garrett (NJ)	Kissell

Klein (FL)	Murphy (NY)	Schrader
Kline (MN)	Murphy, Patrick	Schwartz
Kosmas	Murphy, Tim	Sensenbrenner
Kratovil	Myrick	Sessions
Lamborn	Neugebauer	Sestak
Lance	Nunes	Shadegg
Latham	Nye	Shea-Porter
LaTourette	Ortiz	Shimkus
Latta	Pastor (AZ)	Shuler
Lee (NY)	Paul	Shuster
Lewis (CA)	Paulsen	Simpson
Linder	Pence	Skelton
Lipinski	Perlmutter	Smith (NE)
LoBiondo	Perriello	Smith (NJ)
Loeback	Peters	Smith (TX)
Lucas	Peterson	Space
Luetkemeyer	Petri	Speier
Luján	Pitts	Spratt
Lummis	Platts	Stearns
Lungren, Daniel	Poe (TX)	Stupak
E.	Pomeroy	Sullivan
Mack	Posey	Sutton
Maffei	Price (GA)	Tanner
Manzullo	Putnam	Taylor
Marchant	Quigley	Teague
Markey (CO)	Radanovich	Terry
Marshall	Rahall	Thompson (PA)
Matheson	Rehberg	Thornberry
McCarthy (CA)	Reichert	Tiberi
McCaul	Rodriguez	Tierney
McClintock	Roe (TN)	Titus
McCotter	Rogers (AL)	Turner
McHenry	Rogers (KY)	Upton
McIntyre	Rogers (MI)	Visclosky
McKeon	Rohrabacher	Walden
McMahon	Rooney	Walz
McMorris	Ros-Lehtinen	Wamp
Rodgers	Roskam	Wass
McNerney	Ross	Weiner
Melancon	Rothman (NJ)	Welch
Mica	Royce	Westmoreland
Miller (FL)	Rush	Whitfield
Miller (MI)	Ryan (OH)	Wilson (OH)
Miller, Gary	Ryan (WI)	Wilson (SC)
Minnick	Salazar	Wittman
Mitchell	Sanchez, Loretta	Wolf
Mollohan	Scalise	Wu
Moore (KS)	Schauer	Yarmuth
Moran (KS)	Schiff	Young (AK)
Moran (VA)	Schmidt	Young (FL)
Murphy (CT)	Schock	

NAYS—119

Andrews	Garamendi	Oberstar
Baird	Grijalva	Obey
Baldwin	Gutierrez	Olver
Becerra	Hirono	Owens
Berman	Holt	Pallone
Berry	Honda	Pascrell
Bishop (GA)	Hoyer	Payne
Blumenauer	Inslee	Pingree (ME)
Brady (PA)	Johnson (GA)	Polis (CO)
Bralley (IA)	Johnson, E. B.	Price (NC)
Brown, Corrine	Kanjorski	Rangel
Butterfield	Kennedy	Reyes
Capps	Kilpatrick (MI)	Richardson
Capuano	Kilroy	Royal-Allard
Castor (FL)	Kucinich	Ruppersberger
Chu	Langevin	Sarbanes
Clarke	Larsen (WA)	Schakowsky
Clay	Larson (CT)	Scott (GA)
Cleaver	Lee (CA)	Scott (VA)
Clyburn	Levin	Serrano
Cohen	Lewis (GA)	Sherman
Crowley	Lofgren, Zoe	Sires
Cummings	Lowey	Slaughter
Davis (CA)	Lynch	Smith (WA)
Davis (IL)	Maloney	Snyder
DeGette	Markey (MA)	Stark
Delahunt	Matsui	Thompson (CA)
DeLauro	McCarthy (NY)	Thompson (MS)
Dicks	McCollum	Tonko
Dingell	McDermott	Towns
Doyle	McGovern	Tsongas
Edwards (MD)	Meek (FL)	Van Hollen
Ellison	Meeks (NY)	Velázquez
Engel	Michaud	Wasserman
Eshoo	Miller (NC)	Schultz
Farr	Miller, George	Waters
Fattah	Moore (WI)	Watson
Filner	Nadler (NY)	Watt
Frank (MA)	Napolitano	Waxman
Fudge	Neal (MA)	Woolsey

NOT VOTING—10

Deutch	Hinojosa	Sánchez, Linda
Hastings (FL)	Hoekstra	T.
Hastings (WA)	Kagen	Tiahrt
Higgins	Olson	

□ 1537

Messrs. BISHOP of Georgia, FILNER, ELLISON, NEAL of Massachusetts, FATTAH, GEORGE MILLER of California, KUCINICH, GUTIERREZ, FARR, OBERSTAR, STARK, CLYBURN, MEEK of Florida, PAYNE, SERRANO, LARSON of Connecticut, Mrs. DAVIS of California, and Mr. LANGEVIN changed their vote from “yea” to “nay.”

Messrs. ORTIZ, HALL of New York, JACKSON of Illinois, BLUNT, ACKERMAN, WILSON of Ohio, ROTHMAN of New Jersey, HEINRICH, ETHERIDGE, COOPER, CONNOLLY of Virginia, WEINER, MOORE of Kansas, BACA, SCHIFF, Ms. HARMAN, Messrs. GONZALEZ, PASTOR of Arizona, CARDOZA, PERLMUTTER, BISHOP of New York, KIND, and BARTON of Texas changed their vote from “nay” to “yea.”

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Mr. LYNCH. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report the bill, H.R. 1722, back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LYNCH:

Page 5, strike line 11 and all that follows through page 6, line 9, and insert the following:

“(b) LIMITATIONS.—

“(1) CERTAIN EMPLOYEES NOT AUTHORIZED TO TELEWORK.—An employee may not telework under a policy established under this chapter if any of the following apply to the employee:

“(A) The employee has a seriously delinquent tax debt (as determined under paragraph (2)).

“(B) The employee has been officially disciplined for violations of subpart G of the Standards of Ethical Conduct for Employees of the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties.

“(C) The employee received a payment under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.) but was ineligible to receive the payment under the criteria described in section 2605(b)(2) of such Act (42 U.S.C. 8624(b)(2)).

“(D) The employee has been officially disciplined for being absent without permission for more than 5 days in any calendar year.

“(2) DETERMINATION OF SERIOUSLY DELINQUENT TAX DEBT.—

“(A) IN GENERAL.—For purposes of paragraph (1)(A), a ‘seriously delinquent tax debt’ means an outstanding debt under the Internal Revenue Code of 1986 for which a notice of lien has been filed in public records pursuant to section 6323 of such Code, except that such term does not include—

“(i) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or section 7122 of such Code;

“(ii) a debt with respect to which a levy has been issued under section 6331 of such Code upon accrued salary or wages (or, in the case of an applicant for employment, a debt with respect to which the applicant agrees to be subject to a levy issued under such section upon accrued salary or wages); and

“(iii) a debt with respect to which a collection due process hearing under section 6330 of such Code, or relief under subsection (a), (b), or (f) of section 6015 of such Code, is requested or pending.

“(B) REGULATIONS.—The Office of Personnel Management shall, for purposes of carrying out this paragraph, prescribe any regulations which the Office considers necessary, except that such regulations shall provide that an individual shall be given a reasonable amount of time to demonstrate that the individual’s debt is described in clause (i), (ii), or (iii) of subparagraph (A).

“(3) CERTIFICATION OF SAVINGS.—An agency may not permit employees to telework under a policy established under this chapter unless the head of the agency certifies to the Director of the Office of Personnel Management that the implementation of the policy will result in savings to the agency.

“(4) PROVISIONS RELATING TO CERTAIN CIRCUMSTANCES.—Nothing in subsection (a) shall be considered—

“(A) to require the head of an agency to authorize teleworking in the case of an employee whose duties and responsibilities—

“(i) require daily direct handling of classified information; or

“(ii) are such that their performance requires on-site activity which cannot be carried out from a site removed from the employee’s regular place of employment; or

“(B) to prevent the temporary denial of permission for an employee to telework if, in the judgment of the agency head, the employee is needed to respond to an emergency.

“(c) PROHIBITING COLLECTIVE BARGAINING ACTIVITIES WHILE TELEWORKING.—Notwithstanding any provision of chapter 71, any time during which an employee teleworks may not be treated as ‘official time’ for purposes of the authority to carry out any activity under section 7131 of this title.

“(d) REQUIREMENT THAT PRESIDENTIAL AND VICE-PRESIDENTIAL RECORDS CREATED ON NON-OFFICIAL ELECTRONIC MAIL OR SOCIAL MEDIA ACCOUNTS WHILE TELEWORKING BE COPIED TO OFFICIAL ELECTRONIC MAIL ACCOUNTS.—In the case of any employee who, while teleworking pursuant to a policy established under this chapter, creates or receives a Presidential record or Vice-Presidential record within the meaning of chapter 22 of title 44, United States Code, through a non-official electronic mail account, a social media account, or any other method (electronic or otherwise), the employee shall electronically copy the record into the employee’s official electronic mail account.

“(e) RULE OF CONSTRUCTION.—Nothing in this chapter shall—

“(1) be considered to require any employee to telework; or

“(2) prevent an agency from permitting an employee to telework as part of a continuity of operations plan.”.

Mr. LYNCH (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

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

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 290, nays 131, not voting 11, as follows:

[Roll No. 441]

YEAS—290

Ackerman	Ehlers	Lungren, Daniel
Adler (NJ)	Ellison	E.
Altmire	Ellsworth	Lynch
Andrews	Engel	Maffei
Arcuri	Eshoo	Maloney
Baca	Etheridge	Markey (CO)
Baird	Farr	Markey (MA)
Baldwin	Fattah	Marshall
Barrow	Filner	Matheson
Bartlett	Forbes	Matsui
Bean	Fortenberry	McCarthy (NY)
Becerra	Foster	McCollum
Berkley	Frank (MA)	McCotter
Berman	Fudge	McDermott
Biggert	Garamendi	McGovern
Billbray	Gerlach	McIntyre
Bilirakis	Giffords	McMahon
Bishop (GA)	Gonzalez	McNerney
Bishop (NY)	Goodlatte	Meek (FL)
Blumenauer	Gordon (TN)	Meeks (NY)
Bocchieri	Granger	Melancon
Bono Mack	Graves (MO)	Michaud
Boren	Grayson	Miller (MI)
Boswell	Green, Al	Miller (NC)
Boucher	Green, Gene	Miller, George
Boyd	Grijalva	Minnick
Brady (PA)	Gutierrez	Mitchell
Bralley (IA)	Hall (NY)	Mollohan
Bright	Hall (TX)	Moore (KS)
Brown, Corrine	Halvorson	Moore (WI)
Buchanan	Hare	Moran (VA)
Butterfield	Harman	Murphy (CT)
Cao	Heinrich	Murphy (NY)
Capito	Herseth Sandlin	Murphy, Patrick
Capps	Hill	Nadler (NY)
Capuano	Himes	Napolitano
Cardoza	Hinchey	Neal (MA)
Carnahan	Hirono	Nye
Carney	Hodes	Oberstar
Carson (IN)	Holden	Obey
Cassidy	Holt	Olver
Castle	Honda	Ortiz
Castor (FL)	Hoyer	Owens
Chaffetz	Insee	Pallone
Chandler	Israel	Pascarell
Childers	Issa	Pastor (AZ)
Chu	Jackson (IL)	Paulsen
Clarke	Jackson Lee	Payne
Clay	(TX)	Perlmutter
Clyburn	Johnson (GA)	Perriello
Coffman (CO)	Johnson, E. B.	Peters
Cohen	Jones	Peterson
Connolly (VA)	Kanjorski	Petri
Conyers	Kaptur	Pingree (ME)
Cooper	Kennedy	Platts
Costa	Kildee	Polis (CO)
Costello	Kilpatrick (MI)	Pomeroy
Courtney	Kilroy	Price (NC)
Critz	Kind	Quigley
Crowley	Kirk	Rahall
Cuellar	Kirkpatrick (AZ)	Rangel
Cummings	Kissell	Reichert
Dahlkemper	Klein (FL)	Reyes
Davis (AL)	Kline (MN)	Richardson
Davis (CA)	Kosmas	Rodriguez
Davis (IL)	Kratovil	Ros-Lehtinen
Davis (TN)	Kucinich	Ross
DeFazio	Langevin	Rothman (NJ)
DeGette	Larsen (WA)	Roybal-Allard
Delahunt	Larson (CT)	Ruppersberger
DeLauro	Latham	Rush
Dent	LaTourette	Ryan (OH)
Dicks	Lee (CA)	Salazar
Dingell	Levin	Sanchez, Loretta
Djou	Lewis (GA)	Sarbanes
Doggett	Linder	Schakowsky
Donnelly (IN)	Lipinski	Schauer
Doyle	LoBiondo	Schiff
Dreier	Loeback	Schrader
Driehaus	Loftgren, Zoe	Schwartz
Edwards (MD)	Lowey	Scott (GA)
Edwards (TX)	Lujan	Scott (VA)

Serrano	Sutton	Walden
Sestak	Tanner	Walz
Shea-Porter	Taylor	Wasserman
Sherman	Teague	Schultz
Shuler	Terry	Waters
Sires	Thompson (CA)	Watson
Skelton	Thompson (MS)	Watt
Slaughter	Tierney	Waxman
Smith (NJ)	Titus	Weiner
Smith (WA)	Tonko	Welch
Snyder	Towns	Wilson (OH)
Space	Tsongas	Wittman
Speier	Upton	Wolf
Spratt	Van Hollen	Woolsey
Stark	Velázquez	Yarmuth
Stupak	Visclosky	

NAYS—131

Aderholt	Galleghy	Nunes
Akin	Garrett (NJ)	Paul
Alexander	Gingrey (GA)	Pence
Austria	Gohmert	Pitts
Bachmann	Graves (GA)	Poe (TX)
Bachus	Griffith	Posey
Barrett (SC)	Guthrie	Price (GA)
Barton (TX)	Harper	Putnam
Berry	Heller	Radanovich
Bishop (UT)	Hensarling	Rehberg
Blackburn	Herger	Roe (TN)
Blunt	Hunter	Rogers (AL)
Boehner	Inglis	Rogers (KY)
Bonner	Jenkins	Rogers (MI)
Boozman	Johnson (IL)	Rohrabacher
Boustany	Johnson, Sam	Rooney
Brady (TX)	Jordan (OH)	Roskam
Broun (GA)	King (IA)	Royce
Brown (SC)	King (NY)	Ryan (WI)
Brown-Waite,	Kingston	Scalise
Ginny	Lamborn	Schmidt
Burgess	Lance	Schock
Burton (IN)	Latta	Sensenbrenner
Buyer	Lee (NY)	Sessions
Calvert	Lewis (CA)	Shadegg
Camp	Lucas	Shimkus
Campbell	Luetkemeyer	Shuster
Cantor	Lummis	Simpson
Carter	Mack	Smith (NE)
Coble	Manzullo	Smith (TX)
Cole	Marchant	Stearns
Conaway	McCarthy (CA)	Sullivan
Crenshaw	McCaul	Thompson (PA)
Culberson	McClintock	Thornberry
Davis (KY)	McHenry	Tiberi
Diaz-Balart, L.	McKeon	Turner
Diaz-Balart, M.	McMorris	Turcan
Duncan	Rodgers	Wamp
Emerson	Mica	Westmoreland
Fallin	Miller (FL)	Whitfield
Flake	Miller, Gary	Wilson (SC)
Fleming	Moran (KS)	Wu
Foxx	Murphy, Tim	Young (AK)
Franks (AZ)	Myrick	Young (FL)
Frelinghuysen	Neugebauer	

NOT VOTING—11

Cleaver	Higgins	Olson
Deutch	Hinojosa	Sánchez, Linda
Hastings (FL)	Hoekstra	T.
Hastings (WA)	Kagen	Tiahrt

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 1 minute remaining in this vote.

□ 1545

Mr. COFFMAN of Colorado changed his vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: “A bill to require the head of each executive agency to establish and implement a policy under which employees shall be authorized to telework, and for other purposes.”.

A motion to reconsider was laid on the table.

IMPROPER PAYMENTS ELIMINATION AND RECOVERY ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 1508) to amend the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) in order to prevent the loss of billions in taxpayer dollars, 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 Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 18, as follows:

[Roll No. 442]

YEAS—414

Ackerman	Carson (IN)	Fortenberry
Aderholt	Cassidy	Foster
Adler (NJ)	Castle	Fox
Akin	Castor (FL)	Frank (MA)
Alexander	Chaffetz	Franks (AZ)
Altmire	Chandler	Frelinghuysen
Andrews	Childers	Fudge
Arcuri	Chu	Galleghy
Austria	Clarke	Garamendi
Baca	Clay	Garrett (NJ)
Bachmann	Cleaver	Gerlach
Bachus	Clyburn	Giffords
Baird	Coble	Gingrey (GA)
Baldwin	Coffman (CO)	Gohmert
Barrett (SC)	Cohen	Gonzalez
Barrow	Cole	Goodlatte
Barlett	Conaway	Gordon (TN)
Barton (TX)	Connolly (VA)	Granger
Bean	Conyers	Graves (GA)
Becerra	Cooper	Graves (MO)
Berkley	Costa	Grayson
Berman	Costello	Green, Al
Berry	Courtney	Green, Gene
Biggert	Crenshaw	Griffith
Bilbray	Critz	Grijalva
Bilirakis	Crowley	Guthrie
Bishop (GA)	Cuellar	Gutierrez
Bishop (NY)	Culberson	Hall (NY)
Bishop (UT)	Cummings	Hall (TX)
Blackburn	Dahlkemper	Halvorson
Blumenauer	Davis (AL)	Hare
Blunt	Davis (CA)	Harman
Boccheri	Davis (IL)	Harper
Boehner	Davis (KY)	Heinrich
Bonner	Davis (TN)	Heller
Bono Mack	DeFazio	Hensarling
Boozman	DeGette	Herseth Sandlin
Boren	Delahunt	Hill
Boswell	DeLauro	Himes
Boucher	Dent	Hinche
Boustany	Diaz-Balart, L.	Hirono
Boyd	Diaz-Balart, M.	Hodes
Brady (PA)	Dicks	Holden
Brady (TX)	Dingell	Holt
Bralley (IA)	Djou	Honda
Bright	Doggett	Hoyer
Broun (GA)	Donnelly (IN)	Hunter
Brown (SC)	Doyle	Inglis
Brown, Corrine	Dreier	Inslee
Brown-Waite,	Driebehaus	Israel
Ginny	Duncan	Issa
Buchanan	Edwards (MD)	Jackson (IL)
Burgess	Edwards (TX)	Jackson Lee
Burton (IN)	Ehlers	(TX)
Butterfield	Ellison	Jenkins
Buyer	Ellsworth	Johnson (GA)
Calvert	Emerson	Johnson (IL)
Camp	Engel	Johnson, E. B.
Campbell	Eshoo	Johnson, Sam
Cantor	Etheridge	Jones
Cao	Fallin	Jordan (OH)
Capito	Farr	Kanjorski
Capps	Fattah	Kaptur
Capuano	Filner	Kennedy
Cardoza	Flake	Kildee
Carnahan	Fleming	Kilpatrick (MI)
Carney	Forbes	Kilroy

Kind	Moore (WI)	Schock
King (IA)	Moran (KS)	Schrader
King (NY)	Moran (VA)	Schwartz
Kingston	Murphy (CT)	Scott (GA)
Kirk	Murphy (NY)	Scott (VA)
Kirkpatrick (AZ)	Murphy, Patrick	Sensenbrenner
Kissell	Murphy, Tim	Serrano
Klein (FL)	Myrick	Sessions
Kline (MN)	Nadler (NY)	Sestak
Kosmas	Napolitano	Shea-Porter
Kratovil	Neal (MA)	Sherman
Kucinich	Neugebauer	Shimkus
Lamborn	Nunes	Shuler
Lance	Nye	Shuster
Langevin	Oberstar	Simpson
Larsen (WA)	Obey	Sires
Larson (CT)	Olver	Skelton
Latham	Ortiz	Slaughter
LaTourette	Pallone	Smith (NE)
Latta	Pascrell	Smith (NJ)
Lee (CA)	Pastor (AZ)	Smith (TX)
Lee (NY)	Paul	Smith (WA)
Levin	Paulsen	Snyder
Lewis (CA)	Payne	Space
Lewis (GA)	Pence	Speier
Linder	Perlmutter	Spratt
Lipinski	Perriello	Stark
LoBiondo	Peters	Stearns
Loeback	Peterson	Stupak
Lofgren, Zoe	Petri	Sullivan
Lowey	Pingree (ME)	Sutton
Lucas	Pitts	Tanner
Luetkemeyer	Platts	Taylor
Lujan	Poe (TX)	Terry
Lummis	Polis (CO)	Thompson (CA)
Lungren, Daniel	Pomeroy	Thompson (MS)
E.	Posey	Thompson (PA)
Lynch	Price (GA)	Thornberry
Mack	Price (NC)	Tiberi
Maffei	Putnam	Tierney
Maloney	Quigley	Titus
Manzullo	Radanovich	Tonko
Marchant	Rahall	Towns
Markey (CO)	Rangel	Tsongas
Markey (MA)	Rehberg	Turner
Marshall	Reichert	Upton
Matheson	Reyes	Van Hollen
Matsui	Richardson	Velázquez
McCarthy (CA)	Rodriguez	Visclosky
McCarthy (NY)	Roe (TN)	Walden
McCaul	Rogers (AL)	Walz
McClintock	Rogers (KY)	Wamp
McCollum	Rogers (MI)	Wasserman
McCotter	Rohrabacher	Schultz
McDermott	Rooney	Waters
McHenry	Ros-Lehtinen	Watson
McIntyre	Roskam	Watt
McKeon	Ross	Waxman
McMahon	Rothman (NJ)	Weiner
McNerney	Roybal-Allard	Welch
Meek (FL)	Royce	Westmoreland
Meeks (NY)	Ruppersberger	Whitfield
Melancon	Rush	Wilson (OH)
Mica	Ryan (OH)	Wilson (SC)
Michaud	Ryan (WI)	Wittman
Miller (FL)	Salazar	Wolf
Miller (MI)	Sanchez, Loretta	Woolsey
Miller (NC)	Sarbanes	Wu
Miller, Gary	Scalise	Yarmuth
Miller, George	Schakowsky	Young (AK)
Minnick	Schauer	Young (FL)
Mitchell	Schiff	
Moore (KS)	Schmidt	

NOT VOTING—18

Carter	Hoekstra	Owens
Deutch	Kagen	Sánchez, Linda
Hastings (FL)	McGovern	T.
Hastings (WA)	McMorris	Shadegg
Herger	Rodgers	Teague
Higgins	Mollohan	Tiahrt
Hinojosa	Olson	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1553

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.