

**FLOOR SCHEDULE FOR TUESDAY, FEBRUARY 6, 2018**

HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
<b>9:00 a.m.: Morning Hour</b> <b>10:00 a.m.: Legislative Business</b>  <b>Fifteen "One Minutes"</b>	<b>11:30 a.m. – 12:30 p.m.</b>	<b>6:30 – 7:30 p.m.</b>

**H.Res. 725** – Rule providing for consideration of **H.R. 772 – Common Sense Nutrition Disclosure Act of 2017 (Rep. McMorris Rodgers – Energy and Commerce)**, **H.R. 1153** – **Mortgage Choice Act of 2017 (Rep. Huizenga – Financial Services)**, and **H.R. 4771** – **Small Bank Holding Company Relief Act of 2018 (Rep. Love – Financial Services) (One hour of debate)**. The Rules Committee has recommended one Rule which would provide for consideration of three bills.

For H.R. 772, the Rules Committee has recommended a closed Rule that provides for one hour of general debate equally divided and controlled by the Chair and Ranking Member of the Committee on Energy and Commerce. The Rule allows one motion to recommit, with or without instructions, and waives all points of order against the legislation.

For H.R. 1153, the Rules Committee has recommended a closed Rule that provides for one hour of general debate equally divided and controlled by the Chair and Ranking Member of the Committee on Financial Services. The Rule allows one motion to recommit and waives all points of order against the legislation.

For H.R. 4771, the Rules Committee has recommended a closed Rule that provides for one hour of general debate equally divided and controlled by the Chair and Ranking Member of the Committee on Financial Services. The Rule allows one motion to recommit, with or without instructions, and waives all points of order against the legislation.

The Rule also allows for Suspension Authority on February 8 and 9.

The Rule also Waives clause 6(a) of rule XIII, the requirement of a two-thirds vote to consider a Rule on the same day it is reported from the Rules Committee against any resolution reported through February 9. **Members are urged to VOTE NO.**

**H.R. 772** – **Common Sense Nutrition Disclosure Act (Rep. McMorris Rodgers – Energy and Commerce) (One hour of debate)**. This bill would amend the Federal Food, Drug, and Cosmetic Act to require the Food and Drug Administration (FDA) to revise its rule regarding the nutritional information that chain restaurants and similar retail food establishments must disclose to their consumers. The underlying menu labeling requirement was established as part of the Affordable Care Act (ACA), and final regulations were issued in December 2014. However, implementation has been delayed repeatedly as the FDA provided additional guidance to food establishments to clarify how the rules would be applied. This bill would further delay implementation of FDA requirements currently set to take effect in May of this year and make several changes to the rules.

The bill would amend the statutory requirements that restaurants and other retail food establishments list the calories associated with the standard menu item and instead give them flexibility to choose among several different ways of displaying calorie information: (1) the number of calories contained in the whole standard menu item; (2) the number of servings as determined by the establishment and number of calories per serving; or (3) a calorie count for individual items in a multi-serving item. The bill also permits establishments to designate one primary menu or menu board, as well as flexibility in labeling caloric totals associated with food items when customers are able to add or mix ingredients, such as toppings or flavors.

H.R. 772 would also change the rules for food establishments in which a majority of consumers place orders remotely or off the premises, such as pizza shops, to allow those companies to post the required caloric and nutritional information online rather than in the store. The bill would prohibit civil suits for noncompliance with federal, state, or local menu labeling rules and require the FDA to give restaurants ninety days to correct violations before imposing penalties.

Similar legislation was considered in February of 2016. That vote can be found [here](#).

**Background for H.R. 772:**

[House Report \(HTML Version\)](#)

[House Report \(PDF Version\)](#)

**House Amendment to Senate Amendment to [H.R. 1892](#) – Further Extension of Continuing Appropriations Act, 2018 (Rep. Frelinghuysen – Appropriations).** This resolution is yet another short-term Continuing Resolution (CR) to extend government funding for less than two months, this time until March 23<sup>rd</sup>. Rather than work with Democrats to come to a necessary bipartisan agreement to lift the Budget Control Act (BCA) discretionary spending caps, giving appropriators the direction they need for full-year funding bills, House Republicans have chosen instead to irresponsibly kick the can down the road for the fifth time. This bill does not raise the BCA's sequester level spending caps for non-defense, provide disaster relief, protect DREAMers, extend additional health access for veterans, combat the opioid epidemic, secure pensions, or any of the additional priorities which mounted up as Republicans spent the first four months of FY18 focused solely on passing unpaid for tax cuts for the wealthy. Instead of acting responsibly to address these issues and fund the government for the remainder of the fiscal year, with this CR House Republicans continue wasting time.

Although this package attempts to address numerous expired or expiring health priorities, it fails to reauthorize several key programs including the Maternal Infant and Early Childhood Home Visiting (MIECHV) and Health Professional Opportunity Grant (HPOG) programs, and pays for the package with partisan offsets, such as cuts to the Prevention and Public Health Fund before ending the Prevention and Public Health Fund in 2027.

This bill also includes the same Department of Defense Appropriations bill that the House passed on January 30<sup>th</sup>. That vote can be found [here](#). Like that bill, this version turns off the BCA spending cap for Defense for FY18. As a consequence, if this bill becomes law it would eliminate any chance for a bipartisan budget cap agreement for this year.

The Defense Appropriations portion of the bill contains \$584 billion in base discretionary appropriations for the Department of Defense and \$75 billion in additional discretionary appropriations designated for Overseas Contingency Operations (OCO).

The bill is consistent with the House Republican budget plan to unilaterally bust through the BCA spending cap for defense, adding \$73 billion more than the \$549 billion allowed under the current BCA defense cap. For months, Democrats have sought an agreement on the discretionary spending caps that provides parity for both defense and non-defense appropriations bills, both of which are critical to our nation's security. Rather than negotiate a cap agreement that would pave the way for a defense appropriations bill to become law, they are placing a bill on the Floor that will exempt itself from the BCA defense cap's sequestration. This bill is the fourth example of Republicans rejecting bipartisan compromise.

The House voted on nearly identical text as part of larger, partisan appropriations packages in July (that vote can be found [here](#)) and September (that vote can be found [here](#)). Both times the bills were nearly unanimously opposed by Democrats. The only changes are: (1) adding \$1.184 billion to the OCO account for an additional 3,500 troops in Afghanistan and (2) eliminating the sequester for the defense BCA cap in FY 2018, which this bill would otherwise trigger, while keeping in place sequestration for the non-defense BCA cap.

Additionally, Section 156 includes an anomaly for the Census Bureau to spend at a slightly higher rate to continue critical preparations for the 2020 Census. However, especially when compared with the anomaly proposal from the Administration, section 156 will cause significant disruption, as it provides far less funding than what is essential to sustain these activities during the period of the continuing resolution.

Despite controlling the House, Senate, and the White House, Republicans have not funded the government for the entire year, even though we're already over four months into the fiscal year. This is the fifth short-term CR Republicans have put forward this fiscal year. Because Republicans refuse to work with Democrats and compromise on how to provide relief from the BCA's sequester level spending caps, they are lurching from CR to CR – degrading the readiness of our military and preventing government agencies from properly serving the American people. This is not a responsible way to govern. It is long past time for Republicans to reach agreement with Democrats and get our work done – including upholding the long-standing precedent of agreeing to parity when providing relief from sequester caps. **Members are urged to VOTE NO.**

**Suspensions (2 bills)**

1. [H.R. 4924](#) – To amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, investigation, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment, and for other purposes (Rep. Harper – House Administration)
2. [H.Res. 724](#) – Requiring each employing office of the House of Representatives to adopt an anti-harassment and anti-discrimination policy for the office's workplace, establishing the Office of Employee Advocacy to provide legal assistance and consultation to employees of the House regarding procedures and proceedings under the Congressional Accountability Act of 1995, and for other purposes (Rep. Harper – House Administration)

## Postponed Suspensions (5 bills)

1. [H.R. 219](#) – Swan Lake Hydroelectric Project Boundary Correction Act (Rep. Young (AK) – Natural Resources)
2. [H.R. 2371](#) – Western Area Power Administration Transparency Act (Rep. Gosar – Natural Resources)
3. [S. 1438](#) – Gateway Arch National Park Designation Act (Sen. Blunt – Financial Services)
4. [H.R. 1997](#) – Ukraine Cybersecurity Cooperation Act of 2017, as amended (Rep. Boyle – Foreign Affairs)
5. [H.R. 3851](#) – War Crimes Rewards Expansion Act, as amended (Rep. Foxx – Foreign Affairs)

## TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule for Wednesday, February 7: The House will meet at 9:00 a.m. for legislative business. The House is expected to complete consideration of H.R. 1153 – Mortgage Choice Act of 2017 (Rep. Huizenga – Financial Services). Members are advised that additional legislative items are possible. Further information regarding the schedule will be announced as soon as it is available.

### The Daily Quote

"To bring an end to last month's brief shutdown, lawmakers approved a temporary spending bill that keeps the government open through the end of Thursday. Now another stopgap measure is needed... 'Here we are again,' Senator John Cornyn of Texas, the No. 2 Senate Republican, said on the Senate floor on Monday, before complaining about the use of one stopgap bill after another. 'Governing is not a merry-go-round,' he said."

- New York Times, 2/5/2018