



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157

WASHINGTON, WEDNESDAY, APRIL 6, 2011

No. 49

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. ELLMERS).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 6, 2011.

I hereby appoint the Honorable RENEE ELLMERS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

RECOGNIZING FIFTH ANNIVERSARY OF JOSHUA'S HEART FOUNDATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Madam Speaker, I rise today to recognize an extraordinary young man from my congressional district, Mr. Joshua Williams, on the fifth anniversary of his outstanding organization called Joshua's Heart Foundation.

At the age of 5, while watching "Feed the Children" one evening, a question

arose in Joshua's head: What else can I do to help? In the weeks following, Joshua would create the basis to what has now become a great charity in our community.

Today, Joshua's Heart Foundation has grown from feeding a handful of families to over 1,000 throughout south Florida in just a few years. Later this month, Madam Speaker, on April 30, from 12 to 4 p.m. at Palm Island Park in Miami Beach, in my congressional district, Joshua's Heart Foundation will be holding a celebration of its 5-year anniversary, and, yes, they will be feeding the hungry.

I encourage all in south Florida to join Joshua at this amazing event and again congratulate him on his many years of service to our community, even at such a young age.

RAPE IN THE MILITARY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Madam Speaker, I rise today to speak about an abomination, and I vow to speak about it every week until this Congress and this administration does something more than offer lip service.

Read my lips: The military must end rape in this country, and those who commit such crimes must be brought to justice. The fact that women in the military are being raped and our government is turning a blind eye is disturbing enough. Even worse, it is not our enemies abroad who are committing these horrific crimes. It's American soldiers abusing many of our own, often with nothing more than a slap on the wrist and sometimes with an unbelievable promotion.

We have a military culture that condones, and in some cases rewards, this type of abusive and violent behavior against female soldiers, who are now more likely to be raped by fellow sol-

diers than killed by enemy fire. This is a national disgrace, and the longer it goes unaddressed, Congress becomes an accomplice in these crimes.

You know, we in Congress do something really well—we hold hearings, and then we do nothing. Congress has held 18 hearings in the last 16 years on this issue, and nothing has changed. The Department of Defense estimates that over 19,000 servicemembers were raped or sexually assaulted in 2010; but due to fear of retribution and a failure to prosecute these crimes, only 13.5 percent are reported. These are Department of Defense figures: 19,000 soldiers raped in the military every year.

So beginning today, I am going to tell these women's stories on the House floor, and I'm going to keep telling them and keep telling them until something is done about it.

Earlier this year, 17 servicemembers, 15 of them women, filed a lawsuit against the Federal Government accusing the Pentagon of ignoring their own cases of sexual assault. Today, I want to tell you about one of those, Technical Sergeant Mary Gallagher. She deployed to Iraq in 2009 as a member of the Air National Guard. Her allegations are as follows. Now I'm warning you, some of the language is graphic.

On November 5, 2009, while she was deployed in Iraq, a coworker offered her a ride home to her living quarters. When she accepted, instead of driving her home, he drove her to a remote area and tried to kiss her. Technical Sergeant Gallagher threatened to report him. He became angry and verbally assaulted her. She reported the incident to command, but they claimed that they could do nothing about it.

On November 7, the coworker began to stalk Technical Sergeant Gallagher. He tried to break into her room, claiming she didn't know what she was missing. He telephoned her repeatedly. She again reported her coworker's threatening behavior to command but was

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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advised that they could do nothing because it was a "he said, she said" situation.

Five days later, on November 12, the coworker sexually assaulted her in the restroom. He pushed her up against the left side of the wall, took his right hand and pulled her pants and underwear down and then used his hand to rub her vagina. He simultaneously ground his penis against her and talked about how much he was enjoying the assault.

Technical Sergeant Gallagher described the incident this way to NBC: "I thought he was going to kill me that night. I felt completely isolated and alone and really scared. Here I was in the middle of a foreign country in the middle of a war."

Sergeant Gallagher did not report the violent assault immediately because command had advised her that nothing could be done after she had reported the coworker's threatening behavior before. Two weeks later, when she was asked for more details of the events on November 5 and 7, at that point she reported the violent assault. Command's only response was to reassign the assailant and order him to refrain from any contact with her. She was then lectured by the base chaplain, who claimed that 96 percent of sexual assaults on women occur when drinking is involved. Technical Sergeant Gallagher had not been drinking during any of the assaults.

This is a harrowing story, and it's one of 19,000 that must be heard. Technical Sergeant Gallagher fought for us. It's now time for us to fight for her.

VOTE "NO" ON THE "DIRTY AIR ACT"

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Mexico (Mr. HEINRICH) for 5 minutes.

Mr. HEINRICH. Madam Speaker, 14 weeks have gone by and the Republican majority has still not offered a single jobs package. Instead, we continue to see radical attacks on everything from Medicare to vital clean air protections.

The dirty air act that we're considering today destroys the EPA's ability to limit air pollution under the Clean Air Act, an unprecedented move that ignores scientific consensus and public health. Instead of creating jobs, the Republicans are asking us to pass legislation that would put our Nation's health and safety at risk.

This radical bill also halts a measure that would save American families thousands of dollars a year in fuel costs and make America more energy independent. We must make our policy decisions based on science, not on politics.

I would urge my colleagues to vote against this dirty air act today.

□ 1010

SUPPORT THE BATFE REFORM ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. ALTMIRE) for 5 minutes.

Mr. ALTMIRE. Madam Speaker, I rise today to ask my colleagues to support a legislative effort to modernize the Bureau of Alcohol, Tobacco, Firearms, and Explosives. I have joined with Congressman STEVE KING to introduce the BATFE Reform Act, which will safeguard American citizens' Second Amendment rights by bringing commonsense reform to the BATFE so that it can do a better job of punishing lawbreakers and keeping guns out of the hands of criminals, without placing undue restrictions on local businesses in this difficult economy.

Our proposed legislation would make sure that federally licensed firearms dealers are not subject to poorly formulated and unnecessary regulations by updating the rules and potential penalties governing individuals and businesses that hold a Federal firearms license so they are clear and fair.

Our goal is to create a fair system under which firearms dealers with minor paperwork errors are no longer threatened with the loss of their livelihoods. Defining a willful violation is an important step in clarifying the way Federal firearms license holders are punished by the BATFE. Currently, the Bureau is limited in most cases to either giving a warning or totally revoking a license, no matter how minor or severe the violation. That's the current law. But I believe that these small business owners and law-abiding citizens should not be so harshly punished for small or even insignificant book-keeping errors.

Our legislation would create a new system of penalties for Federal firearms license holders who commit minor violations, and prevent the Bureau from revoking Federal firearms licenses for minor technical violations such as improperly using abbreviations or filing records in the wrong order. Revocation of a license could still be an option for the BATFE to punish willful violation of the law, but it would not be the only option.

The BATFE Reform Act would also make commonsense reforms to help small businesses that sell firearms. For example, it would provide a Federal firearms license holder with the time to liquidate their inventory if they are going out of business. It would also allow a grace period for people taking over an existing firearms business in which they can correct preexisting record-keeping violations from the previous owner and make necessary updates to the license application procedures.

Our bill would permanently ban the creation of a centralized electronic index of dealers' records to protect gun owners' privacy and ensure that law-

abiding gun owners will not unknowingly end up in a Federal gun registration database. Congress has included this language in its annual appropriations bills banning the creation of an index for more than a decade. This time we want to give it the weight of law so we can give gun owners certainty and make this policy part of the existing law.

The NRA has endorsed this legislation, and I would ask my fellow Representatives to show their support for the Second Amendment and small businesses nationwide by cosponsoring the BATFE Reform Act.

REMEMBERING APRIL 10 IN POLISH HISTORY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Madam Speaker, I rise to honor the memory today of the victims of the April 10, 2010, plane crash in Smolensk, Russia, that 1 year ago killed much of the Nation of Poland's national leadership. Last year, the House and Senate overwhelmingly passed resolutions to express America's unwavering support for the people and Government of Poland, and to offer our heartfelt sympathies for the families and loved ones of those who perished.

April 10 has long been a day of memory for the Polish people and those of Polish descent, because on that day 71 years ago the Soviets carried out a horrific act against the Polish people. I am talking about the Katyn Forest massacre. Last year, Polish President Lech Kaczynski was leading a Polish delegation to Russia for the 70th commemoration of that massacre. This was to be an historic event because it was also to be the first time that a Russian leader was to attend the commemoration.

The truth of the Katyn Forest massacre was hidden and lied about for decades. And today, the entire world knows that in 1940 the Soviet secret police were ordered by Joseph Stalin to systematically round up and murder all of Poland's officers, intellectuals, national leaders, teachers, university presidents. As many as 22,000 people were killed in that heinous crime.

For decades, the Soviets tried to cover up their guilt by blaming this atrocity on the Nazis. There is plenty of blame for them too, but the truth of Katyn was never told.

I am proud that this country and this House have long demanded that the truth about the Katyn massacre be exposed. In 1951, it was this House of Representatives that established a select committee to conduct and investigate the facts, evidence, and circumstances of the Katyn Forest massacre. One year later, the committee unanimously concluded that the Soviets had been responsible. Unconscionably, the Soviets continued to deny their actions until President Mikhail Gorbachev made a statement on April 13, 1990.

We knew that the 70th commemoration of this atrocity was to be historic. But the world was further shocked that this tragic day was to witness yet another obliteration of the leaders of the Polish Nation. Last April 10, the Polish President's airliner, a Russian Tupelov TU-154M that had been recently overhauled in Russia, crashed as it was landing near Smolensk. Everyone on board, all 96 people, were killed, including Poland's President, its first lady, the deputy foreign minister, the deputy defense minister, the director of national intelligence, dozens of members of Parliament, the chiefs of staff of the Army and Navy, along with the president of the Polish bank.

Also on board the plane was Anna Walentynowicz, the former dock worker whose firing in 1980 sparked Poland's heroic Solidarity strike that ultimately overthrew the Communist Government of Poland. Ryszard Kaczorowski, who served as Poland's final President in exile before the country's return to democracy, was killed, as well as Wojciech Seweryn, a Chicago artist whose father was killed in Katyn.

I want to honor their memory today and the memory of all those who were killed at Katyn. And I want to express our support for the Polish people and the Polish Government as it seeks full answers surrounding the plane crash, particularly access to the black boxes that were taken by Russia, and the government's other physical materials held related to this tragedy.

Poland is a strong U.S. ally. Polish leaders like Thaddeus Kosciuszko helped fight for our country's freedom when our Republic was founded over 200 years ago. And America stood with Poland's Solidarity movement as it fought against the oppression of the Communists. In the face of these dual tragedies, at Smolensk April 10, 2010, and Katyn in 1940, America stands with the liberty-loving people of Poland.

U.S. MANUFACTURING AND CHINA'S CURRENCY MANIPULATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maine (Mr. MICHAUD) for 5 minutes.

Mr. MICHAUD. Madam Speaker, I rise today to express my concern about the decline in U.S. manufacturing and China's currency manipulation. It is time our government responded to these issues by developing a national manufacturing strategy and bringing to the floor immediately H.R. 639, the Currency Reform for Fair Trade Act.

This chart here shows a significant drop in manufacturing employment in the United States. We have lost nearly 6 million manufacturing jobs in the last decade alone. At our current rate, it will take us 24 years to get back the U.S. manufacturing jobs that we have lost between the year 2000 and 2010. Just last month, a report revealed that United States manufacturing is now in second place behind China. Making

things here at home is critical for our economic diversity, our national security, and just makes common sense. China's enormous growth in manufacturing has come at America's expense, and it is bad for American businesses and American jobs.

There are many reasons for our manufacturing sector's decline. I want to highlight two that the Obama administration and Congress can act upon today. First, we need to develop, adopt, and adhere to a comprehensive national manufacturing strategy. Second, we need to address China's currency manipulation and stop giving our manufacturing jobs to Beijing.

A national manufacturing strategy makes sense. Many developed economies and many of our competitors, including China, have them. If China is going to implement nationwide policies designed to boost specific sectors, so should we. Our strategy should not involve illegal trade practices like China, but it should involve clear objectives. We should ask ourselves the question, what should the American manufacturing sector look like? I believe a diverse, robust manufacturing sector is key to a strong American economy and critical to our national security.

□ 1020

The strategy should also evaluate what policy changes are needed to promote more domestic production. We should seek the input from companies that currently choose to make their products in the U.S., and we should also consider ways to incentivize U.S. production through our tax structure.

And, finally, the manufacturing strategy should establish clear metrics of success over the short, medium and long term. Our manufacturing sector has declined over the last several decades, and it won't be rebuilt overnight. But if we are going to reclaim our spot as a leader in manufacturing, we are going to have to have our own roadmap for the United States manufacturing industry.

The second thing we should do to help U.S. manufacturing is address China's currency manipulation. By devaluing the yuan, China makes their exports cheaper and U.S. imports more expensive.

This is unfair, and it creates an unlevel playing field that forces U.S. businesses to close their doors here in the United States. We cannot wait any longer to take action. Diplomacy has not worked, so we must seek legislative action.

Congress must pass the Currency Reform for Fair Trade Act immediately, and President Obama must sign it. In addition, the United States should bring a WTO case against China for undervaluing its currency. We have to fight this blatant violation of trade law through every step available to do that.

China's currency manipulations put Americans out of work and force American businesses to close their doors. We must act with urgency to stop that.

I urge my colleagues to support a national manufacturing strategy and urge the House leadership to bring H.R. 639 to the floor for a vote immediately.

ONE-WEEK CONTINUING RESOLUTION/2012 BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Madam Speaker, budgets are not simply about dollars and cents. They are about values and priorities. And the debate over spending has revealed Republican priorities, in my opinion, in the worst possible light.

First, Republicans passed a spending plan for the remainder of the fiscal year that would cripple America's ability to out-innovate, out-educate, and out-build its competitors. That spending plan would cut billions in medical and energy research, cut out support for 20,000 research scientists, kick 200,000 children out of Head Start, put college out of reach for millions of middle class students, and end vital infrastructure projects in 40 States, infrastructure projects which provide American jobs.

A consensus of nonpartisan economists has found that the plan will cost us hundreds of thousands of jobs. And Mark Zandi, Moody's Analytics chief economist and an adviser to Senator McCain's Presidential campaign, said that it would cost almost 700,000 jobs.

In addition to these skewed priorities, Republicans are insisting that any bill, any bill to keep the government open must also include controversial social policy provisions that have little, if anything, to do with the deficit, even though their own Pledge to America promised to "end the practice of packaging unpopular bills with 'must-pass' legislation," bills that should pass on their merits, not as related to some extraneous issue.

Rather than compromise with President Obama, with the Democrats in the Senate and the House, Republicans are threatening, once again, to shut down government as they did in 1995.

Now they tell us that they will back off on their threat but only if we pass a partisan, 1-week spending bill that triples the ransom to keep the government open. In other words, this bill contains three times the weekly cuts as the last week-to-week bill did. It also takes all cuts from only a small slice of the budget.

Frankly, Madam Speaker, that makes this latest bill a mockery of fiscal responsibility, especially because it leaves entirely untouched for the rest of the year what the Secretary of Defense himself has called the Pentagon's "culture of endless money." This partisan patch contradicts Republicans' own promises to put everything on the table, defense spending included.

Listen to their own words, as reported by the Associated Press on January 23: "The House's new majority leader, Representative ERIC CANTOR of

Virginia, has said defense programs could join others on the cutting board." But, of course, they haven't done that.

New York Times, January 27: "Representative Chris Gibson, a tea party-endorsed freshman Republican and retired Army colonel, made it clear that no part of the Pentagon's \$550 billion budget, some \$700 billion including the wars in Iraq and Afghanistan, was immune. 'This deficit that we have threatens our very way of life, and everything needs to be on the table.'" However, they have not done that.

Congressman MIKE PENCE, on January 7, said: "If we are going to put our fiscal house in order, we have to be able to look at defense." We need a strong defense. I am a supporter of a strong defense. But to take those dollars off the table is irresponsible and inconsistent with the representations that our Republican friends have made.

Those words are sounding very hollow, however, today. Why are Republicans breaking their word, Madam Speaker? Because, in my opinion, they know that the only way to get their conference to support this spending bill is to bribe it with a year of defense spending left untouched and a divisive social policy provision as well, which is what they said they would not do.

What we need to do is sit down and over the next 72 hours, now over the next 48 hours, frankly, come to compromise. That's our job. "My way or the highway" is never going to get it done.

Finally, Republicans showed their priorities in their budget for the upcoming fiscal year. We will have a lot to say about that in the days ahead.

Their budget ends Medicare as we know it. Seniors thought that they were going to protect Medicare. Well, their way of protecting it is ending it. It dismantles Medicaid and other vital programs for our seniors. We will talk a lot about that in the coming days.

And on top of that, it includes yet trillions more in tax cuts for the wealthiest Americans.

We can do better. Rather than using our debt as an excuse to pass a nakedly partisan agenda, we need to take a bipartisan approach that puts everything on the table:

Keeping our entitlement programs solvent; scrutinizing our spending, defense and non-defense, for waste and low priorities; and passing deficit-reducing tax reform.

Those are the hard choices and shared sacrifices that Americans have a right to expect.

NO JOBS AGENDA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. McDERMOTT) for 5 minutes.

Mr. McDERMOTT. Madam Speaker, the Republicans ran on a jobs agenda; but so far this Congress, they have not done one thing to help Americans find jobs. For 14 weeks, they have been running the House with not one mention of jobs.

The Republicans have put their budget proposal out now, and now we have

their real agenda: a radically ideological plan to protect giveaways to corporations and to attack the elderly, the poor, women and children of the country. Reaganomics drove this country to the brink of bankruptcy in the 1980s. Reaganomics drove the world economy to the brink again in the Bush years, and now the Republicans are trying for a third time to impose their intolerance and everyone-for-themselves economics on the American people.

We need to be fiscally responsible. I think there are things moderate Republicans and Democrats can agree on, but the Republican plan is to dismantle the social safety net of this country.

□ 1030

This is a debate we should have.

Republicans often chuckle that winning at politics is worth the cost to their conscience of being straight with the public. I think we need to let citizens come to their own conclusions by giving them some facts. And here are some indisputable facts about the Republican budget plan:

First, the Republican budget has mostly fictitious numbers. The media has picked up on the Republican number of "\$6 trillion in savings" like catnip, but the Republicans made up most of the numbers of the plan to get there. To create this big number, the Republicans ignored the Congressional Budget Office. That's quite a strategy. If the nonpartisan budget scorekeepers don't say what the Republicans want, the Republicans just ignore it and make up their own numbers.

Secondly, the Republicans' answer to the people in need is to dismantle Medicaid and leave health care for the poor to the States. The Republicans will drop millions of low-income people, children, seniors, disabled, and pregnant women off their rolls. Not only that, those patients that are left on the rolls will get a different kind of care from State to State, and some of that care is very bare bones. You shouldn't have to care about where you live if you are poor, elderly or a child in this country. There are some States that you don't want to live in.

Third, the Republican plan does nothing, not one thing, about the hundreds of billions of dollars of tax breaks American people give corporations every single year. The Republican plan even cuts more for the superrich in this country.

Republicans say they don't like to pick winners and losers. But they pick winners and losers all the time when they give money to oil companies and Wall Street and then push the disabled people living in poverty off the Medicaid health insurance.

And the Republican Party does nothing, not one thing, about the defense budget. Iraq is winding down, Afghanistan is winding down, and Libya will be over shortly, but they don't take one thin dime out of the defense budget. They can't find anything to save anywhere.

Now, the American people need to know the facts. The fact is that if we restored the fair Clinton-era tax rates, what we had in effect before 2000, and kept all other spending at the same point, our deficit drops by two-thirds. That's where we are today. In 10 years, it drops by two-thirds. That's a simple plan that is very doable without destroying the safety net in this country, without going after all the poor and the dispossessed in this country.

We still have to work to lower the deficit even more. We need the right priorities. And the right priorities should be figuring out more ways to save on health care spending. We spend too much for too little results. If we don't deal with health care costs, this deficit is going to be very tough to deal with.

But the Republican plan is to demonize poor people and union workers. Take a good look at Wisconsin. You'd think all the problem in Wisconsin was because of school teachers. Now, that blaming everyone else for the economic disaster is simply to avoid the admission of what they have done. The Republicans take zero responsibility for their disastrous policies and then say the situation they created is the reason why we need to implement every form of their radically failed philosophy. It's cynical. It's ugly politics. And it's the Republican strategy.

Consider what they're doing to seniors. They're saying to seniors: Now you have a set of guaranteed benefits. We're going to take it away and give you a voucher. Go look for some health insurance. And good luck.

CUT AFGHANISTAN, NOT SUPPORT FOR SENIORS, SCHOOLCHILDREN, AND WORKING FAMILIES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Madam Speaker, my friends on other side of the aisle released their budget blueprint for 2012 yesterday. Let's leave aside for the moment that they're prepared to shut down the government rather than fund it at acceptable levels for the rest of fiscal year 2011. If you thought H.R. 1 was bad, wait until you see what they have in store for 2012 and the decade to come.

It's an appalling, radical, and reckless proposal. They want to shred the social safety net and decimate the programs for the most vulnerable Americans, the programs that they depend on to get through day-to-day life. They demand sacrifice from working families and the middle class, but none, no sacrifice from special interests and the big oil companies.

I saw a lot of words in their budget proposal. But one that I don't believe was mentioned a single time is "Afghanistan." The war in Afghanistan, in addition to having cost us more than 1,500 American lives, is costing the taxpayers nearly \$7 billion a month and is

proving to be a crashing failure. This war is in its 10th year, and we still haven't vanquished the Taliban. We still haven't brought a stable democracy to Afghanistan. And we still haven't trained the Afghans to take responsibility for their own security.

The Republicans want to cut wasteful, ineffective government programs. Well, if that is true, I suggest the majority start with Afghanistan before going after American seniors, school-children, and working people. My Republican colleagues believe in limited government as long as the things they're limiting are taxes paid by special interests and investments in people who need a helping hand. When it comes to foreign invasions and decade-long military occupations, Republicans are the biggest spenders of all.

With these priorities, not only have they lost their moral compass, they've lost the American people as well. Recent polling shows that overwhelming majorities want to see spending on Medicare, Medicaid, and education increased or stay the same. By contrast, nearly two-thirds of Americans are fed up with the war in Afghanistan and don't think it's worth fighting.

It's impossible, Madam Speaker, to take seriously any budget proposal that doesn't even mention Afghanistan or Iraq and doesn't cut billions and billions in wasteful war spending from the budget.

It's time to bring our troops home. It's the right thing to do. It's what the people want. It's a sensible, humane, and compassionate path to fiscal responsibility.

THE FIRST AMENDMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. FRANK) for 5 minutes.

Mr. FRANK of Massachusetts. Madam Speaker, earlier this year, an irresponsible bigot burned a Koran in Florida. That was a despicable act. But unfortunately, a number of far worse acts eventuated; that is, the murder, calculated and deliberate murder, of a number of innocent people in Afghanistan by people purporting to be defending their religion against the burning of a book in Florida by massacring innocent civilians in Afghanistan.

And I am pleased that people, including General Petraeus and others, condemned the irresponsibility of the Koran burning, but there needs to be even greater condemnation of the notion that that in any way justifies murder. That includes a kind of condemnation, in my judgment, of the President of Afghanistan, our increasingly unimpressive ally Mr. Karzai, who, I believe, added to the furor there by insisting that the man who burned the Koran should have been prosecuted. Well, under American law, he was not

prosecuted. He should not have been. The right to do obnoxious things is a very important part of the First Amendment.

But what is most appalling is that people purported, in the name of religion, then not even to do anything against that individual, and that would have been unjustified. I am not suggesting that there is any justification for any violence against him. But violence against people in Afghanistan, employees of the United Nations there for humanitarian reasons, other citizens of Western countries, for them to have been assaulted and murdered by people purporting to be acting in the name of religion, that is the true outrage.

And I hope people will resist any temptation even to equate the two. An act of stupid and offensive bigotry against a book should be criticized. Murder of innocent people in the name of a religion—and it's particularly ironic that people who committed these murders claim to be vindicating their religion. Indeed, no denigration of a religion could be greater than to murder innocent people in its name. If I were to be asked what did I think more detracted from the image of Islam, this irresponsible publicity seeker in Florida burning a Koran or people in the name of the religion murdering innocent people including those who went to Afghanistan only to help, it is clearly the latter.

So, Madam Speaker, let's be very clear that nothing in what happened with the burning of a Koran comes close to justifying the outrageous, murderous behavior of people in Afghanistan. And I am pleased that there is attention given to this, but the condemnation should be of this kind of attack on innocent citizens, and we ought to keep this in some perspective.

CONGRESSMAN PAUL RYAN'S BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. CHU) for 5 minutes.

Ms. CHU. Yesterday, Congressman PAUL RYAN introduced the Republican Party's fiscal year 2012 road-to-ruin budget.

We have been back to work in the House for 14 weeks. And for 14 straight weeks, the Republican majority has done nothing to create jobs. They haven't even put a single jobs bill on the House floor. In fact, their proposed spending bill for 2011 actually costs America 700,000 jobs.

Now, Congressman RYAN and the Republican leadership want to extend their job-killing policies and permanently eliminate the middle class. The Republicans' road to ruin is nothing short of an attack on working families, seniors, students, and children.

It attacks America's seniors by ending the Medicare guarantee and put-

ting your fate in the hands of private insurance companies. It attacks America's workers by not doing anything to create jobs and by gutting job training. It attacks America's students by cutting education and raising college costs for nearly 10 million students.

Now, no matter what side of the aisle we are on, we can all agree that deficit reduction is important. But the question is how do we do it. What we can't do is balance the budget on the backs of America's middle class, our seniors, our students, and our children.

But I do know some things we can't afford. At a time when middle class families can't pay their bills, we can't afford to keep spending billions in subsidies for Big Oil and giveaways for special interests. At a time when our senior population is growing, we can't afford to slash funding for nursing homes and put health insurance companies back in control of health care. At a time when our economy needs an infusion of the best and brightest workers, we can't afford to cut public education while protecting tax breaks for companies who ship jobs overseas and spending billions of dollars in tax breaks on people already making upward of half a million dollars.

A budget isn't just about dollars and cents; it's about priorities and values. And as representatives of the American people, our priorities and values should reflect their values: Jobs, a secure retirement, the promise of educational opportunity, and the certainty that if your child is sick then you will be able to afford to see the doctor.

If you vote for this bill, then who amongst us could go home and look senior citizens in the eye knowing we ended Medicare as we know it? Who could look an unemployed worker in the eye knowing we didn't do anything to create jobs? Who could look a student in the eye knowing we took away their opportunity to succeed with a quality education?

I want to reduce our deficit. I know it's vital for our fiscal future. But I also want to look my constituents in the eye and tell them I stood up for their priorities and not those of Big Oil, international corporations, and special interests.

The truth is we can do both. We can get our deficit under control. And we can do it without cuts that hurt hard-working families.

□ 1040

CONGRESSMAN PAUL RYAN'S PRIVATIZED FISCAL FUTURE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Yesterday, PAUL RYAN of Wisconsin, Republican chair of the Budget Committee, revealed his projected future for seniors in America

and their health insurance coverage. It's very interesting.

What he says is, starting with people who are age 55 and younger, there would be no traditional Medicare. That's a pretty radical departure. But he says don't worry. What we will do, what in the Republican vision we will do, is the government will take money and it will give it to private health insurance companies. Seniors would be forced to go to those private health insurance companies and buy a policy from them, and it would be offset by the amount of money that the Federal Government gave to the private health insurance industry. And market discipline would prevail in the PAUL RYAN view of the world. Isn't that a wonderful thing?

Well, guess what? We've got that today. We have an unregulated health insurance industry in this country exempt from anti-trust law, unlike any other business in America. And over the last 10 years, premiums for people who buy health insurance have doubled in my State, pretty much the same all around the country. Some places more than doubled, other places a little bit less. But that's over 10 years.

But in PAUL RYAN's view of the world, that's a success. Why is it a success? Well, because insurance company profits are up very dramatically. So what if people are paying twice as much for their policies and they have more and more exclusions every year?

There's another little problem with his proposal. Other than the fact that this is not a competitive industry, they are allowed to collude, red-line people. They are allowed to get together and collude and drive up prices. They are allowed to get together and collude and decide which States they will go into or get out of to help their sister and brother companies make more profits. He would do nothing about that. That system would continue.

Then there's the little problem that he would repeal so-called ObamaCare. Well, one of the things I think most Americans liked about that legislation was it prohibits insurance companies from refusing to sell you a policy because you were sick once. That's called a preexisting condition. It also prohibits insurance companies from taking away your policy the day you get sick, something called a rescission.

In PAUL RYAN's world, those things are back, preexisting condition exclusions.

Guess what. Aging is a preexisting condition. Go out today, if you're 55 years old and you've been sick once in your life, and try to buy at any reasonable price a private health insurance policy. In PAUL RYAN's world, market discipline will take care of that. No.

What he's doing is a massive shifting of costs onto seniors, the kind of thing that drove seniors into bankruptcy back in the 1950s and 1960s and had their poverty rate at 20 percent. That's why we adopted Medicare in this country, so that seniors wouldn't be driven out of their homes and into bankruptcy in their later years when most people

require more health care. In PAUL RYAN's world, the heck with that.

In fact, the Congressional Budget Office—which some days he likes when they give him answers he likes, and some days he doesn't like when they give him answers he doesn't like, but it's an impartial group, bipartisan group, and at this point controlled by the Republicans—has said that under PAUL RYAN's world, seniors, instead of paying 25 percent of the costs of their health care, which they do today and they would in the future if we continue Medicare, will pay 68 percent of the costs of their health care.

Now, how many people, how many seniors in this country—other than the people he pals around with on Wall Street and at the country club—but other than them, how many of them can afford to pay 68 percent of their health care costs? What middle class American can afford that in retirement no matter how prudent they've been their whole life, no matter how much money they've saved in their whole life? Very, very, very few.

So we have here a plan to enrich the private health insurance industry, allow them to return to all of their bad old ways—recisions, pre-existing condition exclusions and all of that—so that the government can give them money. And he says this will save the government a lot of money. Well, it might, but it's going to kill a lot of seniors or drive them into bankruptcy, just like the days before we had Medicare.

If one looks at the other Republican creation of the last decade, Medicare Part D—you know, that thing where we helped seniors with their pharmaceutical costs, with their drug prescriptions—that wasn't done through Medicare; it was done through the private insurance industry. It cost three-quarters of a trillion dollars, \$650 billion—650 thousand million dollars—over 10 years. Borrowed money. That's PAUL RYAN's world. Give all the money to the insurance companies.

Good work, PAUL.

RECESS

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

Accordingly (at 10 o'clock and 50 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Bishop Henry Fernandez, The Faith Center, Sunrise, Florida, offered the following prayer:

Heavenly Father, we thank You for this day, for truly this is the day that the Lord has made, and we will rejoice and be glad in it.

I pray that our government will seek Your divine will in the affairs of this great Nation, the United States of America. I ask for Your lead in everything this 112th Congress will work on. Give them wisdom to make the right decisions that will cause all of us to be progressive and successful.

May each Member of this House remember the words spoken by Paul: "Let no one seek his own good, but the good of his neighbor."

Bless them and their families with good health and long life.

And let Your peace rest upon them and this great Nation, as we continue to live out the words written over the chair of the Speaker of the House: "In God we trust."

In Jesus' name, amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. POE of Texas. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

Mr. POE of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Missouri (Mrs. HARTZLER) come forward and lead the House in the Pledge of Allegiance.

Mrs. HARTZLER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING BISHOP HENRY FERNANDEZ

The SPEAKER. Without objection, the gentleman from Florida (Mr. HASTINGS) is recognized for 1 minute.

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, it is with great privilege that I welcome my dear friend, Bishop Henry Fernandez, as our guest chaplain for today's opening prayer.

He is an anointed speaker, educator, accomplished author, and entrepreneur. Henry B. Fernandez answered the call of God on his life in 1985 and later became an ordained minister in 1988.

In July 1991, Bishop Fernandez began to demonstrate his faith in God and a commitment to "walk by faith" in

every area of life when, along with his wife, Carol, he founded the Plantation Worship Center in the cafeteria of a local elementary school in south Florida with only 11 members. Now known as The Faith Center Ministries, the church makes its home in the former Sunrise Theater, where its more than 8,000 members embrace a mission of "Reaching the World for Jesus."

Bishop Fernandez is an amazing inspirational speaker, author, community servant, and business person whose work continues to manifest the freedom of worship enjoyed across our Nation. Through his work, he has encouraged us all to exercise faith and live victoriously.

He and his wife, Carol, have two sons, Seion-Zane and Elijah-Zane.

I am truly honored to welcome my friend and inspirational leader, Bishop Henry Fernandez.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The Chair will entertain up to 15 further requests for 1-minute speeches from each side of the aisle.

PAY OUR TROOPS; DON'T SHUT DOWN GOVERNMENT

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. HARTZLER. Madam Speaker, I rise today on behalf of men and women in uniform who won't get paid if Senator HARRY REID continues to refuse to pass the continuing resolution and shuts down the government later this week. They deserve better.

We have warriors fighting on our behalf in two theatres, bravely standing strong for our ideals of freedom and liberty. Meanwhile at home, their families are sacrificing too. Spouses are bravely running the household and being both mom and dad to their children.

While they are fighting for us, the Senate and the President are AWOL, doing nothing to make sure our soldiers are getting paid, even as the President takes us into a third war. In fact, they're actively promoting a shutdown because they believe it will benefit them politically.

I say, shame on them.

The House has proposed a CR which funds the Defense Department for the rest of the year, ensuring our men and women in uniform and their families receive their well-deserved paychecks and our country is defended.

We need to pass this bill and move forward and stop playing politics. Our military deserves nothing less.

GOVERNMENT SHUTDOWN

(Mr. MCGOVERN asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Madam Speaker, we are 1 day closer to a government shutdown, and the Republican leadership continues their obstinate crusade against everyday Americans.

If their insistence on draconian cuts and their blind allegiance to a government shutdown weren't bad enough, their 2012 budget decimates SNAP and Medicaid, food and health care assistance programs for the most vulnerable people in America.

Republicans continue their efforts to balance the budget on the backs of the poor, and we must not stand for that.

But Americans from all walks of life are saying enough. Over 23,000 people—members of churches, mosques, and synagogues; union members and white collar workers; clergy and lay people—are fasting in opposition to the draconian Republican budget cuts.

Democrats stand with those fasting in opposition to cuts to programs that make up the circle of protection, the programs that protect the hungry and the most vulnerable both here at home and around the world. We can and we should and we must do better.

I urge my Republican colleagues, stop your assault on the poor. Stop your assault against the poor.

You could read more about their efforts at www.hungerfast.org.

□ 1210

LEGAL AUTHORITY FOR WAR IN THE NAME OF HUMANITY?

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, the United States is engaged in a new concept of war. No longer will the United States go to war only when it is in our national security interest. The Obama Doctrine is "war in the name of humanity."

Secretary Gates said military intervention in Libya is not necessary for our national interest. So now we drop bombs in countries when we self-righteously decide the ruler is mean to his people. Is this a lawful reason, a legal reason for war in Libya?

My concern is that the Constitution does not give the President unilateral authority to commit our military to foreign entanglements in the vague philosophy of humanity. There has been no prior consulting and consent of Congress. The War Powers Act only gives the President authority to enter into war without consulting Congress when a national emergency is created by an attack on the United States, its territories or possessions, or its Armed Forces.

There is no such national emergency. So what is the legal authority for military intervention in Libya? We need some answers. Are you in, Mr. President? And that's just the way it is.

GOVERNMENT SHUTDOWN

(Mr. BACA asked and was given permission to address the House for 1 minute.)

Mr. BACA. Madam Speaker, we stand today on the verge of a government shutdown. Without quick action, we will leave our seniors, our veterans, and vulnerable Americans everywhere out in the cold. But instead of working on a compromise, I state, Republicans have introduced a budget that will devastate seniors while protecting tax breaks for the richest.

Under the Republican budget, seniors in my district would lose their guaranteed benefit under Medicare and face devastating cuts to Medicaid benefits for nursing home care, which now pays over 48 million elderly and disabled Americans.

Seniors live on a fixed income. I state, seniors live on a fixed income. They cannot afford to pay more for health care or see cuts in their Social Security or have their Medicare privatized. We must not cut their benefits in order to protect and enlarge tax breaks for the rich and for companies that ship jobs overseas or for the oil industry.

We must control our deficit. It is wrong to balance the budget on the backs of American seniors. This is not about power; it's about what's good for the American people.

SAN RAMON VALLEY HIGH SCHOOL

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute.)

Mr. MCNERNEY. Madam Speaker, I rise today to ask my colleagues to join me in recognizing the importance of improving our Nation's schools. I recently visited the San Ramon Valley High School and heard from many students on this important issue. I told the students then and there that I would bring their message back to Washington, D.C., and share it in our Nation's Capital.

Today's young people face an increasingly competitive world, and their education is the foundation of our country's economic success. The students at San Ramon Valley High School shared with me the importance of high quality education and teaching young people not only how to take a test, but also how to apply their skills in real life situations.

The students also asked that when Congress makes decisions about the Federal budget, that funding for schools and education should be a top priority. After all, investing in the education of our young people is an investment in our future.

I urge my colleagues to listen to the thoughts and ideas of the students at San Ramon Valley High School and the young people throughout our country.

THE REPUBLICAN BUDGET

(Ms. TSONGAS asked and was given permission to address the House for 1 minute.)

Ms. TSONGAS. Madam Speaker, my Republican colleagues have put forth spending proposals that they assert promise savings. But deep cuts to Medicare, Medicaid, and the discretionary budget really just shift those costs onto seniors and children. I have heard from hundreds of constituents urging opposition because, to quote a constituent from my hometown of Lowell, the impact would be "devastating." This dangerous game has already cost private sector jobs in my district as contractors wait for Congress to pass a long-term budget.

Many in this body have proven willing to compromise to solve our debt crisis. We have already enacted \$10 billion in spending cuts as a show of good faith. But House Republicans continue to insist upon ideological policy changes that even some Senate Republicans say "go too far."

It is time for this body to listen to the American public and reject ideological policies that would destroy Medicare as we know it, eliminate women's health services like breast and cervical cancer screenings, and make it easier for polluters to contaminate our drinking water.

HONORING AND REMEMBERING
CONNECTICUT'S HEROES

(Mr. MURPHY of Connecticut asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of Connecticut. Madam Speaker, I rise today to honor and remember three brave men from my State who recently lost their lives in Afghanistan. PFC David Fahey of Norwalk was killed by an IED on February 28. Sergeant 1st Class Daehan Park of Watertown was killed by an IED on March 12. And Sergeant Frank Adamski of Moosup was killed in a firefight on March 29. March 29 was his 26th birthday.

These three men and 1,500 others have made the ultimate sacrifice in the battlefields of Afghanistan. And these three losses over 30 days is a big price to pay for a small State like Connecticut. These brave soldiers volunteered to put themselves in harm's way, and they die heroes. I join my friends and neighbors in Connecticut in mourning the loss of these three men. I wish to extend my heartfelt thanks, respect, and sympathies to their families during this difficult time.

PROTECTING COMPENSATION FOR
MILITARY FAMILIES

(Mr. YODER asked and was given permission to address the House for 1 minute.)

Mr. YODER. Madam Speaker, I rise today to express the great concern that many of us have over the potential im-

pact a government shutdown will have on our men and women serving overseas. Recent Department of Defense memos have stated that in the event of a shutdown, our troops will be required to continue to serve our country, but they and their families will receive no compensation.

Madam Speaker, the House has passed H.R. 1, which would protect these military families from being left in the cold and would keep the government operating while making reductions in spending. As we wait for action on that legislation from the Senate, our troops and their families hang in the balance.

We cannot allow this Washington process to threaten the operational readiness of our military and dishonor the service of our soldiers. Our men and women in uniform are bravely putting themselves in harm's way in service to our country. We cannot let them down. We owe this to our troops.

THE REPUBLICAN BUDGET

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute.)

Mr. CARNAHAN. Madam Speaker, both sides here have agreed to serious budget cuts. The choice is between responsible cuts and extreme cuts that endanger our fragile recovery, cost jobs, and hurt seniors. And because Democrats are fighting to stop the Republican extreme cuts, Republicans are threatening to shut the government down.

Their proposal cuts investments in projects like high-speed rail by \$1.5 billion, which could have a serious impact on jobs in the St. Louis region I represent. And their proposal lacks the common sense and courage to end taxpayer giveaways to Big Oil, millionaires, and companies sending jobs overseas. But most shockingly, as the Wall Street Journal has noted, the proposed budget would drastically cut Medicare and Medicaid, throwing our seniors into crisis. The AARP has said the proposal would "deny vulnerable seniors access to long-term care and force deep cuts in quality and safety in nursing homes, leaving more seniors at risk."

The Republican extreme cuts are not the solution. I urge my Republican colleagues to get serious. It's time to roll our sleeves up and work together to solve the Nation's problems, not create more problems by shutting the government down.

NOTES FROM THE
"WARSHINGTON" UNDERGROUND

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. Here is a formula for the collapse of both our economy and our democracy: increase spending for the Pentagon by \$7 billion and ensure its budget for the rest of the fiscal year. Everything else gets cut \$13 billion and gets a budget for just 1 week.

Money for war in Iraq, war in Afghanistan, war over Pakistan, war in Libya—so many wars going on at the same time you could rename our town "Warshington." Money for bombs; no money for books. Money for missiles; no money for new moms. Money for jet fighters; no money for crime fighters. Money for an empire that is as broad as our fears; no money for an America that is as large as our hopes. Just money for unnecessary wars.

We don't want apocalypse now; we want peace now. We want jobs now. We want prosperity now. And we want the leadership to provide it now.

COMMEMORATING TWO POLISH
ANNIVERSARIES

(Mr. SIRES asked and was given permission to address the House for 1 minute.)

Mr. SIRES. Madam Speaker, today I rise to stand with the Polish people as they commemorate two horrific events on this Saturday, April 10.

First, the 71st anniversary of the Katyn Forest massacre, and the second, the first anniversary of the tragic airplane crash that killed 96 people, including the Polish President and top Polish officials.

The Katyn Forest massacre occurred during World War II in April and in May of 1940 while Poland was fighting a war on two fronts. The Soviet secret police brutally killed over 20,000 Poles whose bodies were later recovered in a mass grave at Katyn. Tragically, last year, as a delegation of Polish officials were en route to Katyn to commemorate the massacre, their plane unexpectedly crashed in western Russia, killing all aboard.

It was with great sadness that I heard the news after having had the great honor of meeting the Polish President Kaczynski in the past. His devotion to the Polish nation and the people were immeasurable.

Madam Speaker, the Polish people over the past year and through the course of history have been unwavering in their resilience and patriotism in the face of adversity. Their courage is admirable and inspiring. On this day, we stand in solidarity as they commemorate two occasions of great loss.

□ 1220

REPUBLICANS SHOULD BE
ASHAMED

(Mr. RICHMOND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHMOND. Madam Speaker, you can tell a lot about a person by how they treat our seniors and how they treat our children. According to the 2012 budget, House Republicans do not value our seniors nor our children. They want to privatize Medicare and undo Medicaid. They will burden already cash-strapped States, and place

it in the hands of Governors. Under their plan, Governors will decide whether or not you will receive health care. They are telling 50 million seniors to cough up the money or get off the health care rolls. They are telling the 1.5 million Medicare and Medicaid recipients in Louisiana that they are on their own.

According to the nonpartisan Congressional Budget Office, most beneficiaries would spend more for health care under the new proposal and could get reduced quality care under the GOP proposal that we are fighting here today.

Grandparents and their grandchildren will have less access to doctors when they are sick. Through this budget, we see the Republican future; and it ain't a pretty one. To use my grandmother's words, Madam Speaker: Republicans, you should be ashamed of yourselves for picking on our seniors and our children.

HONORING BOB YOUNG

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. Madam Speaker, I speak today to honor one of Vermont's outstanding civic and corporate leaders. Bob Young is retiring as president of Central Vermont Public Service Company, one of Vermont's largest and most respected companies.

When Bob Young became president, that utility faced many challenges. He faced them directly: rising costs, transmission system upgrades, a customer base that wanted reliable power but green power. Bob Young succeeded in making CVPS an award-winning company. He focused on customer service and environmental concern and stewardship, proving that green power could be reliable and affordable. It was a team effort. His valued employees, his diligent board of directors and his shareholders, all were part of it. But the best part was wife, Vicky, who was not only at his side but oftentimes a step ahead.

You served Vermont well, and on behalf of a grateful Vermont, Bob and Vicky, thank you for your service.

GOVERNMENT SHUTDOWN

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Madam Speaker, our soldiers on the front lines all over this world understand what a fight is about. If you have ever visited them in Iraq and Afghanistan, they have values. They know about their grandmothers and grandfathers, and they know about their families back home with their children. They know what they are fighting for. They will understand that we are here fighting for values.

This government shutdown is not the blame or the fault of the President of the United States or the Democrats in the House or in the Senate. There has been an offer of \$73 billion. It is a question of whether or not you want to solve this problem on the backs of grandmothers and granddads, on the backs of the families of the military persons who are on the front lines in Iraq and Afghanistan.

Do you want to throw college students right out on their rear that are right in the middle of their school term by canceling their Pell Grants? Do you want to tell mothers taking their children to the clinic that there is no more Medicaid for them? Do you want to turn the lights out and close the door and say: America, we don't have any more values.

I do not want to shut this government down. You are not going to shut it down on my watch, if we can work together. I am going to stand and fight for values, and we're going to pull together. We will stand and we will survive. However, let them shut the government down, if the Republicans refuse to compromise. Shut it down. Shut it down. But the Democrats are going to stand for the values of protecting the most vulnerable in America, and we will win.

REPUBLICANS NOT SENDING THE RIGHT MESSAGE

(Ms. HANABUSA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HANABUSA. Madam Speaker, there is no question the policy statement of any legislative body, including ours, is the budget. And what are we saying? I can tell you what the Republicans are saying. The Republicans are saying they haven't learned what caused the crash in 2008. They haven't learned because they still want to continue to give the tax breaks to the super wealthy, and they still refuse to address the costs of the wars and what the defense budget is all about.

Instead, the Republicans want to balance this budget on the backs of our kapuna, our elderly. And they want to take away from those who receive Medicaid, those who need the help of government.

You know, this is not how a great Nation should act. This is not what the United States of America stands for. All I can say is we should be ashamed because we are better and we are not sending the right message.

DEVASTATING ANTI-CHOICE BILL

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. QUIGLEY. Madam Speaker, I rise today because in a few short days this body will consider an extreme and devastating anti-choice bill. H.R. 3 at-

tempted to redefine rape, aims to ban private insurance coverage of reproductive health care, and imposes tax penalties on plans that include care.

These unprecedented provisions have been widely debated, and it is my hope that the American people will realize the severity of this bill and that their Representatives will stop it. But my fear is throughout this debate, a dangerous provision of H.R. 3 has been overlooked, making permanent the Medicaid abortion ban, or the Hyde amendment. It is dangerous because if the extreme provisions are stripped out as a "compromise," we are left with a ban that permanently bars poor women from accessing care, and we have still lost.

Let's call the abortion ban what it really is: a ban on constitutionally protected health care that poor women cannot afford on their own. I encourage my colleagues to stand with poor women struggling to make ends meet around the Nation, in staunch opposition to any Medicaid abortion ban and H.R. 3.

MISPLACED PRIORITIES IN CONTINUING RESOLUTION

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN. Madam Speaker, what we've elected to do is to balance priorities, and the most important are the priorities within the budget process.

The Republican budget proposal introduced today is a collection of misplaced priorities because it cuts hundreds of thousands of jobs, it weakens our economy, and it punishes poor people. That's not what we are about.

Today, the wealthiest Americans in this country have 40 percent of our Nation's wealth and are making more than a quarter of our national income. But this budget will cut their top tax rate by 15 percent. In other words, if you're making a million dollars, you're going to get a tax break of up to \$150,000. If you're making a billion dollars a year, which more than two dozen of the hedge fund managers in this country do make, you will get a \$150 million tax break per year. That's not what we should be about.

Let's look at the misplaced priorities in the continuing resolution in front of us. The amount saved by cutting education, health care, environmental regulation, child care, cancer, and Alzheimer's research and all of the other cuts in domestic, nondefense, discretionary spending, is equal to the cost of continuing the Bush tax cuts to the wealthiest Americans. Those are not the priorities of America; that shouldn't be the priority of this Congress. We can do better. We must do better.

NO GOVERNMENT SHUTDOWN

(Mr. JACKSON of Illinois asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. JACKSON of Illinois. Madam Speaker, yesterday my Republican colleagues introduced a continuing resolution that would increase the defense budget for the entire year while funding the rest of the government for just 1 week and drastically cutting just about every other vital program. That's no compromise.

For months the Republicans have said that as we reduce spending everyone has to take a haircut, including the Defense Department. But now the Republicans propose increasing military spending. The Republicans claim they want to fund the government for the rest of the year. But this bill is for 1 week with drastic cuts to programs that serve our most vulnerable.

Madam Speaker, if you say one thing and then you do another, that is not negotiating in good faith. That's not a real compromise.

In fact, The Washington Post reported that in the Republican caucus this week, the possibility of the government shutdown was greeted with cheers and with applause. They want a shutdown.

Over 13 million Americans are unemployed. They don't have time for this, and they don't have any more time to waste; and we shouldn't be wasting the time and the resources that they gave us. So if the Republicans won't compromise at the negotiating table, maybe we should get everyone down here to the floor to discuss this, to discuss the condition of the unemployed and to discuss why a government of, for, and by the people should remain open.

MOTION TO ADJOURN

Mr. JACKSON of Illinois. Madam Speaker, I move that the House do now adjourn.

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

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

Mr. JACKSON of Illinois. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 36, nays 367, not voting 29, as follows:

[Roll No. 229]

YEAS—36

Ackerman	Frank (MA)	Nadler
Capps	Fudge	Napolitano
Capuano	Hastings (FL)	Neal
Carson (IN)	Hinojosa	Pastor (AZ)
Clarke (NY)	Jackson (IL)	Peters
Clay	Johnson (GA)	Quigley
Conyers	Lee (CA)	Sánchez, Linda
Cooper	Lowey	T.
Crowley	Maloney	Schrader
Cummings	Markey	Towns
Doggett	McGovern	Velázquez
Ellison	Miller (NC)	
Filner	Moran	

NAYS—367

Adams	Duncan (SC)	Latta
Aderholt	Duncan (TN)	Levin
Akin	Edwards	Lewis (CA)
Alexander	Ellmers	Lewis (GA)
Altmire	Engel	Lipinski
Amash	Eshoo	LoBiondo
Austria	Farenthold	Loeb
Baca	Farr	Lofgren, Zoe
Bachmann	Fattah	Lucas
Bachus	Fincher	Luetkemeyer
Baldwin	Fitzpatrick	Luján
Barletta	Flake	Lummis
Barrow	Fleischmann	Lungren, Daniel
Bartlett	Fleming	E.
Barton (TX)	Flores	Lynch
Bass (CA)	Forbes	Mack
Bass (NH)	Fortenberry	Manzullo
Becerra	Fox	Marchant
Benishek	Franks (AZ)	Marino
Berg	Gallegly	Matheson
Berkley	Garamendi	McCarthy (CA)
Berman	Gardner	McCarthy (NY)
Biggett	Garrett	McClintock
Bilbray	Gerlach	McCollum
Bilirakis	Gibbs	McCotter
Bishop (GA)	Gibson	McDermott
Bishop (NY)	Gingrey (GA)	McHenry
Bishop (UT)	Gohmert	McIntyre
Black	Gonzalez	McKeon
Blackburn	Goodlatte	McKinley
Blumenauer	Gosar	McMorris
Bonner	Gowdy	Rodgers
Bono Mack	Graves (GA)	McNerney
Boren	Graves (MO)	Meehan
Boustany	Green, Al	Mica
Brady (PA)	Green, Gene	Michaud
Brady (TX)	Griffin (AR)	Miller (FL)
Braley (IA)	Griffith (VA)	Miller (MI)
Brooks	Grimm	Miller, Gary
Broun (GA)	Guinta	Miller, George
Brown (FL)	Guthrie	Moore
Buchanan	Gutierrez	Mulvaney
Bucshon	Hall	Murphy (CT)
Buerkle	Hanabusa	Myrick
Burgess	Hanna	Neugebauer
Burton (IN)	Harper	Noem
Butterfield	Harris	Nugent
Calvert	Hartzler	Nunnelee
Camp	Hastings (WA)	Olson
Campbell	Hayworth	Owens
Canseco	Heck	Palazzo
Cantor	Heinrich	Pallone
Capito	Heller	Pascarell
Cardoza	Hensarling	Paul
Carnahan	Herger	Paulsen
Carney	Herrera Beutler	Payne
Carter	Higgins	Pearce
Cassidy	Himes	Pelosi
Castor (FL)	Hirono	Pence
Chabot	Holden	Perlmutter
Chaffetz	Holt	Peterson
Chandler	Honda	Petri
Chu	Hoyer	Pingree (ME)
Cicilline	Huelskamp	Pitts
Clarke (MI)	Huizenga (MI)	Platts
Cleaver	Hultgren	Poe (TX)
Clyburn	Hunter	Polis
Coble	Hurt	Pompeo
Coffman (CO)	Inslee	Price (GA)
Cohen	Israel	Price (NC)
Cole	Issa	Quayle
Conaway	Jackson Lee	Rahall
Connolly (VA)	(TX)	Rangel
Costa	Jenkins	Reed
Costello	Johnson (IL)	Rehberg
Courtney	Johnson (OH)	Reichert
Cravaack	Johnson, E. B.	Renacci
Crawford	Johnson, Sam	Reyes
Crenshaw	Jones	Ribble
Critz	Kaptur	Richardson
Cuellar	Keating	Richmond
Culberson	Kelly	Rigell
Davis (CA)	Kildee	Rivera
Davis (IL)	Kind	Roby
Davis (KY)	King (NY)	Roe (TN)
DeFazio	Kingston	Rogers (AL)
DeGette	Kinzinger (IL)	Rogers (KY)
DeLauro	Kissell	Rogers (MI)
Denham	Kline	Rokita
Dent	Kucinich	Rooney
DesJarlais	Labrador	Ros-Lehtinen
Deutch	Lamborn	Roskam
Diaz-Balart	Lance	Ross (AR)
Dicks	Landry	Ross (FL)
Dold	Lankford	Rothman (NJ)
Donnelly (IN)	Larsen (WA)	Royce
Dreier	Larson (CT)	Runyan
Duffy	Latham	Ruppersberger

Rush	Smith (TX)	Walsh (IL)
Ryan (OH)	Smith (WA)	Walz (MN)
Ryan (WI)	Southerland	Wasserman
Sarbanes	Speier	Schultz
Scalise	Stark	Waters
Schiff	Stearns	Watt
Schilling	Stivers	Waxman
Schmidt	Stutzman	Webster
Schock	Sullivan	Weiner
Schwartz	Sutton	Welch
Schweikert	Terry	West
Scott (SC)	Thompson (CA)	Westmoreland
Scott (VA)	Thompson (MS)	Whitfield
Scott, Austin	Thompson (PA)	Wilson (FL)
Scott, David	Thornberry	Wilson (SC)
Serrano	Tiberi	Wittman
Sessions	Tierney	Wolf
Sewell	Tipton	Womack
Sherman	Tonko	Woodall
Shimkus	Tsongas	Woolsey
Shuler	Turner	Wu
Shuster	Upton	Yarmuth
Simpson	Van Hollen	Yoder
Sires	Visclosky	Young (AK)
Smith (NE)	Walberg	Young (IN)
Smith (NJ)	Walden	

NOT VOTING—29

Andrews	Jordan	Olver
Boswell	King (IA)	Posey
Dingell	Langevin	Rohrabacher
Doyle	LaTourette	Roybal-Allard
Emerson	Long	Sanchez, Loretta
Frelinghuysen	Matsui	Schakowsky
Giffords	McCaul	Sensenbrenner
Granger	Meeks	Slaughter
Grijalva	Murphy (PA)	Young (FL)
Hinchey	Nunes	

□ 1254

Messrs. GEORGE MILLER of California and CRITZ, Mrs. DAVIS of California, Messrs. JOHNSON of Illinois, HUIZENGA of Michigan, HUNTER, and HOYER, Ms. BASS of California, Messrs. LARSON of Connecticut, FLEMING, and SARBANES changed their vote from "yea" to "nay."

Mr. HINOJOSA, Mrs. CAPPS, and Ms. VELÁZQUEZ changed their vote from "nay" to "yea."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. LONG. Madam Speaker, on rollcall No. 229, had I been present, I would have voted "nay."

Mr. JORDAN. Madam Speaker, I was absent from the House Floor during rollcall 229 earlier today. Had I been present, I would have voted "nay."

PROVIDING FOR CONSIDERATION OF H.R. 910, ENERGY TAX PREVENTION ACT OF 2011

Mr. SESSIONS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 203 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 203

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 910) to amend the Clean Air Act to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change,

and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to reconsider with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman, my friend from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. Madam Speaker, House Resolution 203 provides for a structured rule designated by the Rules Committee for consideration of H.R. 910. This rule allows for 12 amendments—that is, 12 amendments, Madam Speaker—submitted to the Rules Committee to be made in order.

Madam Speaker, I rise today in support of this rule and the underlying bill, including the open process that is taking place, not just in the Rules Committee, but also on the floor, where Members will be allowed to come

and debate these 12 amendments, as opposed to a closed rule with no amendments.

This legislation, introduced by the chairman of the Energy and Commerce Committee, the gentleman from Michigan (Mr. UPTON), has gone through regular order. There were hearings held on this issue. H.R. 910 was marked up in the Energy and Commerce Committee, and the chairman of the Rules Committee, the gentleman, Mr. DREIER, provided for a structured amendment process for 12 additional Democrat amendments to be considered.

The bill we are discussing today, the Energy Tax Prevention Act, would stop the Environmental Protection Agency—also known as EPA—from imposing a national energy tax in the form of carbon emission regulations.

Today, I will explain what the underlying bill does, and I will discuss the EPA's agenda, what this agenda would do to the Nation's job market and economy, the need for a stronger energy policy from not just our President, but also from the administration and also, as the guidepost that begins with this legislation today, from the United States Congress on behalf of the American people.

H.R. 910 prohibits the EPA from regulating greenhouse gases under the Clean Air Act and repeals the steps the agency has already taken to begin this process. In this bill, we only focus on greenhouse gases and we leave EPA's authority to monitor and regulate pollutants intact.

In short, the underlying bill clarifies that the Clean Air Act is not a vehicle for regulatory taxing. The decision about whether and how to regulate greenhouse gases should be made by Congress and only by Congress, not the regulatory body of a President who wishes to place his overriding answers on unelected bureaucrats to fulfill this role.

□ 1300

The EPA has been aggressively pursuing a national cap-and-tax energy agenda through regulation and legislation for years.

After cap-and-trade failed in Congress last year, the EPA accelerated its efforts to regulate this controversial policy through a series of new rules on hundreds of thousands of buildings all across the United States. In other words, because the President couldn't get his political agenda through Congress, he's taking his political agenda in the administration to overlay the American people.

We disagree with that, and that is why we are on the floor of the House of Representatives today.

Regulating greenhouse gas emissions—primarily the carbon dioxide emissions that come from coal, oil, and natural gas—will increase the cost of everything from gasoline to household utilities and, of course, groceries.

Additionally, regulating and taxing emissions will ship American jobs over-

seas to countries that understand and recognize stable, affordable and energy policies that are vital for their economic growth.

According to a letter from the Chamber of Commerce on March 9 of last year to the Energy and Commerce Committee: "These regulations will impose significant burden across the United States economy, including sectors that will create jobs and lead us in our economic recovery."

Additionally, the letter references that the American Council for Capital Formation has "estimated that EPA's greenhouse gas regulations could reduce business investment between \$97 billion and \$290 billion in 2011 and as much as \$309 billion in 2014," a tremendous hit on the economy when it comes from the President of the United States, Barack Obama, and his administration. This is not a way for America or our future to be successful.

The American Coalition for Clean Coal Electricity also references the American Council for Capital Formation in a press release just last month that estimates that a greenhouse gas tax "could result in the loss of between 476,000 to 1.4 million jobs."

Republicans are committed to putting Americans back to work, and our Democratic colleagues continue to pursue a reckless agenda that puts more Americans out of work, drives business overseas—all the while limiting U.S. energy production and use.

So, Madam Speaker, today the Republican Party is on the floor of the House of Representatives with good news not just for the taxpayers but for the American people, in particular, not just consumers, but those who have lost their job or who are underemployed. We believe that what we're doing today is a jobs-saver bill.

The House Natural Resources Committee reported last month that the Obama administration policies have caused domestic oil production to drop by 16 percent versus projected levels and future projections show continued decreases in domestic production and more foreign imports to make up for this difference.

A recent Rasmussen poll from March 3, 2011, shows that three-quarters of Americans believe this country does not do enough to develop its own oil and gas resources.

So whether through greenhouse gas regulation permit delays or permitting moratoriums, which the President stands behind in his administration, this administration should change their policies and their direction.

We must find new sources of energy and not tax those that exist for the freedom of this country.

So while energy prices soar and continue to soar and projections estimate a \$5-a-gallon gasoline by summertime, this administration wants to inflict more costs on consumers.

The bill today would help to ease the cost of energy prices. It would assist in the global competitiveness of America.

It would help ensure that this Nation does not lose millions of more jobs and does not threaten the intent of the Clean Air Act.

No, Madam Speaker, the Republican Party is here because this is yet another opportunity at a jobs bill that is pro-consumer and pro the American people who want and need to be able to help in a desperate time when we're losing our jobs and things are tough back home to do something positive on behalf of the American public.

This is a bipartisan bill that provides good policy for our Nation, and we're asking every single Member of Congress to understand clearly and see this for what it is. It is a jobs-protection bill.

Madam Speaker, I encourage my colleagues to vote "yes" on the rule and the underlying bill.

I reserve the balance of my time.

Mr. POLIS. Madam Speaker, I thank my friend from Texas for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, it has been a remarkable April in the House of Representatives. Last week, the majority rewrote the Constitution with a bill stating that one House of Congress can deem a law made all by itself regardless of what the Senate or the President of the United States might think. And if that wasn't enough, today the majority is proposing to rewrite the laws of science itself, the definition of taxes, and the laws of economics.

Despite indisputable scientific evidence, the Republicans are seeking to bar the Environmental Protection Agency from protecting Americans' health and safety from what the scientific consensus agrees is the worst environmental threat in the world's history: global climate change.

It's akin to telling Homeland Security to stop protecting the homeland. It denies scientific proof and logic. Even the Supreme Court stated that the EPA has a responsibility to act to keep the public safe. We're witnessing nothing less today than a full assault on four decades of progress in protecting Americans from environmental dangers.

Madam Speaker, for nearly 40 years the EPA and the Clean Air Act have protected the health of Americans from dangers both seen and unseen. Over the last 20 years, the Clean Air Act prevented an estimated 843,000 asthma attacks, 18 million cases of respiratory illness among children, 672,000 cases of chronic bronchitis, 21,000 cases of heart disease, and 200,000 premature deaths—not only saving people from the human toll of dealing with illness among themselves and their family, but saving the economic costs to society and individuals from all of these conditions.

Yet my colleagues on the other side of the aisle want to ignore this progress and prevent the EPA by handcuffing it and preventing it from protecting us in the future.

Repealing the EPA's authority to limit pollution would have devastating consequences. It would increase the number of children and adults who suffer from asthma. It would increase the number of individuals with emphysema, lung cancer, bronchitis, and many other respiratory diseases driving up health care costs for all Americans significantly.

For this reason, 280 groups—including the American Heart Association, the American Public Health Association and many others—sent a letter to Congress urging us to reject measures that would block or delay the U.S. Environmental Protection Agency from doing its job to protect all Americans from life-threatening air pollution.

Madam Speaker, my friend from Texas mentioned the word "tax" six times in his remarks, to my count. It's possible I missed a couple of instances of that word as well. And yet yesterday in committee, both Chairman UPTON and Ranking Member WAXMAN agreed that the EPA does not have the statutory authority to confer any taxes whatsoever.

Therefore, the name of this bill, the Energy Tax Prevention Act, is a complete misnomer. This bill has not even originated in or been passed out of the committee in Congress that has jurisdiction in tax matters, namely, the Ways and Means Committee. It's a completely inappropriate and misleading way to convey what this bill does.

Madam Speaker, America's science and environmental policy should be driven by science and science alone. The EPA should be allowed to move forward. And I urge my colleagues to reject the rule and the underlying bill.

I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I would like to yield 3 minutes to the distinguished gentleman from Beaumont, Texas, Judge POE.

□ 1310

Mr. POE of Texas. I thank the gentleman for yielding.

Madam Speaker, the EPA is on a mission to destroy American industry. Their damaging plan to regulate the so-called carbon emissions will cost every household in America at least \$1,600 per year. These unnecessary regulations will strangle the economy by driving up the cost of energy. Gasoline is \$4 a gallon, will soon be \$5 a gallon. It will put more Americans out of work, especially in the energy industry.

Congress must take immediate action to stop the EPA and its out-of-control concepts from ruining American industry. Earlier this year, I introduced similar legislation to what we are considering today. I introduced it during the first CR. It passed this House with bipartisan support. And what it would do is similar to what this legislation is going to do: that would be to prevent the EPA's attempt to regulate so-called greenhouse gases.

I support this rule and the underlying legislation.

Madam Speaker, in my opinion, when regulators, especially those at the EPA, go to work every day, they go down the street here to one of these marble palaces, they get in a big room with a big oak table, they drink their lattes, and they sit around and say, "Who can we regulate today?" because that's what regulators do. Regulators regulate. And they figure out new ways to regulate the entire United States, all on the so-called premise of protecting us from ourselves.

In my opinion, it has nothing really to do about protection, but it has to do about power. EPA has a power agenda and they have a political agenda, and they are trying to claim it is an agenda to protect all of us from ourselves. The EPA's regulation of greenhouse gases, in my opinion, lacks proven scientific basis. And the EPA is out of control.

You know, the EPA overregulates, and it's driving energy businesses out of this country. It's hammering the American energy industry, and I doubt whether or not it is doing so with scientific basis.

The United States is in an energy crisis. It's a national security issue. And what is the administration's energy plan? Let's not drill here. Let's not drill there. We can't drill in ANWR. We can't drill in any new lands in the United States. We are certainly not going to promote permitting in the Gulf of Mexico at a rapid pace so that we can drill there. But our energy plan, sayeth the administration, is to send money down to Brazil and let the Brazilians drill off of their coast so we can buy their crude oil. Now, that doesn't make any sense to me.

It's time for us to drill in the United States safely. It's time for America to take care of America.

And that's just the way it is.

Mr. POLIS. Madam Speaker, it is my honor to yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

PARLIAMENTARY INQUIRIES

Mr. BLUMENAUER. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. BLUMENAUER. Madam Speaker, when making decisions on a bill referral, is the bill title a consideration?

The SPEAKER pro tempore. The Chair will not render an advisory opinion on that at this time.

Mr. BLUMENAUER. Further parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BLUMENAUER. Is it true that anyone can put the word "tax" in the title of a bill even though it has nothing to do with taxes?

The SPEAKER pro tempore. The gentleman's point has not been stated as a parliamentary inquiry.

Mr. BLUMENAUER. Madam Speaker, let me turn, if I could, to my good friend on the Rules Committee for purposes of yielding to a question, if he would.

I was just curious. I had an amendment before the Rules Committee. I noticed you waived germaneness on other questions. I had an amendment submitted that would simply ensure that the bill accurately accomplished what its title described. My amendment would have struck everything in the bill except the title, Energy Tax Prevention Act, and replaced it with language that actually prevented the EPA from imposing an energy tax.

Do you have any guidance as to why this amendment was not in order?

I yield to the gentleman from Texas. Mr. SESSIONS. I appreciate the gentleman engaging me in a colloquy, and I will just give him a straight answer.

We did not offer any waivers. All 12 amendments offered by Democrats were germane. This, and perhaps others that were submitted to the Rules Committee, were not germane to the House rules, so we did not offer any waiver. But the others that we did, the 12, were all germane and did not have to have a waiver.

Mr. BLUMENAUER. Reclaiming my time, I would just note that the committee did deal with germaneness in terms of allowing things to go through from the Energy and Commerce Committee. It's unfortunate that you would not allow an amendment to at least have an accurate title before the Chamber for its debate.

It's clear that H.R. 910 has nothing do with energy taxes. The bill is designed to confuse Members of Congress and mislead the public. As a member of the Ways and Means Committee, I would strongly object to EPA imposing a tax on energy. But we all know that the EPA has no intention of imposing a tax on energy. Instead, this bill will overrule the scientific consensus on climate change, ignore a Supreme Court decision.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. It would ignore a Supreme Court decision and endanger the future of the planet.

I would strongly urge a "no" vote on the rule and the underlying bill.

I would add, Madam Speaker, that a statement from the Joint Committee on Taxation indicates that this bill has nothing to do with taxation.

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON TAXATION,
Washington, DC.

Hon. EARL BLUMENAUER,
House of Representatives, Rayburn House Office
Building, Washington, DC.

DEAR MR. BLUMENAUER: This letter is in response to your request dated April 5, 2011, for an estimate of H.R. 910, the "Energy Tax Prevention Act of 2011." That bill limits the ability of the Administrator of the Environmental Protection Agency to use authority granted under the Clean Air Act to promulgate regulations or take other actions relating to the emission of greenhouse gases to address climate change.

While the bill does not reference anything in the Internal Revenue Code, there are at least half a dozen places in the Internal Revenue

Code (the "Code") that cross reference the Environmental Protection Agency and the Clean Air Act. For example, Code section 40(b)(6)(E) defines cellulosic biofuel in part as a liquid that meets the registration requirements for fuels and fuel additives established by the Environmental Protection Agency under section 211 of the Clean Air Act.

There are also additional instances in the Code that do not reference the Clean Air Act but do require consultation with the EPA Administrator. For example, section 45Q, which provides a credit for carbon dioxide permanently sequestered in secure geological storage provides that "the Secretary, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, and the Secretary of the Interior, shall establish regulations for determining adequate security measures for the geological storage of carbon dioxide . . . such that the carbon dioxide does not escape into the atmosphere."

Notwithstanding these and similar Code provisions that cross reference certain Clean Air Act rules or require consultation with the EPA Administrator, we do not think it likely that H.R. 910 will have an effect on Federal fiscal year budget receipts.

I hope that this information is helpful to you. If we can be of further assistance in this matter, please let me know.

Sincerely,

THOMAS A. BARTHOLD,
Chief of Staff.

Mr. SESSIONS. Madam Speaker, I yield 3 minutes to one of our brand-new freshmen, a gentleman who is not only on what is called an A committee but an exclusive committee of the United States Congress, who has had a distinguished career as a sheriff in Florida and who is a distinguished member of the Rules Committee, the gentleman from Florida (Mr. NUGENT).

Mr. NUGENT. I thank the gentleman from Dallas, Mr. SESSIONS.

Madam Speaker, today I rise in support of House Resolution 203 and the underlying legislation, H.R. 910.

When I talk to people in Florida's Fifth District about what we are doing here in the House of Representatives to cut spending, reduce the size and scope of the Federal Government, I always stress that we are just one part of the process. The House can only do so much. We still need the Senate and the President to sign off on any legislation we pass before it becomes law. This is one of the most basic building blocks of our government and one we're reminded of as we continue to wait on the Senate to pass a budget for this fiscal year and to prevent a government shutdown.

But the Obama administration has decided to bypass Congress on the issue of greenhouse gas. Can't pass cap-and-tax? Push the greenhouse agenda on the American people another way. So now unelected bureaucrats in the EPA are trying to regulate greenhouse gases.

Among the gases the EPA is trying to regulate is methane. According to EPA, 28 percent of the global methane emissions they classify as coming from human-related activities actually come from livestock. I don't think it's a coincidence that the EPA's move to regu-

late methane, including cow flatulence, comes on the heels of a report from the United Nations Food and Agriculture Organization that states: "Livestock are one of the most significant contributors to today's most serious environmental problems. Urgent action is required to remedy the situation."

Now, I am pretty sure if you asked the ranchers of Florida's Fifth District, as much as they would like to regulate cows from passing gas for plenty of reasons, some smellier than others, we just don't have that capacity. Nevertheless, EPA wants to follow the U.N.'s lead and regulate methane. And the cost of that will inevitably fall upon the backs of America's families.

Madam Speaker, H.R. 910 is a good and important bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SESSIONS. I yield the gentleman 1 additional minute.

Mr. NUGENT. Similarly, the rule provided by H. Res. 203 gives us time for a full, comprehensive debate on the issue, and I encourage my colleagues to support them both.

□ 1320

Mr. POLIS. I yield myself 1 minute to respond.

I know the gentleman from Florida mentioned the cow flatulence in our committee meeting last night, and it sounded like a topic that bore looking into. I did have a chance to look it up in the interim, and Fox News had reported the prospect of EPA regulating cow and livestock gas.

However, it never existed. FactCheck.org, which I looked it up on, dispelled the myth and EPA itself actually came out with a statement that said not only is there no such regulation that it discussed or was in the works, but even EPA admitted it's not under their authority to regulate that in any way, shape or form.

So it is a false accusation with regard to the issue regarding livestock.

Madam Speaker, it's my honor to yield 2 minutes to the gentleman from Vermont (Mr. WELCH), a former member of the Rules Committee and a former member of the Energy and Commerce Committee. He has racked up quite a few former memberships.

Mr. WELCH. I thank the gentleman.

Madam Speaker, today's legislation is essentially about the very simple sounding act of abolishing the Clean Air Act.

Why? How is it that we are going to do this? The authors in support of this legislation have come to the legislative conclusion that global warming is a hoax. Give him credit. Coming to that conclusion was a big lift. It flies in the face of the unanimous conclusion of American scientists, 97 percent, that global warming is real and it's man-made.

And, you know, when you are going to get to that conclusion, you have to follow a long-established tradition we humans have, and that's the ability to

disregard the obvious and the proven when that conflicts with what our ideology says we want.

You know, Aristotle was the EPA of his day. He was attacked when he said that the Earth was round. The world at that time thought the world was flat, and people argued with Aristotle and about Aristotle for 1,500 years.

Galileo became the EPA of his day when he said that the Earth revolved around the sun. He too was attacked for centuries for being "wrong."

Today we have unanimous, near unanimous, scientific conclusion that global warming exists, it's a threat to our planet, it's a threat to our health and, yet, as the folks who attacked Aristotle when he said the Earth was round, as the folks who attacked Galileo when he said the Earth revolved around the sun, the authors, in support of this legislation, deny the proven fact of global warming and wave it away by abolishing the Clean Air Act. This is the wrong step to be taking.

Mr. SESSIONS. Madam Speaker, there was a dialogue back and forth about cows, cattle, and that the EPA really is not after that issue. But if you go to the EPA Web site, epa.gov, and you look under the portion called "Frequent Questions" where it deals with livestock, in fact, the EPA is trying to talk about methane produced by livestock. And it ends up saying, as I read from my BlackBerry, that essentially 20 percent of all the methane content in the air comes from livestock.

Well, that's what they want to regulate, which means they would get in the business whether we said this or not.

Mr. POLIS. Will the gentleman yield?

Mr. SESSIONS. The gentleman will have his own time in a minute, and I'm sure he will be very effective.

But I encourage the gentleman to get on his BlackBerry and go to the Web site and look this up. They're going to blame it on cattle. They're going to tax cattle. They're going to tax the output because that's what they are proposing.

Madam Speaker, at this time I would like to yield 3 minutes to the distinguished gentleman from Ennis, Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Madam Speaker, I rise in strong support of this rule and in strong support of the underlying bill.

I have been a member of the Energy and Commerce Committee for 26, now 27 years. I'm a past chairman. I'm a past subcommittee chairman. I currently have the title of chairman emeritus.

I participated under former Chairman JOHN DINGELL, former Chairman Billy Tauzin, former Chairman Tom Bliley, former Chairman HENRY WAXMAN and now current Chairman FRED

UPTON, dozens of hearings on the Clean Air Act, markups, amendments, dozens of hearings on climate change, global warming and all of those issues.

The bill before us, if the rule passes, does not change the Clean Air Act. It does not gut the Clean Air Act. It does not in any way prevent enforcement of the criteria pollutants that are regulated by the Clean Air Act. It simply says that greenhouse gases are not to be regulated under the Clean Air Act.

And the reason it says that is that greenhouse gases are different than the criteria pollutants that are regulated under the Clean Air Act. First of all, greenhouse gases by definition are necessary for life.

As I stand here, Madam Speaker, and speak, I am creating, as I breathe in and out through the respiratory process, CO₂. So under the dictates of today's EPA, I am a mobile source polluter, because I am breathing. I am creating CO₂.

CO₂, carbon dioxide, is necessary for life. Greenhouse gases are necessary to protect the environment. They have the ability to prevent heat from escaping into outer space, and that is what creates the temperature zone that allows life to exist.

The radical environmentalists who think CO₂ is a pollutant have decided amongst themselves—I don't know how they have done it—but they have decided that the magic number for CO₂ in the atmosphere should be about 350 parts per billion. We are currently at about 380 parts per billion.

We know from records and from ice samples and tree rings and things like this of the past that we have had CO₂ up in the thousands parts per billion in the past. So how 350 has become the magic number is beyond me.

In any event, let me simply say, the bill before us doesn't change one sentence in the Clean Air Act. It does say that the endangerment finding was flawed, and the decision by the Obama administration to regulate CO₂ under the Clean Air Act is wrong, and it should not be allowed to stand.

If this Congress or future Congresses want to regulate CO₂, want to regulate greenhouse gases, let them bring a bill forward through the normal regulatory process and do it.

Please vote for the rule. Please vote for the bill.

Mr. POLIS. I yield myself 1 minute.

Madam Speaker, it's hard to figure out where to start with regard to refuting some of the statements that were made.

First of all, again, with regard to the information regarding methane emissions on the EPA Web site, there is a difference between a statement of fact and an action, and part of what the EPA does is it provides good scientific facts.

They, EPA itself, concedes and says they don't have the authority, nor should they have the authority, to monitor emissions from livestock. So they will publish good information. I

don't refute the information the gentleman said, and I hope they publish more useful information about the impact of livestock, but they are not seeking to regulate it.

The gentleman said they are going to tax cattle. Again, very clearly, Chairman UPTON, Ranking Member WAXMAN, said the EPA does not have the ability to impose a tax.

I would ask my colleague from Texas a simple "yes" or "no" question: Does the EPA have the ability to impose a tax?

Mr. BARTON of Texas. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman.

Mr. BARTON of Texas. A tax is a burden.

Mr. POLIS. Reclaiming my time, it's a simple "yes" or "no" question. If there is an additional statement the gentleman would like to make, I would be happy to have him explain it on his own time. My time is limited and I have many speakers.

But I would be happy to enter into a dialogue with him on his time or allow him to respond to whether or not the EPA has the ability to impose a tax.

I yield 2 minutes to the gentleman from Illinois (Mr. QUIGLEY).

Mr. QUIGLEY. Madam Speaker, we spend a lot of time these days talking about costs—costs of regulation, costs of repeal, costs of implementation.

Conveniently missing from this discussion are the human costs: lives lost, those altered by heart attacks, asthma, and brain damage due to fine particulate matter in our air and mercury in our water.

My hometown of Chicago knows this all too well. Chicago ranks second of all cities in the country adversely affected by power plant pollution.

□ 1330

Two particularly egregious emitters, the Fisk and Crawford power plants, emit fine particulate matter that directly contribute to 41 deaths, 550 ER visits, and 2,800 asthma attacks annually. EPA estimates that fine particle pollution from power plants shortens the lives of 1,356 people from my home State each year.

Talk about costs.

In 2001, the Harvard School of Public Health put out an Illinois power plant study. In the 8 years since these harms were modeled and publicized, the Environmental Law and Policy Center estimates the continued Fisk and Crawford coal plant pollution has caused from \$750 million to \$1 billion in health and environmental-related damages.

Even if you don't care about global warming and you don't believe climate change is manmade, you can't argue with these numbers. So if you want to talk costs, let's talk costs. Fisk and Crawford power plants cost Chicagoans 550 ER visits per year. They cost Chicagoans 2,800 asthma attacks per year. And Fisk and Crawford power plants cost Chicagoans \$750 million to \$1 billion in only 8 of the 50 plus years

we've been collecting data on these pollutants.

The answer to these costs is not to repeal the law that cleans our air, that protects our children and allows us to remain competitive in a global market. The answer instead is to transition away from the antiquated and outdated industry that pollutes and toward green infrastructure that encourages domestic economic development.

I urge my colleagues to oppose the rule and H.R. 910, the dirty air act.

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

Mr. POLIS. Madam Speaker, I yield 3 minutes to the gentleman from Massachusetts, a colleague on the Rules Committee, Mr. MCGOVERN.

Mr. MCGOVERN. Madam Speaker, I rise in strong opposition to this rule and to the underlying legislation which is an assault on science and reason. Indeed, it is an assault on the very air we breathe. My Republican friends continue to bury their heads in the sand.

Last night in the Rules Committee, along with my colleagues EARL BLUMENAUER and PETER WELCH, I offered an amendment to end taxpayer subsidies to Big Oil, something the Republican leadership has refused to do. These subsidies have helped BP, Chevron, ConocoPhillips, ExxonMobil, and Shell make a combined profit of nearly \$1 trillion over the past decade. That is trillion with a "t." Give me a break.

Our amendment would have raised \$40 billion that would have gone straight toward deficit reduction. Unfortunately, but not surprisingly, our amendment was defeated on a party-line vote. That shows exactly where the Republican priorities are, Madam Speaker, a radical redistribution of wealth from the middle class and the poor to the wealthiest people and corporations in the country.

Yesterday, our Republican friends unveiled their budget proposal. That budget takes extreme, right-wing trickle-down economics to new levels. They want to destroy Medicare as we know it and impose a huge tax increase on middle class seniors through higher health care costs. They want to eviscerate Medicaid by turning it into a block grant program. They want to cut food stamps, education, infrastructure, environmental protection, and medical research, programs which actually create jobs and improve the lives of American working families.

And at the same time, my Republican friends want to provide massive tax cuts to the very wealthiest Americans and corporations, including Big Oil companies that are reaping billions and billions and billions of dollars in profits each year. The Republican Party wants to increase health care costs for seniors in order to pay for their tax breaks for the rich. Those are wrong priorities, Madam Speaker.

As Harold Meyerson wrote today in the Washington Post, "If it does nothing else, the budget that House Republicans unveiled Tuesday provides the

first real Republican program for the 21st century, and it is this: Repeal the 20th century."

For the life of me, I can't understand why the people who caused the recession be allowed to keep everything while innocent workers get the bill.

We all want to reduce the deficit, Madam Speaker. How about ending our occupation in Afghanistan? How about ending subsidies for multinational oil companies and agribusiness? How about asking hedge fund managers to pay a fair tax rate?

The Republican leadership has made it clear that they are willing to shut the government down in order to achieve their right-wing, radical agenda. And if that happens, Madam Speaker—and I hope it doesn't, and I pray it doesn't—the American people need to know that the responsibility lies at the feet of the Republican Members of this House.

Again, I urge my colleagues to reject this—again, another restrictive rule—and reject the underlying legislation.

Mr. SESSIONS. Madam Speaker, my, oh my, we've heard this tirade before. If it wasn't just Republicans and the House, which we've had now for about 4 months, it was something else. The Democrats are looking for somebody to blame their woes on, their tax increases, their overregulation, all the big spending and the debt. Madam Speaker, we know what it is. If they search quickly enough, they can find out what the American people know: It is pin the tail on the donkey. We know how this happened.

Madam Speaker, I yield 3 minutes to the gentlewoman from Grandfather Community, North Carolina, Dr. FOXX.

Ms. FOXX. I thank my colleague from Texas for yielding time.

Madam Speaker, our colleagues on our side of the aisle have made it abundantly clear that this bill does not affect the Clean Air Act. What it does is help us rein in unelected bureaucrats who are arrogant and who believe that they have all the answers to what needs to be done in this country.

After listening to the debate over this issue, it's clear to me that nary a liberal here has read a book entitled "Heaven and Earth" by Ian Plimer, a renowned Australian geologist who takes a science-based approach to disproving so many of the myths underlying the manmade global warming theories. It is a unique, gripping, and powerful book that would undoubtedly leave a deep impression on any independent thinker. And I also want to mention, Madam Speaker, another book, the Heartland Institute book review of a book called "The Politically Incorrect Guide to Global Warming and Environmentalism" by Christopher Horner, which highlights some of the motivations for liberals to persist with the manmade global warming theory.

Horner tells us, "Global warming hysteria is truly the environmentalist's dream come true. It is the perfect storm of demons and perils, and the

ideal scare campaign for those who would establish global governance." And he goes on, "We are daily told of an alleged 'consensus' on the issue—a concept actually foreign to science—and global warming alarmists want to put disbelievers on trial. They want to control our lifestyles without anyone being allowed to question their cause." And he says, "Nowhere is Horner more brilliant than in convincing the reader of the odious concept of consensus taking root regarding climate science, where alarmists and the rest of the global warming industry assail scientists and other experts with ad hominem campaigns to discredit them. History is 'full of efforts to stifle innovation by reference to unchallengeable authority of consensus.' Galileo and Copernicus come quickly to mind."

Madam Speaker, this shows the arrogance of our colleagues across the aisle and the arrogance of the bureaucrats. They think that we human beings have more impact on the climate and the world than God does. And we don't.

□ 1340

Mr. POLIS. Madam Speaker, I yield myself 1 minute.

The gentlelady mentioned science. One of the expert witnesses the Republicans called for last week's congressional hearing on climate science was Professor Richard Muller of Berkeley. Now, this was a physicist who had gotten into the climate skeptic game. And I have to say, the climate skeptic game is a very lucrative one for people. Anybody who finds a way to deny climate change sells lots of books, gets booked on the conservative talk show circuit, and does very well for themselves. And yet, despite the intensive economic pressure for climate scientists to deny climate change, 99 percent have stayed true to the scientific method; and the conclusion of the vast majority is that climate change exists.

Now, Professor Muller reported that his group's preliminary findings were that the global warming trend is very similar to that reported by prior groups. Now, this took some courage. Because of his belief in science, no doubt it hurts his own earning potential. I think he had been doing very well as a climate skeptic. Now he is somebody who has put his scientific principles above his own economic need.

What science tells us is not always convenient. Every climate scientist that I know wishes that they could say that there is no danger from climate change, wishes there was no danger from carbon emissions. Nobody wants to be a harbinger of disaster—what a terrible thing to be—and yet they value the integrity of the scientific process.

[From the New York Times, Apr. 3, 2011]

THE TRUTH, STILL INCONVENIENT

(By Paul Krugman)

So the joke begins like this: An economist, a lawyer and a professor of marketing walk into a room. What's the punch line? They

were three of the five "expert witnesses" Republicans called for last week's Congressional hearing on climate science.

But the joke actually ended up being on the Republicans, when one of the two actual scientists they invited to testify went off script.

Prof. Richard Muller of Berkeley, a physicist who has gotten into the climate skeptic game, has been leading the Berkeley Earth Surface Temperature project, an effort partially financed by none other than the Koch foundation. And climate deniers—who claim that researchers at NASA and other groups analyzing climate trends have massaged and distorted the data—had been hoping that the Berkeley project would conclude that global warming is a myth.

Instead, however, Professor Muller reported that his group's preliminary results find a global warming trend "very similar to that reported by the prior groups."

The deniers' response was both predictable and revealing: more on that shortly. But first, let's talk a bit more about that list of witnesses, which raised the same question I and others have had about a number of committee hearings held since the G.O.P. retook control of the House—namely, where do they find these people?

My favorite, still, was RON PAUL's first hearing on monetary policy, in which the lead witness was someone best known for writing a book denouncing Abraham Lincoln as a "horrific tyrant"—and for advocating a new secessionist movement as the appropriate response to the "new American fascialistic state."

The ringers (i.e., nonscientists) at last week's hearing weren't of quite the same caliber, but their prepared testimony still had some memorable moments. One was the lawyer's declaration that the E.P.A. can't declare that greenhouse gas emissions are a health threat, because these emissions have been rising for a century, but public health has improved over the same period. I am not making this up.

Oh, and the marketing professor, in providing a list of past cases of "analogies to the alarm over dangerous manmade global warming"—presumably intended to show why we should ignore the worriers—included problems such as acid rain and the ozone hole that have been contained precisely thanks to environmental regulation.

But back to Professor Muller. His climate-skeptic credentials are pretty strong: he has denounced both Al Gore and my colleague Tom Friedman as "exaggerators," and he has participated in a number of attacks on climate research, including the witch hunt over innocuous e-mails from British climate researchers. Not surprisingly, then, climate deniers had high hopes that his new project would support their case.

You can guess what happened when those hopes were dashed.

Just a few weeks ago Anthony Watts, who runs a prominent climate denialist Web site, praised the Berkeley project and piously declared himself "prepared to accept whatever result they produce, even if it proves my premise wrong." But never mind: once he knew that Professor Muller was going to present those preliminary results, Mr. Watts dismissed the hearing as "post normal science political theater." And one of the regular contributors on his site dismissed Professor Muller as "a man driven by a very serious agenda."

Of course, it's actually the climate deniers who have the agenda, and nobody who's been following this discussion believed for a moment that they would accept a result confirming global warming. But it's worth stepping back for a moment and thinking not just about the science here, but about the morality.

For years now, large numbers of prominent scientists have been warning, with increasing urgency, that if we continue with business as usual, the results will be very bad, perhaps catastrophic. They could be wrong. But if you're going to assert that they are in fact wrong, you have a moral responsibility to approach the topic with high seriousness and an open mind. After all, if the scientists are right, you'll be doing a great deal of damage.

But what we had, instead of high seriousness, was a farce: a supposedly crucial hearing stacked with people who had no business being there and instant ostracism for a climate skeptic who was actually willing to change his mind in the face of evidence. As I said, no surprise: as Upton Sinclair pointed out long ago, it's difficult to get a man to understand something when his salary depends on his not understanding it.

But it's terrifying to realize that this kind of cynical careerism—for that's what it is—has probably ensured that we won't do anything about climate change until catastrophe is already upon us.

So on second thought, I was wrong when I said that the joke was on the G.O.P.; actually, the joke is on the human race.

Madam Speaker, I am proud to yield 2 minutes to the gentlewoman from Hawaii (Ms. HIRONO).

Ms. HIRONO. Madam Speaker, I thank the gentleman from Colorado for yielding me this time.

I rise in opposition to this rule and to the underlying legislation, H.R. 910, the Energy Tax Prevention Act. In spite of the title of this bill, it has absolutely nothing to do with limiting taxes on energy or taxes from the get-go. This bill should be called the Dirty Air Act because it turns back the clock by erasing years of advances that we have made in fighting air pollution and curbing greenhouse gas emissions.

This bill ignores the clear-cut scientific evidence: carbon pollution is endangering our health and the environment and that the need for urgent action to address climate change is indisputable.

This bill prevents the Environmental Protection Agency, EPA, from acting under the Clean Air Act to reduce greenhouse gas emissions unequivocally linked to climate change. Under this bill, EPA will be prohibited from enforcing common sense, and I want to repeat that word, commonsense protections against carbon dioxide pollution and other greenhouse gases.

Since its enactment in 1970, the health benefits of the Clean Air Act have far outweighed industry's compliance costs. Toxic and health-threatening air pollutants have been reduced by 60 percent, and the world did not come to an end for corporations. In fact, during this time the economy grew by 200 percent.

This legislation guts the Clean Air Act pollution standards and repeals EPA's authority to limit health-threatening pollution. And for what? For what, to protect the profits of the big polluters; and in so doing, this bill repeals important safeguards that are needed to create American clean energy jobs, reduce energy costs, reduce our dependence on foreign oil, and increase our economic competitiveness.

We cannot pass this Republican majority's anti-science, anti-innovation bill. And let's not forget one of their top goals: continuing multi-billion dollar tax breaks for the oil and gas solution.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman an additional 30 seconds.

Ms. HIRONO. In my book, clean air and the health of the American people trump profits for polluters every time. I urge my colleagues to vote against this rule and against this bill.

Mr. SESSIONS. Madam Speaker, we are talking about 1.4 million jobs, a lot of cattle, and a lot of bull.

Madam Speaker, at this time I would like to yield 1 minute to the gentleman from Melbourne, Florida (Mr. POSEY).

Mr. POSEY. Madam Speaker, Congressman WEBSTER and I were walking past the rear of the Chamber, and we looked at each other kind of funny after some former comments and thought we were walking by a set for comedy hour.

I mean, I think I really heard somebody allude to the fact that we need more government regulation and for sure we need more taxes on the oil companies, those evil oil companies, and the answer to all of our problems is to tax them more—as if the Members of this body and the public are stupid enough to think that at the end of the year, those big oil companies are just going to write a check for an extra zillion dollars.

Let's say we tax those evil oil companies another dollar a gallon. They're not going to write the check. We know what's going to happen: They're going to raise the price a dollar a gallon, or, given the corporate greed we sometimes see, round it off to 2 bucks a gallon.

Corporations don't pay taxes. Corporations collect taxes. They collect taxes from consumers who ultimately pay the tax. You add a tax to a product, and the consumer is going to pay more.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SESSIONS. I yield the gentleman an additional 1 minute.

Mr. POSEY. I wish we would, as the gentleman from Texas said, quit trying to play "Pin the Tail on the Donkey." We know corporations don't pay taxes. Consumers pay taxes; corporations just collect it.

Mr. POLIS. Madam Speaker, when we defeat the previous question, I will offer an amendment to the rule to provide that immediately after the House adopts this rule, it will bring up Senate bill 388, a bill that prohibits Members of Congress and the President from receiving pay during government shutdowns.

It is my honor to yield 3 minutes to the gentleman from Virginia, a sponsor of a bill to do the same, Mr. MORAN.

Mr. MORAN. I thank my very good friend from Colorado.

Madam Speaker, I rise in opposition to this rule. The Federal Government is now 6 months into fiscal year 2011 without a budget. We've created no new jobs and, in fact, have put tens of thousands of people out of work.

All we've done is to stumble along from continuing resolution to continuing resolution. That's no way to run a government, let alone the most powerful Nation in the world.

Sadly, with the clock running, ticking toward the midnight hour of a government shutdown on Friday, agreement on a full-year budget is nowhere to be found. We have no consensus. We can't get together. We can't do our job.

And instead, the Republicans in this House continue to serve up far right ideological proposals such as this which pretends that global warming isn't really happening. It will block EPA's modest attempts to limit the growth of greenhouse gas emissions that are endangering the public's health and our children's future.

Instead of such sham political posturing, this body would be far wiser to bring up a bill that has already been passed in the Senate and sits ready for consideration in the House today. That is the Moran-Tester Government Shutdown Fairness Act. On the eve of a government shutdown, with hundreds of thousands of government employees facing furloughs, and millions of Americans having to forgo the essential services that the Federal Government provides on a daily basis, it is unconscionable that Members of Congress will continue to receive their pay.

Having abdicated our responsibility to do our job, to pass a budget, we should not continue to receive a paycheck. It is simply a matter of fairness, Madam Speaker. If all Americans are going to feel the pain of a government shutdown, then we should make sacrifices, too. The Moran-Tester bill would suspend Members' pay in the event of a shutdown. The Senate passed it unanimously, and so should we. It's the one thing we could agree on now and have signed by the President immediately. That's the vote we should be taking today.

Now, some have argued for self-centered reasons that the Moran-Tester bill is unconstitutional, but that's simply a smokescreen, Madam Speaker. They know perfectly well that the courts decide matters of constitutionality. Further, we know that the only individuals with standing before the court would be the very Members of Congress who would be voting to shut down the government.

So just consider the scene where Members of Congress would be arguing—

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. MORAN. So I ask, Madam Speaker, just to consider the scene where Members of Congress would be arguing before the courts their right to be paid while millions forgo their pay.

Madam Speaker, this body is wasting its time with the legislation we are considering today. Let's demonstrate to the public that we are willing to make the same sacrifice we are asking of others. If we are going to put 800,000 Federal employees and our staff out on the street, then we ought to be out there with them. Take up the Moran-Tester bill instead of this expression of ideological extremism that is dead on arrival in the Senate. That's what we should be doing.

Mr. SESSIONS. Madam Speaker, there was a discussion a few minutes ago about Republicans and oil companies and a lot of very interesting comments. Yet many on our side have alluded to President Obama supporting the Brazilian Government and people by supporting their oil drilling, drilling for natural resources that they have. The President is willing to go down and back up a 2009 commitment to proposing \$2 billion from the Export-Import Bank to the Brazilian company that is their energy company.

And I would like to quote what he said, if I can, because I think it's very interesting: "At a time when we've been reminded how easily instability in other parts of the world can affect prices, the United States could not be happier for a new, stable source of energy."

Madam Speaker, what he just spoke of was the United States' ability to produce our own oil so we don't have to look to foreigners to get that done.

[From The Hill, Mar. 21, 2011]

OVERNIGHT ENERGY: REPUBLICANS POUNCE ON OBAMA'S BRAZILIAN OIL SUPPORT

(By Andrew Restuccia and Ben Geman)

State of Play: Republicans and the oil industry are working to translate President Obama's weekend comments in support of Brazilian oil development into political ammunition in their battle against the White House's U.S. drilling policies.

The American Petroleum Institute, the country's most powerful oil and gas trade association, and Republicans, including House Speaker John Boehner (R-Ohio), said Monday that the administration should be doing more to develop U.S. oil-and-gas reserves.

Here's Sen. David Vitter (R-La.), who is among the lawmakers pushing for wider U.S. offshore drilling: "It's ridiculous to ignore our own resources and continue going hat-in-hand to countries like Saudi Arabia and Brazil to beg them to produce more oil," Vitter said in a statement. "We need to get serious about developing our resources here at home and working toward lower gas prices and long-term energy independence."

But President Obama said Saturday during his visit to Brazil that an energy partnership with the nation will offer major benefits for the United States. Obama, in announcing a "Strategic Energy Dialogue" with Brazil, noted that the country has nearly twice the oil reserves as the United States and lauded its stability compared to some other oil-exporting countries.

"We want to work with you. We want to help with technology and support to develop these oil reserves safely, and when you're ready to start selling, we want to be one of your best customers," Obama told a group of business leaders Saturday. "At a time when we've been reminded how easily instability in other parts of the world can affect the

price of oil, the United States could not be happier with the potential for a new, stable source of energy."

Under the Strategic Energy Dialogue, the United States will work with Brazil "in the environmentally responsible and technologically advanced development" of Brazilian oil resources, according to a White House summary of the plan.

Administration officials also say they are working diligently to expand U.S. oil-and-gas development. The Interior Department has recently issued three deepwater drilling permits for the type of projects halted after last year's Gulf oil spill. And the department on Monday approved an exploration plan that paves the way to expanded Gulf drilling.

Still, it's not the first time Republicans have criticized the administration for its oil dealings with Brazil. Vitter and others railed against a 2009 proposed \$2 billion commitment from the U.S. Export-Import Bank to the Brazilian oil company Petrobras to ensure the purchase of U.S. goods as the company explores for oil.

Many Republican claims about the Export-Import proposal have been shown to be overblown.

Forbes ran a handy fact-check Monday on Republicans' claims about the proposed Petrobras loans. And the Export-Import Bank takes on Republican charges here.

PROGRESS AND SETBACKS AT STRICKEN JAPANESE NUKE PLANT

"Tokyo Electric Power Co. continued to report progress in restoring order at the Fukushima Daiichi nuclear reactors, but finishing the job is turning out to be a painstaking process plagued by damaged equipment and unexpected incidents," The Wall Street Journal reports.

COURT RULING HITS CALIFORNIA CLIMATE PROGRAM

"California did not adequately consider alternatives to its plan to create a cap-and-trade market for carbon emissions, a judge ruled on Monday, throwing a wrench into the most aggressive U.S. effort to combat climate change," Reuters reports.

U.S., CHILE STRIKE GREEN DEALS

President Obama's trip to South America is bearing green fruit, according to the White House, which is touting expansion of work with Chile on energy and climate change.

The White House noted several areas of cooperation. Under the existing Energy and Climate Partnership of the Americas, "the United States intends to support the establishment of a regional research network for glacier monitoring and modeling led by Chile's world-class researchers," the White House said.

"This network will inform policy and decisionmaking by providing a more robust understanding of how glacial retreat will impact water security in Andean glacier countries," a summary states.

President Obama lauded the various areas of cooperation during a press conference with Chilean President Sebastian Pinera. "I want to commend President Pinera for agreeing to take another step, hosting a new center to address glacier melt in the Andes. In addition, a new U.S.-Chile energy business council will encourage collaborations between our companies in areas like energy efficiency and renewable technologies," Obama said at a joint news conference in Santiago.

Three days ago the two nations also inked a formal "memorandum of understanding" on peaceful uses of nuclear energy.

HOUSE VOTE ON PESTICIDES LOOMS

House lawmakers will vote next week on a bill to limit the Clean Water Act's jurisdiction over pesticide applications. The Hill's Floor Action blog reports:

The House is expected to take up legislation next week that would reverse a court decision that said pesticide use is regulated by the Clean Water Act, in addition to a federal pesticide law.

The House Transportation and Infrastructure Committee last week marked up the bill, H.R. 872, and Republicans want to move the measure quickly so it can take effect before April 9. That date is the deadline by which the Environmental Protection Agency (EPA) is due to announce a new permitting process for pesticides that takes the court ruling into account.

Staff for Rep. Bob Gibbs (R-Ohio), who sponsored the bill, said they expect it to be considered next week in order to meet that deadline.

The bill is a reaction to a decision by the 6th Circuit Court of Appeals in the case National Cotton Council v. EPA. According to the Transportation and Infrastructure Committee, that decision vacated an EPA rule that said using pesticides in compliance with federal pesticide regulations means a permit is not required under the Clean Water Act.

CHAMBER TO HOST DISCUSSION ON REGULATORY PROCESS

The U.S. Chamber of Commerce will host an event Tuesday called "restoring balance to the regulatory process." The event will focus in part on the Obama administration's energy and environmental regulations.

"Tuesday's discussion, hosted at the Chamber, will focus on how we implement more checks and balances to improve the process and guarantee sensible regulation, while also ensuring that federal agencies are held accountable to the people," said Bill Kovacs, senior vice president for environment, technology and regulatory affairs at the Chamber.

STATE DEPARTMENT, WORLD BANK LOOK TO BOOST WATER SECURITY

The State Department will mark World Water Day by expanding cooperation with the World Bank. Secretary of State Hillary Rodham Clinton will sign a memorandum of understanding with the bank at its headquarters.

"The MOU will strengthen support to developing countries seeking a water-secure future," an advisory states.

THINK TANK GETS EFFICIENT

The Center for Strategic and International Studies will host Obama administration officials and other experts at a forum on energy efficiency. Speakers will include Rick Duke, the deputy assistant secretary for climate change.

GROUP TO RELEASE NUKE POLL

The Civil Society Institute will release polling that explores attitudes about nuclear power amid the crisis at Japan's stricken reactors.

The poll is the "first major survey to look at the views of Americans on the broad policy implications of the Fukushima reactor crisis—including support for federal loan guarantees for new U.S. reactors, the merits of shifting federal resources from nuclear to less renewable energy alternatives and whether or not to end federal indemnification of the nuclear industry against nearly all cleanup costs," the group said.

IN CASE YOU MISSED IT . . .

Here's a quick roundup of Monday's E2 stories:

House Oversight and Government Reform Committee Darrell Issa (R-Calif.) said the country's nuclear reactors need to be re-examined.

The Nuclear Regulatory Commission detailed its review of U.S. reactors.

The Environmental Protection Agency warned of a banned pesticide in a product used to kill ants.

A top House Democrat said military action in Libya is motivated by oil.

Top lawmakers on the Senate Energy and Commerce Committee put out a call for input on the "clean energy standard."

And the Obama administration approved the first deepwater exploration plan since last year's Gulf oil spill.

□ 1350

I reserve the balance of my time.

Mr. POLIS. I yield myself 1 minute.

Madam Speaker, I want to be clear that we can in this body take up and pass Senate bill 388 if we can defeat the previous question, and this will go directly to the President's desk. There is still time.

I think the American people don't know that if government shuts down at the end of the day Friday as it might—it seems increasingly likely—Members of Congress will still continue to receive their paycheck. I had a tweet from one of my constituents that said, "If there is a government shutdown, are Congressmen and Senators considered essential employees?"

I responded that we had a bill, Senate bill 388, that would make sure that Members of Congress don't get paid in the event of a shutdown, but Speaker BOEHNER refuses to bring it to the floor of the House in spite of passing the Senate unanimously.

My constituent responded, "Maybe if the rulemakers had to live by the same rules they created, a solution would come faster. Gridlock is not governance."

Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. The next sad chapter in Republican Fantasyland is being written here today. Last month, they couldn't tell the difference between Big Bird and big government. Now they insist that dirty air is really good for us. They live in a fact-free zone when the facts don't support their point of view, insisting that big polluters know best and that good science should be ignored.

The Clean Air Act for the last 40 years has improved air quality and saved hundreds of thousands of lives. Unfortunately, my home State of Texas is one of the world's leading carbon polluters, and it is also one of the leaders in condoning lawlessness by those polluters. Foul air fouls lives and especially young lungs. For my three granddaughters and their generation, particularly for the more than 23,000 children in my home county who are suffering from asthma, we need to ensure clean air, and that ought to be a given, not just a goal.

Science-based decisions, not ideologically driven nonsense, should guide us. I stand with the American Lung Association and with a large number of scientists across many disciplines who call for this bill's rejection. And in its drive to interfere with our health, this same Republican proposal creates the very type of uncertainty that stands in the way of more job creation through-

out Texas, and Texas moving to become the leading wind provider in the country. Those wind turbines could be built in our State. Solar energy could be expanding in our State. But a climate of uncertainty to which this bill adds even more will interfere with the start-ups, with the new ideas that keep us at the forefront of creating clean jobs instead of sending all those jobs over to China and other parts of the world.

This is a bad bill for our economy, and it is a bad bill for the future health of our country. I urge its rejection.

Mr. SESSIONS. Madam Speaker, at this time I would like to notify the gentleman that I have no further speakers on this side.

I reserve the balance of my time.

Mr. POLIS. I thank the gentleman. I am the last speaker for my side, and I yield myself the balance of my time.

I would like to submit into the RECORD a Nature editorial entitled, "Into Ignorance: Vote to Overturn an Aspect of Climate Science Marks a Worrying Trend in U.S. Congress."

Madam Speaker, time and time again we've heard our colleagues cry wolf and make outlandish claims about what the Environmental Protection Agency is attempting to do. But the American people aren't fools. They know that every time the EPA stands up to big polluters, big polluters claim the sky is falling.

That's exactly what happened when the EPA tackled the acid rain problem. Polluters claimed new safeguards would end their industries, increase the price of consumer goods, and cause massive job loss. In reality, acid rain has been dramatically reduced and the limits on pollution were met faster and at roughly a tenth of the cost that industry estimated—all without driving consumer prices up.

A recent MIT study even suggests that implementing the EPA safeguards we are debating today would create 1.4 million jobs as companies invent, build and install newer and cheaper pollution control tools and renewable energy.

Rather than discussing ridiculous and already disreputable and refuted claims of cow flatulence and other elements that aren't even considered by the EPA, let's discuss science and the facts.

Republicans have claimed that the EPA has found carbon dioxide to be dangerous, the same gas we exhale. They say, how can carbon dioxide be dangerous? In reality, the endangerment finding was based on sound science and found that as climate change increases, so does ground-level ozone, longer pollen seasons, and more mold allergies. These affect health problems like asthma and heart disease. Once again, Republicans were oversimplifying a serious problem to support their big polluter buddies at the cost of public health.

Science will guide us in the right direction, and science is a blind goddess. It doesn't care what we want science to

say. What matters is what good science done actually says.

The supporters of this legislation want to present a false dichotomy that somehow protecting the environment would hurt job creation. Instead, the exact opposite has been proven to be true.

Since 1970, the economic benefits of the Clean Air Act have been shown to outweigh all costs associated with the law, and the economic benefits of the Clean Air Act are expected to reach nearly \$2 trillion in 2020—exceeding costs by more than 30 to 1.

That's why a number of business organizations representing over 60,000 firms wrote to President Obama and congressional leaders urging them to support the EPA's mission and to reject efforts to block, delay or weaken implementation of the Clean Air Act. In their letters, the groups note that studies consistently show that the economic benefits of implementing the act far exceed the costs of controlling air pollutant emissions.

The EPA's rule is strictly tailored to only the country's biggest power plants and industrial polluters. These safeguards apply to about 700 of the top polluting power plants and oil refineries, facilities that need new permits, anyway, under current law.

It's been proven countless times that we can protect the environment and public health and grow and strengthen our economy at the same time. To say otherwise simply ignores the facts.

Madam Speaker, I want to make sure that no one is misled by the title of the bill we're considering, the Energy Tax Prevention Act. The only amendment that would have actually prevented energy taxes was offered by my friend from Oregon (Mr. BLUMENAUER) and was denied even a floor discussion and debate or a vote under this rule. The only thing this bill is taxing is our patience. As serious issues confront America, including the government shutdown, the majority seems intent on legislating by false bumper-sticker slogans.

Madam Speaker, if we defeat the previous question, I will offer an amendment to the rule to consider Senate bill 388.

I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. Madam Speaker, I urge my colleagues to vote "no" and defeat the previous question so we can debate and pass a bill that actually does something useful, ensures Members of Congress don't get paid during a shutdown of government and has a real chance of being enacted into law and signed by President Obama, and I urge a "no" vote on the rule.

[From Nature]

INTO IGNORANCE

VOTE TO OVERTURN AN ASPECT OF CLIMATE SCIENCE MARKS A WORRYING TREND IN US CONGRESS

As Nature went to press, a committee of the US Congress was poised to pass legislation that would overturn a scientific finding on the dangers of global warming. The Republican-sponsored bill is intended to prevent the US Environmental Protection Agency (EPA) from regulating greenhouse-gas emissions, which the agency declared a threat to public welfare in 2009. That assessment serves as the EPA's legal basis for regulation, so repealing the 'endangerment finding' would eliminate its authority over greenhouse gases.

That this finding is scientifically sound had no bearing on the decision to push the legislation, and Republicans on the House of Representatives' energy and commerce committee have made clear their disdain for climate science. At a subcommittee hearing on 14 March, anger and distrust were directed at scientists and respected scientific societies. Misinformation was presented as fact, truth was twisted and nobody showed any inclination to listen to scientists, let alone learn from them. It has been an embarrassing display, not just for the Republican Party but also for Congress and the US citizens it represents.

It is tempting to write all of this off as petty partisanship, a populist knee-jerk reaction to lost jobs and rising energy prices by a well-organized minority of Republican voters. After all, US polling data has consistently shown that, in general, the public accepts climate science. At a hearing last week, even Ed Whitfield (Republican, Kentucky), who chairs the subcommittee, seemed to distance himself from the rhetoric by focusing not on the science but on the economic effects of greenhouse-gas regulation. "One need not be a sceptic of global warming to be a sceptic of the EPA's regulatory agenda," said Whitfield.

"The US Congress has entered the intellectual wilderness."

Perhaps, but the legislation is fundamentally anti-science, just as the rhetoric that supports it is grounded in wilful ignorance. One lawmaker last week described scientists as "elitist" and "arrogant" creatures who hide behind "discredited" institutions. Another propagated the myth that in the 1970s the scientific community warned of an imminent ice age. Melting ice caps on Mars served to counter evidence of anthropogenic warming on Earth, and Antarctica was falsely said to be gaining ice. Several scientists were on hand—at the behest of Democrats on the subcommittee—to answer questions and clear things up, but many lawmakers weren't interested in answers, only in prejudice.

It is hard to escape the conclusion that the US Congress has entered the intellectual wilderness, a sad state of affairs in a country that has led the world in many scientific arenas for so long. Global warming is a thorny problem, and disagreement about how to deal with it is understandable. It is not always clear how to interpret data or address legitimate questions. Nor is the scientific process, or any given scientist, perfect. But to deny that there is reason to be concerned, given the decades of work by countless scientists, is irresponsible.

That this legislation is unlikely to become law doesn't make it any less dangerous. It is the attitude and ideas behind the bill that are troublesome, and they seem to be spreading. Fred Upton, the Michigan Republican who chairs the full energy and commerce committee, once endorsed climate science,

but last month said—after being pinned down by a determined journalist—that he is not convinced that greenhouse-gas emissions contribute to global warming. It was yet another blow to the shrinking minority of moderate centrists in both parties.

One can only assume that Congress will find its way at some point, pressured by voters who expect more from their public servants. In the meantime, as long as it can fend off this and other attacks on the EPA, President Barack Obama's administration should push forward with its entirely reasonable regulatory programme for reducing greenhouse-gas emissions where it can, while looking for ways to work with Congress in other areas. Rising oil prices should increase interest in energy security, a co-benefit of the greenhouse-gas and fuel-efficiency standards for vehicles that were announced by the administration last year. The same advice applies to the rest of the world. Work with the United States where possible, but don't wait for a sudden change of tenor in Washington, DC.

One of the scientists testifying before Whitfield's subcommittee was Christopher Field, director of the Carnegie Institution's global ecology department in Stanford, California. Field generously hoped that his testimony at last week's hearing took place "in the spirit of a genuine dialogue that is in the best interests of the country". Maybe one day that hope will be justified.

[From the New York Times, Apr. 3, 2011]

THE TRUTH, STILL INCONVENIENT

(By Paul Krugman)

So the joke begins like this: An economist, a lawyer and a professor of marketing walk into a room. What's the punch line? They were three of the five "expert witnesses" Republicans called for last week's Congressional hearing on climate science.

But the joke actually ended up being on the Republicans, when one of the two actual scientists they invited to testify went off script.

Prof. Richard Muller of Berkeley, a physicist who has gotten into the climate skeptic game, has been leading the Berkeley Earth Surface Temperature project, an effort partially financed by none other than the Koch foundation. And climate deniers—who claim that researchers at NASA and other groups analyzing climate trends have massaged and distorted the data—had been hoping that the Berkeley project would conclude that global warming is a myth.

Instead, however, Professor Muller reported that his group's preliminary results find a global warming trend "very similar to that reported by the prior groups."

The deniers' response was both predictable and revealing; more on that shortly. But first, let's talk a bit more about that list of witnesses, which raised the same question I and others have had about a number of committee hearings held since the G.O.P. retook control of the House—namely, where do they find these people?

My favorite, still, was Ron Paul's first hearing on monetary policy, in which the lead witness was someone best known for writing a book denouncing Abraham Lincoln as a "horrific tyrant"—and for advocating a new secessionist movement as the appropriate response to the "new American fascialistic state."

The ringers (i.e., nonscientists) at last week's hearing weren't of quite the same caliber, but their prepared testimony still had some memorable moments. One was the lawyer's declaration that the E.P.A. can't declare that greenhouse gas emissions are a health threat, because these emissions have been rising for a century, but public health

has improved over the same period. I am not making this up.

Oh, and the marketing professor, in providing a list of past cases of “analogies to the alarm over dangerous manmade global warming”—presumably intended to show why we should ignore the worriers—including problems such as acid rain and the ozone hole that have been contained precisely thanks to environmental regulation.

But back to Professor Muller. His climate-skeptic credentials are pretty strong: he has denounced both Al Gore and my colleague Tom Friedman as “exaggerators,” and he has participated in a number of attacks on climate research, including the witch hunt over innocuous e-mails from British climate researchers. Not surprisingly, then, climate deniers had high hopes that his new project would support their case.

You can guess what happened when those hopes were dashed.

Just a few weeks ago Anthony Watts, who runs a prominent climate denialist Web site, praised the Berkeley project and piously declared himself “prepared to accept whatever result they produce, even if it proves my premise wrong.” But never mind: once he knew that Professor Muller was going to present those preliminary results, Mr. Watts dismissed the hearing as “post normal science political theater.” And one of the regular contributors on his site dismissed Professor Muller as “a man driven by a very serious agenda.”

Of course, it's actually the climate deniers who have the agenda, and nobody who's been following this discussion believed for a moment that they would accept a result confirming global warming. But it's worth stepping back for a moment and thinking not just about the science here, but about the morality.

For years now, large numbers of prominent scientists have been warning, with increasing urgency, that if we continue with business as usual, the results will be very bad, perhaps catastrophic. They could be wrong. But if you're going to assert that they are in fact wrong, you have a moral responsibility to approach the topic with high seriousness and an open mind. After all, if the scientists are right, you'll be doing a great deal of damage.

But what we had, instead of high seriousness, was a farce: a supposedly crucial hearing stacked with people who had no business being there and instant ostracism for a climate skeptic who was actually willing to change his mind in the face of evidence. As I said, no surprise: as Upton Sinclair pointed out long ago, it's difficult to get a man to understand something when his salary depends on his not understanding it.

But it's terrifying to realize that this kind of cynical careerism—for that's what it is—has probably ensured that we won't do anything about climate change until catastrophe is already upon us.

So on second thought, I was wrong when I said that the joke was on the G.O.P.; actually, the joke is on the human race.

I yield back the balance of my time.
Mr. SESSIONS. I yield myself the balance of my time.

Madam Speaker, I appreciate the gentleman from Colorado for this wonderful discussion and debate that we've had here today.

Madam Speaker, the bill we're discussing today does not weaken the Clean Air Act or the regulation of air pollution. It does not interfere with the EPA's longstanding authority to protect the environment. In fact, as I stated in the very beginning, it simply

clarifies that the Clean Air Act was never designated, designed or shown to be for regulating greenhouse gas emissions. Thus, we would be removing authority that the EPA has not had, should not have, and would not have because this Congress will not pass what is called cap-and-tax regulations.

By gaining control of government spending and eliminating government regulations, the private sector believes that the Republican Congress can be here for the interests of not only the taxpayer but also to make sure that jobs and investment in this economy in the future are very bright.

I applaud my colleagues for coming down to help debate this bill. I encourage a “yes” vote on the rule.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 203 OFFERED BY
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution it shall be in order to consider in the House the bill (S. 388) to prohibit Members of Congress and the President from receiving pay during Government shutdowns, if called up by the Minority Leader or her designee. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on House Administration; and (2) one motion to recommit.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of S. 388.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

Because the vote today may look bad for the Republican majority they will say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. SESSIONS. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. POLIS. Madam 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 ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 203, if ordered; and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 266, nays 158, not voting 8, as follows:

[Roll No. 230]

YEAS—266

Adams	Barton (TX)	Blackburn
Aderholt	Bass (CA)	Bonner
Akin	Bass (NH)	Bono Mack
Alexander	Benishke	Boren
Altmire	Berg	Boustany
Amash	Biggart	Brady (TX)
Austria	Bilbray	Brooks
Bachmann	Bilirakis	Brown (GA)
Bachus	Bishop (GA)	Buchanan
Barletta	Bishop (UT)	Bucshon
Bartlett	Black	Buerkle

Burgess	Hayworth	Platts	Hanabusa	Matheson	Sánchez, Linda	Critz	Johnson, Sam	Quayle
Burton (IN)	Heck	Poe (TX)	Hastings (FL)	Matsui	T.	Culberson	Jones	Rahall
Butterfield	Heller	Pompeo	Heinrich	McCarthy (NY)	Sarbanes	Davis (KY)	Jordan	Reed
Calvert	Hensarling	Posey	Higgins	McCollum	Schakowsky	Denham	Kelly	Rehberg
Camp	Herger	Price (GA)	Himes	McDermott	Schiff	Dent	King (IA)	Reichert
Campbell	Herrera Beutler	Quayle	Hinojosa	McGovern	Schrader	DesJarlais	King (NY)	Renacci
Canseco	Hinchev	Rangel	Hirono	McIntyre	Schwartz	Diaz-Balart	Kingston	Ribble
Cantor	Huelskamp	Reed	Holden	McNerney	Scott, David	Dold	Kinzinger (IL)	Rigell
Capito	Huizenga (MI)	Rehberg	Holt	Michaud	Serrano	Donnelly (IN)	Kissell	Rivera
Carson (IN)	Hultgren	Reichert	Honda	Miller (NC)	Sewell	Dreier	Kline	Roby
Carter	Hunter	Renacci	Hoyer	Miller, George	Sherman	Duffy	Labrador	Roe (TN)
Cassidy	Hurt	Ribble	Inslee	Moore	Shuler	Duncan (SC)	Lamborn	Rogers (AL)
Chabot	Issa	Richardson	Israel	Moran	Sires	Duncan (TN)	Lance	Rogers (KY)
Chaffetz	Jackson (IL)	Richmond	Jackson Lee	Murphy (CT)	Slaughter	Ellmers	Landry	Rogers (MI)
Chu	Jenkins	Rigell	(TX)	Nadler	Smith (WA)	Emerson	Lankford	Rohrabacher
Clarke (NY)	Johnson (IL)	Rivera	Johnson (GA)	Napolitano	Speier	Farenthold	Latham	Rokita
Clay	Johnson (OH)	Roby	Johnson, E. B.	Neal	Stark	Fincher	LaTourette	Rooney
Cleaver	Johnson, Sam	Roe (TN)	Kaptur	Owens	Sutton	Fitzpatrick	Latta	Ros-Lehtinen
Clyburn	Jones	Rogers (AL)	Keating	Pallone	Thompson (CA)	Flake	Lewis (CA)	Roskam
Coble	Jordan	Rogers (KY)	Kildee	Pascarell	Tierney	Fleischmann	LoBiondo	Ross (AR)
Coffman (CO)	Kelly	Rogers (MI)	Kind	Pastor (AZ)	Tonko	Fleming	Long	Ross (FL)
Cole	King (IA)	Rohrabacher	Kissell	Pelosi	Towns	Flores	Lucas	Royce
Conaway	King (NY)	Rokita	Kucinich	Perlmutter	Tsongas	Forbes	Luetkemeyer	Runyan
Conyers	Kingston	Rooney	Langevin	Peters	Van Hollen	Fortenberry	Lummis	Ryan (WI)
Cravaack	Kinzinger (IL)	Ros-Lehtinen	Larsen (WA)	Pingree (ME)	Velázquez	Foxx	Lungren, Daniel	Scalise
Crawford	Kline	Roskam	Larson (CT)	Polis	Visclosky	Franks (AZ)	E.	Schilling
Crenshaw	Labrador	Ross (FL)	Levin	Price (NC)	Walz (MN)	Gallely	Mack	Schmidt
Culberson	Lamborn	Royce	Lewis (GA)	Quigley	Wasserman	Gardner	Manzullo	Schock
Cummings	Lance	Runyan	Lipinski	Rahall	Schultz	Garrett	Marchant	Schweikert
Davis (KY)	Landry	Rush	Loeb sack	Reyes	Waxman	Gerlach	Marino	Scott (SC)
Denham	Lankford	Ryan (WI)	Lofgren, Zoe	Ross (AR)	Weiner	Gibbs	Matheson	Scott, Austin
Dent	Latham	Scalise	Lowey	Rothman (NJ)	Welch	Gibson	McCarthy (CA)	Sensenbrenner
DesJarlais	LaTourette	Schilling	Lujan	Roybal-Allard	Wilson (FL)	Gingrey (GA)	McCaul	Sessions
Diaz-Balart	Latta	Schmidt	Lynch	Ruppersberger	Woolsey	Gohmert	McClintock	Shimkus
Dold	Lee (CA)	Schock	Maloney	Ryan (OH)	Wu	Goodlatte	McCotter	Shuler
Dreier	Lewis (CA)	Schweikert	Markey		Yarmuth	Gosar	McHenry	Shuster
Duffy	LoBiondo	Scott (SC)		NOT VOTING—8		Gowdy	McKeon	Simpson
Duncan (SC)	Long	Scott (VA)				Granger	McKinley	Smith (NE)
Duncan (TN)	Lucas	Scott, Austin	Andrews	Giffords	Sanchez, Loretta	Graves (GA)	McMorris	Smith (NJ)
Edwards	Luetkemeyer	Sensenbrenner	Baca	Meeks	Young (FL)	Graves (MO)	Rodgers	Smith (TX)
Ellmers	Lungren, Daniel	Sessions	Frelinghuysen	Olver		Griffin (AR)	Meehan	Southernland
Emerson	E.	Shimkus				Griffith (VA)	Mica	Stearns
Farenthold	Mack	Shuster				Grimm	Miller (FL)	Stivers
Fincher	Manzullo	Simpson				Guinta	Miller (MI)	Stutzman
Fitzpatrick	Marchant	Smith (NE)	Messrs. CRITZ, INSLEE, Ms.			Guthrie	Miller, Gary	Sullivan
Flake	Marino	Smith (NJ)	MOORE, and Ms. WOOLSEY changed			Hall	Mulvaney	Terry
Fleischmann	McCarthy (CA)	Smith (TX)	their vote from “yea” to “nay.”			Hanna	Murphy (PA)	Thompson (PA)
Fleming	McCaul	Southernland	Messrs. CLEAVER, RUSH, WATT,			Harper	Myrick	Thornberry
Flores	McClintock	Stearns	SCOTT of Virginia, JACKSON of Illi-			Harris	Neugebauer	Tiberi
Forbes	McCotter	Stivers	nois, RICHMOND, CUMMINGS, Ms.			Hartzler	Noem	Tipton
Fortenberry	McHenry	Stutzman	CHU, and Ms. BASS of California			Hastings (WA)	Nugent	Turner
Foxx	McKinley	Sullivan	changed their vote from “nay” to			Hayworth	Nunes	Upton
Franks (AZ)	Terry	Thompson (MS)	“yea.”			Heck	Nunnelee	Walberg
Fudge	Thompson (PA)	Thornberry	So the previous question was ordered.			Heller	Olson	Walden
Gallely	Meehan	Tiberi	The result of the vote was announced			Hensarling	Palazzo	Walsh (IL)
Gardner	Mica	Tipton	as above recorded.			Herger	Paul	Webster
Garrett	Miller (FL)	Turner	The SPEAKER pro tempore (Mr.			Herrera Beutler	Paulsen	West
Gerlach	Miller (MI)	Upton	WOMACK). The question is on the reso-			Holden	Pearce	Westmoreland
Gibbs	Miller, Gary	Walberg	lution.			Huelskamp	Pence	Whitfield
Gibson	Mulvaney	Walden	The question was taken; and the			Huizenga (MI)	Peterson	Wilson (SC)
Gingrey (GA)	Murphy (PA)	Walters	Speaker pro tempore announced that			Hultgren	Petri	Wittman
Gohmert	Myrick	Watt	the ayes appeared to have it.			Hunter	Pitts	Wolf
Goodlatte	Neugebauer	Webster				Hurt	Platts	Womack
Gosar	Noem	West				Issa	Poe (TX)	Woodall
Gowdy	Nugent	Westmoreland				Jenkins	Pompeo	Yoder
Granger	Nunes	Whitfield				Johnson (IL)	Posey	Young (AK)
Graves (GA)	Nunnelee	Wilson (SC)				Johnson (OH)	Price (GA)	Young (IN)
Graves (MO)	Olson	Wittman						
Griffin (AR)	Palazzo	Wolf						
Griffith (VA)	Paul	Womack						
Grimm	Paulsen	Woodall						
Guinta	Payne	Yoder						
Guthrie	Pearce	Young (AK)						
Hall	Pence	Young (IN)						
Hanna	Peterson							
Harper	Petri							
Harris	Pitts							
Hartzler								
Hastings (WA)								

□ 1423

Messrs. CRITZ, INSLEE, Ms. MOORE, and Ms. WOOLSEY changed their vote from “yea” to “nay.”

Messrs. CLEAVER, RUSH, WATT, SCOTT of Virginia, JACKSON of Illinois, RICHMOND, CUMMINGS, Ms. CHU, and Ms. BASS of California changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. WOMACK). The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 250, noes 172, not voting 10, as follows:

[Roll No. 231]

AYES—250

NAYS—158

Ackerman
Baldwin
Barrow
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch

Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez

Adams
Aderholt
Alkin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggert
Bilbray

Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)

Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw

Ackerman
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)

Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al

Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)

Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Owens
Pallone
Pascrell
Pastor (AZ)

Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman

Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—10

Andrews
Baca
Berman
Frelinghuysen

Giffords
Meeks
Murphy (CT)
Olver

Sanchez, Loretta
Young (FL)

□ 1431

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 321, nays 98, answered “present” 1, not voting 12, as follows:

[Roll No. 232]

YEAS—321

Adams
Aderholt
Akin
Alexander
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)

Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco

Cantor
Capito
Capps
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clay
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costello

Courtney
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Dreier
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Fattah
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Franks (AZ)
Gallegly
Garamendi
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Harper
Hartzler
Hastings (WA)
Hayworth
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Hinojosa
Holden
Holt
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
Kildee
Kind

King (IA)
King (NY)
Kingston
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourrette
Latta
Levin
Lewis (CA)
Lipinski
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marino
Markey
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McMorris
Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pascrell
Paul
Paulsen
Payne
Pearce
Pence
Petri
Pingree (ME)
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rangel
Rehberg
Reichert
Reyes

Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (WI)
Scalise
Schiff
Schilling
Schmidt
Schradler
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stearns
Stivers
Stutzman
Sullivan
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Tsongas
Turner
Upton
Van Hollen
Velázquez
Walberg
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (IN)

NAYS—98

Ackerman
Altmire
Baldwin
Bass (CA)
Bishop (NY)
Boswell
Brady (PA)
Burgess
Capuano
Cardoza
Chu

Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Conyers
Costa
Cravaack
Crowley
Cummings
DeFazio
Dent

Dold
Donnelly (IN)
Duffy
Farr
Filner
Fitzpatrick
Foxx
Frank (MA)
Fudge
Gardner
Garrett

Gerlach
Gibbs
Gibson
Grijalva
Gutierrez
Hanna
Harris
Hastings (FL)
Heck
Heller
Himes
Hinchey
Hirono
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Keating
Kinzinger (IL)
Kucinich
Lee (CA)

Lewis (GA)
LoBiondo
Loeb sack
Lofgren, Zoe
Lynch
Maloney
Matsui
McCotter
McDermott
McGovern
McKinley
Moore
Napolitano
Pallone
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Platts
Rahall
Reed
Renacci

Rooney
Ryan (OH)
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schock
Sires
Slaughter
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tipton
Towns
Visclosky
Walden
Weiner
Wu
Young (AK)

ANSWERED “PRESENT”—1

Amash

NOT VOTING—12

Andrews
Frelinghuysen
Giffords
Gingrey (GA)

Gohmert
Johnson (GA)
Marchant
Meeks

Olver
Owens
Sanchez, Loretta
Young (FL)

□ 1439

Mr. DOLD changed his vote from “yea” to “nay.”

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ANDREWS. Mr. Speaker, on rollcall No. 229 on a motion to adjourn, I am not recorded because I was absent. Had I been present, I would have voted “aye.”

Mr. Speaker on rollcall No. 230 on ordering the previous question (H.R. 910), I am not recorded because I was absent. Had I been present, I would have voted “nay.”

Mr. Speaker on rollcall No. 231 on H. Res. 203, I am not recorded because I was absent. Had I been present, I would have voted, “nay.”

Mr. Speaker on rollcall No. 232 on the Journal, I am not recorded because I was absent. Had I been present, I would have voted, “nay.”

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the legislation that we are about to take up, H.R. 910, and to insert extraneous material on the bill.

The SPEAKER pro tempore (Mr. NUGENT). Is there objection to the request of the gentleman from Michigan?

There was no objection.

ENERGY TAX PREVENTION ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 203 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 910.

□ 1441

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the consideration of the bill (H.R. 910) to amend the Clean Air Act to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change, and for other purposes, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. UPTON) and the gentleman from California (Mr. WAXMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, last November, Americans spoke with a very clear voice. They told us that we needed to get the country working again. They told us that Big Government was not the solution. They told us to lead or get out of the way on the economy, and our side got it, particularly with the cap-and-trade vote in the last Congress.

Well, Mr. Chairman, today the House has a chance again to vote for a bill that directly responds to the demands of the American people. This legislation will remove the biggest regulatory threat to the American economy. This is a threat imposed not by Congress, but entirely by the Obama Environmental Protection Agency.

We all know that this administration wanted a cap-and-trade system to regulate greenhouse gases, but Congress said no. So beginning in early 2009, EPA began putting together a house of cards to regulate emissions of carbon dioxide. The agency began with automobiles, declaring that their emissions endangered public health and welfare.

That single endangerment finding has since been used by EPA to launch an unparalleled onslaught. The result, 2 years later, is a series of regulations that will ultimately affect every citizen, every job creator, every industry, really every aspect of our economy and way of life.

Mr. Chairman, this bill is about protecting jobs. EPA regulations will hit our manufacturing sector hard, with direct limits on factory emissions, indirect costs from the higher prices to power their facilities.

It will hit small businesses hard too, because when the electricity to power your business and the gasoline to fuel your vehicles is more expensive, your profit is less and you hire fewer new employees. That's why the NFIB, the Farm Bureau, NAM, Chamber of Commerce, and others, have endorsed H.R. 910. This is a key vote with many of those different groups.

Mr. Chairman, this bill is also about energy prices for working families. Power plants will be forced to comply with strict new emission caps. You will have to purchase expensive new equip-

ment to retrofit their facilities. We all know the costs have nowhere to go except on families' and businesses' monthly utility bills.

And it is about gas prices. The refiners that turn oil into gasoline will also be caught into the web of costly regs. When it costs more to make gasoline, it costs more to buy gasoline. And with prices already at \$4 a gallon across much of the country, the last thing that our families need is government policies designed to make the price at the pump even higher.

I am from Michigan. I know what a struggling economy, indeed, looks like. And I think that it is a travesty that this government is deliberately imposing policies that are going to harm job creators and working families.

And for what, Mr. Chairman, for what? EPA Administrator Lisa Jackson herself admits that U.S. regulation of greenhouse gases will not affect global climate conditions. The only environmental impact may be to ship our jobs to countries with no environmental protections at all, so, Mr. Chairman, at the end of the day the EPA climate regime is all economic pain and no environmental gain.

So let's pass this bill today and get the American economy back on track.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I yield myself 3 minutes.

Since the Clean Air Act was adopted 40 years ago, we have made steady progress in cleaning our air and protecting the public health and welfare.

Today, however, the Clean Air Act is under attack and progress is threatened.

The Upton-Inhofe bill is a direct assault on the Clean Air Act. Its premise is that climate change is a hoax and carbon pollution does not endanger health and welfare.

But climate change is real. It is caused by pollution, and it is a serious threat to our health and welfare. We need to confront these realities, not put our heads in the sands.

American families count on the Environmental Protection Agency to keep our air and water clean. But this bill has politicians overruling the experts at the Environmental Protection Agency, and it exempts our biggest polluters from regulation.

If Upton-Inhofe is enacted, the Environmental Protection Agency's ability to control dangerous carbon pollution will be gutted.

That's why health experts like the American Lung Association are opposed to this legislation. They know it is a polluters' protection act. It is anti-science, anti-environment, and anti-health.

The Environmental Protection Agency made a scientific determination that carbon pollution endangers health and the environment. Our Nation's top scientists at the National Academy of Sciences agree with this finding and so do scientists around the world.

Yet this legislation repeals that scientific finding. That's something no Congress has ever done.

We need an energy policy based on science, not science fiction. With oil at \$100 per barrel and rising, the Middle East in turmoil and a nuclear crisis in Japan, we urgently need clean energy policies. We need more vehicles that run on electricity, natural gas, and renewable fuels. We need more wind and solar power, and we need more energy efficiency.

What we need is to work together to develop energy policies that reduce our dependence on foreign oil and protect the health of American families. Instead, we are pursuing a divisive, partisan bill that takes us in exactly the wrong direction.

This extreme legislation won't pass in the Senate and, if it did, it would be vetoed by President Obama.

It is a distraction from the imperative of developing new sources of energy that will break our dependence on foreign oil, protect our health and preserve our environment.

Americans want clean air to breathe and sensible, science-based limits on carbon pollution.

I urge all Members to oppose this legislation.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 3 minutes to the chairman emeritus of the Energy and Commerce Committee, the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. I thank the distinguished chairman.

I rise in strong support of this bill.

I would like to make a few comments. First of all, the bill before us doesn't change one sentence or one paragraph in the Clean Air Act. It doesn't change anything.

What it does do is prevent the EPA from using the Clean Air Act to regulate CO₂ as a criteria pollutant under the Clean Air Act. I was in Congress when we passed the Clean Air Act amendments back in 1991. I was a co-sponsor of the bill. I worked on the bill in committee, voted for it on the floor. So I am a supporter of a strong Clean Air Act.

CO₂ is not a criteria pollutant under the Clean Air Act. It was never intended to be. It's only because of a 5-4 Supreme Court decision that said the EPA had to make a decision whether it should be, and then a very flawed EPA endangerment finding, when President Obama became the President, that we have an EPA authority, tenuous as it is, to regulate CO₂ under the Clean Air Act.

□ 1450

What this bill does is take us back to the original Clean Air Act and say we're going to regulate the criteria pollutants. But greenhouse gases and CO₂, which is a greenhouse gas, are not one of those criteria pollutants.

What are the purported benefits of regulating CO₂? According to numerous

studies, in terms of the amount of reduction in CO₂, by the year 2100, which is 90 years away, 89 years away, we would see a reduction of about 3 parts better per billion if we regulated CO₂ from the current 380 to 390 parts per billion. We would see a reduction in temperature by about 0.006 to 0.015 of a degree centigrade, and we would see a reduction in sea-level rise by about 0.007 of a centimeter. In other words, if we spend up to \$100 billion a year to regulate CO₂, we get no reduction in parts per billion, we get no reduction in temperature, and we get no reduction in sea level. But we do get a huge cost to the economy every year.

This bill is a commonsense bill that simply says the Clean Air Act is the Clean Air Act, and let's use it to regulate sulfur dioxide, and let's use it to regulate lead and particulate matter and ozone, but let's not use it to regulate a naturally-occurring compound which is necessary for life and which helps us all.

Please vote against all the amendments, and please vote for this very commonsense bill when we get to final passage.

The Environmental Protection Agency (EPA) is proposing to regulate carbon dioxide emissions under the Clean Air Act. Reports from the U.S. Chamber of Commerce and even the Senate Committee on Environment and Public Works estimate that the cost of these proposed regulations will be about \$78 billion per year. The regulations will affect industries, farms, hospitals, office buildings, and hotels to name just a few. The regulations will adversely affect our ability to produce energy and structural materials.

According to the EPA, the regulations will have this estimated effect: "Based on the reanalysis the results for projected atmospheric CO₂ concentrations are estimated to be reduced by an average of 2.9 ppm (previously 3.0 ppm), global mean temperature is estimated to be reduced by 0.006 to 0.015 °C by 2100 (previously 0.007 to 0.016 °C and sea-level rise is projected to be reduced by approximately 0.06–0.14cm by 2100 (previously 0.06–0.15cm)."—Federal Register 75, page 25,495.

If we add up the yearly costs, then by the year 2100, we will have spent about \$7 trillion to possibly make us cooler by 0.015 degrees Centigrade. This doesn't seem to be much of a benefit as a result of such a high cost.

The Clean Air Act was never designed to regulate GHGs. It is time for us to come to our senses and statutorily forbid the EPA to regulate greenhouse gases.

Mr. WAXMAN. Mr. Chairman, I am pleased to yield 3 minutes to the ranking member on the Energy Subcommittee of the Energy and Commerce Committee, the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. I want to thank the gentleman from California for yielding this time and recognizing me for this discussion.

Mr. Chairman, I am opposed to H.R. 910, the Upton-Inhofe dirty air act, because this bill is an extreme and excessive piece of legislation, and it is simply bad public policy. This bill would

ignore the warnings from the respected scientific community simply because policymakers do not like what that science is telling us, and it will place earnings and profits above protecting the American public.

I applaud the Obama administration for making a clear and unequivocal statement yesterday that the President would veto this bill if it ever made it to his desk.

Mr. Chairman, every respected and every notable scientific organization, including the National Academy of Sciences, the American Association for the Advancement of Science, the American Geophysical Union, the American Meteorological Society, the U.S. Global Change Research Program, as well as the Intergovernmental Panel on Climate Change, are all in agreement that manmade greenhouse gases do contribute to climate change, and that these impacts can be mitigated through policy to curb these emissions.

Additionally, Mr. Chairman, many of the Nation's top public health advocacy groups, including the American Lung Association and the American Public Health Association, as well as leading civil rights groups, such as the NAACP and the Environmental Law and Poverty Center, have all come out strongly against this bill saying that it would leave our most vulnerable citizens and our most vulnerable communities unprotected if this bill were to become law.

As this USA Today poster here highlights, Mr. Chairman, there are so many more benefits in acting to address climate change, as the science tells us we must do—including energy independence, sustainability, cleaner air and water, and a healthier, more vibrant, more robust populace, just to name a few—than the option, which is living with the status quo and hoping beyond hope that the majority of the world's scientists are just plain wrong.

Mr. Chairman, I am opposed to this bill because the science compels me to be opposed to this bill. And I urge all of my colleagues, every one of you all, to vote against this bill.

Mr. UPTON. Mr. Chairman, I yield 3 minutes to the chairman of the Energy and Power Subcommittee, the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. I am delighted that we have this opportunity today to debate this important legislation.

Over the last 2 years, the Environmental Protection Agency has been the most aggressive agency representing environmental causes in many, many years. Today, we have an opportunity to try to stop their unprecedented power grab. Even the longest-serving Member of this House, the distinguished Democrat from Michigan, Mr. JOHN DINGELL, whom we all respect and admire, said it would be a glorious mess if EPA ever tried to regulate greenhouse gases. Carbon dioxide, one of the things they are trying to regulate, is necessary for human life.

When we had hearings on this issue, Lisa Jackson, the administrator of EPA, came to the Congress. And she said, when asked the question, what kind of impact would their regulations have, she said it would have negligible impact on solving global warming unless other nations were willing to act as well.

Now, what this really gets down to is about coal, because coal in America produces 52 percent of our electricity. In China, coal produces about 80 percent of their electricity. Electricity is produced at the lowest rate with coal. And that is necessary if America is going to be competitive in the global marketplace. That's why today you see China expanding its coal marketing and coal utilities to produce electricity. That's why in China you see so many jobs being produced because they produce at a very low cost.

This legislation will stop EPA from driving up electricity costs in America. It will make it less likely that we are going to continue to lose jobs to China if we stop EPA. And I would remind all of you that when Gina McCarthy, the air quality director of EPA, came to Congress, she said herself that trying to regulate greenhouse gases in America just for the enforcing arms of the greenhouse gas bill, which would be every State in America, would cost the enforcing agencies \$24 billion, not including the additional cost to all of the utility companies, those people who have boilers, farmers, others, the additional costs that it would provide for them.

So if we want America to be competitive, to create jobs, to compete with China, we must stop this out-of-control EPA. And that is precisely what this legislation is designed to do. We're not changing the Clean Air Act in any way. Ambient air quality, all of those things, will still be in force.

So I would urge passage of this legislation.

Mr. WAXMAN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman.

I rise in opposition to the dirty air act, which overturns the scientific finding that pollution is harming our people and our planet. But as long as Republicans are making an ideological decision to overturn scientific reality, I wonder if the Republicans could offer an amendment overturning inconvenient geological reality as well. Let's tell the United States Geological Survey that Congress doesn't believe that the United States only has 2 percent of the world's oil as well. What the Republican majority is bringing to the House floor today is almost as absurd.

Republicans want our only weapon against OPEC to be a bumper sticker slogan, "Drill, Baby, Drill." Well, I have news for my Republican friends. We are drilling, baby. U.S. oil production is at its highest level in nearly a

decade. Domestic natural gas production is at an all-time high. But we will never be able to drill our way out of this problem.

What Republicans fail to acknowledge is that a clean energy revolution is already underway. Take a look at the new electrical generating capacity we've been installing in the United States in the last 4 years—the last 4 years. Eighty percent of all new electrical-generating capacity has been natural gas, 33,000 new megawatts; and wind, 28,000 new megawatts.

□ 1500

This is the last 4 years, ladies and gentlemen. Coal is down to 10,000, but rising very quickly. Solar at nearly 2,000 megawatts; biomass at nearly 1,000 megawatts. In other words, there is a revolution that is already under way. The only problem is, there is no long-term policy or certainty that has been put on the books. All we have are the Republicans fighting as hard as they can to prevent this revolution from coming to fruition so that we can dramatically reduce the amount of greenhouse gases that warm our planet, back out the oil that OPEC wants to send us, and create a new, clean energy revolution here in America that produces jobs for Americans.

This arbitrary rejection of scientific fact will not cause the gross domestic product to rise or for unemployment to fall. But here is what their bill will do: it will lead to higher pollution levels, which will rise; oil imports, which will rise; temperatures, which will rise; job creation domestically, which will actually go down.

Vote “no” on this assault on science, on public health, and on the American economic competitiveness that allows a revolution to take off, which makes it possible for us to solve the problems of employment, national security, and a dangerously warming planet.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the chairman of the Environment and the Economy Subcommittee, the gentleman from Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. Mr. Chairman, it is great that we have this chance to be on the floor today to really address one of the most important job-creating pieces of legislation we have brought to the floor, and that is this legislation today.

For the climate change believers, their plan is simple: price carbon fuels so we drive this new world of peace, security, and green energy. But they have forgotten one thing: they destroy jobs in doing that. These are well-known miners who lost their jobs the last time we did it. Thousands of coal miners in Illinois lost their jobs. Even in the greenhouse gas debate, it would add 50 cents to a gallon of gas. Does that create jobs? That destroys jobs. We are trying to price energy, and all costs go up.

So if you are concerned about the economy and you are concerned about jobs, this is the perfect bill to support.

Mr. WAXMAN. Mr. Chairman, I yield 1½ minutes to my colleague, the gentlewoman from California (Mrs. CAPPs).

Mrs. CAPPs. Mr. Chairman, I rise in strong opposition to the dirty air bill.

Once again the House is considering legislation that has little to no chance of becoming law. Meanwhile, the public wants us to focus on job creation. But the leadership of this House isn't listening. The only job they seem interested in is the one they want EPA not to do: protect the public's health. It is not surprising that many of our Nation's biggest polluters have asked for this bill. It lets them keep polluting.

But what is surprising is with this bill we are rejecting scientific consensus. Even George W. Bush's EPA agreed that carbon pollution threatens the public's health.

Mr. Chair, H.R. 910 will increase the pollution that triggers asthma attacks, respiratory illness, and premature deaths. It will hobble America's efforts to compete in the global energy marketplace.

Earlier this year, the President stood on this House floor and talked about winning the future, about tapping into America's genius for innovation, and he used clean energy as a central example because it will help our economy grow. It will help America compete globally and protect the health and quality of life for all Americans.

Let's not obstruct the EPA from doing its job of protecting the public's health. Let's not stick our heads in the sand about the dangers of climate change. Let's not turn away from meeting this challenge, rather, use it to build dominance in the global industry of clean energy.

I urge my colleagues to vote “no” on this terrible bill.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. GARDNER).

Mr. GARDNER. Mr. Chairman, I rise today in support of H.R. 910, the Energy Tax Prevention Act. Without this bill, the EPA is going to outsource jobs and business with greenhouse gas regulations, not to mention placing huge financial burdens on consumers who will see energy prices skyrocket as a result of compliance costs to utilities, refineries and more.

However, what I want to talk about today is how it relates to rural America and agriculture, particularly in Colorado. The EPA has time and time again said agriculture is exempt. If agriculture is exempt, then why did the Rural Electric Association in my district write to me and say it will cost farmers and ranchers in my State an additional \$1,700 a year to irrigate their land, if the carbon bill were to pass this Congress last year and be signed into law by the President; \$1,700 a year, that carbon legislation would have cost farmers and ranchers in my

State. By 2030, it would have cost them an additional \$7,000 a year for one meter to run their irrigation. That's costing agriculture. That's costing jobs.

Instead of becoming the Environmental Protection Agency, the EPA is becoming the “Everyone Pays a Lot Agency.”

Mr. WAXMAN. Mr. Chairman, that information is incorrect. I would like to see a letter that pertains to this EPA action. I think it might have been a letter related to a different piece of legislation.

I am now pleased to yield 2 minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. I thank the very distinguished ranking member of the House Energy and Commerce Committee.

Mr. Chairman, I rise in very, very strong opposition to this bill, H.R. 910.

I can't help but think as I listen to what is being said on the other side that they are sitting in a car looking in the rearview mirror, and they think they see the future. There is a reason why people on this side of the aisle are opposed to this bill and call it the dirty air bill, because that's exactly what it is. And so instead of helping to create jobs for the American people, which is their top priority, their very, very top priority, what is the gift of the new majority, dirty air. That's why the American Lung Association is vehemently opposed to this bill. The American Public Health Association is vehemently opposed to this bill. Former senior military officers, environmental organizations, and scientists all strongly oppose the bill.

Now, guess who is for it. Guess who is for it, America. Big Oil because it will increase the demand for oil and do nothing to reduce what consumers spend on gasoline. This bill would put an end to future cost savings because both the EPA and States would be prohibited from updating the standards that they have already set.

One would think that during this time of rising gas prices and the turmoil in the Middle East, that we would be voting on legislation to decrease our dependence on foreign oil, voting to drive innovation in clean energy industries, and voting to ensure future security and energy independence and leave the next generation of Americans with a healthy world. Instead, we are voting on a bill to gut the Clean Air Act. I think this is all heavy evidence for Members of the House to oppose the dirty air act.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the former chairman of the Natural Resources Committee and the current ranking member on the Transportation Committee, the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. I thank the chairman for yielding the time to me, and I appreciate his and his committee's work on this legislation.

Mr. Chairman, I don't think anybody in this body is for dirty air or dirty

water or any of the adjectives that have been used to describe the supporters of this legislation. Certainly the Clean Water Act and Clean Air Act and other worthy pieces of legislation that Congress has passed over the decades have worthy goals and have achieved tremendous progress for this country. And there is not a person in this country, I dare say, that would want to renege on a lot of the positive initiatives that have been achieved under these pieces of legislation.

□ 1510

No singular government agency, however, is sufficiently positioned to tackle the complex solution required to address carbon emissions. The answer has to be multipronged. It must involve innovation and investment in addition to reductions. It must be crafted taking into account the realities of the effect that emission reductions will have on the economic recovery this country is currently experiencing and on jobs, especially in the heartland of America. These are not matters that the EPA is required to consider or equipped to address.

To simply allow the EPA to move ahead on its own in crafting a national strategy on climate change is a recipe for disaster. It assures a lopsided solution to a broad and cumbersome challenge. And, what may be worse, it does not provide for the kind of transparency and the kind of public input that is needed for a viable, long-term solution.

It is one of the eternal truths of our form of government, Mr. Chairman, that the public has to be involved, it has to be informed, and the public must be engaged. This legislation is crystal clear in its message that the EPA has gotten ahead of public opinion and that the Congress now has a responsibility to pull it back.

I support this legislation, and I urge its passage today.

Mr. WAXMAN. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Chairman, we should oppose this dirty air act because it would suggest that we are a nation in a deep and dangerous sleep, dozing in the face of disastrous pollution, slumbering while our children are riddled with asthma. It's time for America to wake up, get up out of our comfortable beds of denial, and get to work building a new, clean economy.

It's time to wake up, America. The Chinese are not sleeping while they build five times more wind turbines than us. The Germans are not sleeping building more solar panels. The Indians are not sleeping who are restricting carbon pollution. It is time to wake up. Nobody in human history has ever won a race while asleep. And that's why it's time for a national awakening by re-

jecting this bill. It's a time to put engineers to work on clean energy. It's a time to help businesspeople to grow businesses. It's a time to help students learn new technology.

It is an irony, but it's true: You can only dream while you're asleep, but you can only realize a dream when you're awake.

We should believe in American exceptionalism. We are exceptional in innovation, exceptional in entrepreneurship, exceptional in pioneering technology. And if we do these things, the sun we see on the horizon will be a sunrise, not a sunset. It will be a sign of an awakening nation. We'll do this because we will know and America can know the profound satisfaction of building a clean energy economy and producing children free of asthma rather than increasing it like this dirty air act.

Vote "no" against this small-minded exercise in pessimism. Vote "no" and embrace the optimism that is inherent in our national character.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentlelady from Tennessee (Mrs. BLACKBURN), a member of the committee.

Mrs. BLACKBURN. Mr. Chairman, I rise in support of the legislation and thank our chairman, the gentleman from Michigan, for bringing it forth and bringing forth a bill that will limit the EPA's regulatory overreach. It is important that we do. This is an issue that has been going on since 2007, when the Supreme Court gave the EPA permission to regulate greenhouse gases. At that point, I introduced a bill that would have stopped the EPA. Unfortunately, Congress didn't act and the EPA has now issued a final rule, and there will be more rules and regulations on the way if Congress does not step in and take action to stop this.

I am grateful that we are stepping forward and making certain that this authority returns to Congress. I urge my colleagues to vote for H.R. 910 and reassert Congress's authority over this issue, as it should be, and take it away from unelected bureaucrats.

Mr. WAXMAN. Mr. Chairman, I am pleased to yield 2 minutes to a distinguished member of our committee, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. I thank the ranking member for yielding.

Mr. Chairman, as the representative of a district that has one of the highest greenhouse gas emission levels per square mile in the United States and the Caribbean, I rise in strong opposition to H.R. 910, appropriately known as the Dirty Air Act.

As a physician and as a person who has been trained to make decisions on sound science, I have to reject this legislation that is based wrongly on the premise that there is no science that supports the court's decision that greenhouse gases are injurious to the public health. That premise is wrong. Once again, our Republican colleagues

deny sound science in their attempt to achieve misguided and, in this case, harmful political ends. Leading scientific academies, associations, and think tanks have all clearly documented a clear connection between these gases and poorer health. They make just as clear a connection of these gases to the acceleration of climate change, which adds another dimension of health challenges, some of which we are already facing today.

My colleagues on the other side of the aisle tend to attribute the findings to the EPA administrator, but it is not she who has determined that these harm the public health. It was the scientific community, respected experts in the field.

Mr. Chairman, the reduction of greenhouse gases is particularly important to the poor and racial and ethnic minorities, as it has been shown that polluting industries are more often located in or near our communities.

In committee, and I suppose today, you will hear a lot of talk about CO₂, but that is not the only greenhouse gas that we're concerned about. This harmful group of gases also includes methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

The Virgin Islands have seen dramatic increases in asthma and cancers as the presence of these gases has increased. There is no way I can support this bill. No one should support it. We have a responsibility to protect the health of the American public. I urge my colleagues to reject H.R. 910 and to vote "no" to dirty air.

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
March 23, 2011.

MEMBERS,
House of Representatives,
Washington, DC.

Re: NAACP Opposes H.R. 910, the Energy Tax Prevention Act of 2011

DEAR REPRESENTATIVE: On behalf of the NAACP, our nation's oldest, largest and most widely recognized grassroots-based civil rights organization, I am writing in opposition to H.R. 910, the Energy Tax Prevention Act of 2011. If enacted as written, H.R. 910 would block the ability of the U.S. Environmental Protection Agency (EPA) to reduce greenhouse gases under the authority of the Clean Air Act.

For more than 40 years, the EPA has used the authority granted to it by the Clean Air Act to protect our health and our environment. EPA actions to reduce greenhouse gas emissions are therefore appropriate, and should in fact be supported. If successful the reduction of greenhouse gases will help slow global warming, improve Americans' health and create new jobs.

The reduction of greenhouse gas emissions is especially important to racial and ethnic minorities, as we are disproportionately affected by the negative consequences of global warming socially, economically, and through our health and well-being. One need look no further than Hurricane Katrina and its tragic aftermath to see that African Americans and other communities of color are disproportionately affected by severe weather and other negative consequences of global warming. More recently, we can look to the extreme weather patterns experienced

by much of the United States this past winter, with unseasonable snow, ice and temperatures well below freezing in Atlanta, GA, and points south.

Rather than focus on legislative initiatives which would hinder our nation's progress in addressing the dangers of climate change and the resulting social, health and economic consequences, the NAACP urges the U.S. Congress to work toward the enactment of comprehensive climate protection and clean energy legislation that reduces global warming pollution. As such, the NAACP looks forward to working with you to ensure that effective actions are taken. In that vein, I hope that you will feel free to contact me should you have any questions or comments on the NAACP position.

Sincerely,

HILARY O. SHELTON,

*Director, NAACP Washington Bureau &
Senior Vice President, Advocacy and Policy.*

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from North Dakota (Mr. BERG).

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

Mr. BERG. Mr. Chairman, this bill is a starting point to lowering energy costs. This bill encourages private sector investment and will grow jobs.

North Dakota is a leader in energy development. However, overreaching EPA regulations threaten not only energy producers but consumers as well.

The EPA's efforts to impose a cap-and-trade tax threaten to increase the price of energy for American families. These higher energy costs will also impact small business, threatening them and preventing them from growing the economy and creating jobs.

Our economy is suffering, and heaping more taxes on American families and imposing new regulations that will hurt job creation is not what our country needs to get back on track.

I firmly support the Energy Tax Prevention Act.

Mr. WAXMAN. For the purpose of a unanimous consent request, I yield to the gentleman from Texas (Mr. GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in opposition to H.R. 910.

On April 2, 2007, the Supreme Court in *Massachusetts v. EPA* held that greenhouse gases, including carbon dioxide, are "air pollutants" under the Clean Air Act. As a result, the EPA was legally obligated to determine whether greenhouse gas emissions from motor vehicles could be reasonably anticipated to endanger public health or welfare. If the EPA made a positive finding, then it would also have to issue regulations to reduce such emissions.

On December 7, 2009, the EPA issued its endangerment finding. The finding was based on a 200-page synthesis of major scientific assessments authored by not only the Intergovernmental Panel on Climate Change, but also by the U.S. Global Change Research Program, the U.S. Navy, the U.S. Department of Agriculture, the National Research Council, NOAA, NASA, the U.S. Fish and Wildlife Service, the CDC, the U.S. Geological Survey, the National Snow and Ice Data Center, and others. The EPA's scientific basis for the finding was extensively reviewed by, among others, a

group of leading scientists from federal agencies.

In order to limit the number of industrial sources that would be subject to regulation, the EPA issued its "Tailoring Rule" last May which raised the Clean Air Act statutory thresholds to require greenhouse gas permitting only for the largest industrial sources of greenhouse gas emissions from 100/250 tons to 100,000 tons per year.

In response to these actions, House Energy and Commerce Chairman FRED UPTON introduced the Energy Tax Prevention Act to strip the EPA of its authority to regulate carbon under the Clean Air Act.

My two largest concerns with the bill is that it overturns both the Supreme Court's finding that the EPA has the authority to regulate greenhouse gases under the Clean Air Act and the EPA's scientific determination that greenhouse gases endanger human health and the environment.

By doing this, the Energy Tax Prevention Act could also: prohibit EPA from enforcing existing greenhouse gas reporting requirements; prevent EPA from taking impacts on climate change into consideration when approving alternatives to ozone depleting substances under Title VI of the Clean Air Act and the Montreal Protocol; create legal uncertainty about the status of the recent motor vehicle standards adopted by EPA; and call into question EPA's authority to implement voluntary programs to reduce greenhouse gas emissions.

I must emphasize that I am opposed to the EPA moving forward with regulations on large utilities and refineries in our country, because I believe that the Congress should be the decision maker on carbon control issues. However, we cannot discount the Supreme Court decision, say climate change is not an issue and move on with it, which is the approach the Energy Tax Prevention Act takes. Instead, we should pass a bill that would delay the EPA from moving forward with these regulations so that the Congress has time to address this issue with input from Members that represent diverse constituencies nationwide.

So I ask my colleagues on the other side of the aisle to provide leadership on this front. Let's address carbon so that we don't have to worry about what the EPA is doing and whether they will be sued by outside groups to further regulate these industries or move up already announced dates for rulemaking. This Congress has the power to be 100% in control of giving our manufacturing base the regulatory certainty it needs. Cap and Trade legislation will not pass this Congress, but I believe a solution can be found for controlling carbon emissions by using nuclear and natural gas to generate electricity.

As such, I encourage my colleagues to vote against this bill and instead, let us pass into law a bipartisan, comprehensive carbon control program that regulates emissions with the least disruption to our economy.

Mr. WAXMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy.

Mr. Chairman, I rise in strong opposition to this legislation, which makes a mockery of science, public health, international cooperation, the environment, the Supreme Court, and Congress.

The problems with this bill start with its title, the "Energy Tax Prevention Act." The bill has nothing to do with taxes. I had an amendment to actually prevent the EPA from imposing an energy tax that the Rules Committee would not allow.

□ 1520

During the rules debate, my colleague Mr. SESSIONS from Texas indicated the committee did not because my amendment was "not germane", because the bill doesn't have anything to do with taxes.

Welcome to another journey down the legislative rabbit hole. Last week, the majority pretended that you didn't have to have both Chambers of Congress to enact a law. This week, we have purposely misleading bill titles.

The rule, by the way, did waive a point of order on germaneness for a provision added in committee, but the Rules Committee refused to make in order an amendment that would actually prevent energy taxes. That's because there is no threat that the EPA will impose taxes. Instead, the agency's measured and reasonable approach to update the Clean Air Act to deal with carbon pollution will reduce health and economic costs.

The tax moniker is not the only falsehood being floated about the EPA. Supporters have also claimed this bill will prevent rising gas prices. The Pulitzer Prize-winning PolitiFact has rated this claim false.

My colleagues on the other side of the aisle understand that. They're taking a page from Frank Luntz' approach to environmental policymaking. They don't want to have a fact-based debate about the EPA's authority to limit carbon pollution. Instead, they're working to perfect the use of poll-tested, wildly inaccurate language to attack sound science and to undermine confidence in laws that keep us safe.

I hope my colleagues will join me in rejecting this unfortunate piece of legislation and the tactic that is being used to advance it.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the distinguished chairman of the House Ag Committee, the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. I rise in support of H.R. 910.

Mr. Chairman, for more than 2 years, we have watched Obama's Environmental Protection Agency try to expand its authority over American agriculture. Most telling of the EPA's irrational regulatory approach is how it has concluded that the breath we exhale and the gas that livestock expels are dangerous pollutants and should be regulated under the Clean Air Act.

During a recent Agriculture Committee hearing, the EPA Administrator said agriculture is currently exempt from the proposed regulations because the EPA has targeted only the largest greenhouse gas emitters. This doesn't provide any certainty to our farmers and ranchers, especially since, in a recent interview, Lisa Jackson was

quoted as saying that the EPA will begin looking at regulating greenhouse gases from farms as soon as 2013, which counters her own remarks at that hearing.

Additionally, a mythical exemption doesn't insulate farmers, ranchers and rural businesses from the higher energy and operating costs they'll face from other industries hit by these regulations. Whether it's the fuel in the tractor, the fertilizer for the crops or the delivery of food to the grocery store, this backdoor energy tax will increase the cost of doing business in rural America.

I urge my colleagues to join me in passing H.R. 910, the Energy Tax Prevention Act, and protect agriculture from EPA's overreach. This bill will prevent the EPA from running wild across America's farms and from subjecting our producers to more burdensome regulations that threaten to put them out of business. Rural America has never stopped being a good place to live; so it's our job to make sure it's a good place to make a living, too.

Mr. WAXMAN. Mr. Chairman, I now yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank my friend from California for his leadership.

Mr. Chairman, I rise today in opposition to H.R. 910.

My friend Mr. BLUMENAUER made the point that there is a deliberate misleading title to this bill somehow cynically allowing voters to believe that this is about taxes. I had an amendment before the Rules Committee that, unfortunately, was not accepted. How about we be intellectually honest about this? Let's rename the bill the Koch Brothers Appreciation Act of 2011. At least then we could clear the air and be honest; but then again, that's what this bill is all about, not clearing the air but ensuring that it stays polluted.

Today, sadly, the other party will attempt to pass a bill that denies decades of science in order to protect the profits of a few favored corporations. Next, we may hear claims that the Earth is, indeed, flat.

When Congress passed the Clean Air Act in 1970, it directed the EPA to protect the public health and welfare from pollution that would alter weather and climate. In the last 40 years, hundreds of peer-reviewed scientific papers have found that global warming is caused by humans, is becoming worse, and poses a dire threat to our public health, national security and economic vitality.

This bill makes Congress the final arbiter of science. That is a perilous path, Mr. Chairman, to go down, and it repudiates 100 years of bipartisan efforts to craft public health legislation according to science. Not since the Scopes trial has a division of government waged such an outlandish assault on science. With H.R. 910, Republicans, sadly, have aligned themselves with that school board in Tennessee and

with the Pope who excommunicated Galileo.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the chairman for yielding me the time and for his leadership on this issue.

I rise in strong support of this legislation.

Despite President Obama stating that he would prefer Congress to take the lead in determining how to handle greenhouse gases, what do you know? The Environmental Protection Agency has begun their own plan to regulate greenhouse gases.

American voters spoke in November, and they clearly rejected the cap-and-trade agenda that was offered in this Congress last year and that was not taken up in the United States Senate. Now we, ourselves, are faced with the need to act. So unless Congress acts to stop the EPA, this administration and the Environmental Protection Agency will enact their own cap-and-trade-like agenda.

Without action, the EPA will add more regulatory red tape onto American businesses and manufacturers, hampering the ability of companies to operate competitively in the United States. These businesses could be forced to move those jobs overseas, to locations with fewer regulatory burdens, or they could simply pass these increased costs on to American consumers. Either choice is not good for jobs in America. Without action, these regulations will be paid by anyone who turns on a light switch or who plugs in an appliance.

We must stop the EPA from continuing their spree of overregulating our economy. During this economic slow-down, we should be adopting policies that seek to rebuild our economy and create more jobs. We should be producing more energy, an all-of-the-above energy plan that I know the Energy and Commerce Committee is working on, to increase the domestic production of oil and natural gas and coal and safe nuclear power and to encourage new productions from new sources of energy.

Let's make America energy independent. Let's not raise the cost of energy and ship jobs overseas, which will cost millions of American jobs. We should be doing just the opposite. This legislation starts us on that path, and I urge my colleagues to support it.

Mr. WAXMAN. Mr. Chairman, may I inquire as to how much time is remaining on each side?

The CHAIR. The gentleman from California has 10 minutes remaining. The gentleman from Michigan has 11½ minutes remaining.

Mr. WAXMAN. I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 1 minute to a cosponsor of the bill, the gentleman from Oklahoma (Mr. BOREN).

Mr. BOREN. Mr. Chairman, I rise today in support of Chairman UPTON's

bill, H.R. 910, a bill to prevent the EPA from regulating greenhouse gases. By passing this bill, Congress will rein in the EPA and save thousands of American jobs.

This is a very sensitive issue to me. Georgia-Pacific, a subsidiary of Koch Industries, is the largest employer in my hometown of Muskogee, Oklahoma, employing almost 1,000 Oklahomans. I am proud of the work Koch Industries brings to my district and of its record of environmental stewardship. I want to make sure that Georgia-Pacific employees keep their jobs and that Koch can continue to invest in Oklahoma.

Every Member of Congress understands the delicate balance between creating jobs and preserving the environment, but I ask my colleagues to see that the answer to America's economic and environmental challenges is not a more powerful EPA. Let's pass the Upton bill and put an end to this job-killing idea.

Mr. WAXMAN. Mr. Chairman, I continue to reserve the balance of my time.

□ 1530

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. PETERSON), the former chairman of the House Ag Committee and now ranking member of that committee.

Mr. PETERSON. Mr. Chairman, I rise today in support of H.R. 910.

We recently held a hearing in the Agriculture Committee with folks from the EPA and from people in agriculture, and the message that we heard was pretty clear from agriculture that they believe the EPA needs to be reined in, not only as regards this bill, but other measures that are being considered within the EPA as well. What this bill will do is hit a pause button on the EPA's current efforts to regulate greenhouse gases, and that's exactly what people in agriculture think we need.

I have traveled the country, all over the country, talking to agriculture producers both in my district and other places, and they are concerned about what they see coming out of this agency, the regulations that they are seeing. And what really concerns them is that the agency does not seem to understand agriculture and, frankly, doesn't seem to want to understand agriculture.

These proposed regulations we're seeing from EPA could potentially get in the way of what agriculture producers are already doing when it comes to conservation of our natural resources. American farmers and ranchers rely on these resources to provide the world's food supply and are committed to preserving them for the next generation.

The EPA claims to be operating in an open and transparent manner, but the agency is sending mixed messages. At the recent hearing that I mentioned earlier, we were told that agriculture is currently exempt from proposed regulations, yet press reports have quoted

the administrator since as saying the EPA will begin looking at regulating greenhouse gases from farms as soon as 2013.

If Congress doesn't do something about the regulations being imposed on our farmers, ranchers and rural communities, the economic effects are going to affect everybody in America. We are being asked to feed more and more people not only in this country, but around the world. This kind of legislation, the effect is going to be to make it harder to do that and also to raise the cost on all of the consumers in this country at a time when that's the last thing that we need.

I encourage my colleagues to support H.R. 910.

Mr. WAXMAN. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank my colleague from California.

For 40 years, the Clean Air Act has been successful in reducing emissions in the atmosphere, pollution that kills people. Thousands of people are alive today because of the Clean Air Act. None of them know who they are. It might be people in this Chamber, some of us. And the success of the Clean Air Act is due in large part to being enacted and strengthened based on the best science available to find effective ways to remove the worst pollutants from our air. The legislation before us today—appropriately nicknamed the “dirty air act”—would gut the Clean Air Act and prevent EPA scientists from doing their jobs.

The Clean Air Act was written wisely to allow the safeguards to grow with the scientific understanding of the dangers proposed by various chemicals in the air and with the technological means for controlling those pollutants. Carbon pollution, a couple of years ago, was determined by EPA scientists to endanger the health and welfare of the American people. EPA scientists should be allowed to continue their work. Air pollution is costly in lives and in dollars.

The Clean Air Act is successful. The legislation must be protected.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Mr. Chairman, I rise today in support of H.R. 910, the Energy Tax Prevention Act, which would prohibit the EPA from using the Clean Air Act to regulate greenhouse gases.

Congress has already said no to a cap-and-trade tax, yet the EPA is intent on taking matters into their own hands, which will result in a bleeding of jobs. If the EPA is allowed to continue to pick winners and losers in this country, we will be seeing higher prices at the gas pump, higher utility bills, and job loss.

We should be making it easier, not harder, for small businesses to expand and hire. However, the EPA's assault on fossil fuels will result in higher domestic energy costs and push American jobs overseas.

At home in West Virginia, the EPA is making it much more expensive to turn on our lights and drive to work; that's not the way to get our economy back on track.

This legislation is of particular importance to my constituents in West Virginia. The EPA's regulations will disproportionately affect our State's economy. West Virginia powers the Nation. Our energy providers provide thousands of good-paying jobs, and coal alone provides over half of our Nation's electricity and over 95 percent of the power in my State.

I strongly urge my colleagues to vote in favor of H.R. 910 to stop the EPA's regulatory overreach and job-killing strategies.

Mr. WAXMAN. Mr. Chairman, I yield myself 1 minute.

I want to clarify some statements that have been made that are absolutely inaccurate.

There may be Members who are unhappy about EPA regulations as they hear from their constituents, but that is not what is involved in this bill today.

This bill would stop EPA from regulating as it relates to carbon emissions; and EPA has undertaken this because of a scientific finding that carbon emissions are causing a danger to public health and the environment.

EPA, under the Clean Air Act, has a wide range of possible regulations, but EPA has decided that they would restrict their regulations only to large new sources or expansion of existing sources of pollution of 100,000 tons per year, and that is all.

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. Mr. Chairman, I yield myself another 30 seconds.

So we heard these claims that they are going to come in and regulate in areas where they're not seeking to regulate, nor have they in fact done it. A new source, emitting 100,000 tons of pollution, is equivalent to burning a train car load of coal per day.

We hear concern from people from the coal-burning States, but they're not threatened unless there are new sources of that magnitude. The oil companies are not going to be regulated unless they are going to build a new source of that magnitude. Maybe they are fearful about other regulations, but that is no reason to support this bill.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the chairman of the Energy and Power Subcommittee, the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. On this tailoring rule that was adopted by EPA saying that they would regulate only those emitters of 100,000 tons or more per year, that is in direct violation of the language of the Clean Air Act, which says they have to regulate anything 150 to 250 tons per year.

Lawsuits have already been filed against the EPA of violating the Clean

Air Act, and there is a strong sense that the tailoring act would be ruled illegal. And if it is, as Gina McCarthy said, they would have to regulate everything in society, including small farms, small businesses, everyone. They do not have the manpower to do it; and as she stated, it would cost the enforcing agencies alone \$24 billion, and that's not including the money that industries and others would have to spend to comply with the new regulations. So the statement that they will not be impacted is certainly not settled.

Mr. WAXMAN. Mr. Chairman, I yield myself 1 minute.

I want to refute the statements that have just been made.

There is a court doctrine allowing EPA to design regulations that are tailored according to administrative necessity, and they need not go beyond that.

The complaint on the other side is that there is a wide-ranging regulation, but there is not. And there will be an amendment offered by Representatives KIND and OWENS to restrict the regulations by law to what the EPA is implementing.

□ 1540

And I hope the gentleman that spoke just now will vote for that amendment. But whether it passes or not, EPA can tailor its regulation, and they ought not complain about a regulation that's not being proposed. They don't want even the minimal one that EPA is implementing.

If we don't legislate and we don't regulate, we are ignoring the problem and we're going to make it much, much worse and costlier to correct later on.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from New Hampshire (Mr. BASS).

Mr. BASS of New Hampshire. Mr. Chairman, I rise in support of this legislation.

For me, this debate is not about whether or not climate change is occurring, nor is it about preventing the congressionally directed policies that Congress should have to reduce greenhouse gas emissions and allow us to have a low-carbon producing economy.

I, for one, think that climate change is real and a problem that needs to be addressed with practical solutions that have attainable goals to reduce emissions and provide certainty in our economy. I also believe that the Clean Air Act has truly benefited our Nation and should never be weakened—rather, strengthened.

However, agencies should not be able to regulate what has not been legislated. Doing so does not solve problems. It creates even more uncertainty as it opens up the agency's rules to countless legal challenges.

And I am committed to finding a workable solution to achieve clean air, help address global warming, and preserve the economic competitiveness of

the United States in the global marketplace. With my friend, Congressman MATHESON of Utah, we offered an amendment during markup that is now in the bill that states that there is established scientific concern over warming of the climate system and Congress should fulfill its role in developing policies to control greenhouse gas emissions.

I rise in support of this legislation, but I also support a meaningful solution to the carbon crisis.

Mr. WAXMAN. Mr. Chairman, I am pleased at this time to yield 3 minutes to the Democratic whip in the House, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Briefly, in response to the gentleman's assertion, of course the court has said EPA does, in fact, have this authority. This is not a new authority they're making up. Rather than invest in new energy technologies, address carbon pollution, and create clean energy jobs, our friends on the other side are choosing instead to deny the problem and take away America's tools for responding to it.

This bill would overturn auto emission standards that are making our cars and trucks cheaper to drive and breaking our independence on foreign oil. This bill would not do a single thing to bring down the price of gas, but it would keep America from saving 1.8 billion barrels of oil over the lifetime of our new cars. We would not have gotten there, frankly, if some of the proponents of this bill who opposed getting to those standards had prevailed. And it would do so at a time when the turmoil in the Middle East should serve as an energy independence wake-up call.

I'm for using all of our energy that we can do so in a healthy, safe way. This bill, however, would significantly weaken the Clean Air Act over its 40-year span.

The benefits of the act: longer lives, healthier kids, greater workforce productivity, and protected ecosystems have outweighed the costs by more than 30-1. That's a pretty good return, ladies and gentlemen. Last year, according to the EPA, just one part of the Clean Air Act prevented someone 160,000 premature deaths, 130,000 heart attacks, and 100,000 hospital visits. That is a pretty good return on our investment.

And according to the American Medical Association, "If physicians want evidence of climate change, they may well find it in their own offices. Patients are presenting with illnesses that once happened only in warmer areas. Chronic conditions are becoming aggravated by more frequent and extended heat waves. Allergy and asthma seasons are getting longer."

The gentleman from New Hampshire said he doesn't doubt global warming. I agree with that conclusion. It is a shame this bill doesn't take that perspective. The Republican response is to make pollution easier, frankly.

Finally, this bill overturns scientific findings that carbon pollution endangers the environment and human health, which has been confirmed by all of the world's leading scientists.

A partisan majority can pass whatever bill it wants. I understand that. But it cannot legislate the facts out of existence, facts that as recently as a few years ago were accepted in both parties. What changed? The science or the politics?

Mr. Chairman, I urge my colleagues to oppose this bill, which recklessly endangers our air, our health, our climate, and our energy independence.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. MURPHY), a member of the committee.

Mr. MURPHY of Pennsylvania. Okay. Here we go.

When we discussed the cap-and-trade bill, it worked sort of like the Seinfeld show. George Costanza comes to Jerry and says, "You know what we should do with this show, what it should be about?" Jerry says, "What?" George says, "It's about nothing."

Here's how cap-and-trade works: Factory A has something coming out of its smokestack; Factory B doesn't. So Factory B sells their "nothing" to Factory A. Factory A adds that cost to the cost of their products. Sooner or later, they raise costs of electricity, raise costs of their products. They can't make it in America any more.

America figured this out long ago, and they said we're going to see energy prices go up, we're going to see jobs and income go down. We don't want it to work this way. We want clean air, clean land, and clean water. But the way these things are working is not what's going to make it happen.

So the American people say don't export our jobs, don't export our factories, don't export our manufacturing and then end up importing emissions from other countries. It's a global problem. It's something we have to deal with. But having the EPA do this without working through Congress isn't the way to make this happen.

Let's come up with a real solution here but not continue on down this road of exporting our jobs to other countries.

Mr. WAXMAN. I continue to reserve my time.

Mr. UPTON. Mr. Chairman, if I might just enter in a brief colloquy with my friend, the gentleman from California.

Each of us has about the same amount of time left. I have allocated my time; I presume you have as well. My remaining speakers are meeting someplace, and I'm prepared to close and yield back if you are, unless somebody comes to the floor awfully fast.

Is it the same for you?

Mr. WAXMAN. I find myself in the same position. I am prepared to close and yield back my time, unless one of our Members shows up unexpectedly.

Mr. UPTON. Fine.

Mr. WAXMAN. Mr. Chairman and my colleagues, I have before me a letter

from the United States Environmental Protection Agency. We asked them very specific questions, and one was whether this would establish a backdoor cap-and-trade program. They said, one, EPA has not adopted a cap-and-trade program to address greenhouse gas emissions; two, EPA is not considering or evaluating a cap-and-trade program to address these emissions under existing Clean Air Act authority; and they further went on to say they do not anticipate that they will do a cap-and-trade program. None of the five programs that they have adopted or are considering adopting to limit harmful pollutions are cap-and-trade programs.

So when we hear Members get up and say, oh, they're about to adopt a cap-and-trade program because Jerry Seinfeld's show might lead you to that conclusion, it is not, according to Lisa Jackson, the head of EPA, their intent.

EPA, under the law, is required to look at the science. Once they determined that carbon is a pollutant that causes harm to public health and the environment, they must regulate. They could, under their powers, fashion the regulation in a modest way, which is exactly what they've done. The regulations that they are implementing can be met through greater efficiency in these new sources that would emit such large amounts of carbon. That is a reasonable thing to do because it is beneficial for the industries to be more efficient.

We have found over the years, under the Clean Air Act, when sources of pollution, industries, reduce their pollution, they become more efficient and more competitive. That's what will happen as a result of the regulations that are being implemented. Let us not tie EPA's hands and say they cannot deal with this subject.

For those who deny the science, I disagree with you. But if you're wrong, it will take a long time before any strategy will come into effect to reduce these emissions. Buy at least an insurance policy to reduce these dangerous pollutants so that we can avoid some of the terrible consequences of greenhouse gas emissions and climate change, which are already evident in this country and around the world.

I urge my colleagues to oppose this bill. Vote "no."

I yield back the balance of my time.

□ 1550

Mr. UPTON. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we followed regular order on this bill. We had plenty of hearings. We issued a discussion draft. We had markups in both full and the subcommittee. We sought bipartisan support. In fact, we received it. Mr. PETERSON, who spoke earlier, the former chairman of the House Ag Committee, Mr. RAHALL, the former chairman of the Natural Resources Committee, are both original cosponsors.

We have different rules than the other body, the Senate. They are debating this same issue today in fact.

They have been debating it now for a couple of weeks. And it's interesting to me that a number of the amendments on the amendment tree in the Senate by different Democratic sponsors—in fact, I would confess that the EPA has run amok because they, too, though they might not be fully supportive of this legislation, they too are supporting a 2-year time-out to the EPA, to tell them to stop. They're not ready for this.

I supported, I voted for the Clean Air Act back in 1990. And I think most of my colleagues then, it was a strong majority that supported that. It allows the EPA to regulate 188 different contaminants. They do that. This bill does not weaken that work by the EPA.

There was an issue then that the Senate included in their version of the bill something that did regulate greenhouse gases. And when it went to conference with the House, JOHN DINGELL was then chairman of the conference committee, the House did not accept the Senate language. The Senate receded to the House, as the lingo goes, and in fact the Clean Air Act then ended up without regulating greenhouse gases.

We had a huge debate in the last Congress on cap-and-trade. Speaker PELOSI had an 86-vote margin here in the House. Cap-and-trade, yes, it did pass in the House. It passed by seven votes. So you switch four votes, it goes the other way. But despite that passage in June of 2009, the Senate did not take that legislation up. Didn't go through subcommittee, full committee, never got to the Senate floor, and it died with the conclusion of the 110th Congress.

What we are saying is that the Congress, elected leaders here, should decide what is regulated. We know from the testimony that we had in committee we may lose as many as 1.5 million jobs. We heard from the refineries. They know that it's going to increase costs because they're going to have additional regulation. They're going to pass those costs on. And, in fact, it will raise the price of gasoline by 20 cents to 50 cents over the next number of years. That's not what we want to see in this country.

And what's going to happen? What's going to happen to those jobs? They're going to leave this country, and they're not going to come back. And they're going to go to other places like, let's face it, India and China, where neither country has nearly the environmental laws that we have today. We are going to continue to enforce, to see the Clean Air Act enforced. This does not weaken that act. We just say we're not ready to regulate greenhouse gases, not when we have an unemployment rate where it is today—Michigan much higher than the national average—knowing that it's going to cost a lot of jobs.

So I would urge my colleagues to support this legislation. It tells the EPA, no, you are not going to do this.

We will see what happens with the Senate, as they debate this issue the rest of the day and perhaps into tomorrow. But I would urge all of my colleagues to support H.R. 910, particularly now as we get into the amendments.

Mr. CAMPBELL. Mr. Chair, I rise in support of H.R. 910, the Energy Tax Prevention Act.

In 2009, the Administration announced their "National Program" to regulate fuel economy. But if you read beyond the press releases touting the "National Program" you'd find that it wasn't one program at all. In reality, the so-called "National Program" is made up of three different fuel economy programs, administered by three different agencies—NHTSA, EPA, and the California Air Resources Board—under three different sets of rules, pursuant to three different laws.

Why on earth do we need three different agencies regulating the same thing? The truth is, we don't. H.R. 910 would end the regulatory duplication, and the millions in taxpayer dollars wasted on such redundancy by EPA.

Mr. Chair, as the old Beatles song goes, "one and one and one is three." The CAFE program plus an EPA program plus a California program adds up to three different programs. That's what we have now, but we must do better for consumers, who will ultimately have to bear the cost of all this unnecessary regulation. H.R. 910 returns the regulation of fuel economy back to one standard, with rules written by Congress, not unelected bureaucrats. I urge a "yes" vote on this important legislation.

Mr. LANGEVIN. Mr. Chair, I rise in strong opposition to H.R. 910, the Energy Tax Prevention Act or "Dirty Air Act" which will end the Environmental Protection Agency's (EPA's) ability to regulate harmful carbon pollution.

I will vote against this bill for many reasons, but one that is particularly concerning to me is related to my strong support for Science, Technology, Engineering, and Mathematics (STEM) education. I believe that STEM education is critically important to our recovering economy and to our future competitiveness and innovation. I support programs, such as the Cyber Foundations Competition, to encourage more students to pursue careers in science and technology and I believe that many of my colleagues on both sides of the aisle share this goal. But how can we ask our students to pursue careers in science and then ignore scientists when their findings are not politically convenient? This bill sets science aside and sends a dangerous message to our students pursuing studies in STEM fields.

In addition to an attack on science, this bill will stop and reverse the public health, environmental, and economic protections that have been achieved since the passage of the Clean Air Act 40 years ago. In 2010 alone, the Clean Air Act contributed to the prevention of 160,000 premature deaths, 130,000 heart attacks, and more than 100,000 hospital visits. This bill will also prevent the EPA from setting pollution standards for cars and trucks, increasing carbon emissions in our communities, and continuing our nation's addiction to foreign oil. Further, a return to outdated technology will limit new innovations in renewable and more efficient technologies and limit the job growth opportunities in these emerging manufacturing industries.

Rhode Islanders have great respect for their environment and they deserve the right to step outside and feel safe breathing the air around them. By preventing the EPA from regulating greenhouse gas emissions, we are turning back the progress we have made to protect our health under the Clean Air Act and we are halting important economic opportunities that will help make our nation a world leader in new technologies. I urge my colleagues to join me in opposing this bill and supporting responsible regulations that will keep our nation moving forward and keep our environment safe for future generations.

Mr. LEVIN. Mr. Chair, I rise in opposition to the legislation before the House, which would weaken the Clean Air Act and the ability of the Environmental Protection Agency to protect public health and the environment from carbon pollution.

The scientific community has been telling us for years, with growing urgency, that greenhouse gas emissions are contributing to changes in the climate and that the impact of these changes will be overwhelmingly negative going forward. There is a lot of room for a constructive debate on what the U.S. response should be to the buildup of heat-trapping gases in the atmosphere. Our response cannot be to simply deny the existence of the problem.

But that is exactly what the bill before the House does. This legislation rejects the scientific consensus that climate change is occurring and overturns EPA's scientific finding that carbon pollution endangers public health and the environment. In a word, this bill would take a fundamentally anti-science dogma and enshrine it into public law. It is the legislative equivalent of sticking our heads in the sand.

We've heard a lot of overheated rhetoric by the proponents of this bill that protecting the American people from carbon pollution amounts to some kind of job-killing tax increase that will make gasoline and electricity cost more. In fact, the rules EPA is developing seek to curb carbon pollution by the very largest emitters in this country over a period of many years. We're talking about facilities that emit more than 75,000 tons of carbon into the air each year. In most cases, the new rules will simply require these facilities to make energy efficiency improvements. As we've seen in so many other areas, investments in energy efficiency often pay for themselves and actually create jobs.

H.R. 910 is opposed by scientists, public health groups, environmentalists, sporting organizations like Trout Unlimited, as well as the UAW and the Blue/Green Alliance. This legislation should be rejected.

Mr. TERRY. Mr. Chair, I rise today in support of H.R. 910, The Energy Tax Prevention Act of 2011. This legislation will amend provisions of the Clean Air Act, to establish general rules prohibiting the Administrator of the Environmental Protection Agency (EPA) from regulating greenhouse gas emissions to address the issue of climate change.

Being from Nebraska, I meet with a number of agriculture interests, all of them very concerned about the activism that the EPA has and is demonstrating these last few years. Folks joke about greenhouse gas emissions that come from farm animals, especially cows and cattle. While on the one hand it is funny to think that this is a problem; however, on the other hand, it just demonstrates the kind of

people who are working in today's EPA and this is really serious.

When Administrator Jackson testified before the House Agriculture Committee she stated, "One notion is that EPA intends to regulate the emissions from cows—what is commonly referred to as a 'cow tax.'" "The truth is—the EPA is proposing to reduce greenhouse gas emission in a responsible, careful manner and we have even exempted agricultural sources from regulation." When the Administrator testified before the Energy and Commerce Committee, as a member, I asked her to clarify if she would exempt agriculture from these regulations and she said she would—twice over. I appreciate her willingness to exempt this very important industry, because not exempting agriculture would have a dramatic impact on the Nebraska economy. My concern is that Administrator Jackson does not have the legal authority to unilaterally exempt agriculture; and even if she does, that industry is only one law suit away from being regulated, due to citizen law suits. I have no doubt that the Sierra Club, PETA, the Natural Resource Defense Council, the U.S. Humane Society, or some other group will sue either individually or together with regards to greenhouse gases on farms.

The EPA's own figures on agriculture state that 37,000 farms are above the threshold of being a major source of greenhouse gas emissions. The Clean Air Act explicitly states that "major sources" must obtain a Title V operating permit. This could have a direct impact on many operations within agriculture, including corn, wheat, grain, cattle, and hog operations. This overzealous regulation will cause the cost of food production to rise and will also cause an indirect impact on bringing goods to market by helping to increase energy costs.

While I appreciate Administrator Jackson's willingness to exempt us from the cow tax, I think it is more important that we pass H.R. 910 and get it to the President for his signature, in order to guarantee that none of our energy is taxed.

Only with the passage of H.R. 910 will we end EPA's over reach on this issue.

Mr. MORAN. Mr. Chair, emboldened by their electoral victories last fall, my Republican colleagues have embarked on a campaign to weaken or repeal many of the landmark laws that have protected the public's health and the environment.

The first opening shots at the Environmental Protection Agency (EPA) were fired through amendments to legislation (H.R. 1) to complete the fiscal 2011 budget.

More than 22 anti-environmental and anti-conservation riders, that suspend agencies from taking action to implement provisions in Federal law, were added to bill on the House floor during the week of February 13th.

Fortunately, the Senate rejected the House bill, bringing us down a path to where we are today in a high stakes showdown whose outcome looks even more likely to result in a government-wide shutdown.

But, instead of sitting down to try to work out a budget, we are here on the House floor debating a bill to overturn a scientific finding.

EPA determined through its December 2009 endangerment finding that greenhouse gases endanger the public's health.

Today's House floor action is reminiscent of the Catholic Church's response to Galileo Galilei's publication of his famous work, Dia-

logue Concerning the Two Chief World Systems, which stated that the sun was the center of the universe.

It was not until October 31, 1992 when Pope John Paul II expressed his regret for how the Galileo affair was handled by the Catholic Church.

Unfortunately, climate change does not afford us the luxury of time to amend our policies decades from now.

Climate change is upon us and the longer we delay, question the science and fail to take even modest action to curb future growth, the costlier the consequences will be.

Today's legislation is a cynical attempt to pretend climate change is not occurring and restrict the one agency authorized by law to do something about it.

History will neither reflect kindly on those who reject science in the pursuit of short-term economic and political gain.

I urge my colleagues to oppose this bill.

Mr. PRICE of North Carolina. Mr. Chair. I rise in opposition to H.R. 910. While cynically called the Energy Tax Prevention Act by its sponsors, the bill could more aptly be named the "Dirty Air Act".

This legislation would overturn EPA's scientific finding that greenhouse gases endanger human health and welfare, which stemmed from a landmark 2007 Supreme Court decision, and prevent the EPA from using the Clean Air Act—now or in the future—to limit greenhouse gas pollution from power plants and other industrial sources. This reckless and misguided attack on our environment and public health will allow more pollution into the air we breathe and threaten the health of Americans across the country.

Supporters of the bill claim that setting standards for greenhouse gases under the Clean Air Act will cost jobs and undermine the competitiveness of America's manufacturers. But the argument that clean air somehow poses a hazard to the economy is as ridiculous now as it was in the 1970s, when the major polluters used it to try and stop enactment of landmark environmental laws. Rolling back the EPA's authority to limit pollution—whether it be carbon or lead—won't create a single job. It will simply undo 40 years of progress toward a cleaner environment and better public health.

In fact, the very provisions of the Clean Air Act that this bill attacks have a forty-year track record of delivering cleaner air and improved health, along with the benefits of enormous growth in the economy. In its first 20 years, the Clean Air Act prevented an estimated 200,000 premature deaths. Some 1.7 million tons of toxic emissions have been removed from our air each year since 1990. Innovations spurred by the Act have made our cars up to 95 percent cleaner today than they were in the past. EPA economists estimate that the total benefits of the Clean Air Act amount to 30 times its costs.

Passage of this bill would also mark the first time in history that Congress has approved legislation to overrule an objective scientific finding. Congress enacted the Clean Air Act precisely to require the EPA to make science-based decisions about the threats to health and welfare presented by air pollution instead of allowing such decisions to be driven by political ideology or special interests. And that is exactly what EPA's scientists have done: under both the Bush and Obama administra-

tions, objective scientific studies have found that greenhouse gases pose a real and indisputable threat.

Recently, more than 2,500 scientists—from all 50 states—sent a letter to Congress calling on Members to support EPA's updated carbon pollution standards under the Clean Air Act, noting that the "science-based law has prevented 400,000 premature deaths and hundreds of millions of cases of respiratory and cardiovascular disease during the 40 years since it was first passed—all without diminishing economic growth."

Rather than heeding the science and letting the EPA and the states do their job to protect public health and our environment, this bill would give the nation's biggest polluters a free pass to keep polluting and place the health of our nation—particularly our children, elderly citizens and other vulnerable populations—at risk. A vote for this bill is a vote against the commonsense Clean Air Act provisions that keep our air clean and protect our public health. I urge my colleagues to support science and the Clean Air Act and oppose H.R. 910.

Mr. COSTELLO. Mr. Chair, I rise in support of H.R. 910, the Energy Tax Prevention Act of 2011.

Based on the physical evidence and forecasts of most scientists, it is clear climate change is happening, man-made causes are a significant factor, and that left unaddressed, climate change poses a public health risk. I believe we must move forward from debating the science of climate change to developing balanced policies that combat its impacts.

However, I oppose the Environmental Protection Agency's (EPA's) attempt to regulate greenhouse gas emissions. I believe Congress must retain the authority to develop a climate change policy that reduces emissions, improves energy efficiency, and encourages clean energy technology, including clean coal, while also protecting and creating jobs, keeping energy costs affordable, and preserving our economic recovery. I am not convinced EPA's current path will achieve those goals.

While I do not agree with all aspects of this legislation, I support H.R. 910, to ensure Congress has the ability to develop a practical climate change policy at the appropriate time. I ask my colleagues to join me in supporting this legislation.

Mr. PENCE. Mr. Chair, I rise in support of the Energy Tax Prevention Act of 2011, which would prohibit the EPA from regulating greenhouse gas emissions under the Clean Air Act.

With gas prices averaging \$3.70 per gallon, up from \$3.50 a month ago, up nearly a dollar from a year ago, and with unemployment rates continuing at heartbreaking levels, the last thing the American people need is a national energy tax.

Yet the Obama EPA seems intent on implementing policies that will not only drive up the price at the pump, but drive even more American jobs to places like India and China. According to a study conducted by the Heritage Foundation, annual job losses will exceed 800,000 should the Congress fail to act in preventing the EPA from moving ahead with their global warming agenda.

In this difficult economy, the federal government must make affordable, domestic energy production a top priority and House Republicans are doing just that.

I applaud the work of my colleagues in developing an all-of-the-above energy solution

that will create jobs and end our dependence on foreign sources of energy.

But Congress first must stop the EPA's assault on working families, small businesses and family farms by rejecting this backdoor national energy tax.

Mr. STARK. Mr. Chair, I rise today in strong opposition to weakening the Clean Air Act and ignoring the very real threat posed by global warming. Republicans might like to teach creationism in schools and demonize science, but the fact is that climate change is man-made, is happening, and threatens our way of life. Failure to act is unacceptable.

The Obama Administration is taking small but important steps toward regulating only the largest sources of greenhouse gases. This legislation would end that progress. The Environmental Protection Agency (EPA) is exercising its Clean Air Act authority as recognized by the conservative Supreme Court in *Massachusetts v. EPA*. The Upton-Inhofe bill (H.R. 910) would not only undermine the Clean Air Act, it would also take the unprecedented step of overturning a scientific finding by the EPA that carbon pollution endangers America's health and environment.

At a time of rising gas prices and oil related conflicts around the world, this legislation would further increase our dependence on oil and other fossil fuels. This bill would take us back to a failed energy policy that has made our country addicted to fossil fuels and imported oil.

Rather than sticking our heads in the sand, Congress needs to implement a comprehensive energy policy that puts a price on carbon pollution and invests in the energy sources of the future. We could start by ending taxpayer subsidies for giant oil companies and corn ethanol, but I doubt that bill will be on the floor anytime soon.

The Republican attack on science and logic will not create a single job or protect a single American's health. All it will do is appease the radical fringe of their party. I urge all my colleagues to vote no.

Mr. SENSENBRENNER. Mr. Chair, I rise today in strong support of H.R. 910, the Energy Tax Prevention Act, which is common-sense legislation that will help economic recovery efforts and reduce energy prices.

It is troubling to see the Obama Administration continue to advocate for policies that will inhibit job creation in this country, and also raise prices of goods and services for every American. We should not move forward with imposing regulations that will slow the current economic recovery.

Over the last few months, my colleagues on the other side of the aisle have borrowed the Republican mantra from the past couple of years when the Democrats had control and asked, "Where are the jobs?" I have found this quite humorous considering that since Republicans have taken over leadership of the House, we have been actively working to rein in excess government waste and pass legislation to make it more affordable to do business in this country. But, setting that aside, we should all be able to agree that without passage of the Energy Tax Prevention Act, the answer to their question will be: not in the U.S.

We must not continue to allow the EPA to move forward in regulating all sectors of our economy. It is a simple fact that by imposing costly regulations on American businesses, it

will ultimately force these companies to reduce jobs, or in the worst case scenario, move operations overseas. Additionally, while some may feel that industries can afford to pay more to comply with the slew of EPA regulations that have already been implemented, or will soon be implemented, these extra costs will ultimately be passed onto the American consumer.

The EPA's reliance on the Intergovernmental Panel on Climate Change (IPCC) assessment reports should be cause for alarm. Given the climategate e-mail scandal, and other information that has come to light, there are many serious questions as to the legitimacy of the process used by the IPCC to base their conclusions. It would seem to me that since the EPA relied heavily on questionable conclusions by the IPCC, it is essential for Congress to pass H.R. 910 so we may go back and reexamine our greenhouse gas policy.

Like most Americans, I believe that there can and should be a proper balance between economic prosperity and environmental sustainability. Everyone wants clean air and clean water, and no one wants sky-high electric and tax bills. I have long argued that the key to our energy independence is through technological innovation. The best way for the federal government to support technological innovation is to incentivize it through research and development grants and tax credits. Excessive regulations cannot assure technological breakthroughs, especially expensive and onerous mandates like the cap-and-tax proposals in the previous Congress.

With the recent spike in gas prices, we need to do all we can to decrease the cost of doing business. H.R. 910 is the first in a series of legislative proposals that Republicans are planning on putting forward to cut energy prices and reduce the regulatory burdens that businesses and consumers face. I strongly support passage of this important legislation, and urge a "yes" vote.

Mr. CONYERS. Mr. Chair, today I rise in strong opposition to H.R. 910, the Republican Majority's so-called "Energy Tax Prevention Act." I think a more accurate title would be the "Science Ignorance Appreciation Act" or "Foreign Energy Dependence Act."

Today's measure would unilaterally invalidate the Environment Protection Agency's findings that carbon dioxide and other air pollutants pose a threat to public health and environment. Even more egregiously, the bill prohibits the EPA to regulate man-made greenhouse gases in spite of verified independent scientific research that shows that climate change poses an existential threat to our way of life.

The proposal is nothing more than censorship of government scientists who simply want to protect human and environmental health. There is an overwhelming scientific consensus that global warming is directly due to man-made behavior. In recent years we have begun to witness this science first hand, as extreme weather such as floods, droughts, blizzards, hurricanes and other natural disasters have begun to affect areas unaccustomed to such events. We cannot ignore the science and evidence.

If we pass this flawed legislation, we will lose an incredible opportunity to create the market forces necessary to stimulate innovation in clean energy technology such as wind, solar, and other clean energy programs.

The Energy Tax Prevention Act deliberately delays the day that America will be freed from its addiction to foreign oil. As we have seen with the recent instability in the Middle East, there are dramatic downsides to our current energy dependence strategy.

A "yes" vote today is a vote for unchecked pollution and global warming. It is a vote against scientific consensus and a clean energy future.

Mr. KUCINICH. Mr. Chair, I rise in strong opposition to H.R. 910, the Dirty Air Act. That this bill is taken seriously enough to receive a vote in the United States House of Representatives is embarrassing. This bill not only requires Members of Congress to ignore thousands of the world's best scientists and over four decades of peer reviewed research, but it requires Congress to assert that it is more qualified to judge the entire body of science. It is an assault on science, on reason, and on common sense. Americans expect better from their elected leaders.

No amount of fossil fuel company spin, lobbying and campaign contributions can change the fact that global warming is happening. But they can make important changes to global warming; The longer we wait to substantively and aggressively act, the faster global warming will happen, the more fiercely it will happen, and the less control we will be able to exert over it.

We are also throwing away badly needed opportunities. Failing to control global warming pollution means we fail to provide needed impetus to make the transition to clean energy. We are voting to turn our back on the opportunity to reclaim the mantle of global leader on clean energy from China and now, Germany. We are voting to turn our back on the opportunity to revitalize our manufacturing sector which has been ailing in cities like Cleveland for decades. We are voting to turn our back on the opportunity to create millions of new jobs and boost our economy. We are voting to turn our back on the opportunity to reduce air pollution that kills tens of thousands of people very year, who are disproportionately from communities of color and are of low income. We are voting to turn our back on the opportunity to strengthen our national security, which, according to the Pentagon, is threatened by global warming. We are voting to turn our back on the opportunity to inspire and lead with alternatives that would build a stronger America.

It is time for us to cast a vote in favor of future generations instead of merely invoking them to try to justify inhumane budget cuts. I urge my colleagues to vote "no" on this bill.

Mr. UPTON. Mr. Chairman, I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 910

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 "Energy Tax Prevention Act of 2011".

SEC. 2. NO REGULATION OF EMISSIONS OF GREENHOUSE GASES.

Title III of the Clean Air Act (42 U.S.C. 7601 et seq.) is amended by adding at the end the following:

“SEC. 330. NO REGULATION OF EMISSIONS OF GREENHOUSE GASES.

“(a) DEFINITION.—In this section, the term ‘greenhouse gas’ means any of the following:

- “(1) Water vapor.
- “(2) Carbon dioxide.
- “(3) Methane.
- “(4) Nitrous oxide.
- “(5) Sulfur hexafluoride.
- “(6) Hydrofluorocarbons.
- “(7) Perfluorocarbons.

“(8) Any other substance subject to, or proposed to be subject to, regulation, action, or consideration under this Act to address climate change.

“(b) LIMITATION ON AGENCY ACTION.—

“(1) LIMITATION.—

“(A) IN GENERAL.—The Administrator may not, under this Act, promulgate any regulation concerning, take action relating to, or take into consideration the emission of a greenhouse gas to address climate change.

“(B) AIR POLLUTANT DEFINITION.—The definition of the term ‘air pollutant’ in section 302(g) does not include a greenhouse gas. Notwithstanding the previous sentence, such definition may include a greenhouse gas for purposes of addressing concerns other than climate change.

“(2) EXCEPTIONS.—Paragraph (1) does not prohibit the following:

“(A) Notwithstanding paragraph (4)(B), implementation and enforcement of the rule entitled ‘Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards’ (as published at 75 Fed. Reg. 25324 (May 7, 2010) and without further revision) and finalization, implementation, enforcement, and revision of the proposed rule entitled ‘Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles’ published at 75 Fed. Reg. 74152 (November 30, 2010).

“(B) Implementation and enforcement of section 211(o).

“(C) Statutorily authorized Federal research, development, and demonstration programs addressing climate change.

“(D) Implementation and enforcement of title VI to the extent such implementation or enforcement only involves one or more class I substances or class II substances (as such terms are defined in section 601).

“(E) Implementation and enforcement of section 821 (42 U.S.C. 7651k note) of Public Law 101-549 (commonly referred to as the ‘Clean Air Act Amendments of 1990’).

“(3) INAPPLICABILITY OF PROVISIONS.—Nothing listed in paragraph (2) shall cause a greenhouse gas to be subject to part C of title I (relating to prevention of significant deterioration of air quality) or considered an air pollutant for purposes of title V (relating to permits).

“(4) CERTAIN PRIOR AGENCY ACTIONS.—The following rules and actions (including any supplement or revision to such rules and actions) are repealed and shall have no legal effect:

“(A) ‘Mandatory Reporting of Greenhouse Gases’, published at 74 Fed. Reg. 56260 (October 30, 2009).

“(B) ‘Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act’, published at 74 Fed. Reg. 66496 (December 15, 2009).

“(C) ‘Reconsideration of Interpretation of Regulations That Determine Pollutants Covered by Clean Air Act Permitting Programs’, published at 75 Fed. Reg. 17004 (April 2, 2010) and the memorandum from Stephen L. Johnson, Environmental Protection Agency (EPA) Administrator, to EPA Regional Administrators, concerning ‘EPA’s Interpretation of Regulations that Determine Pollutants Covered by Federal Prevention of Significant Deterioration (PSD) Permit Program’ (December 18, 2008).

“(D) ‘Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule’, published at 75 Fed. Reg. 31514 (June 3, 2010).

“(E) ‘Action To Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Substantial Inadequacy and SIP Call’, published at 75 Fed. Reg. 77698 (December 13, 2010).

“(F) ‘Action To Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Failure To Submit State Implementation Plan Revisions Required for Greenhouse Gases’, published at 75 Fed. Reg. 81874 (December 29, 2010).

“(G) ‘Action to Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Federal Implementation Plan’, published at 75 Fed. Reg. 82246 (December 30, 2010).

“(H) ‘Action to Ensure Authority to Implement Title V Permitting Programs Under the Greenhouse Gas Tailoring Rule’, published at 75 Fed. Reg. 82254 (December 30, 2010).

“(I) ‘Determinations Concerning Need for Error Correction, Partial Approval and Partial Disapproval, and Federal Implementation Plan Regarding Texas Prevention of Significant Deterioration Program’, published at 75 Fed. Reg. 82430 (December 30, 2010).

“(J) ‘Limitation of Approval of Prevention of Significant Deterioration Provisions Concerning Greenhouse Gas Emitting-Sources in State Implementation Plans’, published at 75 Fed. Reg. 82536 (December 30, 2010).

“(K) ‘Determinations Concerning Need for Error Correction, Partial Approval and Partial Disapproval, and Federal Implementation Plan Regarding Texas Prevention of Significant Deterioration Program; Proposed Rule’, published at 75 Fed. Reg. 82365 (December 30, 2010).

“(L) Except for actions listed in paragraph (2), any other Federal action under this Act occurring before the date of enactment of this section that applies a stationary source permitting requirement or an emissions standard for a greenhouse gas to address climate change.

“(5) STATE ACTION.—

“(A) NO LIMITATION.—This section does not limit or otherwise affect the authority of a State to adopt, amend, enforce, or repeal State laws and regulations pertaining to the emission of a greenhouse gas.

“(B) EXCEPTION.—

“(i) RULE.—Notwithstanding subparagraph (A), any provision described in clause (ii)—

“(I) is not federally enforceable;

“(II) is not deemed to be a part of Federal law; and

“(III) is deemed to be stricken from the plan described in clause (ii)(I) or the program or permit described in clause (ii)(II), as applicable.

“(ii) PROVISION DEFINED.—For purposes of clause (i), the term ‘provision’ means any provision that—

“(I) is contained in a State implementation plan under section 110 and authorizes or requires a limitation on, or imposes a permit requirement for, the emission of a greenhouse gas to address climate change; or

“(II) is part of an operating permit program under title V, or a permit issued pursuant to title V, and authorizes or requires a limitation on the emission of a greenhouse gas to address climate change.

“(C) ACTION BY ADMINISTRATOR.—The Administrator may not approve or make federally enforceable any provision described in subparagraph (B)(ii).”

SEC. 3. PRESERVING ONE NATIONAL STANDARD FOR AUTOMOBILES.

Section 209(b) of the Clean Air Act (42 U.S.C. 7543) is amended by adding at the end the following:

“(4) With respect to standards for emissions of greenhouse gases (as defined in section 330) for

model year 2017 or any subsequent model year new motor vehicles and new motor vehicle engines—

“(A) the Administrator may not waive application of subsection (a); and

“(B) no waiver granted prior to the date of enactment of this paragraph may be construed to waive the application of subsection (a).”

SEC. 4. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) there is established scientific concern over warming of the climate system based upon evidence from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice, and rising global average sea level;

(2) addressing climate change is an international issue, involving complex scientific and economic considerations;

(3) the United States has a role to play in resolving global climate change matters on an international basis; and

(4) Congress should fulfill that role by developing policies that do not adversely affect the American economy, energy supplies, and employment.

The CHAIR. No amendment to the committee amendment is in order except those printed in House Report 112-54. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. JACKSON
LEE OF TEXAS

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112-54.

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 2 and 3 of the bill, redesignate section 4 of the bill as section 3, and insert after section 1 of the bill the following section:

SEC. 2. STUDY AND REPORT.

(a) STUDY.—In the interest of protecting national security, the Administrator of the Environmental Protection Agency shall conduct a study to determine—

(1) the long term impacts of the Environmental Protection Agency having no authority to regulate emissions of greenhouse gases;

(2) if there are alternatives to ensure compliance with the Clean Air Act; and

(3) best practices with respect to greenhouse gas regulation under the Clean Air Act.

(b) REPORT.—Not later than 60 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall submit to Congress a report on the results of the study under subsection (a), including any findings and recommendations.

The CHAIR. Pursuant to House Resolution 203, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I want to thank the ranking member of the

full committee for reading a very important letter into the RECORD that the EPA has no intention to manipulate or to utilize cap-and-trade as part of their responsibilities. This is not a cap-and-trade initiative or legislation. It has nothing to do with cap-and-trade.

In fact, I think the whole concept of this Energy Tax Prevention Act is muddled and befuddled. I don't understand it. I practiced oil and gas law for almost 15 or 20 years. I come from Houston, and I recognize the difficulties that we have in the industry and understanding the industry. But I also am cognizant that this majority, my good friend on the other side that represents that, they are interested in adhering to the Constitution.

And I don't know why they have not studied the Supreme Court decision in *Massachusetts versus EPA* that clearly indicates, even though this was motor vehicle emissions that they were talking about, but it held that greenhouse gases, widely viewed as contributing to climate change, constitute air pollutants, and therefore that phrase as utilized under the Clean Air Act and the EPA has jurisdiction to regulate under the Clean Air Act.

I assume what we are doing is trying to bash a long-standing process rather than coming up with better ideas. I think my amendment brings about a better idea, because energy is a national security issue. And what my amendment poses to do is to ask serious questions about the impact of eliminating the EPA authority, finding a way to work through this question: What would be the long-term impact? Because the legislation that is now written by my friends on the other side of the aisle is telling the United States of America, in conflict with the United States Supreme Court decision—and let me just hold up a visual, the Constitution, which is what this majority says that they are basing their whole legislative agenda on.

Well, we have constitutional authority. And they are now telling us that we should not regulate water vapor, carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons, perfluorocarbons, and any other substance. I don't hear a scream and cry of the industry. I do hear the idea that there are burdens that will come upon the industry that we should address.

So the amendment that I have that I am asking for real consideration on the basis of a national security question, How will we provide for resources that will provide for the engine economy of this Nation, the long-term impact of the Environmental Protection Agency having no authority to regulate emissions of greenhouse gases? Also, if there are alternatives to ensure compliance with the Clean Air Act, if you have a better alternative. And best practices with respect to greenhouse gas regulation under the Clean Air Act, which the Supreme Court decision clearly dictates that it has the author-

ity to regulate it. But we need to collaborate and cooperate and understand how we balance the needs of an energy policy.

Might I also say that energy recognizes all forms of energy. And energy companies that are in oil and gas are looking at alternatives. They have whole sections that are addressing the question of alternative fuels. Why are we raising a bill that has no sense of direction in what it is trying to do and to eliminate an oversight that is protecting the American public in their quality of life and also doesn't speak to how we work with the industry to actually make sure that we check these emissions but as well provide the opportunity for domestic growth and domestic energy growth?

I ask my colleagues to support this amendment.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. I just want to say to my friend from Texas that with regard to the hue and cry of folks that support this legislation, not a lot of business folks, I have a whole series of letters of support for our legislation from the American Electric Power to the Farm Bureau, the Iron and Steel Institute, Americans for Tax Reform, American Public Power, Business Roundtable, Chamber of Commerce, Metalcasters Alliance, Multi-Traders Letters, auto dealers, Realtors, manufacturers, National Association of Manufacturers, cattlemen, Mining Association, petrochemical, Rural Electrical Cooperative, and on and on.

LETTERS OF SUPPORT

AF&PA Press Statement
American Coalition for Clean Coal Electricity Press Statement
American Electric Power
American Farm Bureau Federation
American Iron and Steel Institute
Americans for Prosperity Press Statement
Americans for Tax Reform
API-ACC Coalition Letter
American Public Power Association
Business Roundtable Letter
Chamber of Commerce
Cornwall Alliance
Freedom Action Press Release
Industrial Energy Consumers of America Press Statement
Metalcasters Alliance
Midwest Power Coalition
Multi-Traders Letters
NACS
National Automobile Dealers Association
National Association of Realtors
National Association of Manufacturers
National Association of Manufacturers Press Statement
National Cattleman's Beef Association
National Center for Public Policy Research
National Mining Association Press Statement
National Petrochemical & Refiners Association
National Rural Electric Cooperative Association
NRECA Press Statement
Nucor Letter
Southern Company
Steelgram—Support H.R. 910

Tesoro Corporation
The Brick Industry
The Fertilizer Institute
Valero Energy Corporation

AMERICAN FOREST &
PAPER ASSOCIATION,
Washington, DC.

AF&PA STATEMENT ON THE ENERGY TAX PREVENTION ACT (H.R. 910)

WASHINGTON.—American Forest & Paper Association President and CEO Donna Harman today issued the following statement regarding the Energy Tax Prevention Act (H.R. 910) as introduced in the U.S. House of Representatives by Energy and Commerce Committee Chairman Fred Upton (R-MI), Agriculture Committee Ranking Member Collin Peterson (D-MN), Transportation and Infrastructure Committee Ranking Member Nick Rahall (D-WV), and Energy and Power Subcommittee Chairman Ed Whitfield (R-KY).

"I applaud the introduction of this bipartisan legislation to bring a halt to regulation of greenhouse gases through the Clean Air Act. There is broad agreement that the Clean Air Act is the wrong tool to regulate greenhouse gases. The rule serves to impose high costs and business uncertainty related to new investments in the manufacturing sector. Congress, not EPA, should decide energy policy; in particular, issues related to investments in renewable energy, including biomass.

"The Greenhouse Gas regulations are the latest example of those that would hamper job growth and put obstacles in the way of American business to compete in the global marketplace. Inexplicably, this is happening as other parts of the Administration are promoting the need for more exports and job creation.

"I commend Energy and Commerce Committee Chairman Fred Upton (R-MI), Agriculture Committee Ranking Member Collin Peterson (D-MN), Transportation and Infrastructure Committee Ranking Member Nick Rahall (D-WV), and Energy and Power Subcommittee Chairman Ed Whitfield (R-KY) for introducing this legislation. We look forward to working with Congress on this very important issue."

AMERICAN COALITION FOR
CLEAN COAL ELECTRICITY,
Alexandria, VA.

HOUSE, SENATE INTRODUCE LEGISLATION TO STOP EPA REGULATIONS

ALEXANDRIA, VA.—The American Coalition for Clean Coal Electricity today praised the introduction in the U.S. House and Senate of bipartisan legislation that would ensure the authority to regulate emissions of greenhouse gases rests with Congress, and not the EPA. The bills were introduced by House Energy and Commerce Committee Chairman Fred Upton and Senate Environment and Public Works Ranking Member James Inhofe.

"The EPA's sweeping regulations will affect the lives of millions of Americans, from their electricity bills to the economy as a whole. Given this wide-ranging impact, it is important that Congress—not the EPA—address greenhouse gas emissions in a manner that takes into consideration both environmental and economic impacts," said Steve Miller, president and CEO of ACCCE.

The bills would eliminate EPA's authority to regulate greenhouse gas emissions under the Clean Air Act, which is ill-suited for that task. The legislation introduced today would leave in place all of the essential provisions of the Clean Air Act.

EPA's proposed regulations on greenhouse gas emissions could have a dramatic impact

on jobs and the economy. A recent analysis by the American Council for Capital Formation concluded that uncertainty caused by these regulations could, by 2014, result in the loss of between \$25 billion to \$75 billion in investment in the economy and that this could result in the loss of between 476,000 and 1.4 million jobs.

"At a time when Americans are struggling with high energy costs, the EPA's proposed regulations could make electricity more expensive. The affordability of coal-fueled electricity has helped moderate increases in energy costs, and continued reliance on coal can help the U.S. recover economically and American businesses to compete globally," said Miller. "We thank Chairman Upton and Senator Inhofe for their leadership on this critical issue as well as Members of Congress from both parties who have agreed to be initial co-sponsors of the bill."

AMERICAN ELECTRIC POWER,
Columbus, OH, March 3, 2011.

Hon. FRED UPTON,
Chairman, House Committee on Energy and Commerce, U.S. House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN UPTON: I am writing today to express my strong support for the Energy Tax Prevention Act of 2011.

When the Clean Air Act was originally enacted, it was not the expectation of Congress that this Act be applied to greenhouse gases. In fact, the Act was designed to regulate ambient air quality and hazardous air pollutants, among other matters. Moreover, the regulation of greenhouse gases was not mandated by the Supreme Court ruling and therefore is not necessarily required by the Clean Air Act.

It is clear to us at American Electric Power that the issue of climate change policy should be addressed exclusively through the legislative process. The Congress of the United States is better equipped to holistically evaluate not only the environmental impacts of greenhouse gases but also the impacts of greenhouse regulation on the economy, employment, energy and international trade. I firmly believe that this approach is crucial to ensuring a sound national policy.

I again thank you for your leadership on this important matter, and AEP looks forward to working with you to enact this legislation.

Sincerely,
MICHAEL J. MORRIS,
Chairman of the Board,
President and Chief Executive Officer.

AMERICAN
FARM BUREAU FEDERATION,
Washington, DC, March 3, 2011.

Hon. FRED UPTON,
U.S. House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN UPTON: The American Farm Bureau Federation (AFBF) strongly supports the Energy Tax Prevention Act of 2011 that you plan to introduce in the House of Representatives.

This bill would preempt regulation of greenhouse gases (GHG) by the Environmental Protection Agency (EPA) based on climate change considerations. The bill would not affect previously enacted or proposed rules regarding emissions from mobile sources.

The regulation of GHG does not fit within the current framework of the Clean Air Act. Unlike other regulated pollutants, where Clean Air Act thresholds are sufficient to regulate the largest emitters, GHG regulation at statutorily required, thresholds holds the prospect of costly and burdensome permit requirements on farms, ranches, schools, hospitals and some large residences.

Farmers and ranchers will be particularly disadvantaged under such a regulatory scheme. The costs incurred by utilities, refiners and manufacturers to comply with GHG regulations will be passed along to their customers, including farmers and ranchers, increasing their fuel, fertilizer and energy costs. Unlike other types of businesses, farmers and ranchers have much less ability to pass along such costs. Additionally, under the thresholds set by the Clean Air Act, many farmers and ranchers would eventually be required to obtain costly and burdensome Title V operating permits or New Source Review/Prevention of Significant Deterioration permits. EPA itself estimates that more than 37,000 farms will be subject to Title V permits, at a cost of more than \$866 million.

While the costs of compliance may be high, the environmental benefits from EPA regulation are marginal at best. Unless and until an international agreement is reached, unilateral action by EPA will have little or no environmental impact. EPA Administrator Jackson has acknowledged this fact in testimony before Congress.

The president has stated that congressional action is a better way to address the issue than EPA regulation. We agree. The Energy Tax Prevention Act recognizes this as well and places the responsibility for regulating GHGs where it belongs—with Congress. We commend you for introducing this bill and look forward to working with you on it.

Sincerely,

BOB STALLMAN,
President.

I yield 4 minutes to the gentleman from Texas (Mr. BARTON.)

□ 1600

Mr. BARTON of Texas. I thank the distinguished chairman for the time.

Well, let me say something positive about my good friend from Houston, Texas's amendment before I say something negative. If it were to pass, it would at least force the EPA to do a real study, which is more than I can say they did before they issued their endangerment finding.

If you look at the endangerment finding that they actually did to satisfy the requirement of the Supreme Court, they didn't do any scientific analysis. They didn't do any independent analysis. They basically took regurgitated research and press clippings and apparently some student's thesis as the justification for coming up with their endangerment finding.

If we accept the gentlelady from Houston's amendment, you do really gut this bill, which, if you are opposed to it, that's probably a good outcome. But if you are supportive of it, it's not a good outcome.

We don't need to do a study. CO₂ is not a pollutant under the definitions of the Clean Air Act. It's not harmful to health, as I keep pointing out.

As I speak, I create CO₂, and so you need CO₂ for life. Manmade CO₂ does not significantly contribute to climate change. We do have climate change, as we always have and always will.

But to say that CO₂ emissions made by man somehow are causing all these catastrophic changes is simply not true. What the bill before us does is say

we protect the Clean Air Act, we want to enforce the Clean Air Act, but we want it to be in force for the criteria pollutants that it was intended for, and we do not believe that CO₂ is one of the pollutants that it was intended to regulate.

So we don't need a study, and I would oppose my good friend from Houston's amendment and encourage all Members to also oppose it.

Mr. UPTON. May I ask how much time remains.

The Acting CHAIR (Mrs. EMERSON). The gentleman from California has 2¾ minutes remaining.

Mr. UPTON. I yield the balance of my time to the gentleman from California (Mr. BILBRAY), a member of the committee.

Mr. BILBRAY. I appreciate that.

Let's talk science, ladies and gentlemen. Everyone wants to talk about the threat of climate change, but no one wants to address the fact that what EPA has proposed, by the admission of the administrator, cannot even indicate what percentage of greenhouse gases those regulations could reduce. And not one scientist, not one expert in our committee, or I have seen anywhere else, has ever said what is being proposed by EPA, that is going to cost at least \$200 million, will not avoid the problem of climate change. So the question is this, what are the American people getting for their \$200 million.

Now, I'm sorry, some of us have worked on air pollution issues. I know the precursors to ozone. If they are saying that the problem is it's a precursor to ozone, believe me, it is so small and minute that those of us that are working in non-attainment areas never even gave a second glance at CO₂. So don't talk about it being a health risk based on a precursor to ozone. Look at what we are getting for the money.

What we are actually talking about here is not allowing EPA to go out and implement programs that the administrator admits that she cannot tell us what the American people are going to get for their dollars.

If you want to do a study, then let's do a study on what would have to be done to address this issue the way that some of us think it should be addressed. But let's not say that somehow that by holding up a program that is admitted not to be able to deliver any tangible benefits, that holding up that program is somehow going to be a threat to public health.

So let's just get back down to the real science, and that is no one in this establishment is talking about addressing the climate change issue. Some people are saying it doesn't exist and others are trying to sell an environmental placebo that makes you look good because you are doing something, but spends huge amounts of money, has a great impact, and does not address the problem and would not avoid the problem.

One thing we have got to make clear. Don't talk to me about incrementalism

when we talk about climate change. You talked to the same scientists that you say are telling us about climate change, and they say if we don't get the job done within the next decade or two, forget about it. It's over with.

The fact is that climate change will happen. And, sadly, what I have seen in the last 2 years about this issue, I have come to the conclusion this body really should be talking about what we need to do to mitigate the impact, because you are not doing anything to avoid it, and we shouldn't tell the American people that we are.

Ms. JACKSON LEE of Texas. May I ask the remaining time.

The Acting CHAIR. The gentlewoman from Texas has 1 minute remaining.

Ms. JACKSON LEE of Texas. I yield 30 seconds to my good friend from California (Mr. WAXMAN).

Mr. WAXMAN. Thank you very much.

I just want to point out, Mr. BARTON, my very good friend who used to be chairman of the committee and was ranking member when I asked him to work with us on a bipartisan energy bill policy, he said, I don't believe there is such a thing as global warming. It doesn't exist, it's not a problem. Why spend any effort or money to find the solution?

And now, while the gentlelady's amendment is saying at least study what will happen if you don't do anything in this area, and he said that's not needed either. I think at least we ought to know what the gentlelady is suggesting, and that is, what would be the long-term impact if we do nothing.

I support the Jackson Lee amendment.

Ms. JACKSON LEE of Texas. I thank the distinguished gentleman for all of his work.

I come as a peacemaker, Madam Chair. Houston, by the American Lung Association, is the seventh most ozone-polluted city in the Nation. The Supreme Court clearly said under the Clean Air Act that it authorized the EPA to regulate greenhouse gases as it makes a judgment that it impacts on climate change. At the same time there are industries that happen to be oil and gas that can sit down and benefit from a real study that will talk about best practices and also have the engagement that we need to have.

It is reckless to talk about what scientists have said. The Members are not scientists, and I believe you cannot rid the EPA of its jurisdiction.

I would ask my colleagues to be thoughtful, along with the industry, and let's have a reasonable study. This impacts national security.

I ask my colleagues to support my amendment.

Madam Chair, I rise today to offer an amendment to H.R. 910, "Energy Tax Prevention Act of 2011." H.R. 910 prematurely eliminates the responsibilities of the Environmental Protection Agency to regulate greenhouse gas emissions. My amendment would require an assessment of the industry by the Environ-

mental Protection Agency (EPA) to ensure accurate consideration of how proposed regulations would affect energy production levels, feasibility of implementation on the industry, as well as the adverse environmental effects of delaying implementation of proposed regulations. My amendment would also ensure the Environmental Protection Agency retains its ability to regulate greenhouse gas emissions under the authority provided by the Clean House Act.

I cannot envision any American living in a polluted area wanting to support a permanent ban on the Environmental Protection Agency's ability to regulate greenhouse gases. The potential negative impact of greenhouse gases is supported by the scientific community. The National Academy of Sciences reported in 2010: "Climate change is occurring, is caused largely by human activities, and poses significant risks for—and in many cases already affecting—a broad range of human and natural systems." It is clear that quality of our air impacts the quality of our health. The Clean Air Scientific Advisory Committee, EPA's independent science advisors, reviewed evidence from roughly 1,700 studies in the scientific research of the health impact of ozone. They unanimously concluded that the EPA needs ozone standards. This would ensure an adequate margin of safety for the public as required by law. This is about protecting our nation's health, industry, and our environment.

As a Houstonian the effects of H.R. 910 are of particular concern to me. A study conducted by the American Lung Association ranked Houston as the 7th most ozone-polluted city in the country. Children, teens, senior citizens, and people with lung diseases like asthma, chronic bronchitis, emphysema and others are particularly vulnerable to poor air quality and are at risk for developing irreversible lung damage. A rise in poor air quality has the potential to increase emergency room visits and hospital admissions for respiratory problems which increases the cost of healthcare to tax payers.

In Houston-Baytown-Huntsville, TX, over a million children under the age of 18 will be negatively impacted if air quality continues to decline. Children exposed to air pollution suffer stunted long growth, as well as development of asthma, and increased respiratory infections.

According to the American Lung Association, researchers have also concluded that prenatal exposure to air pollution harms children, and increase the risk of babies being born with low birth weight.

We owe it to our children to provide clean, healthy air. We have an agency that is charged with regulating our air quality. My amendment would ensure the EPA can continue to protect our nation's health by regulating greenhouse emissions.

This amendment will ensure that the EPA reports to Congress its findings on the long term negative impacts of greenhouse gases. Findings from a recent EPA study titled "Assessment of the Impacts of Global Change on Regional U.W. Air Quality: A Synthesis of Climate Change Impacts on Ground-Level Ozone" suggest that climate change may lead to higher concentrations of ground-level ozone, a harmful pollutant. Additional impacts of climate change include, but are not limited to: increase drought; more heavy downpours and flooding, and harm to water resources, agriculture, wildfire and ecosystems."

Not only would the deregulation of greenhouse gases impact the health of our citizens, it will also, have a negative impact on our ability to maintain and create new jobs. Poor health and low air quality only discourages industries from coming to an area. New industries will not be willing to move into areas that are polluted which negatively impacts job growth in those communities.

Currently there are programs in Houston such as the Energy Efficiency Incentive Program which aims to significantly reduce Houston's emissions of greenhouse gases and criteria air pollutants. The oil and gas industry is also investing alternative energy sources and improving air quality standards; such initiatives look towards the future, ensures job creation, and protects our nation's health.

I believe the Environmental Protection Agency plays an essential role in providing appropriate and balanced guidance to the industry, which in turn encourages them to have a workable timeframe to determine the appropriate measures to improve our nation's air quality. The EPA ensures that energy industries have a reasonable standard to base their operations.

My amendment requires the EPA to carefully study this issue and to determine the long term impact on health, the industry and the environment. I strongly urge my colleagues to support a reasonable, fair and measured response to addressing regulation of greenhouse gases.

Under current law, The Clean Air Act provides the EPA with the authority to take steps that will reduce greenhouse gas emissions. On April 2, 2007, the Supreme Court ruled in *Massachusetts v. EPA* that greenhouse gas, constitute "air pollutants" as the phrased is used in the Clean Air Act. Such pollutants may reasonably be anticipated to endanger public health or welfare. As a result, the government has the legal authority to issue standards for greenhouse gas emissions. As the Clean Air Act falls under the authority of the Environmental Protection Agency, it is therefore legitimate for the EPA to regulate greenhouse gases. My amendment ensures compliance with a U.S. Supreme Court ruling. As written, H.R. 910 would overturn *Massachusetts v. EPA*. As written H.R. 910 would overturns a ruling by the Supreme Court. Such an action is too extreme when there are other more tenable solutions available.

We cannot allow a total eradication/elimination of the responsibilities of the EPA to regulate greenhouse gases. This would impact the health of our nation, negatively impact industries, and overturns a Supreme Court ruling. The present version of H.R. 910, without amendment fails to provide a studied and measured approach when trying to find a balance between the need for our nation to maintain quality air levels and the need for our nation to continue job growth. This bill takes a sledge hammer approach that is too extreme.

The purpose behind my amendment is to reach a compromise. To ensure that fair and reasonable regulations can be implemented without adverse effects to our nation's air and our nations industry.

Madam Chair, I believe it is very important to provide the EPA with the opportunity to carefully study this matter and report back to Congress within 60 days and urge my colleagues to join me in supporting this amendment.

HOUSTON MAYOR'S TASK FORCE ON THE HEALTH EFFECTS OF AIR POLLUTION

Thousands of tons of potentially harmful chemicals are discharged each day into Houston's atmosphere as a result of human activities, substances, and technologies. Consequently, people living in Houston are exposed routinely to a myriad of pollutants in the air they breathe. Estimated and/or measured concentrations of some of these airborne chemicals in ambient air are high enough to cause illness or injury in exposed individuals, especially those in our society who are most vulnerable, such as children and seniors. Although the available data are incomplete and uneven, the Task Force surveyed information on 179 air pollutants and identified 12 substances in Houston's air that are definite risks to human health, 9 that are probable risks, and 24 that are possible risks. Sixteen substances were found to be unlikely risks to Houstonians at current ambient levels, and 118 substances were labeled uncertain risks because there was inadequate or insufficient information to determine whether they presently pose a health threat to Houston residents.

MASSACHUSETTS V. ENVIRONMENTAL PROTECTION AGENCY

THE U.S. SUPREME COURT SYNOPSIS

SUPREME COURT OF THE UNITED STATES

MASSACHUSETTS ET AL., PETITIONERS, V. ENVIRONMENTAL PROTECTION AGENCY ET AL.

Background: States, local governments, and environmental organizations petitioned for review of an order of the Environmental Protection Agency (EPA) denying a petition for rulemaking to regulate greenhouse gas emissions from motor vehicles under the Clean Air Act. The Court of Appeals for the District of Columbia Circuit, 415 F.3d 50, dismissed or denied the petitions. *Certiorari* was granted.

Holdings: The Supreme Court, Justice Stevens, held that:

(1) state of Massachusetts had standing to petition for review;

(2) Clean Air Act authorizes the EPA to regulate greenhouse gas emissions from new motor vehicles in the event that it forms a "judgment" that such emissions contribute to climate change; and

(3), EPA can avoid taking regulatory action with respect to greenhouse gas emissions from new motor vehicles only if it determines that greenhouse gases do not contribute to climate change or if it provides some reasonable explanation as to why it cannot or will not exercise its discretion to determine whether they do.

Background: On April 2, 2007, in *Massachusetts v. EPA*, 549 U.S. 497 (2007), the Supreme Court found that greenhouse gases are air pollutants covered by the Clean Air Act. The Court held that the Administrator must determine whether or not emissions of greenhouse gases from new motor vehicles cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. In making these decisions, the Administrator is required to follow the language of section 202(a) of the Clean Air Act. The Supreme Court decision resulted from a petition for rulemaking under section 202(a) filed by more than a dozen environmental, renewable energy, and other organizations.

On April 17, 2009, the Administrator signed proposed endangerment and cause or contribute findings for greenhouse gases under Section 202(a) of the Clean Air Act. EPA held a 60-day public comment period, which ended June 23, 2009, and received over 380,000 public comments. These included both written com-

ments as well as testimony at two public hearings in Arlington, Virginia and Seattle, Washington. EPA carefully reviewed, considered, and incorporated public comments and has now issued these final Findings.

Ms. JACKSON LEE of Texas. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 2 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-54.

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 2 and 3, redesignate section 4 as section 3, and insert after section 1 the following:

SEC. 2. CONSIDERATIONS AND PROCEDURES IN FINALIZING GREENHOUSE GAS REGULATIONS.

In the interest of properly considering the importance of energy to the national security of the United States, before finalizing any greenhouse gas regulation the Administrator of the Environmental Protection Agency—

(1) shall provide a notice period of no less than 30 days specifically to the affected greenhouse gas producers proposed to be regulated and allow industry-specific comments to be submitted to the Administrator regarding the economic impact of the proposed regulation on the regulated industry; and

(2) provide an opportunity for the regulated industry to request and receive a 60-day extension of such comment period during which the Administrator shall conduct a study to be submitted to Congress regarding—

(A) the effect of the proposed regulation on the level of greenhouse gas reduction;

(B) the effect of the proposed regulation on energy production levels;

(C) the feasibility of implementation of the regulation on the entities being regulated;

(D) the effect of the proposed regulation on the availability of energy to consumers; and

(E) the adverse environmental effects of delaying implementation of the proposed regulation.

The Acting CHAIR. Pursuant to House Resolution 203, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I am going to take a slightly different perspective and ask my colleagues to support this amendment.

Again, I am hoping, I know there are a lot of letters that my good friend from Michigan says that he has, and

any time you put forward legislation that trade groups send word out to membership and say, this is going to save you a bucket full of money, and you better jump on the bandwagon, and there is no alternative or there is no basis of understanding the underpinnings of what we are doing, then you get that kind of praise.

I hope that many people who are with the industry, having practiced the law, and I have seen some of the mountains that all industries have to climb, I think we can find a reasonable way of functioning.

I just want to put in the RECORD that the industry, which is part of the drive of my friends on the other side, the oil and gas industry does generate 9.237 million jobs, \$1 trillion contributed to the economy, \$178 billion paid to the U.S. Treasury or to the government in royalties and bonus payments, and \$95.6 billion in taxes, income taxes, \$194 billion invested to improve the environmental performance of its products, and \$58.4 billion invested in low- and zero-carbon emission technologies from 2000 to 2008.

□ 1610

I encourage them to keep going. But the way that you keep going is not to eliminate the oversight body, but you work with it. And my amendment is very clear. I create a pathway for the industry to be engaged on any rule-making. It shall provide a notice period of no less than 30 days specifically to the affected greenhouse gas producers—and this is a sort of pipeline for the industry—proposed to be regulated and allow industry-specific comments to be submitted to the administrator separate and apart from the public comment period and to discuss the economic impact of the proposed regulation; provide for an opportunity for the regulated industry to request and receive a 60-day extension. And we should take into consideration the effect of the proposed regulation on greenhouse gas emissions.

These companies have employees living in our community. And it is noted that Houston, the Houston area to Huntsville has some of the largest pollutants in the air. We should also consider the effect of the proposed regulation has on energy production, the feasibility of the implementation of the regulation on the entities being regulated, the effect of the proposed regulation on the availability of energy to consumers, and the adverse environmental effects of delaying implementation of the proposed regulation.

It allows a discussion that may not be at the level that we would like it today. I can't imagine, and I guess my friend on the other side of the aisle will come up and show me all the letters that he's saying that are supporting legislation that completely obliterates the opportunity for any governmental oversight. I disagree. I want to know the question of whether or not we have had the kinds of discussions that warrant a deliberative process and to bring

about a concept of listening to industry and industry listening on the question of air pollutants.

I hold up the mayor's task force on the health effectiveness. It talks about Houston. But I'm not going to narrow this to Houston. Wherever there are companies that are refineries, as they so discussed, we are not trying to undermine that work. But does anyone want to live in China with the air pollutants that they have?

Let me just say that what we are addressing is a question of balance. My amendment provides input by the industry and by the EPA collaborating on how this will impact going forward. I would like you to support my amendment.

I reserve the balance of my time.

Mr. WHITFIELD. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. I would like to yield such time as he may consume to the gentleman from Illinois (Mr. SHIMKUS), the chairman of the Environment and the Economy Subcommittee.

The Acting CHAIR. The gentleman from Illinois is recognized for up to 5 minutes.

Mr. SHIMKUS. I would like to thank my colleague from Kentucky for the time, and I appreciate this opportunity to really talk about this.

I rise reluctantly to oppose my friend from Houston. I know she has a lot of her constituents who work in the fossil fuel industry and the refining industry and the refinery section, but parts of the amendment do some disastrous things to the bill.

First of all, it strikes most of the base text. We are here today—and I understand her position of wanting industry to listen, we want EPA to listen. The whole debate, why we're down here, is we want EPA to listen. And so as we address this debate, her amendment would strike most of the base text. And the whole reason why we're here is to get the attention of the EPA and respond to the people who sent us here to not hurt and harm job creation.

My friends, Ranking Member WAXMAN and MARKEY, their bill did not pass the legislative process. It didn't go through both Chambers and did not get signed by the President. Why? Because we understood what would have happened. We successfully argued the debate that energy costs go up. If you price carbon, you raise the cost of electricity. If you price carbon, you raise the cost of manufacturing. If you price carbon, you raise the cost of gasoline. Now in this recessionary economy, do we want to do that? And do we want to give the Environmental Protection Agency the sole authority without our doing the process that I think the legislative process allows us to do, to talk about the winners and the losers, the give and take?

What was decided in the last Congress was the legislative process could

not pass this because it was too controversial and it would affect jobs. It would affect jobs. And this is what we are all concerned about.

The last round of the Clean Air Act where you could really talk about toxic emittents cost thousands of jobs in southern Illinois, cost thousands of jobs in Kentucky and cost thousands of jobs in the Ohio Valley. Again, you go back to the basic premise if you price carbon.

So what my colleague's amendment does is it says let's keep the EPA pricing of emittents that are not toxic—carbon dioxide is not a toxic emittent. It's not nitrous oxide, it's not sulfur dioxide, it's not a particulate matter, and it's not a criteria pollutant under the EPA and the Clean Air Act. So we're saying, don't regulate emittents that aren't toxic; don't put a price on carbon that will cost jobs. So that's why we need to reject this.

Now, in debates on the other amendments, this isn't the only attack on the fossil fuel industry. Greenhouse gas is just one rule coming down. Then we've got boiler MCH, we've got mercury MCH, we've got cooling towers, we've got coal ash, we've got the transport rule, all separate rules, and these will affect the refining industry. Most of these regulations are new regulations coming down from the EPA to destroy the fossil fuel sector that raises costs and destroys jobs.

So my colleague's amendment, what it does is it doesn't change the reason why we're here. The reason why we're here is saying, EPA, stop. If it's a good enough policy, it can pass the legislative body. But do you know what? It wasn't a good enough policy to pass a Democrat-controlled Senate. And it wasn't good enough policy to get a bill to the President to sign into law.

So why is it a good policy to let unelected bureaucrats in the Environmental Protection Agency move on a process to destroy jobs? Let's be held accountable. If we want to do that, let's cast our votes. What we're casting our votes today for is to keep the cost of power low and save jobs, create jobs and grow jobs. If you want job creation, we support the underlying bill. We do not support any amendment that puts off telling the EPA to stop and desist and do no more.

Again, the basic premise of the climate debate is putting a price on carbon emission that is not toxic. And by putting a price on there, you raise the cost of energy that everybody uses. You raise the cost of home heating, automobiles, electricity and the like.

Ms. JACKSON LEE of Texas. I yield 15 seconds to the ranking member, the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Thank you for yielding to me.

This bill, the EPA does not put a price on carbon. The EPA is not setting up a cap-and-trade program. The EPA is only saying, in new facilities with large amounts of carbon emissions, put

in efficiency standards so that you can reduce those emissions. That's all.

Ms. JACKSON LEE of Texas. I thank the gentleman.

My friend from Illinois, have I got an amendment for you. I'm answering your concern.

My amendment says it requires, before finalizing emission regulations on greenhouse gas producers, the EPA must provide the producer with adequate notice of at least 30 days. The provision would also allow for industry input, encouraging collaboration between EPA and energy providers during the regulation process.

Currently, the EPA does not have a minimum time requirement. It also gives another 60-day extension. This is about national security because air pollutants and then no energy, bad on one side and bad on the other. Let's get together. Because we can't dismiss any of these energy sources, but they need to be better. And how can we, since this is supposed to be the Supreme Court Constitution side, how can you dismiss the constitutional right that EPA has to regulate?

I ask my colleagues to support this amendment. This is an amendment for them.

Madam Chair, I rise today in support of my amendment No. 37 to H.R. 910, "Energy Tax Prevention Act of 2011." H.R. 910 prematurely eliminates the responsibilities of the Environmental Protection Agency to regulate greenhouse gas emissions. My amendment would protect our national security by considering industry specific energy providers that are uniquely connected to our national security. This measure would expand the opportunity to garner industry input during the rulemaking process, and would provide the Environmental Protection Agency with a timeframe to engage with the industry during the process.

Madam Chair, this amendment requires that before finalizing emissions regulations on greenhouse gas producers, the Environmental Protection Agency (EPA) must provide the producer with adequate notice of at least 30 days. This provision would also allow for industry input, encouraging collaboration between the EPA and energy providers during the regulation process. Currently, the EPA does not have a minimum time requirement.

By mandating industry engagement during the rule making process We will ensure that the proposed regulations do not negatively impact industry jobs and domestic energy. This amendment would force a discussion between the government and the industry during We rule making process so that jobs can be maintained, U.S. dependence on foreign oil can be decrease, and the Supreme Court's confirmed responsibilities of the Environmental Protection Agency will not be extinguished by short sighted legislation.

As the Representative for Houston, the nation's energy capital, I am committed to finding a balance that will support continued growth in the energy industry while protecting the environment.

My amendment to H.R. 910 provides emissions producers in the energy industry the ability to engage in discussions and studies with the EPA. The provisions in this amendment will encourage communication between

the EPA and energy providers throughout the regulation process.

Americans should not have to risk living with highly polluted air. We must not shy away from the importance of the Clean Air Act and the role of the Environmental Protection Agency. This country needs energy. We utilize on and off shore drilling exploration. We must ensure that the industries impacted are engaged in the process while simultaneously regulating the affects of green house gas. This is crucial to the daily lives of Americans.

The Clean Air Act provides the EPA with the authority to regulate emissions reduction. This authority was upheld by the Supreme Court's decision in *Massachusetts v. EPA*. Any attempt to strip the EPA of this responsibility would undermine the Clean Air Act and exacerbate global warming.

The EPA must be allowed to regulate the emission of greenhouse gases. The climate change caused by these emissions affects temperature, causes extreme weather and dramatically reduces air quality, resulting in asthma, respiratory disease and lung cancer. The EPA projects that continued improvements in air quality under the Clean Air Act will save more than a trillion dollars by 2020, and prevent 230,000 deaths per year. By allowing the EPA to protect our environment now, we provide security for future generations.

Prohibiting the EPA from regulating greenhouse gas emissions to ensure clean air and slow the rate of climate change will have lasting consequences. We must, however, also consider the consequence to the energy industry.

H.R. 910 simply takes the wrong approach. Instead of focusing on developing standards upon which both the Environmental Protection Agency and the affected industries agree, it attempts to remove the Environmental Protection Agency from the process. Thereby barring the industry from developing standards upon which they can all agree. It is a matter of fairness. The EPA would ensure that industries would have a minimum standard to follow. This measure would ensure the industry would be involved when determining the best practices to ensure that reasonableness of those regulations.

Madam Chair, my amendment is essential to provide greater consideration to this sensitive issue by affording an opportunity for energy providers to state the impact that the proposed rule would have on their industry. This amendment will forge important compromises between the EPA and the energy industry. I urge my colleagues to join me in supporting my amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. JACKSON LEE of Texas. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-54.

Mr. MCNERNEY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 330(b)(2)(C) of the Clean Air Act, as added by section 2 of the bill, after "demonstration programs" insert "and voluntary programs".

□ 1620

The Acting CHAIR. Pursuant to House Resolution 203, the gentleman from California (Mr. MCNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Madam Chair, I rise to offer an amendment to H.R. 910.

Let's be crystal clear about two things. The bill we are considering today, which I will call the dirty air act, is an attack on science, and it's bad policy that will harm the American people. The world's scientific experts overwhelmingly agree that climate change is happening, it's primarily caused by human activities, and it has harmful consequences.

However, despite our disagreements about the merits of H.R. 910, I am offering an amendment that I think we can all support. My amendment is pro-environment, pro-consumer, and pro-business to make sure that our country can continue to administer voluntary programs to reduce pollution, improve public health, and address climate change.

Mr. UPTON. Madam Chair, will the gentleman yield?

Mr. MCNERNEY. I yield to the gentleman from Michigan.

Mr. UPTON. We are prepared to accept the agreement.

Mr. MCNERNEY. I thank the gentleman.

As currently written, H.R. 910 prohibits the EPA from taking action to control greenhouse gas emissions. However, the bill provides a few narrow exceptions, such as allowing for the continuation of statutorily authorized research, development, and demonstration programs meant to combat climate change. My amendment simply clarifies that voluntary programs to control climate change are also exempted from the bill's prohibitions and can continue to take place.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCNERNEY).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. CUELLAR

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-54.

Mr. CUELLAR. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 330 of the Clean Air Act, as added by section 2 of the bill, amend subsection (a) to read as follows:

"(a) DEFINITION.—In this section, the term 'greenhouse gas' means any of the following:

- "(1) Carbon dioxide.
- "(2) Methane.
- "(3) Nitrous oxide.
- "(4) Hydrofluorocarbons.
- "(5) Perfluorocarbons.
- "(6) Sulfur hexafluoride.

In section 330(b) of the Clean Air Act, as added by section 2 of the bill—

(1) in paragraph (1)—

(A) in subparagraph (A), strike "under this Act" and insert "under title I or title V of this Act"; and

(B) in subparagraph (B), strike "The definition" and insert "For purposes of title I and title V only, the definition";

(2) in paragraph (2)(A), strike "Notwithstanding paragraph (4)(B), implementation" and insert "Implementation"; and

(3) strike paragraph (4) and redesignate paragraph (5) accordingly.

Strike section 3 of the bill (and redesignate section 4 of the bill as section 3).

The Acting CHAIR. Pursuant to House Resolution 203, the gentleman from Texas (Mr. CUELLAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CUELLAR. Madam Chair, I rise today to encourage my colleagues to support my amendment.

The intent of my amendment is quite narrow. This amendment makes the underlying legislation a question of authority, not a question of science. The amendment strikes the finding of the language from the particular bill. This ensures that H.R. 910 is only about Article I of the Constitution, giving the U.S. Congress the right to say whether the EPA can or cannot regulate greenhouse gas.

Also, the amendment preserves the authority of the agency to improve the efficiency of automobiles and light trucks, an issue on which there is widespread agreement. While H.R. 910 intends to exempt auto standards, the legislation would stop the EPA from improving on any future car efficiency standards. This amendment does not remove any enforcement power the EPA has previously exercised since enactment of the Clean Air Act.

At the same time, this amendment does not authorize new regulatory initiatives beyond what the agency has done for decades. For example, the agency is in no way authorized by the amendment to undertake low carbon fuel standards or new emission guidelines for permitting obligations for stationary sources.

Finally, my amendment refines the definition of H.R. 910 by removing water vapor. This is consistent with the legislation we have considered in the past of what is and isn't greenhouse gas. Water vapor is not a long-term harmful warming cause.

In short, this amendment makes the underlying legislation a question of the EPA's authority granted under the Clean Air Act.

Madam Chair, I thank you for the consideration of this amendment. I urge all of my colleagues to vote "yes" on this amendment.

I reserve the balance of my time.

Mr. BARTON of Texas. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BARTON of Texas. I rise in opposition to my good friend from Texas, Mr. CUELLAR's amendment. It may be well intentioned, but it is poorly drafted. He may not have intended it, but if we were to accept it, by allowing the EPA to regulate anything under title 2, he would give the EPA authority not only to regulate tailpipe emissions from cars and trucks, but also authority to regulate trains, planes, and any other mobile source. I don't know that that was his intent, but that is certainly the effect of the amendment.

We oppose the amendment for that reason, for the drafting reason. We also oppose the amendment because it is the majority's opinion that we need, after 2017, to have one regulator for mobile sources, and that regulator is NHTSA, the National Highway Transportation Safety Administration. This amendment would have three regulators: NHTSA, EPA, and the State of California.

We have been very careful in the drafting of the underlying bill to make sure that the existing standards for tailpipe emissions stay in place. This bill does not change that. It would prevent EPA from issuing regulations for CO₂ emissions for tailpipes, but the underlying bill does not prohibit regulating the various emissions under NHTSA and the State of California for tailpipe emissions that actually affect fuel economy.

The only thing even without this bill that the EPA would have the ability to regulate are the emissions out of the coolant of the air conditioning systems. They have absolutely no effect on fuel economy. So we oppose the amendment.

With that, I yield the balance of my time to the gentleman from Texas (Mr. OLSON), and I ask unanimous consent that he be allowed to control that time.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 3 minutes.

There was no objection.

Mr. OLSON. I thank the chairman of the committee.

Madam Chair, I rise in opposition to this amendment. H.R. 910 was carefully written to provide the auto industry with greater certainty by streamlining the regulatory process with only one fuel economy regulator—NHTSA—from 2017 onward.

This amendment would remove that provision by requiring that we continue to have three separate regulators—the EPA, NHTSA, and California—setting fuel economy standards. This is wasteful and duplicative spending at a time when government should be more efficient and providing greater certainty for customers.

This amendment would allow the EPA to set low carbon fuel standards

that would equate to nothing more than a carbon tax at the pump. In a weak economy, this administration has disregarded studies which have concluded that greenhouse gas regulations will increase energy costs and destroy jobs.

An AP headline today read: "Rising Oil Prices Beginning to Hurt U.S. Economy." These regulations will only force Americans to pay more. Furthermore, it is Congress, not the EPA, that has constitutional authority to decide if or how greenhouse gases should be regulated.

My home State of Texas has improved its air quality and increased its energy production even as we are having the largest population growth in America.

Our legislation allows America to find commonsense solutions that provide an affordable, reliable energy supply for our Nation, as well as providing much-needed certainty to an unstable job market.

I urge my colleagues to oppose this amendment and support the underlying bill, H.R. 910.

I reserve the balance of my time.

Mr. CUELLAR. Madam Chair, I thank my colleague from Houston and my colleague from Dallas also. Just because we drafted this doesn't mean it was poor drafting. With all due respect, if they have a problem with whether they want to put language there on science, that is one thing. My amendment is on the same page as what they are trying to do. My amendment just strikes the findings. What we want to do is H.R. 910 is only about Article I of the Constitution, giving the U.S. Congress the right to say whether EPA can or cannot regulate greenhouse gas.

This should not be a question of science. I think this should be a question of authority. We are on the same page, but I see that the majority wants to keep the findings, and I can understand that. I just ask, Madam Chairwoman, the support of this particular amendment.

I reserve the balance of my time.

Mr. UPTON. Madam Chair, I think we have the right to close. How much time is remaining on each side?

The Acting CHAIR. The gentleman from Texas (Mr. OLSON) does have the right to close and has 1 minute remaining, and the gentleman from Texas (Mr. CUELLAR) has 2½ minutes remaining.

□ 1630

Mr. CUELLAR. I yield myself the balance of my time.

Madam Chair, again, my amendment is just about saying that H.R. 910 should be article I of the Constitution. The question is, does Congress have the right to regulate or do we let the bureaucrats decide? This is what my amendment does. It just says that we, the Members of Congress, should decide whether the EPA can or cannot regulate greenhouse gas. Again, this is a question of authority and should not be a question of science.

With that, Madam Chair, I yield back the balance of my time.

Mr. OLSON. I yield the balance of my time to my colleague from Michigan (Mr. UPTON).

Mr. UPTON. Madam Chair, I would just urge again my colleagues to vote "no" on this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CUELLAR).

The amendment was rejected.

AMENDMENT NO. 5 OFFERED BY MR. MURPHY OF CONNECTICUT

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112-54.

Mr. MURPHY of Connecticut. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 10, line 6, after subparagraph (C), insert the following new subparagraph:

"(D) TECHNICAL ASSISTANCE.—Nothing in this section shall be construed to limit the authority of the Administrator to provide technical assistance to States or groups of States for the implementation of regulations those States have adopted or may adopt concerning the limitation of greenhouse gas emissions, including providing any data developed in accordance with the rules or actions repealed by subsection (b)."

The Acting CHAIR. Pursuant to House Resolution 203, the gentleman from Connecticut (Mr. MURPHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. MURPHY of Connecticut. I yield myself such time as I may consume.

Madam Chair, this amendment is fairly simple. While the underlying bill, though, I think very wrongly prevents the EPA from going forward on regulating greenhouse gases, my amendment affirms that state-run greenhouse gas programs will not be affected by the underlying legislation.

My amendment simply clarifies that language, by keeping in practice the longstanding tradition whereby the EPA will be able to continue providing technical assistance for States like mine who have taken action on their own to combat climate change. I think this is a good and perfecting amendment. Unfortunately, it doesn't do enough to allow me to support this legislation.

I can't support this legislation, because, as many have said before, it is simply an affront, an attack on science, on 99 percent of peer reviewed articles which have supported the idea that the United States needs to do something as 5 percent of the world's population and 25 percent of the world's pollution. We have 230,000 deaths that have been prevented by the Clean Air Act, and the economic benefits outweigh the costs of it by a 3-to-1 margin.

But even if you set aside the scientific debate, there are dozens of other reasons why we should be supportive of the United States and the

EPA taking a strong role on the issue of regulating greenhouse gases. It is an affront to the millions of unemployed workers in this country who are asking for leadership from this Congress on developing a new economy in the area of clean energy, to allow the EPA the ability to join other nations around the world in putting a downward pressure on carbon emissions so that we can have an upward pressure on the number of new clean energy jobs that this country can create. But even if you set aside that argument, even if you set aside the science, set aside the jobs argument, from a national security perspective, we need to go forward with these EPA regulations, or, in the absence, we need to be passing legislation here in the United States Congress.

We continue to send abroad American dollars to petro-dictators who use it to funnel money to the very people that are seeking to attack this nation. From a national security standpoint, we need to be moving forward with a greenhouse gas strategy.

I am proposing this amendment, though, because for all of the naysayers, for all of the people who talk about doomsday and Armageddon if these EPA regulations are to go into effect, I'd like them to come to Connecticut, I'd like them to come to the 10 States that are part of the RGGI carbon emissions regime in which we have seen what smart regulation of carbon can do. We have set an aggressive standard in our RGGI system whereby we are seeking a 10 percent reduction in carbon, and we're doing it through the dreaded cap-and-trade regime that many on the other side have talked about for years.

What have we seen in Connecticut? The jury is in, the results are in, and we have in the 10 RGGI States saved enough energy to equal the cumulative input of 442,000 homes. We've saved an immense amount of energy. Now by doing that, what's happened to cost? Well, guess what? Cost has plummeted. We have saved \$744 million for consumers in Connecticut. Why? We've decreased demand for energy, and so we have decreased cost. We have saved energy and we have decreased cost through a system of carbon control not dissimilar to ones we've talked about in this Congress and not dissimilar to what we are looking at at the EPA today. I propose this amendment as a way of simply allowing States to move forward with what I think have been very beneficial carbon reduction regimes in the absence of Federal control.

I think it's a sad day that we're here talking about this today. It used to be that Republicans and Democrats could at the very least agree on clean air. We could at the very least agree on the fact that pollution was an issue which we should address. And the fact that that is now a subject of disagreement, I think, is a grave statement on how far the Republican Party has come over the last decade.

I reserve the balance of my time.

Mr. SCALISE. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. SCALISE. I yield 2½ minutes to the gentleman from Kansas (Mr. POMPEO).

Mr. POMPEO. Madam Chairman, I rise in opposition to the Murphy amendment.

I heard my colleague speak. He talked about it being a sad day, a day when Republicans and Democrats cannot agree about the importance of environmental safety and clean air. I could not disagree more. Those of us on our side care deeply to make sure we've got clean air and clean water and safe drinking water. We care deeply about that. It is not a sad day.

I've been here in Congress for 90 days. Yesterday marked 3 months on station. The Democrats have been talking about jobs bills. Where are the jobs bills? Well, here's one. Here's the first of many. If we can begin to peel away the burden and the disaster that are the regulations that EPA is beginning to place on our country, then we will once again create an environment where the private sector can create jobs, where we can once again create manufacturing jobs.

Until January 5 of this year, I was in the manufacturing sector. I was making things in the private sector. And I watched as government got in the way and made it expensive, drove up the cost of energy so that our products were not competitive. We are now, beginning with H.R. 910, to peel that back, to take on the task of restoring opportunity for Americans once again to manufacture here in our country, for those folks who are struggling to begin once again to afford energy for themselves, for their families, and for our small businesses.

I oppose the Murphy amendment because it guts what we're trying to do in H.R. 910, which is to once again put America back on a course that says we're going to have safe air, we're going to have clean drinking water, but we're going to do it in a way where the private sector can create jobs, we can grow our economy, and we will not have to have the unemployment rate that we have struggled through for the last 2½ years.

Mr. MURPHY of Connecticut. May I inquire as to how much time is remaining.

The Acting CHAIR. The gentleman from Connecticut has 30 seconds remaining, and the gentleman from Louisiana has 3 minutes remaining.

Mr. MURPHY of Connecticut. I yield myself the balance of my time.

I would inquire of the gentleman as to how he thinks this amendment guts the underlying legislation. All this amendment does is simply allow for the EPA to continue working with States on their own systems. I think the hyperbole has gotten a little out of

control from the Republican side. This is simply seeking to assist States in the work that they are continuing to do today. It does absolutely nothing to gut the underlying legislation, and it just adds clarifying language to allow States to move forward with their own systems of controlling greenhouse gases.

I yield back the balance of my time.

□ 1640

Mr. SCALISE. Madam Chair, we are here today because the EPA has continued to push this effort to pass a national energy tax. It was tried through cap-and-trade over the last year and a half. That bill went through the legislative process and was defeated in a bipartisan way. This is not a Republican or a Democrat issue when we're talking about preventing the EPA from running millions of jobs out of our country, and that is literally what's at stake here.

Believe me, as people look through the letters of support and as we comb through the days of testimony that we've had on this over the last 2 years with regard to this concept of the EPA's regulating greenhouse gases, Madam Chair, we are talking about a proposal by the EPA that, according to the National Association of Manufacturers, would run 3 million jobs out of our country.

Now, we should all be here working feverishly to create jobs. In fact, our legislation, the National Energy Tax Prevention Act, will create jobs because it will remove the uncertainty that exists today where so many employers, so many of our job creators, are scared to death of the threat now of regulation coming over; because, again, Congress rejected their proposal for the national energy tax through cap-and-trade in a bipartisan way.

Mr. WAXMAN. Madam Chair, I have a parliamentary inquiry.

The Acting CHAIR. Does the gentleman from Louisiana yield to the gentleman from California for that purpose?

Mr. SCALISE. If the gentleman has a parliamentary inquiry, I don't think that comes out of my time.

Mr. WAXMAN. Parliamentary inquiry.

The Acting CHAIR. If the gentleman from Louisiana yields for the parliamentary inquiry it will come out of his time.

Mr. SCALISE. I yield for a parliamentary inquiry.

PARLIAMENTARY INQUIRY

Mr. WAXMAN. Madam Chair, my inquiry is: Must the debate be on the pending amendment or can the debate be on a broader bill?

Mr. SCALISE. I reclaim my time, Madam Chair, because I am talking specifically about the amendment. If I am allowed the opportunity to continue with my comments, I have to finish a thought first before we talk specifically about the amendment.

First of all, if you look at what happened by legislation, they tried legislation, and the legislation failed. A bipartisan vote defeated that legislation. Then they came back with regulation. So this proposed regulation is being addressed by our bill, the underlying bill.

The amendment by the gentleman from Connecticut proposes to create a loophole to continue to allow the EPA to get their nose back under that tent to regulate greenhouse gases. You can just look at the language to see that it allows for that loophole that we're trying to close.

First of all, in a bipartisan fashion, Madam Chair, Congress has said we don't want the EPA imposing the national energy tax that cap-and-trade would propose. We don't want those millions of jobs leaving our country. Then they came back through regulation, and they said, Well, we'll just do it through regulation, a de facto cap-and-trade energy tax, because they couldn't get it passed through Congress.

Of course, anyone who has taken civics knows you're supposed to go through the legislative process if you want to change policy. So, if our underlying bill passes the House, then they won't be able to go through regulation; but the gentleman's amendment would actually say that there would be a loophole even though Congress would say, No, you don't have the authority to do that. You can't run those jobs to places like China where they have absolutely no environmental controls that we have today, which are dramatically better than those they have in China and India and in some of the other countries, countries which would be happy to take the millions of American jobs that would flee this country if they were able to get away with it.

We have to reject this amendment and take that loophole away. Don't give them that loophole to continue to regulate greenhouse gases through a de facto cap-and-trade national energy tax. So I would ask that we reject this amendment and pass the underlying bill.

The Acting CHAIR. The time of the gentleman has expired.

In response to the gentleman from California's parliamentary inquiry, remarks are to be confined to the question under debate.

Mr. WAXMAN. Madam Chair, I ask unanimous consent that we expand the debate by 2 minutes on each side on this particular amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

Mr. UPTON. One and one. Why don't we do 1 minute each.

Mr. WAXMAN. Two and two. Let's do 2 minutes each.

Mr. UPTON. We can accept one and one.

Madam Chair, I ask unanimous consent that the majority and the minority each have an additional 1 minute on this amendment.

Mr. WAXMAN. Reserving the right to object, I would plead with my chairman to agree to an additional minute to each side because I think that there is an important issue that is being ignored in this particular amendment. Each side may not need to take up the 2 minutes.

Mr. UPTON. We're working against the clock a little bit; so I would prefer that we just do one and one and end it there on this amendment.

Madam Chair, I ask unanimous consent that each side have 1 additional minute on this amendment.

Mr. WAXMAN. I ask unanimous consent that each side have 1½ minutes.

The Acting CHAIR. Is there objection to the request of the gentleman from Michigan for 1 minute for each side?

There was no objection.

The Acting CHAIR. The gentleman from Louisiana (Mr. SCALISE) and the gentleman from Connecticut (Mr. MURPHY) each will control 1 extra minute.

Mr. MURPHY of Connecticut. I yield the balance of my time to the gentleman from California (Mr. WAXMAN).

The Acting CHAIR. The gentleman from California is recognized for 1 minute.

Mr. WAXMAN. I thank the majority for their graciousness in allowing for a clarification.

This amendment simply says all that you suggest in your bill would become law, if it were passed, with the exception that we would continue to allow the EPA to give technical information to the States. It does not replace the other restrictions on EPA. It only allows them to give technical information to the States, which they do already without regulating greenhouse gases, under the United Nations Framework Convention on Climate Change, which was ratified by the Senate in 1992 after submittal by President Bush. Because of this international agreement, we try to keep track of what's going on, and the States should be able to talk to the EPA and to get expert advice from the EPA unless you think the States should not be allowed to do anything on their own, which would be something beyond the scope of this amendment.

So I would urge my colleagues who support their bill not to be against this amendment.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SCALISE. I appreciate the offer of the gentleman from California, but I cannot adhere to a United Nations framework. I cannot adhere to the ability for the EPA to continue to keep their nose under the tent to provide whether it's called "technical assistance" or whether they try to continue to push things, because the EPA does interact with States on other issues, and I surely would not want to see some kind of situation where the EPA is going to try to hold something else over a State's head and use this threat, because they really do want the chance to regulate greenhouse gases and impose an energy tax.

So I think we've debated it very thoroughly. I understand your position, and I respect the gentleman from Connecticut's position. I just don't agree. I think we need to preserve American jobs and let the States do what they already do such a good job of doing; but we need to tell the EPA that "no" means "no." They've got their own role to play, and it's not regulating greenhouse gases.

AMERICAN IRON AND STEEL INSTITUTE,
Washington, DC, March 9, 2011.

Hon. FRED UPTON,
Chairman, House Committee on Energy and
Commerce, Rayburn House Office Building,
Washington, DC.

DEAR CHAIRMAN UPTON: On behalf of the American Iron and Steel Institute (AISI), I am pleased to offer our support for H.R. 910, the Energy Tax Prevention Act (EPTA). This legislation is necessary to prevent EPA from regulating greenhouse gases (GHGs) from stationary sources under the Clean Air Act, thereby removing a regulatory uncertainty that is impeding domestic economic growth and job creation.

AISI is comprised of 25 member companies, including integrated and electric furnace steelmakers, and 140 associate and affiliate members who are suppliers to or customers of the steel industry. AISI's member companies represent approximately 80 percent of both U.S. and North American steel capacity. The steel industry in the U.S. has substantially reduced its GHG emissions over the past two decades. The industry has reduced its energy-intensity by 30% since 1990, and reduced while GHG emissions by 35% over the same time period. The industry has well exceeded the Kyoto Protocol targets, is committed to continued improvement, and hasn't waited for Congress or EPA to act.

The domestic steel industry is both energy-intensive and subject to substantial international competition. In particular, this competition comes from nations such as China, where no similar CO₂-reduction legislation or regulatory policies exist. In the absence of an international agreement on GHG emissions reductions, EPA regulation of stationary sources will only transfer emissions—and high-value manufacturing jobs—overseas. This will have a negative impact on domestic industry and will not result in a net emissions reduction worldwide.

As you know, the Clean Air Act was not written to regulate greenhouse gas emissions, and is therefore the wrong mechanism for EPA to use in this case. No policies have been proposed to accompany the EPA regulations to address competitiveness concerns of energy-intensive, trade-exposed industries, such as steel. The result will be the "leakage" of emissions and manufacturing jobs to competitor nations without comparable regulations, which is problematic from both the economic and environmental perspectives.

If the EPA is allowed to proceed with its GHG regulations from stationary sources, plants in the steel industry will be forced to adhere to yet another level of new strict regulations and be required to obtain costly permits. This would be a devastating blow to investment and growth in the industry, not to mention the implications of coupling these regulations with the recession that has hit the country and the manufacturing economy.

Sincerely,

THOMAS J. GIBSON,
President and Chief Executive Officer.

[From Americans for Prosperity, March 3, 2011]

AMERICANS FOR PROSPERITY APPLAUDS REPRESENTATIVES COLLIN PETERSON, DAN BOREN AND NICK RAHALL FOR SUPPORTING EPA PREEMPTION

AFP today commended three senior Democratic representatives—Collin Peterson of Minnesota, Dan Boren of Oklahoma and Nick Rahall of West Virginia—for cosponsoring the Inhofe-Upton bill to clarify that the Environmental Protection Agency (EPA) has no authority to regulate greenhouse gasses under the Clean Air Act (CAA).

"It's great to see three leading Democratic congressmen speak with such a clear voice that EPA should not be allowed to go around Congress to adopt job-killing global warming regulations," said AFP vice President for Policy Phil Kerpen. "These regulations amount to a backdoor effort to adopt restrictions similar to the cap-and-trade bill Congress and the American people already rejected."

"AFP commends free market heroes like Senator Inhofe and Congressman Upton for challenging unelected bureaucracies like the EPA when they try to bypass the American people," said president of AFP, Tim Phillips.

The Clean Air Act is so ill-suited to being twisted as a global warming bill that EPA resorted to disregarded statutory thresholds and demanding that states amend their laws to conform. This so-called Tailoring Rule is being contested in court and experts predict it is unlikely to survive the legal challenge.

"Kudos to Boren, Peterson, and Rahall for standing up to the EPA and doing what's right," Kerpen concluded. "I hope more Democrats will put jobs, the economy, and legitimate legislative process ahead of environmental extremism and join them."

AMERICANS FOR TAX REFORM,
Washington, DC, March 7, 2011.

DEAR REPRESENTATIVE: On behalf of Americans for Tax Reform (ATR) and millions of taxpayers nationwide, I urge you to support Rep. Fred Upton's (R-Mich.) Energy Tax Prevention Act of 2011. If passed, this legislation will return the obligation of setting America's climate policy to Congress from the Environmental Protection Agency (EPA).

Since losing the Cap-and-Trade debate, Democrats have turned to the EPA to impose their radical environmental agenda on this country. The impetus behind Cap-and-Trade was to force Americans to move towards less efficient, more expensive sources of energy. Similarly, the EPA is attempting to achieve this end through the regulation of greenhouse gases.

Standing on legally precarious ground, the EPA is citing the Clean Air Act as justification for its dubious agenda. Employing the Clean Air Act for objectives it was never intended to realize, the EPA has infringed on the legislative responsibilities of Congress.

The Energy Tax Prevention Act has been introduced to put a stop to such regulatory overreach and abuse. Addressing one of the most pressing problems facing this country, the Energy Tax Prevention Act bars federal regulators from co-opting the Clean Air Act to regulate greenhouse gases.

If the EPA continues on its current course, unelected federal bureaucrats will continue to unilaterally dictate ruinous economic policies. We should hold President Obama to his stated commitment to reassess America's regulatory system in the name of economic growth and fiscal responsibility. The President should be reminded that the EPA's initiatives to regulate greenhouse gasses would raise energy prices, destroy businesses, and ship jobs overseas. These policies are motivated not by science, and not out of concern

for American industry, but by ideology alone.

Rep. Upton seeks to restore the role of the U.S. congress in the development and implementation of the nation's climate and energy policy. Their bill is not a referendum on climate change or greenhouse gases but rather who will set our country's energy policy—elected Representatives or unaccountable political appointees.

In the interest of preserving our economic freedom, and the proper authority of congress, please join me in supporting the Energy Tax Prevention Act of 2011.

Onward,

GROVER G. NORQUIST.

MARCH 9, 2011.

Re Upton-Inhofe Bill a Key Step Toward Stopping EPA's GHG Regulations.

DEAR CHAIRMAN UPTON AND CHAIRMAN WHITFIELD: On January 2, 2011, the U.S. Environmental Protection Agency (EPA) began regulating greenhouse gas (GHG) emissions from stationary sources. EPA's rules require industrial sites, power plants and other businesses that emit GHGs above certain thresholds to apply for a permit whenever they want to build or modernize their facilities. In today's fragile economy, when we need American businesses to be expanding at full speed, these rules create uncertainty and delay.

We welcome the efforts of lawmakers from both parties to stop the EPA's harmful regulations so that business growth and hiring can continue. We applaud the leadership that you and Senator Inhofe are providing on this issue through the introduction of The Energy Tax Prevention Act of 2011 (H.R. 910). This bipartisan legislation is helping to keep attention squarely focused on the issue and building momentum toward a solution.

Congress, not EPA, should be guiding America's energy policy. Without action by lawmakers, EPA's regulations will make it difficult to attract new manufacturing capacity and jobs to the United States, let alone double U.S. exports in five years, as President Obama has pledged. Moving your legislation forward is a critical first step.

We look forward to working with you to stop harmful regulations and in doing so, strengthen the economic recovery, support American manufacturing and create jobs.

Sincerely,

American Chemistry Council, American Coalition for Clean Coal Electricity, American Forest & Paper Association, American Iron and Steel Institute, American Petroleum Institute, Brick Industry Association, CropLife America, Industrial Minerals Association, National Association of Manufacturers.

National Association of Wholesaler-Distributors, National Lime Association, National Mining Association, National Oilseed Processors Association, National Petrochemical and Refiners Association, The Aluminum Association, The Fertilizer Institute, U.S. Chamber of Commerce.

AMERICAN PUBLIC POWER
ASSOCIATION,
Washington, DC March 9, 2011.

Hon. FRED UPTON,
Chairman, House Energy & Commerce Committee, Rayburn House Office Building, Washington, DC.

Hon. ED WHITFIELD,
Chairman, House Energy & Power Subcommittee, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN UPTON AND CHAIRMAN WHITFIELD: On behalf of the American Public Power Association, I am writing to express our support for the Energy Tax Prevention Act. APPA is the national service organiza-

tion representing the interests of over 2,000 community-owned, non-for-profit electric utilities. These utilities include state public power agencies, municipal electric utilities, and special utility districts that provide electricity and other services to over 46 million Americans.

APPA believes that the Clean Air Act (CAA) is not appropriately designed to address greenhouse gas (GHG) emissions and that the Environmental Protection Agency's (EPA) efforts to regulate such gases under the statute are causing undue uncertainty for the electric utility sector and are likely to result in unnecessarily high costs. In particular, APPA members are concerned with the application of Best Available Control Technologies (BACT) for GHG emissions under New Source Review (NSR) and the planned establishment of Section 111 New Source Performance Standards for GHGs for new, modified, and existing electric power plants. No commercially available technologies currently exist to reduce GHG emissions. APPA also believes that many states will find that they need additional time in order to implement any final EPA regulatory action given state budget cuts, staff reductions, and other administrative issues. For these reasons, APPA supports congressional action to preempt EPA's authority to regulate GHG emissions under the CAA.

Instead, APPA believes Congress should address the issue of climate change through new legislation and supports efforts to do so on an economy-wide basis that properly balances environmental goals with impacts on consumers and the economy. Such legislation should create a new regime for reducing GHG emissions that is separate and apart from the CAA, which was created to address criteria pollutants for human health protection.

Thank you for your leadership on this important issue affecting electric utilities. I hope you will feel free to contact me or the APPA government relations staff with any questions.

Sincerely,

MARK CRISSON,
President & CEO.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Connecticut (Mr. MURPHY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MURPHY of Connecticut. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Connecticut will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. WAXMAN

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-54.

Mr. WAXMAN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 5. CONGRESSIONAL ACCEPTANCE OF SCIENTIFIC FINDINGS.

Congress accepts the scientific findings of the Environmental Protection Agency that climate change is occurring, is caused largely by human activities, and poses significant risks for public health and welfare.

The Acting CHAIR. Pursuant to House Resolution 203, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Madam Chair, I rise to offer an amendment, with my colleagues Representatives DEGETTE and INSLEE, that recognizes the scientific reality of climate change.

Our amendment states that Congress accepts EPA's scientific finding that climate change is occurring, is caused largely by human activities, and poses significant risks for public health and welfare. This simple recognition is far from enough, but it is crucially important. As long as Congress pretends that climate change isn't occurring, we can justify not addressing it.

Last month, the eminent scientific journal *Nature* wrote an editorial entitled, "Into Ignorance."

□ 1650

And I want to read from this editorial: "Republicans on the Energy and Commerce Committee have made clear their disdain for climate science. At a subcommittee hearing, misinformation was presented as fact, truth was twisted, and nobody showed any inclination to listen to scientists. There has been an embarrassing display, not just for the Republican Party, but also for Congress and the U.S. citizens it represents."

The U.S. Congress has entered the intellectual wilderness. This amendment is a step out of that wilderness. It says we accept the scientific findings of EPA—and the best scientists in our country and around the world—that climate change is a serious threat to our health and welfare. And it recognizes that while we have the power to change the laws of our Nation, we cannot rewrite the laws of nature.

It may be difficult for us to agree on a solution to climate change, but at least we should be able to agree that it is a real problem and one we need to address.

I hope my colleagues will support this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. SENSENBRENNER. Madam Chairman, I yield 1½ minutes to the gentleman from Illinois (Mr. DOLD).

Mr. DOLD. Madam Chair, I believe in science. I also know that the Earth has been warming for some time. In fact, the underlying bill, H.R. 910, concludes by acknowledging there is scientific concern over the warming of the climate system and that addressing the climate change is an international issue.

I believe that human activity is also playing a role. The question is how big

a role. This amendment would have Congress adopt intentionally vague language on human involvement and the risks associated with climate change without defining the size and scope of human behavior and the risk to the environment.

Madam Chair, I believe that we must reduce our dependence on foreign oil and expand research and development of clean energy sources and ensure that future generations of Americans have a clean and healthy environment. But I do not believe in the notion that the Waxman amendment puts forward that states that Congress shall only accept the scientific findings of the EPA. We should encourage open, transparent scientific studies, not limit our scientific findings to one government agency.

We must work together in a bipartisan manner to promote clean energy and encourage greater energy efficiencies to guarantee that our children and grandchildren have a cleaner environment than we have today.

I urge a "no" vote on this amendment.

Mr. WAXMAN. Madam Chair, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. I appreciate my Republican colleague's statement, but the clear fact of this bill is, if it passes, what does it do? It basically says that Sir Isaac Newton, Albert Einstein, and Thomas Edison didn't know what they were talking about because this bill, in rather clear form, caters to a narrow sector of a narrow political interest to ignore clear science. And there is no way you can get around this or sweet-talk your way around this clear rejection of science.

Now, this isn't just us. Who has cleared and said this statement that we seek to put in this bill is correct? Only the National Academy of Sciences, NOAA, the Department of Defense, the Centers for Disease Control, the American Meteorological Society, the American Geophysical Union, the Geological Society of America, the American Association for the Advancement of Science, the American Institute of Physics, and the American Chemical Society. But one side of the aisle thinks that the tea party has greater scientific credibility, and that's who you are catering to when you refuse to adopt this amendment.

Let's have a bipartisan statement of the problem so that we can have a bipartisan statement of the solution.

Mr. SENSENBRENNER. Madam Chair, I am the only speaker left, and I believe that I have the right to close. So if the gentleman from California could use the remainder of his time.

The Acting CHAIR. The gentleman from California has the right to close.

The gentleman from Wisconsin has 3½ minutes remaining; the gentleman from California has 2 minutes remaining.

Mr. SENSENBRENNER. Madam Chair, I yield myself the balance of my time.

Madam Chair, this is an amendment that attempts to reverse the entire thrust of this legislation. In effect, it gives the proxy to the EPA to make determinations that will have vast impact on our economy without going through the usual legislative process. This is our job to make a determination on whether the Clean Air Act is the proper vehicle to deal with issues related to greenhouse gases.

This is not a debate on the underlying science of climate change, and I think that has to be made clear. But if we do want to talk about the EPA's ability to mitigate climate change, let's focus on their own projections.

EPA's analysis of the current rule states that it will only result in 1/100 of a degree of lowering of the Earth's average temperature by the year 2100. Administrator Jackson herself stated before the Energy and Commerce Committee that EPA regulation will not ultimately be able to change the amount of CO₂ that is accumulating in the atmosphere if other nations do not agree also to limit emissions. And they aren't, and they won't.

So, regardless of whether or not Congress issues a scientific finding based upon a 10-minute amendment debate, we are faced with the indisputable fact that EPA greenhouse gas regulations will lead to billions upon billions of dollars leaving our economy with absolutely zero environmental benefit. This amendment flunks the cost-benefit analysis. It ought to be rejected.

We are here today about protecting the economy, job creation, and stopping energy prices from skyrocketing. That's what will happen if this amendment is adopted. It should be rejected in the name of jobs and a healthy economy.

Madam Chair, I yield back the balance of my time.

Mr. WAXMAN. Madam Chair, to close, I yield the balance of my time to my colleague, who is a cosponsor of this legislation along with myself and Mr. INSLEE, the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. I thank the ranking member for allowing me to close.

This amendment gives Members of the House what should be a very simple choice: recognize the overwhelming science or vote to deny the overwhelming science.

We in Congress can certainly change the laws of this country, but last I heard we cannot change the laws of nature. There is no serious disagreement on the science of climate change. In fact, the findings have been confirmed by all leading scientific academies around the world. The National Academy of Sciences last year issued a series of comprehensive reports that are unambiguous. It says, for example, "Climate change is occurring. It is caused largely by human activities, and in many cases it is already affecting a broad range of human and natural systems." And even a team of scientists from UC Berkeley, who were

told to try to disprove global climate change, just reported last week to a congressional committee that in fact global climate change is occurring.

This is simple. This is clear. H.R. 910 represents an effort to deny and run away from science and reality. It ignores one of the chief drivers behind our need for a clean and modernized energy policy: massive and growing human consumption of carbon-based fuels.

Last Congress, and again today, I chose to be on the side of those who acted to address a climate disaster and put into place the framework for an energy policy which this country so painfully goes without and so little can afford. I urge my colleagues to do the same.

Vote "yes" on this amendment. Vote "no" on the underlying bill and stand with science.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WAXMAN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

□ 1700

AMENDMENT NO. 7 OFFERED BY MR. QUIGLEY

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112-54.

Mr. QUIGLEY. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. 5. GAO REPORT.

Not later than one year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of a study of health care costs in the United States as affected by the elimination of Environmental Protection Agency regulation under this Act, as compared to health care costs in the United States as would be affected by the Environmental Protection Agency proceeding with regulation in its role as determined in *Massachusetts v. EPA* (549 U.S. 497 (2007)).

The Acting CHAIR. Pursuant to House Resolution 203, the gentleman from Illinois (Mr. QUIGLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. QUIGLEY. Madam Chair, my amendment would require that the GAO report to Congress the results of a study of health care costs in the U.S. as affected by the elimination of EPA regulation under this act. Further, the report would also detail health care costs in the U.S. proceeding under the EPA's current regulatory authority as determined in 2007 in *Massachusetts v. EPA*.

It is science, hard facts, and figures that have led hundreds of scientists to confirm that global warming is real. Despite the other numbers you may have heard, the most convincing one is that there are over 200 peer reviewed scientific studies that have determined that global warming is real and that man contributes to that, and exactly zero that have proved or shown evidence to the contrary.

It was science that led the Congress to pass the Clean Air Act, the act which designated the EPA as the body charged with overseeing, adapting, and implementing these regulations. It was science that led the Supreme Court to rule in 2007 that the Environmental Protection Agency does in fact have the authority to regulate greenhouse gases.

My amendment is simple. It directs the GAO to report the cost of health care under the Clean Air Act, and then to report the costs of health care with this bill passing as it modifies the amendment.

In 2010 alone, the EPA reported the reduction in fine particulate and ozone pollution from the Clean Air Act prevented more than 160,000 premature deaths, 130,000 heart attacks, 13 million lost workdays, and 1.7 million asthma attacks. These are serious health issues that burden the government with serious bills.

We face serious budgetary times. We may be out of a recession, but we are far from recovered. If we are committed to making the government more efficient and effective to cutting waste, fraud, and abuse, we must acknowledge that spending a smart dollar up front saves many dollars on the back end.

I encourage my colleagues to support this amendment that will allow the experts at the GAO to show us a world with the Clean Air Act and a world without. My estimation is that a world with less mercury in our water and less ozone in our air will cost far less in dollars and deaths than the opposite, but I will defer to the experts and look forward to their report on this subject.

I reserve the balance of my time.

Mr. HARPER. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Mississippi is recognized for 5 minutes.

Mr. HARPER. This amendment filed by the gentleman from Illinois would require a GAO study to be completed, 1 year, analyzing how health care costs are affected if EPA does not proceed with regulation in its role as determined in *Massachusetts v. EPA*.

You know, this case did not determine whether or how EPA should regulate greenhouse gases. To the contrary, it did not mandate that EPA move forward with global warming regulations, and it certainly did not direct the EPA to begin regulating tens of thousands or millions of stationary sources across the United States economy.

In any event, no GAO study is needed because the EPA, itself, has already

concluded that greenhouse gases pose no direct adverse health effects.

Here's what the EPA has stated: "Current and projected ambient greenhouse gas concentrations remain well below published thresholds for any direct adverse health effects, such as respiratory or toxic effects."

So even if the EPA had concluded that there were direct health impacts, EPA's own administrators concluded that the agency's greenhouse gas rules are not going to be effective in appreciably reducing temperatures or global emissions.

Administrator Jackson has said: "We will not ultimately be able to change the amount of CO₂ that is accumulating in the atmosphere alone." If anything, EPA's global warming rules will cause global emissions to increase as U.S. manufacturing and industry goes to countries with much less stringent environmental laws.

I urge my colleagues to vote "no" on this amendment.

I reserve the balance of my time.

Mr. QUIGLEY. Madam Chair, I guess my response is, with all due respect, prove me wrong. If there is no health care risk, let the GAO independent analysis prove us wrong.

But there's a lot at stake here, and I would defy anyone to say that greenhouse gases are not in and of themselves—putting aside the issue of global warming—dangerous because many of them are precursors to ozone. I live in Chicago, which is the morbidity and mortality capital of the United States for people who are afflicted with asthma, and there is a dramatic and direct impact of what ozone does to those people suffering from asthma.

So prove me wrong. Show me how we're wrong on this. Let there be a study which goes to this, because if I'm wrong, no damage done. But if there is some danger here and we have decided that it is not worth our study, then we have done a grave disservice to the American public and put their lives at risk.

I yield back the balance of my time.

Mr. HARPER. I yield the balance of my time to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. Madam Chair, I want to thank the chairman of the Energy and Commerce Committee, Mr. UPTON, and the gentleman from Mississippi (Mr. HARPER) for yielding time for me to speak on this amendment.

I rise in strong opposition to the Quigley amendment because it represents an unnecessary use of case law in *Massachusetts v. EPA*. Some of what I say is repetitive. Mr. HARPER has just said it, but it bears repeating, Madam Chair.

This amendment requires the GAO to conduct a study analyzing how health care costs will be affected if the EPA does not proceed with regulation in its role as determined in *Massachusetts v. EPA*.

Madam Chair, I would like to remind the author of the amendment, Mr.

QUIGLEY, that Massachusetts v. EPA did not determine whether or how the EPA should regulate greenhouse gases. Furthermore, a GAO study on this matter is not necessary because the EPA has already concluded that greenhouse gases have no adverse health effect.

Specifically, the EPA has stated: "Current and projected ambient greenhouse gas concentrations remain well below published thresholds for any direct adverse health effects, such as respiratory or toxic effects."

Opponents of this legislation have tried unsuccessfully to assert that the underlying bill will block the EPA from safeguarding public health from the effects of air pollution and will result in increased asthma attacks or other respiratory illnesses. Nothing could be further from the truth.

Madam Chair, H.R. 910 does not affect the EPA's ability and responsibility to protect the public from hazardous air pollution. Regardless of whether or not EPA imposes these cap-and-trade regulations, the agency will continue to have the authority to regulate all of the high-priority pollutants that raise public health concerns.

As an original cosponsor of H.R. 910, I strongly support the underlying bill to prohibit the Environmental Protection Agency from using the Clean Air Act to regulate greenhouse gases.

By avoiding these harmful regulations, H.R. 910 will save countless numbers of jobs and prevent the implementation of an energy tax that would cost our economy literally tens of billions of dollars when we can least afford it.

Madam Chair, I urge my colleagues to reject this amendment and support the underlying bill.

Mr. BILBRAY. Will the gentleman yield?

Mr. GINGREY of Georgia. I yield to the gentleman from California.

Mr. BILBRAY. Madam Chair, I want to point out the comment was made about the precursor to ozone. Thirty years of air pollution regulations. Ask the South Coast Air Basin in Los Angeles. It never regulated CO₂ as a precursor to ozone because it was so miniscule that there are so many other issues that are absolutely essential to address that you didn't even look at that.

And if you didn't think those of us in California, that we're working on air pollution, air quality, our county in San Diego went from "severe" down to "serious" because we were successful. And it wasn't chasing ozone. I mean, not chasing CO₂. It was tracing true toxic emissions.

So when you talk about implementing these plans, understand you're talking about sacrificing efforts that are at true risk.

The Acting CHAIR. The time of the gentleman from Georgia has expired.

The question is on the amendment offered by the gentleman from Illinois (Mr. QUIGLEY).

The amendment was rejected.

□ 1710

AMENDMENT NO. 8 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112-54.

Mr. POLIS. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 330 of the Clean Air Act, as proposed to be added by section 2 of the bill, insert after subsection (a) the following (and redesignate the subsequent subsections accordingly):

"(b) TEMPORARY SUSPENSION FOR PUBLIC HEALTH EMERGENCIES.—The Administrator may by rule, after public notice and comment, temporarily suspend the provisions of this section if—

"(1) a detailed analysis and review by the Administrator of the latest credible and peer-reviewed science shows ground level ozone will pose significant dangers to public health;

"(2) extreme weather events pose significant danger to public health;

"(3) an increase in food and waterborne pathogens pose significant danger to public health; or

"(4) there are other significant threats to public health.

The Acting CHAIR. Pursuant to House Resolution 203, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Madam Chair, this amendment is simple, and I appreciate the rule making it in order. It allows the Environmental Protection Agency to continue protecting the American people from the greatest public health and environmental challenge in global history, global climate change.

The overwhelming scientific evidence suggests that greenhouse gases and carbon pollution, if left unchecked, pose a significant threat to public health. This is not a scientific conclusion that anybody in the investigative community desires or wants. It is an unfortunate reality. I simply want the administrator to have the ability to temporarily unlock the handcuffs on the bill if there is a significant threat to the public health.

Let's walk ourselves through what this bill does. The bill tells the EPA, EPA, you have done your homework just like the Supreme Court told you to do, and every inch of credible science is telling you there is a danger to America's health. Yet, we here in Congress know better. We will pretend like there is not a danger to the American health. We won't allow you, the EPA, that we set up and charged with this, to pay attention to the warnings or protect Americans from the dangers.

To me, that's a very dangerous directive, telling the EPA they can't act even though they know we are in danger. If there was a meteor hurtling towards us, I would hope that this body wouldn't pass a bill that tells NASA to ignore it, to step away from the tele-

scope, specifically forbids them from telling people to get out of the way. Yet that's exactly what this bill does with the very real and present danger.

I, for one, want the EPA to be able to protect me, and my family and my constituents and all American families when the overwhelming warning signs say they should do just that. But if this body sends a message to the contrary, at the very least we should be smart enough to include a temporary escape hatch, a safety valve that my amendment provides.

Madam Chair, I am going to vote today to put America's health before big polluters. The other side of the aisle likes to skew the facts. And instead of paying attention to the warning signs, they protect their big polluter friends by confusing the facts. It's critical that we provide a safety valve that when there is a clear and present danger to the health of the American people we don't hamstring the very agency that we have set up to protect the health of the American people, and enable them to move forward to protect us.

This endangerment finding, the title of the EPA's research on dangers to our health, was based on sound science and found that as climate change increases, so does ground ozone level, air- and water-borne pathogens, and mold and pollen allergens that affect and make health problems worse like asthma, respiratory irritation, and heart disease. We cannot oversimplify a very serious problem with no easy answers.

[From the Federal Register, Tuesday, Dec. 15, 2009]

PART V—ENVIRONMENTAL PROTECTION AGENCY

40 CFR CHAPTER I—ENDANGERMENT AND CAUSE OR CONTRIBUTE FINDINGS FOR GREENHOUSE GASES UNDER SECTION 202(a) OF THE CLEAN AIR ACT; FINAL RULE

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Chapter I

[EPA-HQ-OAR-2009-0171; FRL-9091-8]

RIN 2060-ZA14

Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Administrator finds that six greenhouse gases taken in combination endanger both the public health and the public welfare of current and future generations. The Administrator also finds that the combined emissions of these greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas air pollution that endangers public health and welfare under CAA section 202(a). These Findings are based on careful consideration of the full weight of scientific evidence and a thorough review of numerous public comments received on the Proposed Findings published April 24, 2009.

DATES: These Findings are effective on January 14, 2010.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2009-0171. All documents in the docket are listed on the www.regulations.gov Web site. Although listed in the index, some information is not publicly available, e.g.,

confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through www.regulations.gov or in hard copy at EPA's Docket Center, Public Reading Room, EPA West Building, Room 3334, 1301 Constitution Avenue, NW., Washington, DC 20004. This Docket Facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Air Docket is (202) 566-1742.

FOR FURTHER INFORMATION CONTACT: Jeremy Martinich, Climate Change Division, Office of Atmospheric Programs (MC-6207J), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 343-9927; fax number: (202) 343-2202; e-mail address: ghgendangerment@epa.gov. For additional information regarding these Findings, please go to the Web site <http://www.epa.gov/climatechange/endorsement.html>.

SUPPLEMENTARY INFORMATION: Judicial Review

Under CAA section 307(b)(1), judicial review of this final action is available only by filing a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit by February 16, 2010. Under CAA section 307(d)(7)(B), only an objection to this final action that was raised with reasonable specificity during the period for public comment can be raised during judicial review. This section also provides a mechanism for us to convene a proceeding for reconsideration, "[i]f the person raising an objection can demonstrate to EPA that it was impracticable to raise such objection within [the period for public comment] or if the grounds for such objection arose after the period for public comment (but within the time specified for judicial review) and if such objection is of central relevance to the outcome of this rule." Any person seeking to make such a demonstration to us should submit a Petition for Reconsideration to the Office of the Administrator, Environmental Protection Agency, Room 3000, Ariel Rios Building, 1200 Pennsylvania Ave., NW., Washington, DC 20004, with a copy to the person listed in the preceding FOR FURTHER INFORMATION CONTACT section, and the Associate General Counsel for the Air and Radiation Law Office, Office of General Counsel (Mail Code 2344A), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20004.

Acronyms and Abbreviations. The following acronyms and abbreviations are used in this document.

ACUS Administrative Conference of the United States
ANPR Advance Notice of Proposed Rulemaking
APA Administrative Procedure Act
CAA Clean Air Act
CAFE Corporate Average Fuel Economy
CAIT Climate Analysis Indicators Tool
CASAC Clean Air Scientific Advisory Committee
CBI Confidential Business Information
CCSP Climate Change Science Program
CFCs chlorofluorocarbons
CFR Code of Federal Regulations
CH₄ methane
CO₂ carbon dioxide
CO₂e CO₂-equivalent
CRU Climate Research Unit
DOT U.S. Department of Transportation
EO Executive Order
EPA U.S. Environmental Protection Agency

FR Federal Register
GHG greenhouse gas
GWP global warming potential
HadCRUT Hadley Centre/Climate Research Unit (CRU) temperature record
HCFCs hydrochlorofluorocarbons
HFCs hydrofluorocarbons
IA Interim Assessment report
IPCC Intergovernmental Panel on Climate Change
MPG miles per gallon
MWP Medieval Warm Period
N₂O nitrous oxide
NAAQS National Ambient Air Quality Standards
NAICS North American Industry Classification System
NASA National Aeronautics and Space Administration
NF₃ nitrogen trifluoride
NHTSA National Highway Traffic Safety Administration
NOAA National Oceanic and Atmospheric Administration
NOI Notice of Intent
NO_x nitrogen oxides
NRC National Research Council
NSPS new source performance standards
NTTAA National Technology Transfer and Advancement Act of 1995
OMB Office of Management and Budget
PFCs perfluorocarbons
PM particulate matter
PSD Prevention of Significant Deterioration
RFA Regulatory Flexibility Act
SF₆ sulfur hexafluoride
SIP State Implementation Plan
TSD technical support document
U.S. United States
UMRA Unfunded Mandates Reform Act of 1995
UNFCCC United Nations Framework Convention on Climate Change
USGCRP U.S. Global Climate Research Program
VOC volatile organic compound(s)
WCI Western Climate Initiative
WRI World Resources Institute

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 - A. Overview

Pursuant to CAA section 202(a), the Administrator finds that greenhouse gases in the atmosphere may reasonably be anticipated both to endanger public health and to endanger public welfare.

Specifically, the Administrator is defining the "air pollution" referred to in CAA section 202(a) to be the mix of six long-lived and directly-emitted greenhouse gases: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs),

perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). In this document, these six greenhouse gases are referred to as “well-mixed greenhouse gases” in this document (with more precise meanings of “long lived” and “well mixed” provided in Section IV.A).

The Administrator has determined that the body of scientific evidence compellingly supports this finding. The major assessments by the U.S. Global Climate Research Program (USGCRP), the Intergovernmental Panel on Climate Change (IPCC), and the National Research Council (NRC) serve as the primary scientific basis supporting the Administrator's endangerment finding. The Administrator reached her determination by considering both observed and projected effects of greenhouse gases in the atmosphere, their effect on climate, and the public health and welfare risks and impacts associated with such climate change. The Administrator's assessment focused on public health and public welfare impacts within the United States. She also examined the evidence with respect to impacts in other world regions, and she concluded that these impacts strengthen the case for endangerment to public health and welfare because impacts in other world regions can in turn adversely affect the United States.

The Administrator recognizes that human-induced climate change has the potential to be far-reaching and multidimensional, and in light of existing knowledge, that not all risks and potential impacts can be quantified or characterized with uniform metrics. There is variety not only in the nature and potential magnitude of risks and impacts, but also in our ability to characterize, quantify and project such impacts into the future. The Administrator is using her judgment, based on existing science, to weigh the threat for each of the identifiable risks, to weigh the potential benefits where relevant, and ultimately to assess whether these risks and effects, when viewed in total, endanger public health or welfare.

The Administrator has considered how elevated concentrations of the well-mixed greenhouse gases and associated climate change affect public health by evaluating the risks associated with changes in air quality, increases in temperatures, changes in extreme weather events, increases in food- and water-borne pathogens, and changes in aeroallergens. The evidence concerning adverse air quality impacts provides strong and clear support for an endangerment finding. Increases in ambient ozone are expected to occur over broad areas of the country, and they are expected to increase serious adverse health effects in large population areas that are and may continue to be in nonattainment. The evaluation of the potential risks associated with increases in ozone in attainment areas also supports such a finding.

The impact on mortality and morbidity associated with increases in average temperatures, which increase the likelihood of heat waves, also provides support for a public health endangerment finding. There are uncertainties over the net health impacts of a temperature increase due to decreases in cold-related mortality, but some recent evidence suggests that the net impact on mortality is more likely to be adverse, in a context where heat is already the leading cause of weather-related deaths in the United States.

The evidence concerning how human-induced climate change may alter extreme weather events also clearly supports a finding of endangerment, given the serious adverse impacts that can result from such events and the increase in risk, even if small, of the occurrence and intensity of events such as hurricanes and floods. Additionally, public health is expected to be adversely af-

ected by an increase in the severity of coastal storm events due to rising sea levels.

There is some evidence that elevated carbon dioxide concentrations and climate changes can lead to changes in aeroallergens that could increase the potential for allergic illnesses. The evidence on pathogen borne disease vectors provides directional support for an endangerment finding. The Administrator acknowledges the many uncertainties in these areas. Although these adverse effects provide some support for an endangerment finding, the Administrator is not placing primary weight on these factors.

Finally, the Administrator places weight on the fact that certain groups, including children, the elderly, and the poor, are most vulnerable to these climate-related health effects.

The Administrator has considered how elevated concentrations of the well-mixed greenhouse gases and associated climate change affect public welfare by evaluating numerous and far-ranging risks to food production and agriculture, forestry, water resources, sea level rise and coastal areas, energy, infrastructure, and settlements, and ecosystems and wildlife. For each of these sectors, the evidence provides support for a finding of endangerment to public welfare. The evidence concerning adverse impacts in the areas of water resources and sea level rise and coastal areas provides the clearest and strongest support for an endangerment finding, both for current and future generations. Strong support is also found in the evidence concerning infrastructure and settlements, as well as ecosystems and wildlife. Across the sectors, the potential serious adverse impacts of extreme events, such as wildfires, flooding, drought, and extreme weather conditions, provide strong support for such a finding.

Water resources across large areas of the country are at serious risk from climate change, with effects on water supplies, water quality, and adverse effects from extreme events such as floods and droughts. Even areas of the country where an increase in water flow is projected could face water resource problems from the supply and water quality problems associated with temperature increases and precipitation variability, as well as the increased risk of serious adverse effects from extreme events, such as floods and drought. The severity of risks and impacts is likely to increase over time with accumulating greenhouse gas concentrations and associated temperature increases and precipitation changes.

Overall, the evidence on risk of adverse impacts for coastal areas provides clear support for a finding that greenhouse gas air pollution endangers the welfare of current and future generations. The most serious potential adverse effects are the increased risk of storm surge and flooding in coastal areas from sea level rise and more intense storms. Observed sea level rise is already increasing the risk of storm surge and flooding in some coastal areas. The conclusion in the assessment literature that there is the potential for hurricanes to become more intense (and even some evidence that Atlantic hurricanes have already become more intense) reinforces the judgment that coastal communities are now endangered by human-induced climate change, and may face substantially greater risk in the future. Even if there is a low probability of raising the destructive power of hurricanes, this threat is enough to support a finding that coastal communities are endangered by greenhouse gas air pollution. In addition, coastal areas face other adverse impacts from sea level rise such as land loss due to inundation, erosion, wetland submergence, and habitat loss. The increased risk associated with these adverse impacts

also endangers public welfare, with an increasing risk of greater adverse impacts in the future.

Strong support for an endangerment finding is also found in the evidence concerning energy, infrastructure, and settlements, as well as ecosystems and wildlife. While the impacts on net energy demand may be viewed as generally neutral for purposes of making an endangerment determination, climate change is expected to result in an increase in electricity production, especially supply for peak demand. This may be exacerbated by the potential for adverse impacts from climate change on hydropower resources as well as the potential risk of serious adverse effects on energy infrastructure from extreme events. Changes in extreme weather events threaten energy, transportation, and water resource infrastructure. Vulnerabilities of industry, infrastructure, and settlements to climate change are generally greater in high-risk locations, particularly coastal and riverine areas, and areas whose economies are closely linked with climate-sensitive resources. Climate change will likely interact with and possibly exacerbate ongoing environmental change and environmental pressures in settlements, particularly in Alaska where indigenous communities are facing major environmental and cultural impacts on their historic lifestyles. Over the 21st century, changes in climate will cause some species to shift north and to higher elevations and fundamentally rearrange U.S. ecosystems. Differential capacities for range shifts and constraints from development, habitat fragmentation, invasive species, and broken ecological connections will likely alter ecosystem structure, function, and services, leading to predominantly negative consequences for biodiversity and the provision of ecosystem goods and services.

There is a potential for a net benefit in the near term for certain crops, but there is significant uncertainty about whether this benefit will be achieved given the various potential adverse impacts of climate change on crop yield, such as the increasing risk of extreme weather events. Other aspects of this sector may be adversely affected by climate change, including livestock management and irrigation requirements, and there is a risk of adverse effect on a large segment of the total crop market. For the near term, the concern over the potential for adverse effects in certain parts of the agriculture sector appears generally comparable to the potential for benefits for certain crops. However, The body of evidence points towards increasing risk of net adverse impacts on U.S. food production and agriculture over time, with the potential for significant disruptions and crop failure in the future.

For the near term, the Administrator finds the beneficial impact on forest growth and productivity in certain parts of the country from elevated carbon dioxide concentrations and temperature increases to date is offset by the clear risk from the observed increases in wildfires, combined with risks from the spread of destructive pests and disease. For the longer term, the risk from adverse effects increases over time, such that overall climate change presents serious adverse risks for forest productivity. There is compelling reason to find that the support for a positive endangerment finding increases as one considers expected future conditions where temperatures continue to rise.

Looking across all of the sectors discussed above, the evidence provides compelling support for finding that greenhouse gas air pollution endangers the public welfare of both current and * * *

I reserve the balance of my time.

Mr. BURGESS. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. BURGESS. At this point, I yield the balance of my time to the gentleman from Georgia (Mr. GINGREY), and I ask unanimous consent that he be allowed to control that time.

The Acting CHAIR. Without objection, the gentleman from Georgia will control the time.

There was no objection.

Mr. GINGREY of Georgia. I want to thank my friend from Texas (Mr. BURGESS) for yielding and again thank the chairman of the Energy and Commerce Committee and the chairman of the Energy and Power Subcommittee, Messrs. Upton and Whitfield, for again allowing me to speak on this amendment.

Much like the previous amendment, I rise again in strong opposition, opposition at this time to the Polis amendment because it seeks to give a duplicative authority to the EPA. This amendment would temporarily suspend H.R. 910 if the EPA administrator has ruled that ground-level ozone, extreme weather events, or an increase in food- and water-borne pathogens presents a significant danger to the public health, or that there are other significant threats to public health.

Madam Chair, under section 303 of the Clean Air Act, the EPA already has the authority to respond to any imminent and substantial endangerment to public health or welfare, or the environment. Therefore, this amendment is wholly unnecessary. Furthermore, the Polis amendment would give the EPA administrator the authority to move forward with a cap-and-trade agenda if the administrator believed that there were threats to public health from ozone, extreme weather, pathogens, or there are other significant threats to public health, which could be completely unrelated to greenhouse gases.

I wholeheartedly believe that this amendment is literally a hammer in search of a nail. The EPA already has the authority to address the concerns raised by this amendment and my friend from Colorado. I would urge my friend from Colorado to consider withdrawing this amendment; but if he doesn't, I would urge all of my colleagues to oppose it and continue to support the underlying legislation.

I reserve the balance of my time, Madam Chair.

Mr. POLIS. I thank the gentleman from Georgia. My concern is that the underlying bill removes some of the authority under these conditions that this amendment would reinstate. If this amendment merely restates this, I would hope that we can clarify the bill by specifically allowing the EPA the authority to suspend the prohibitions in the bill if a detailed analysis demonstrates that ground-level ozone, or extreme weather events, or food- and water-borne pathogens are a significant threat to public health. And, of

course, we would hope that under their charge the EPA would then proceed if given this authority with regard to protecting the public health.

To the extent that this clarifies something that was consistent with the intent of the original bill, I would hope that the gentleman would accept it. If it is contrary to a small element of the bill, we would hope to reestablish that authority in the case of a significant threat to public health, again, with the additional burden and requirement of a detailed analysis under the law.

I reserve the balance of my time.

Mr. GINGREY of Georgia. Madam Chair, I want to point out to my colleague that the EPA, as I think I previously said, but just let me repeat it, the EPA has already concluded that greenhouse gases pose no public health emergency. And they stated: "Current and projected ambient greenhouse gas concentrations remain well below published thresholds for any direct adverse health effect such as respiratory or toxic effects."

I yield such time as he may consume, Madam Chair, to the gentleman from California (Mr. BILBRAY).

The Acting CHAIR. The gentleman from California is recognized for up to 2½ minutes.

Mr. BILBRAY. Let's be clear: We are not talking about greenhouse gases here because the regulations that have been proposed by the EPA do not address climate change. They don't address climate change. We are not talking about climate change here. We are talking about EPA proposing regulations that admitted by the administrator does not have any projections of what reductions you will have here. Remember, the minimum that we need to do to address the threat of climate change is 17 percent within 9 years. So let's be up front. This is not about climate change.

This is about proposed regulations by a bureaucracy in a field of law that was never meant to address this issue at all. And I say that as somebody who worked for over a decade at implementation of the Clean Air Act. All I have to say to the colleague, with the problems that you are pointing out, they are legitimate issues. But what is being proposed as an answer to a problem has not only nothing to do with and will not affect climate change, but it also will not affect the issues that you have raised.

So in reality, your amendment is not germane because the issues that you are concerned about don't exist. Because when you do nothing, you can't change anything.

□ 1720

And the fact that it is keeping somebody from selling a placebo does not solve the problem, or it does not aggravate the problem. The fact is what has been proposed by EPA is a placebo under a law that was never meant to administer this.

So let's not be concerned about if the placebo is not available to the public somehow there may be a concern with these items. They are legitimate items. But the EPA and the underlying bill does not affect those issues.

PARLIAMENTARY INQUIRY

Mr. POLIS. Madam Chair, I have a point of parliamentary inquiry.

The Acting CHAIR. The gentleman will state his inquiry.

Mr. POLIS. Is the amendment germane to the bill?

The Acting CHAIR. Under the circumstances that calls for an advisory opinion, which the Chair will not render.

The gentleman from Colorado has 1 minute remaining.

Mr. POLIS. Well, again, the Rules Committee found, and I believe the Parliamentarian advised, that the amendment was germane, and I have not been informed otherwise other than by the gentleman from California.

Does the gentleman want to appeal the ruling of the Parliamentarian? I believe that it is germane.

The Acting CHAIR. The amendment is pending. There is no occasion for a ruling on whether it is germane.

Mr. POLIS. The amendment is pending; that's correct. Well, again, if the rule does waive this, we discussed in Rules Committee yesterday, and I believe that all the non-germane amendments were not included under this rule.

Mr. BILBRAY. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman from California.

Mr. BILBRAY. As I said, it's not germane to the issue.

Mr. POLIS. Reclaiming my time, there might be a different use of the word "germane" by the gentleman. I would encourage all of us to try to be on the same page with regard to the word "germane."

It is germane to the bill, the topic.

Again, all my amendment does is say that if the EPA sees the danger they should act. It's a safety valve. The amendment respects the finding of the Supreme Court in the Massachusetts vs. EPA case that ensures that the Clean Air Act still has the ability to protect the public and that it is not removed under the underlying bill.

The Acting CHAIR. The time of the gentleman has expired.

Mr. POLIS. The underlying bill tells the EPA in this case to perhaps ignore some science. My amendment says that the science shouldn't be ignored if it means you are risking people's lives.

The Acting CHAIR. The time of the gentleman has expired.

Mr. POLIS. It's an important clarification and I urge support of the amendment.

The Acting CHAIR. The gentleman from Georgia has 45 seconds remaining.

Mr. GINGREY of Georgia. Madam Chair, this amendment would, in short, be an avenue for the EPA to move forward with back-door global warming

regulations regardless of any relevant facts and circumventing the will of Congress and the public.

EPA should not be authorized to move forward with back-door global warming regulations. I urge my colleagues to vote against this amendment.

I yield the balance of my time to my colleague from Texas (Mr. BURGESS).

Mr. BURGESS. Just finally, I do want to underscore that greenhouse gases do not have a health impact. But in the odd event that someone were sprayed in the face with a greenhouse gas such as methane, the emergency powers exist under section 303 of the Clean Air Act to respond to the imminent and substantial endangerment of public health.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. MARKEY

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112-54.

Mr. MARKEY. Madam Chair, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 5. REDUCING DEMAND FOR OIL.

Notwithstanding any limitation on agency action contained in the amendment made by section 2 of this Act, the Administrator of the Environmental Protection Agency may use any authority under the Clean Air Act, as in effect prior to the date of enactment of this Act, to promulgate any regulation concerning, take any action relating to, or take into consideration the emission of a greenhouse gas to address climate change, if the Administrator determines that such promulgation, action or consideration will reduce demand for oil.

The Acting CHAIR. Pursuant to House Resolution 203, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Madam Chair, I rise in support of my amendment.

My amendment is quite simple. It just says that nothing, nothing that the Republicans are proposing today should put a limitation on the ability of the EPA to reduce the demand for importing oil from OPEC, which should be the number one objective in our country.

You know, we only have 2 percent of the world's oil reserves, and we consume 25 percent on a daily basis. That

is our Achilles' heel, and there is nothing we can do about it.

So the only way in which we can solve the problem is if we reduce consumption by increasing the efficiency of the vehicles which we drive, of the boats which we use, of the planes that we ride in, of the other sources that consume the oil that we use in our country.

And what they are going to do, the Republicans, is tie the hands of the EPA to back out the 5 million barrels of oil that we import from OPEC on a daily basis.

OPEC is not afraid of the Foreign Affairs Committee. OPEC is not afraid of the Armed Services Committee. It is the Energy Committee that they are afraid of.

They are afraid that one day we will actually have a policy that backs out their imported oil, that denies them the \$150 billion or \$200 billion a year that we send over to them that allows them to continue their dictatorships. That's what they are afraid of.

And what the Republicans are doing today is tying the hands of our country to be able to tell OPEC we don't need their oil anymore than we need their sands. That's the message that they are sending here today. That's the message the Republicans are sending to OPEC.

Have a good night's sleep. Don't worry. We are going to tie the hands of the EPA to back out that imported oil. That's why this amendment goes right to the heart of the national security of our country, right to the heart of our economic independence, as well as reducing greenhouse gases. The national security of our country is at stake in this amendment.

I reserve the balance of my time.

Mr. SHIMKUS. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Madam Chair, my colleague just said the only way is to reduce demand. Well, that is not the only way.

Republicans continue to move on all-of-the-above energy strategies that increase supply. You know what happens when you increase supply? You increase jobs.

I brought this down numerous times over the past couple of years. Look what we could do. We could open up the OCS. Thousands and thousands of jobs could be created by oil and gas exploration. Look what we could do. We could take hundreds of years of supply of coal and turn it into liquid fuel.

Look what we could do. We could open up the pipelines and bring oil sands from Canada down.

We can be independent on transportation fuels. We cannot be, based upon allowing the EPA to price carbon.

The only way my colleagues want to get us to driving less is to make gasoline so high that no one can drive.

Now, that's okay when you live in major metropolitan areas, but when

you live in rural southern Illinois, where you have got to drive long distances to get to school, to get to hospitals, to get to church, every time you raise the price of gasoline, it hurts the poor and the middle class of rural America. So my colleague is just wrong.

I reserve the balance of my time.

Mr. MARKEY. I yield 1 minute to the ranking member of the Energy and Commerce Committee, the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. The important thing about this amendment is that we reduce the demand for oil, which is the primary area where we are dependent upon OPEC countries. And to do that, we have tighter fuel efficiency standards.

Without the Markey amendment, the EPA would not be able to continue with those tight fuel efficiency standards for motor vehicles, planes, et cetera.

According to Lisa Jackson from the EPA, who testified before our committee, this bill "would forfeit many hundreds of millions of barrels of oil savings at a time when gas prices are rising yet again." I cannot for the life of me understand why anyone would vote to massively increase America's oil independence.

I urge all Members to support the Markey amendment so we don't massively increase our oil dependence.

Mr. SHIMKUS. Madam Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Illinois has 3½ minutes remaining, and the gentleman from Massachusetts has 2 minutes remaining.

Mr. SHIMKUS. I yield 1½ minutes to the chairman of the Energy and Air Quality Committee, the gentleman from Kentucky (Mr. WHITFIELD).

□ 1730

Mr. WHITFIELD. I'm actually surprised the gentleman has offered an amendment related to oil because our bill that we have on the floor today completely preserves in every way the car rule under which EPA sets greenhouse gas emission standards for passenger cars and trucks for model year 2012 through 2016. That was agreed to by the Obama administration, the automobile industry, environmentalists, EPA and everyone; and that is preserved in this bill.

But let's talk about the electricity side. If we allow EPA to regulate greenhouse gases, we're going to skyrocket the cost of electricity which is going to make us less competitive in the global marketplace; we're going to lose more jobs to China and more jobs to India because those two countries are burning more coal because coal produces the lowest-cost electricity. And that's why we are opposed to this amendment of the gentleman because we've already preserved the car rule that the gentleman is concerned about.

Mr. MARKEY. I yield myself 1 minute.

And let me say this to you, the Republicans: I had an amendment out here to increase fuel economy standards from 25 to 35 miles per gallon in 2001, 2003, 2005. You voted against it every time. You said that it will ruin the auto industry if we improve the fuel economy standards. Do you know who ruined the auto industry? You did. In 2009, General Motors had to declare bankruptcy.

Now we have fuel economy standards at 35 miles per gallon. Do you want to know what they are reporting? Record profits. Do you know what Ford is reporting? Record profits and record hiring. Do you know who is opposed to your bill here today? The United Auto Workers oppose you. They believe it's going to undermine the efficiency and the job creation which is now possible. The United Auto Workers oppose you.

So, ladies and gentlemen, if you're looking for jobs or national security in this bill, make sure you vote for the Markey amendment because they are so historically so far off base with this bill that it cannot begin to be measured.

I reserve the balance of my time.

Mr. SHIMKUS. Madam Chairman, I now yield 1½ minutes to the former chairman, the gentleman from Texas, JOE BARTON.

Mr. BARTON of Texas. I rise in opposition to my good friend, Mr. MARKEY's, amendment. He must think EPA stands for "Energy Punishment Agency" as opposed to "Environmental Protection Agency." EPA's role is not to regulate the oil and gas industry. It's not to set an oil import fee. It's not to set quotas. It's to protect the environment. And the bill before us today does that. It restricts the Clean Air Act to its original intention, which is to regulate the criteria pollutants for which it was intended when it was passed in the early 1990s.

We are trying to segregate greenhouse gases from regulation under the Clean Air Act. That's all this bill does. It's not affecting fuel efficiency standards that NHTSA regulates and will continue to regulate. It doesn't have anything to do with that. We are simply saying that greenhouse gases should not be regulated under the existing Clean Air Act. We disagree with the Supreme Court decision that gave the EPA the authority to make a decision, and we definitely disagree with the endangerment finding, which I think was fatally flawed.

We can do a lot on decreasing oil imports both by supply increases in the United States and letting the market operate in an efficient fashion. We don't need the EPA to have some sort of a stranglehold on oil production in the United States of America.

Mr. MARKEY. I yield myself the balance of my time.

What the Republicans are doing in their bill is stripping the EPA of their authority to regulate the fuel efficiency of vehicles that we drive in our country, of the planes, the trains and

the boats where we put the petroleum. That's what their bill does. That's what the Supreme Court gave them as authority.

The gentleman says, EPA is misnamed. Well, let me just tell you under the Republicans, EPA stands for "Every Polluter's Ally." Under the Democrats, it stands for "End Petroleum Addiction." That's what the Markey amendment does. It gives the EPA the authority to back out this imported oil and to tell them that we're going to use the Oklahoma oil, the Texas oil and the Louisiana oil; but we don't need that oil coming out of the Persian Gulf any more than we need to send 100,000 young men and women over there.

Let's set a new policy path here today, ladies and gentlemen. Let's give those OPEC ministers a few sleepless nights. Let's not allow them to look at the Congress, once again ignoring the strength of our country, which is our technological genius, to be able to invent the new technologies that make us less dependent. And what did the Republicans do one month ago? They zeroed out all of the loan guarantees for solar and wind. They zeroed them out of the legislation. That's their all-of-the-above legislation.

Mr. SHIMKUS. I yield myself the balance of my time.

Madam Chairman, just to put things back on the table, H.R. 910 completely preserves the car rule under the EPA, emissions standards for passenger cars and trucks for model years 2012 to 2016. We had this debate in the committee, the subcommittee and the full committee. It's still there. And, unfortunately, you are acting as if it doesn't.

This is a really simple debate. This is a debate about whether we want more supply or less supply, whether we want more jobs or less jobs, whether we want higher energy prices or less energy prices. When you allow the EPA to regulate greenhouse gases, which is not a toxic emission, they do it by setting a price; and that price will drive our country into slowing economic growth, more job loss and higher costs.

So that's why we're here today. We're very excited about this debate today. It's about time we got to the floor and had a chance to vote on whether we want the EPA without legislative language to raise the cost of energy in this country. We say, no, reject the Markey amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MARKEY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. RUSH

The Acting CHAIR. It's now in order to consider amendment No. 10 printed in House Report 112-54.

Mr. RUSH. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. 5. LIMITATION ON APPLICABILITY.

The provisions of this Act, and the amendments made by this Act, shall not apply until the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Defense, certifies that the consequences of climate change, including its potential to create sustained natural and humanitarian disasters and its ability to foster political instability where societal demands exceed the capacity of governments to cope, do not jeopardize security interests of the United States at home or abroad.

The Acting CHAIR. Pursuant to House Resolution 203, the gentleman from Illinois (Mr. RUSH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RUSH. Madam Chair, my amendment revokes the provisions of this act from going into effect until the EPA administrator, in consultation with the Secretary of Defense, certifies that the consequences of not regulating greenhouse gas emissions, and its subsequent impact on climate change, including the potential to create sustained natural and humanitarian disasters and the ability to likely foster political instability where societal demands exceed the capacity of governments to cope, do not jeopardize American security interests at home or abroad.

Madam Chair, the overwhelming majority of respected scientists and scientific organizations worldwide all agree that manmade greenhouse gases do contribute to climate change, and these impacts can be mitigated through policy to curb these emissions.

Just recently, a study by the National Academy of Science, conducted at the request of the U.S. Navy, concluded that climate change will pose a major challenge for the United States Navy in the emerging Arctic frontier.

One of the most serious threat analyses was done by a dozen of the country's most respected retired generals and admirals, in the 2007 CNA report, the "National Security and the Threat of Climate Change Report." In this study, Madam Chair, these retired generals and admirals concluded that climate change poses a serious threat to America's national security and that the national security consequences of climate change should be fully integrated into national security and national defense strategies. The report goes on to say that climate change, national security, and energy independence all pose a related set of challenges for our military; and these threats should not be ignored or pushed down the road for future action.

□ 1740

Unfortunately, this Upton-Inhofe bill does exactly that. It pushes the challenges of regulating greenhouse gases, which contribute to climate change, further down the road for action at some later date far into the future.

I do not believe it is in America's best interest to delay acting on these threats that we know are currently endangering our health and way of life.

Madam Chair, I encourage all of my colleagues to support this amendment so we are not ignoring the warnings from our most esteemed military men, and we are proactive in fighting the threat of climate change before we are past the tipping point.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. Madam Chair, I can't think of anything more disconnected from national security than this amendment.

To speak on that, I yield such time as he may consume to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Madam Chair, I regretfully rise in opposition, not because the intention of this amendment isn't appropriately placed, but the science doesn't reflect the concern that the gentleman has pointed out. I say that with the understanding that the science, not talking about the concern about climate change, but the lack of science behind the proposed regulations that EPA has even discussed. There is no one who has been before our committee, as the gentleman knows, that has said that the proposed changes that EPA is bringing forth today or in the future is going to address or solve the problem.

The fact is that the problems that the gentleman is concerned about may be out there somewhere, but no one is saying that what the EPA is doing is going to avoid those problems. So by not having the EPA implement a program that nobody in the scientific community says will address the problem doesn't mean that somehow this will de facto cause the problem to be implemented or not avoided.

Basically I guess it says, again, what is being proposed by the EPA is an agency that was not designed to address climate change, with plans that not only were not designed, and using a vehicle that was not designed regarding this problem, but by the own admission of the administrator does not even know, and can't give us even a slight percentage of what reduction we would have.

So I just have to say to my dear colleague from Illinois that I appreciate his concern, but his concern should not be us telling EPA not to implement rules that they admit will not address the problem and will not solve the problem. Our issue ought to be talking about how do we address those prob-

lems down the pike, because let's be very frank about it. The problems you are talking about are going to happen, and it is not because anyone on this side is denying the science; it is because people are trying to take advantage and exploit a crisis rather than address it.

I ask the gentleman again to be concerned but make sure that when you propose an action, let's make sure that those actions have a possibility of addressing the issues that you so sincerely are concerned about.

Mr. RUSH. Madam Chair, I yield myself 30 seconds.

Madam Chair, I am really astounded by the remarks of my friend from California. It seems that first of all they deny the scientists that have come before the committee, the many scientific organizations throughout the world who say that climate change is a reality. They deny this science and these scientists saying we are reaching a tipping point. Now, Madam Chair, they are denying the opinion and the warnings from the command shelter of our American military. I just don't know who will convince them.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Madam Chair, I yield myself 2 minutes.

I appreciate the gentleman's passion for the issue, but I think when amendments like this hit the floor, it does a huge disservice to even the basis of their argument. You know, getting ready for World War II, we had a truck company in Ypsilanti, Michigan, that went from building pickup trucks with several thousand parts—in about 8 weeks, they converted it to building bomber airplanes with over a million parts. Only in America could that have happened to win the war. The great industrial arsenal of democracy happened in the great State of Michigan.

If you want to talk about national security issues, when you try to do this on cap and trade, what you are doing is wholesale departing manufacturing jobs and our ability to produce things in this country to places like China and India, who have laughed at cap and trade and said, we welcome those jobs.

We lost a million manufacturing jobs in our State alone. A million. Cap and trade. What you seek to do will lose 1.4 million more jobs.

Admiral Mullen said the greatest threat to our national security is our debt. When people aren't working, when America can't produce things, I am telling you, we will do more to harm our national security than anything I can think of.

We are going to lose just in Michigan over 100,000 jobs in the next 25 years. So guess what? You want to talk about national security, someone who is unemployed and not paying taxes to help solve the debt problem is a national security threat, when you want to make unreasonable expectations.

I want clean water, and I want clean air. I don't want the EPA shutting down factories that produce and actu-

ally produced the largest middle class in the history of the world. Why we would attack that and label that as a national security interest defies even the greatest of imaginations, Madam Chair.

I reserve the balance of my time.

Mr. RUSH. Madam Chair, I yield the balance of my time to the gentleman from California (Mr. WAXMAN) to close.

Mr. WAXMAN. I rise in support of the Rush amendment.

The problem of national security is threatened in two ways by the Inhofe-Upton bill. It increases our oil dependence because we take away the tools for addressing this oil dependence by not allowing EPA to set tighter efficiency standards which reduce our demand for oil.

Secondly, it takes away our tools to deal with the problem of climate change itself.

Former senior military officers wrote to us and asked that we not undermine the Clean Air Act. They are concerned this will increase our dependence on oil, and that such dependence is truly dangerous. In 2009, 10 retired general and admirals described how our oil dependence funds terrorism. It puts large sums of money in the hands of unfriendly regimes like Iran and Venezuela. Iran provides weapons to Hezbollah and supports insurgents in Iraq.

And climate change itself, according to the State Department, is going to bring about more migrant and refugee flows, more conflicts over resources, drought and famine, and catastrophic natural disasters. That is a threat to our national security, and the Rush amendment will allow EPA to address it.

Mr. ROGERS of Michigan. Madam Chair, I thank the gentleman for making our point for us. When you shut down production of oil and natural gas into the United States, we have to import more because we are still driving more. We have absolutely put ourselves at the mercy of a whole region of the world that is inflamed in trying to figure out who they are. And it has raised our prices. It went from \$1.83 2 years ago to \$4 a gallon.

If you want to be serious about getting this right, let the EPA do what it does best—clean air, clean water—and let the national security folks keep us safe and increase production so that for goodness sake, somebody can afford to drive to work.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. RUSH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RUSH. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

□ 1750

AMENDMENT NO. 11 OFFERED BY MR. DOYLE

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 112-54.

Mr. DOYLE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill add the following:

SEC. 5. STUDY ON EFFECT OF EPA CLIMATE CHANGE REGULATIONS ON INTERNATIONAL COMPETITIVENESS OF UNITED STATES PRODUCERS OF ENERGY-INTENSIVE PRODUCTS.

(a) STUDY.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Environmental Protection Agency shall—

(1) conduct a study to determine, with respect to the period beginning on such date of enactment and ending on December 31, 2016, the extent to which the regulations of the Environmental Protection Agency under the Clean Air Act to address climate change, if not repealed or otherwise made unauthorized by section 2 of this Act, would—

(A) cause greenhouse gas leakage; and

(B) reduce the international competitiveness of United States producers of energy-intensive products; and

(2) submit a report on the results of the study to the Congress, including recommendations for legislative, administrative, or other actions to mitigate—

(A) any greenhouse gas leakage identified pursuant to paragraph (1)(A); and

(B) any reduction in international competitiveness identified pursuant to paragraph (1)(B).

(b) DEFINITIONS.—In this section:

(1) The term “energy-intensive product” means—

(A) iron, steel, aluminum, cement, bulk glass, paper and pulp, chemicals, or industrial ceramics; or

(B) any other manufactured product which the Administrator of the Environmental Protection Agency determines—

(i) is sold in bulk for purposes of further manufacture; and

(ii) generates, in the course of the manufacture of the product, direct and indirect greenhouse gas emissions that are comparable (on an emissions-per-dollar basis) to emissions generated in the manufacture or production of products identified in subparagraph (A).

(2) The term “greenhouse gas leakage” means an increase in greenhouse gas emissions abroad because of the movement of the production of economic goods from the United States to other countries.

The Acting CHAIR. Pursuant to House Resolution 203, the gentleman from Pennsylvania (Mr. DOYLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. DOYLE. I yield myself 2 minutes.

Madam Chair, I sit on the Energy and Commerce Committee and on the Energy and Power Subcommittee, which has primary jurisdiction of H.R. 910. As such, I have been at several hearings on this bill where my colleagues on the Republican side of the aisle have claimed that the pending EPA regulations on greenhouse gases will cause our industries to pack up and move

overseas, taking with them our jobs and our carbon emissions.

At a committee hearing on this bill held in March of this year, our chairman told us, “We live in a global economy with global competition, and nations like China absolutely have no intention of similarly burdening their industries. Manufacturing will leave this country unless the EPA is stopped.”

Madam Chair, unfortunately, my colleagues on the Republican side of the aisle have forgotten to check with the Chinese. Just 2 days ago, a report came out saying China to Tax Energy Usage of Energy-Intensive Industries. The report says that China will impose a tax on energy usage of eight industrial sectors, including iron and steel, aluminum and cement. Xie Zhenhua, vice chairman of National Development and Reform, said that China has launched pilot carbon emission trading schemes in some of their provinces. So much for this idea that all these jobs are going to China because there's no taxing there or that they're not looking at a trading scheme.

While I dispute the claims of my colleagues that China has no intention of addressing climate change, what I am more concerned about is the varying claims that these regulations will ship jobs overseas. What we have as an amendment here is to address that very question: Are these industries here in America that utilize energy-intensive processes and have special trade pressures, what will the effect of these regulations be on those types of industries?

In the last Congress, I worked with Congressman INSLEE to develop and address job and carbon leakage issues when we did the American Clean Energy Security Act. We were able to develop a fair system of distributing these allowances. This amendment proposes to do the same thing.

The Acting CHAIR. The time of the gentleman has expired.

Mr. DOYLE. Thank you.

I will reserve the balance of my time.

Mr. KINZINGER of Illinois. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KINZINGER of Illinois. Madam Chairman, this is an interesting amendment. This is an amendment to a bill to study the cost of regulations that if this bill goes through, regulations won't exist. I don't get it, but okay.

We don't need another study. We need jobs. I come from the 11th Congressional District in Illinois. We have high unemployment. Where I come from is an industry base, a manufacturing base. Americans are hurting. We have high unemployment. Statistics show that jobs are leaving at a record pace.

There is no longer any question about whether the EPA's climate change regulations would actually hurt international competitiveness and affect American companies. We already

know they would. We already know that. I talked to a factory in my district that said when cap-and-trade was going to be passed, or this de facto cap-and-trade that's being looked at, if that passes, that will definitely result in them leaving. There's no benefit. It's a higher cost of doing business. It makes us uncompetitive in the free world, especially in areas affected where we have an ability to trade with other countries.

Now here's the very interesting part about that, though. We're concerned about the environment, and we're very concerned about the environment. When you add cost to doing business in a country that already well regulates what is put out of an industry's smokestack and you add cost to that, you drive those businesses overseas into areas where they have far less environmental regulation. So not only are we losing jobs here in the United States, not only is the middle class continuing to be squeezed again by not having their manufacturing jobs, but now we've hurt the environment.

This is backwards. This isn't what we want to do. This isn't the kind of America that we strive to come back to, to get a middle class that's vibrant and producing things and exporting them overseas and people are getting a good paycheck. This amendment studies something that will not exist if we pass this bill.

We heard from a wide cross-section of energy producers and manufacturers on the Energy and Commerce Committee who testified as to the harm these regulations will do in steel and chemical and refineries. The fact that China, India and other industrial competitors have no intention of imposing similar regulations is further evidence that such regulations are costly and economically damaging.

I reserve the balance of my time.

Mr. DOYLE. Madam Chair, I yield myself 15 seconds to say to the gentleman that maybe he wasn't here when I just read the fact that China is imposing a tax on their industries, is looking at cap-and-trade.

I would also say to the gentleman who says why we want a study for a bill that is going to abolish these regulations, your bill is never going to become law. This bill has a veto threat. We need to do a study to see what the implications are on our industries.

I would now like to yield 1 minute to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. I thank the gentleman from Pittsburgh.

I would just like to lend my voice to taking this and studying this, because there are issues here. There will be a transition. We want our businesses to be aware of what the actual statistics are, to study these regs, what they're going to be and what the effects are going to be. But in no way, shape or form does this diminish mine or I don't think anyone else's support for a green energy future that we need in the United States.

I have been sitting here listening and you have several Members over there saying, "China isn't going to do cap-and-trade." The fact is they're starting to do it. "China is never going to tax carbon." The fact is they're starting to do it. And now we have dropped from first place in leading the green revolution to second, now to third, behind China, Germany, and now the United States.

These are manufacturing jobs. Tons and tons of steel go into a windmill; 8,000 component parts. They manufacture them in Illinois, in Ohio, in Pennsylvania. These are jobs for our people. Why else would the United Steelworkers of America be against this and be for the green revolution? We're making this happen, and we have to get out of our own way while we do it.

Mr. KINZINGER of Illinois. I yield myself 15 seconds to say that China is not the only other country. There are hundreds of countries, hundreds of opportunities for American companies to go overseas if they are forced and squeezed out of this. I think green energy future is a code word for a no manufacturing jobs future.

With that, I yield 2 minutes to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Madam Chair, I always enjoy my colleague MIKE DOYLE because I have a good friend, Mike Doyle, who was actually the first world champion surfer; so I always remind him of that connection.

But let me just say to my colleagues, I hope you're not under some illusion that China is even considering reducing their greenhouse gas emissions by 17 percent within this decade. I hope you don't have that illusion.

But let's point out what we really need to address with this issue. You do not need a study, Congressman, about the impacts. Your State is sitting at 8 percent. My State is sitting at 12 percent unemployment. If you really want to see what happens if you're not careful about the impacts and the costs of going green, which we have, we've had a great breakthrough. Our air has been cleaned up a lot more. But there are challenges of going beyond that and going into things that are not cost effective.

Let me remind you, the great successes we've had with cleaning up our air in California is we always gave priority to those emissions that had the greatest health risk. We didn't go after one that wasn't even on the scale. CO₂ is not even on the health risk scale.

Let me just give you a good example. I'm a big supporter of algae. Our scientists in California developed algae fuel. Our State institutions and our educational institutions had the scientists that developed the technology to be able to make fuel out of algae. But when it came time to produce it, when it came time to create the jobs, I hope the gentleman understands that our scientists had to leave the State and go to New Mexico, because our en-

vironmental regulations were such that it didn't allow us to implement our green revolution.

So, I hope all of those that are talking about a green revolution today are willing to take on the environmental, regulatory, and oversight problems that exist in implementation, because without casting those aside, you'll never see that revolution.

□ 1800

Mr. DOYLE. Madam Chair, may I inquire as to how much time remains on both sides?

The Acting CHAIR. The gentleman from Pennsylvania has 1¾ minutes remaining, and the gentleman from Illinois has 15 seconds remaining.

Mr. DOYLE. I yield 1 minute to my good friend, the gentleman from Washington, JAY INSLEE.

Mr. INSLEE. It is deeply disappointing that our Republican colleagues are so willing, able—and apparently eager—to shut down the government. This bill fundamentally shuts down the government. It shuts down the ability of the Environmental Protection Agency to help lead us into a clean energy future.

Why shut down an agency that can help develop these biofuels that we were just talking about? Why do they want to shut down the engine of innovation? Why do they want to shut down our effort to find a solution for energy-intensive industries? The steel industry, the aluminum industry, the cement industry, the paper pulp industry need solutions to this. We offered one. Yet the Republicans have no solutions.

Shutting down the government is not a solution. Shutting down the EPA is not a solution. Shutting down American innovation is not a solution. This is an amendment that makes a statement that we ought to study science and economics and come up with a solution in a bipartisan way.

Mr. KINZINGER of Illinois. I yield myself the balance of my time.

I only have 15 seconds.

I heard two crazy things. Number one, this doesn't change the Clean Air Act at all. This prevents them from going outside of the legislative will of the American people and implementing a legislative idea. By the way, if we're looking at a government shutdown, it's not because we haven't tried on this side; it's because no budget was passed last year.

The Acting CHAIR. The time of the gentleman has expired.

Mr. DOYLE. I would like to yield 15 seconds to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. I just want to make two points because we hear a lot from the other side about Ronald Reagan, and I know they burn incense and light candles for Ronald Reagan. In the 1980s, it was President Reagan who used cap-and-trade for leaded gasoline, and it was George Herbert Walker Bush who used cap-and-trade for sulfur.

This is something that can be done if we put a price on this stuff. Lead the world, not be led.

Mr. DOYLE. Madam Chair, let me just close by saying to my colleagues that all we're asking for is to put some good data behind this. Let's study it. Let's have the EPA take a look at this. Let's see what the effects are on our energy-intensive industries, because this is an issue we're going to have to deal with eventually, and we want to have good data behind it. Let's not have all the stories be anecdotal. Let's have the agency study this, and let's work together to find solutions to protect our industries while we clean up our environment for our kids and our grandkids.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. DOYLE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DOYLE. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. KIND

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 112-54.

Mr. KIND. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. PROHIBITIONS AGAINST REGULATION OF GREENHOUSE GASES.

The Clean Air Act (42 U.S.C. 7401 and following) is amended by adding the following new section after section 329:

"SEC. 330. PROHIBITIONS AGAINST REGULATION OF GREENHOUSE GASES.

"(a) NEW SOURCE REVIEW.—

"(1) GENERAL RULE.—

"(A) EXCLUDING GREENHOUSE GAS EMISSIONS FROM PERMITTING APPLICABILITY DETERMINATIONS.—

"(i) For purposes of determining whether a stationary source is a 'major emitting facility' pursuant to section 169(1), such determination shall not be based on emissions of any air pollutant subject to regulation solely on the basis of such pollutant's contribution to global climate change.

"(ii) For purposes of determining whether a stationary source has undertaken 'construction' pursuant to section 165(a), such determination shall not be based on an increase in the amount of any air pollutant subject to regulation solely on the basis of such pollutant's contribution to global climate change, nor be based on resulting emissions of such an air pollutant not previously emitted.

"(B) EXCLUDING SMALL GREENHOUSE GAS SOURCES FROM PERMITTING REQUIREMENTS.— No requirement of sections 160 through 169 shall apply with respect to any greenhouse gas unless such gas is subject to regulation under this Act for reasons independent of its effects on global climate change or the gas is emitted by a source that is—

“(i) a new major emitting facility that will emit, or have the potential to emit, greenhouse gases in an amount of at least 75,000 tons carbon dioxide equivalent per year; or

“(ii) an existing major emitting facility that undertakes construction which increases the amount of greenhouse gases, or which results in emission of greenhouse gases not previously emitted, on a mass basis and by at least 75,000 tons carbon dioxide equivalent per year.

“(2) SPECIAL RULE.—Notwithstanding paragraph (1), as of July 1, 2011, for purposes of section 160 through 169, the term ‘major emitting facility’ shall include a stationary source—

“(A) that is—

“(i) a new stationary source that will emit, or have the potential to emit, greenhouse gases of at least 100,000 tons carbon dioxide equivalent per year (or such other quantity between 50,000 and 100,000 set by the Administrator by regulation effective no earlier than July 1, 2013); or

“(ii) an existing stationary source that emits greenhouse gases of at least 100,000 tons carbon dioxide equivalent per year (or such other quantity between 50,000 and 100,000 set by the Administrator by regulation effective no earlier than July 1, 2013) and that undertakes a physical change or change in the method of operation that will result in an emissions increase of greenhouse gases of at least 75,000 tons carbon dioxide equivalent per year (or such other quantity between 50,000 and 75,000 set by the Administrator by regulation effective no earlier than July 1, 2013); and

“(B) that has greenhouse gas emissions equal to or exceeding 250 tons per year mass emissions or, in the case of any of the types of stationary sources identified in section 169(1), 100 tons per year mass emissions.

“(3) NONPROFIT INSTITUTIONS.—For purposes of section 169(1), no provision in this subsection shall include within the term ‘major emitting facility’ any new or modified facility which is a nonprofit health or educational institution which has been exempted by the state in which it is located.

“(b) TITLE V OPERATING PERMITS.—

“(1) GENERAL RULE.—Notwithstanding any provision of this title or title V, no stationary source shall be required to apply for, or operate pursuant to, a permit under title V, solely due to its status as a major source of greenhouse gases that are subject to regulation under this Act solely on the basis of their effect on global climate change.

“(2) SPECIAL RULE.—As of July 1, 2011, the provisions of paragraph (1) of this subsection shall not apply to any stationary source that emits or has the potential to emit at least 100,000 tons per year carbon dioxide equivalent (or such other quantity between 50,000 and 100,000 set by the Administrator by regulation effective no earlier than July 1, 2013).

“(c) DEFINITION OF GREENHOUSE GAS.—For purposes of this section, the term ‘greenhouse gas’ means the following:

“(1) Carbon dioxide.

“(2) Methane

“(3) Nitrous oxide.

“(4) Sulfur hexafluoride.

“(5) Hydrofluorocarbons.

“(6) Perfluorocarbons.

“(7) Nitrogen trifluoride.

“(8) Any other anthropogenic gas if the Administrator determines that one ton of such gas has the same or greater effect on global climate change as does one ton of carbon dioxide.”.

The Acting CHAIR. Pursuant to House Resolution 203, the gentleman from Wisconsin (Mr. KIND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

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

Madam Chair, the bill that we are debating today just goes too far. It repeals a scientific finding and represents an aggressive assault on the Clean Air Act, a bipartisan law originally implemented by President Nixon that has successfully protected the public health for over 40 years.

I represent a rural district in western Wisconsin that has approximately 180,000 rural electric co-op members that are concerned about possible new EPA regulations and their impact on them. I share their concerns, and I agree that we have to approach this issue reasonably. Still, the approach under H.R. 910 isn't the right one. There is a middle ground that can be found, which is why I, along with my friend and colleague from New York (Mr. OWENS), am offering, really, an amendment in the nature of a substitute today. This amendment would permanently protect farms, small businesses and small- and medium-sized stationary sources from greenhouse gas regulation by codifying the Environmental Protection Agency's Tailoring Rule.

The Tailoring Rule, itself, represents a compromise. Despite being court-ordered to regulate greenhouse gases, the EPA took into account our fragile economy, and proposed a narrow rule that would exempt the vast majority of stationary sources from any regulation. Through the rule, the EPA takes the appropriate approach to regulating greenhouse gases by only requiring very large, new and expanded emitters to seek permits. My friends on the other side of the aisle, however, believe that the EPA intends to go even further than the Tailoring Rule, and will ultimately implement a tax on energy just as China is beginning to today; but voting for this amendment will prevent the EPA from doing this.

Some fear that farms or businesses will be regulated under this rule. Our amendment prevents this from ever occurring. Under the Tailoring Rule, the EPA has not identified even one farm that would meet the regulation threshold. That's because you'd have to have over 116,000 beef cattle or 152 million broiler chickens on a single farm to trigger the regulation. There isn't a farm in the United States, let alone western Wisconsin, that fits that definition. Further, this amendment will provide the utility industry with the certainty that they have requested. Industry will know precisely what will trigger permit requirements, and will be able to plan accordingly.

H.R. 910 takes an extreme approach to the EPA regulation of these carbon emissions by repealing a scientific finding so compelling that even the Bush administration determined that they were unable to ignore it. The science is clear: Climate change is real, and greenhouse gases pose a serious threat to human health.

I think we can all agree that we'd rather have Congress act to curb greenhouse gas emissions, and I would certainly prefer that approach, but we haven't been able to get our act together in this body. What we can do is protect public health and local economies by codifying the Tailoring Rule.

I urge my colleagues to support this amendment because it is a common-sense solution that accepts the scientific evidence that greenhouse gases are dangerous to human health, and it enacts a workable solution that will protect human health and that will ensure clean air while shielding the vast majority of sources from any regulatory requirements.

I reserve the balance of my time.

Mr. WHITFIELD. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Madam Chair, I yield 2 minutes to the gentleman from Virginia (Mr. GRIFFITH).

Mr. GRIFFITH of Virginia. I would like to thank the gentleman for bringing this amendment.

Madam Chair, the EPA has passed this so-called “Tailoring Rule” without there being any authority in the Clean Air Act to do so. The proper place for this type of debate, as the underlying bill makes clear, is in the Halls of Congress, not in the halls of the EPA.

There is a button that was very popular in my district—and still is—which reads, “Who elected the EPA?” The answer is no one; but we know who elects us. The people of the United States elect us, and they elect us to make the laws. This amendment makes it clear that this is where it belongs; thus, we should pass the bill. The amendment should be defeated. The bill should be passed.

It also makes clear that the EPA is overreaching and that they had to come up with a Tailoring Rule because, as they say, without it, it creates an absurd result, but those absurd results flow from the EPA's determination to reach these greenhouse gases as if they were harmful pollutants.

Now, ladies and gentlemen, this amendment, contrary to its patron's assertions, does not shield small businesses or farms, because it does not block the avalanche of additional greenhouse gas rules that come under various clean air programs. The EPA's greenhouse gas regulations will drive up the prices of gasoline, electricity, food, goods and services; and the cost of these regulations will be passed on to everyone, including to small businesses.

That's why the National Federation of Independent Business supports H.R. 910. A vote in favor of H.R. 910 will be scored as a major vote for the NFIB. The NFIB has said that using the Clean Air Act as a framework will trigger an avalanche of regulatory requirements that will burden hundreds of thousands of previously unregulated sources, including many small entities.

I ask that you reject the amendment.

Mr. KIND. Madam Chair, I would like to yield 1½ minutes to the coauthor of this amendment, my friend from New York (Mr. OWENS).

□ 1810

Mr. OWENS. I thank the gentleman.

I would like to point out that my predecessor, a respected Member of the other side of the aisle, Mr. McHugh, was very supportive of regulation of mercury and acid rain because it negatively impacted the New York 23rd. I think we need to act responsibly in each of these situations, and we need to make sure that we are working off, not the science of proponents, but the science of understanding of the issues.

When we look at my district, it has taken great strides in terms of moving forward with green and renewable energy. We have wood—which we have plenty of in the Adirondacks—we have wind energy, and we have hydro, all of which are contributing to jobs and making our economy a green and sustainable economy.

I think it is very important to understand that what this legislation does is, in fact, eliminate regulation for the small businesses and farms in my district. I urge my colleagues to support this amendment and to reject the underlying legislation.

The Acting CHAIR. The gentleman from Kentucky has 3 minutes remaining; the gentleman from Wisconsin has 30 seconds remaining.

Mr. WHITFIELD. Madam Chair, I yield 1 minute to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. I apologize, but I have to say to the gentleman, you know, wood burning, under oxygen-deprived environment, is a terrible particulate pollutant. So I don't think anybody involved in air pollution issues would ever point out that wood burning is something we want to point to. It may be renewable—and I appreciate you saying that, and I think it's very good that you said that because I think we mix renewable with clean all the time. But there are those renewable sources that are very, very bad for the air pollution issue. I just wanted to make sure we went by and didn't point at that.

In California, we have actually tried to outlaw wood-burning stoves because of the problems with the air pollution and the toxin emissions that are caused by the particulate problem with it.

Mr. KIND. Madam Chair, I yield the balance of my time to the ranking member of the Energy and Commerce Committee, the gentleman from California (Mr. WAXMAN).

The Acting CHAIR. The gentleman is recognized for 30 seconds.

Mr. WAXMAN. The advocates of the underlying bill have said that EPA is going to regulate a lot of other sources. What this Kind-Owens amendment does is says that EPA will not be allowed to regulate farms, small businesses, and

other small and medium-size sources of pollution. This makes sense, and it deals with the problem that has been raised about EPA. It is a commonsense solution. We ought to support it and make sure that the tailoring rule is all that would be applicable for EPA to do.

Mr. WHITFIELD. I yield myself the balance of my time.

Well, I would say to you that EPA adopted this tailoring act because they bit off more than they could chew, initially. That's why a lawsuit has been filed against them, because they violated the clear language of the Clean Air Act that says if anything emits more than 150 tons per year, or 250 tons per year, it must be regulated if they've had an endangerment finding, as they did in this case.

And so this amendment would simply gut the entire bill and place the tailoring law there in its place. Under this tailoring rule, they would be able to go down to 50-tons-per-year emissions. But the question becomes, what happens after the year 2013? You have two conflicting parts of this Clean Air Act as a result if we adopt this amendment.

One thing we know for certain, EPA is already involved in too many lawsuits. In fact, we're trying to find out now exactly how many lawsuits. We feel like this bill that we are trying to pass in the Congress today, H.R. 910, is simply Congress reasserting itself into the Clean Air Act because for too long decisions have been made by unelected bureaucrats at EPA; lawsuits are being filed. Almost every time anyone applies for a permit EPA runs and enters into a consent decree, and then the Federal judge will award legal fees to the plaintiffs. We think it's time to reassert ourselves into this process.

This is a good bill, H.R. 910. It says that it was never the intent of Congress for EPA to regulate greenhouse gases. We do not in any way interfere with their ability to regulate ambient air quality standards, particulate matter, the hazardous air pollutants—we have about 200 or so of those listed—acid rain, any of those things.

This is a great bill. Let's defeat this amendment. I urge passage of H.R. 910.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. KIND).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. KIND. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-54 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. JACKSON LEE of Texas.

Amendment No. 2 by Ms. JACKSON LEE of Texas.

Amendment No. 5 by Mr. MURPHY of Connecticut.

Amendment No. 6 by Mr. WAXMAN of California.

Amendment No. 8 by Mr. POLIS of Colorado.

Amendment No. 9 by Mr. MARKEY of Massachusetts.

Amendment No. 10 by Mr. RUSH of Illinois.

Amendment No. 11 by Mr. DOYLE of Pennsylvania.

Amendment No. 12 by Mr. KIND of Wisconsin.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 161, noes 259, not voting 12, as follows:

[Roll No. 233]

AYES—161

Ackerman	Edwards	Loeb sack
Andrews	Ellison	Lofgren, Zoe
Baca	Engel	Lowey
Baldwin	Eshoo	Lujan
Bass (CA)	Farr	Lynch
Becerra	Fattah	Maloney
Berkley	Filner	Markey
Berman	Frank (MA)	Matsui
Bishop (NY)	Fudge	McCarthy (NY)
Blumenauer	Garamendi	McCollum
Boswell	Gonzalez	McDermott
Brady (PA)	Green, Al	McGovern
Braley (IA)	Green, Gene	McNerney
Brown (FL)	Grijalva	Michaud
Butterfield	Gutierrez	Miller (NC)
Capps	Hanabusa	Miller, George
Capuano	Hastings (FL)	Moran
Carnahan	Heinrich	Murphy (CT)
Carney	Higgins	Nadler
Carson (IN)	Himes	Napolitano
Castor (FL)	Hinchey	Neal
Chu	Hinojosa	Owens
Cicilline	Hirono	Pallone
Clarke (MI)	Holt	Pascrell
Clarke (NY)	Hoyer	Pastor (AZ)
Clay	Inslee	Payne
Cleaver	Israel	Pelosi
Clyburn	Jackson (IL)	Peters
Cohen	Jackson Lee	Polis
Connolly (VA)	(TX)	Price (NC)
Conyers	Johnson (GA)	Quigley
Cooper	Johnson, E. B.	Reyes
Courtney	Kaptur	Richardson
Crowley	Keating	Richmond
Cummings	Kildee	Rothman (NJ)
Davis (CA)	Kind	Roybal-Allard
Davis (IL)	Kissell	Ruppersberger
DeFazio	Kucinich	Rush
DeGette	Langevin	Ryan (OH)
DeLauro	Larsen (WA)	Sanchez, Linda
Deutch	Larson (CT)	T.
Dicks	Lee (CA)	Sarbanes
Dingell	Levin	Schakowsky
Doggett	Lewis (GA)	Schiff
Doyle	Lipinski	Schwartz

Scott (VA)
Serrano
Sherman
Sires
Slaughter
Speier
Stark
Sutton
Thompson (CA)

Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman
Schultz

Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

Cantor
Costa
Critz
Frelinghuysen

NOT VOTING—12

Giffords
Honda
Meeks
Moore
Olver
Pingree (ME)
Rangel
Sanchez, Loretta

Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas

Van Hollen
Velázquez
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman

Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

□ 1843

Mr. MEEHAN changed his vote from “aye” to “no.”

Ms. BALDWIN, Messrs. CARNEY, BERMAN, Ms. SCHAKOWSKY and Mr. CLEAVER changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MS. JACKSON
LEE OF TEXAS

The Acting CHAIR (Mr. WESTMORELAND). The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 157, noes 266, not voting 9, as follows:

[Roll No. 234]

AYES—157

NOES—259

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foss
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)

Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee

Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schradler
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Brady (PA)
Brady (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Engel

Eshoo
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lowey
Lujan
Lynch
Maloney
Markey
Matsui

McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Pallone
Pascarelli
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Polis
Price (NC)
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier

NOES—266

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Farr
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foss
Franks (AZ)
Gallegly
Gardner
Garrett

Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Hirono
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Ryan (WI)
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)

Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schradler
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf

Womack Yoder Young (FL)
Woodall Young (AK) Young (IN)

NOT VOTING—9

Costa Gutierrez Pingree (ME)
Frelinghuysen Meeks Rangel
Giffords Oliver Sanchez, Loretta

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in the vote.

□ 1847

Ms. CHU and Mr. YARMUTH changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. MURPHY OF CONNECTICUT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Connecticut (Mr. MURPHY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 240, not voting 10, as follows:

[Roll No. 235]

AYES—182

Ackerman	DeLauro	Lance
Andrews	Deutch	Langevin
Baca	Dicks	Larsen (WA)
Baldwin	Dingell	Larson (CT)
Barrow	Doggett	Lee (CA)
Bass (CA)	Donnelly (IN)	Levin
Bass (NH)	Doyle	Lewis (GA)
Becerra	Edwards	Lipinski
Berkley	Ellison	Loeb sack
Berman	Engel	Lofgren, Zoe
Bishop (GA)	Eshoo	Lowe y
Bishop (NY)	Farr	Luján
Blumenauer	Fattah	Lynch
Boswell	Filner	Maloney
Brady (PA)	Frank (MA)	Markey
Braley (IA)	Fudge	Matheson
Brown (FL)	Garamendi	Matsui
Butterfield	Gonzalez	McCarthy (NY)
Capps	Green, Al	McCollum
Capuano	Green, Gene	McDermott
Cardoza	Grijalva	McGovern
Carnahan	Gutierrez	McNerney
Carney	Hanabusa	Michaud
Carson (IN)	Hastings (FL)	Miller (NC)
Castor (FL)	Heinrich	Miller, George
Chabot	Higgins	Moore
Chandler	Himes	Moran
Chu	Hinchey	Murphy (CT)
Cicilline	Hinojosa	Nadler
Clarke (MI)	Hirono	Napolitano
Clarke (NY)	Holt	Neal
Clay	Honda	Owens
Cleaver	Hoyer	Pallone
Clyburn	Inslee	Pascrell
Cohen	Israel	Pastor (AZ)
Connolly (VA)	Jackson (IL)	Payne
Conyers	Jackson Lee	Pelosi
Cooper	(TX)	Perlmutter
Courtney	Johnson (GA)	Peters
Crowley	Johnson, E. B.	Poe (TX)
Cuellar	Kaptur	Polis
Cummings	Keating	Price (NC)
Davis (CA)	Kildee	Quigley
Davis (IL)	Kind	Rahall
DeFazio	Kissell	Reichert
DeGette	Kucinich	Reyes

Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)

Adams	Goodlatte
Aderholt	Gosar
Alexander	Gowdy
Altmire	Granger
Amash	Graves (GA)
Austria	Graves (MO)
Bachmann	Griffin (AR)
Bachus	Griffith (VA)
Barletta	Grimm
Bartlett	Guinta
Barton (TX)	Guthrie
Benishek	Hall
Berg	Hanna
Biggart	Harper
Bilbray	Harris
Bilirakis	Hartzler
Bishop (UT)	Hastings (WA)
Black	Hayworth
Blackburn	Heck
Bonner	Heller
Bono Mack	Hensarling
Boren	Herger
Boustany	Herrera Beutler
Brady (TX)	Holden
Brooks	Huelskamp
Broun (GA)	Huizenga (MI)
Buchanan	Hultgren
Bucshon	Hunter
Buerkle	Hurt
Burgess	Issa
Burton (IN)	Jenkins
Calvert	Johnson (IL)
Camp	Johnson (OH)
Campbell	Johnson, Sam
Canseco	Jones
Cantor	Jordan
Capito	Kelly
Carter	King (IA)
Cassidy	King (NY)
Chaffetz	Kingston
Coble	Kinzinger (IL)
Coffman (CO)	Kline
Cole	Labrador
Conaway	Lamborn
Costello	Landry
Cravaack	Lankford
Crawford	Latham
Crenshaw	LaTourette
Critz	Latta
Culberson	Lewis (CA)
Davis (KY)	LoBiondo
Denham	Long
Dent	Lucas
DesJarlais	Luetkemeyer
Diaz-Balart	Lummis
Dold	Lungren, Daniel
Dreier	E.
Duffy	Mack
Duncan (SC)	Manzullo
Duncan (TN)	Marchant
Ellmers	Marino
Emerson	McCarthy (CA)
Farenthold	McCaul
Fincher	McClintock
Fitzpatrick	McCotter
Flake	McHenry
Fleischmann	McIntyre
Fleming	McKeon
Flores	McKinley
Forbes	McMorris
Fortenberry	Rodgers
Fox	Meehan
Franks (AZ)	Mica
Gallegly	Miller (FL)
Gardner	Miller (MI)
Garrett	Miller, Gary
Gerlach	Mulvaney
Gibbs	Murphy (PA)
Gibson	Myrick
Gingrey (GA)	Neugebauer
Gohmert	Noem

NOES—240

Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns

Nugent	Watt
Nunes	Waxman
Nunnelee	Weiner
Olson	Welch
Palazzo	Wilson (FL)
Paul	Woolsey
Paulsen	Wu
Pearce	Yarmuth
Pence	
Peterson	
Petri	
Pitts	
Platts	
Pompeo	
Posey	
Price (GA)	
Quayle	
Reed	
Rehberg	
Renacci	
Ribble	
Rigell	
Rivera	
Roby	
Roe (TN)	
Rogers (AL)	
Rogers (KY)	
Rogers (MI)	
Rohrabacher	
Rokita	
Rooney	
Ros-Lehtinen	
Roskam	
Ross (FL)	
Royce	
Runyan	
Ryan (WI)	
Scalise	
Schilling	
Schmidt	
Schock	
Schweikert	
Scott (SC)	
Scott, Austin	
Sensenbrenner	
Sessions	
Shimkus	
Shuster	
Simpson	
Smith (NE)	
Smith (NJ)	
Smith (TX)	
Southerland	
Stearns	
Stivers	
Stutzman	
Sullivan	
Terry	
Thompson (PA)	
Thornberry	
Tiberi	
Tipton	
Turner	
Upton	
Walberg	
Walden	
Walsh (IL)	
Webster	
West	
Westmoreland	
Whitfield	
Wilson (SC)	
Wittman	
Wolf	
Womack	
Woodall	
Yoder	
Young (AK)	
Young (FL)	
Young (IN)	

NOT VOTING—10

Akin	Meeks	Sanchez, Loretta
Costa	Oliver	Waters
Frelinghuysen	Pingree (ME)	
Giffords	Rangel	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining on this vote.

□ 1850

Mr. MCINTYRE changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. POE of Texas. Mr. Chair, on rollcall No. 235, I voted “aye” and I intended to vote “no.”
(By unanimous consent, Mr. DINGELL was allowed to speak out of order.)

RAHALL CASTS 20,000TH VOTE

Mr. DINGELL. Mr. Chairman, I rise to pay tribute to our good friend from West Virginia, Representative NICKY JOE RAHALL, who will cast in this next vote his 20,000th vote in this House of Representatives.

Mr. Chairman, this is a milestone event. It gives us an opportunity to recognize the great work done by our distinguished friend and colleague from Beckley, West Virginia. He is always serving his constituents and doing so well. He also strives to work across the aisle, and he is the kind of Member I believe we all feel we should be.

Mr. Chairman, I ask my colleague, Mr. RAHALL, to rise so that we may all join together in paying tribute to our friend and colleague on the occasion of his 20,000th vote.

AMENDMENT NO. 6 OFFERED BY MR. WAXMAN

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. WAXMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 240, not voting 8, as follows:

[Roll No. 236]

AYES—184

Ackerman	Bishop (NY)	Carney
Altmire	Blumenauer	Carson (IN)
Andrews	Boswell	Castor (FL)
Baca	Brady (PA)	Chandler
Baldwin	Braley (IA)	Chu
Barrow	Brown (FL)	Cicilline
Bass (CA)	Butterfield	Clarke (MI)
Becerra	Capps	Clarke (NY)
Berkley	Capuano	Clay
Berman	Cardoza	Cleaver
Bishop (GA)	Carnahan	Clyburn

Cohen	Jackson Lee (TX)	Reichert	Lungren, Daniel E.	Pitts	Sessions	Doyle	Lee (CA)	Ruppersberger
Connolly (VA)	Johnson (GA)	Reyes	Mack	Platts	Shimkus	Edwards	Levin	Rush
Conyers	Johnson, E. B.	Richardson	Manzullo	Poe (TX)	Shuster	Ellison	Lewis (GA)	Ryan (OH)
Cooper	Kaptur	Richmond	Marchant	Pompeo	Simpson	Engel	Lipinski	Sánchez, Linda T.
Costa	Keating	Ross (AR)	Marino	Possey	Smith (NE)	Eshoo	Loeb sack	Sarbanes
Costello	Kildee	Rothman (NJ)	McCarthy (CA)	Price (GA)	Smith (NJ)	Farr	Lofgren, Zoe	Schakowsky
Courtney	Kind	Roybal-Allard	McCaul	Quayle	Smith (TX)	Fattah	Lowe y	Schiff
Critz	Kissell	Ruppersberger	McClintock	Rahall	Southerland	Filner	Luján	Schwartz
Crowley	Kucinich	Rush	Reed	Rehberg	Stearns	Frank (MA)	Lynch	Scott (VA)
Cuellar	Langevin	Ruppersberger	McCotter	Renacci	Stivers	Fudge	Maloney	Scott, David
Cummings	Larsen (WA)	Ryan (OH)	McHenry	Ribble	Stutzman	Garamendi	Markey	Serrano
Davis (CA)	Larson (CT)	Sánchez, Linda T.	McKeon	Rigell	Sullivan	Gonzalez	Matsui	Sewell
Davis (IL)	Lee (CA)	Sarbanes	McKinley	Rivera	Terry	Green, Al	McCarthy (NY)	Sherman
DeFazio	Levin	Schakowsky	McMorris	Roby	Thompson (PA)	Grijalva	McCollum	Shuler
DeGette	Lewis (GA)	Schiff	Rodgers	Roe (TN)	Thornberry	Gutierrez	McDermott	Sires
DeLauro	Lipinski	Schrader	Meehan	Rogers (AL)	Tiberi	Hanabusa	McGovern	Slaughter
Deutch	Loeb sack	Schwartz	Mica	Rogers (KY)	Tipton	Hastings (FL)	McNerney	Smith (WA)
Dicks	Lofgren, Zoe	Scott (VA)	Miller (FL)	Rogers (MI)	Turner	Heinrich	Michaud	Speier
Dingell	Lowe y	Scott, David	Miller (MI)	Rohrabacher	Upton	Higgins	Miller (NC)	Stark
Doggett	Luján	Serrano	Miller, Gary	Rokita	Walberg	Himes	Miller, George	Sutton
Donnelly (IN)	Lynch	Sewell	Mulvaney	Rooney	Walden	Hinche y	Moore	Thompson (CA)
Edwards	Maloney	Sherman	Murphy (PA)	Ros-Lehtinen	Walsh (IL)	Hinojosa	Moran	Thompson (MS)
Ellison	Mark ey	Shuler	Myrick	Roskam	Webster	Hirono	Murphy (CT)	Tierney
Engel	Matheson	Sires	Neugebauer	Schmidt	West	Nadler	Napolitano	Tonko
Eshoo	Matsui	Slaughter	Noem	Ross (FL)	Westmoreland	Honda	Neal	Towns
Farr	McCarthy (NY)	Smith (WA)	Nugent	Royce	Whitfield	Hoyer	Owens	Tsongas
Fattah	McCollum	Speier	Nunes	Runyan	Wilson (SC)	Inslee	Pallone	Van Hollen
Filner	McDermott	Stark	Nunnelee	Ryan (WI)	Wittman	Israel	Pascrell	Velázquez
Frank (MA)	McGovern	Sutton	Scalise	Schilling	Wolf	Jackson Lee	Pastor (AZ)	Visclosky
Fudge	McIntyre	Thompson (CA)	Paul	Schmidt	Womack	Payne	Walz (MN)	Wasserman
Garamendi	McNerney	Thompson (MS)	Paulsen	Schock	Woodall	Pelosi	Wasserman	Schultz
Gonzalez	Michaud	Tierney	Pearce	Schweikert	Yoder	Perlmutter	Peters	Waters
Green, Al	Miller (NC)	Tonko	Pence	Scott (SC)	Young (AK)	Kaptur	Polis	Watt
Green, Gene	Miller, George	Towns	Peterson	Scott, Austin	Young (FL)	Keating	Price (NC)	Waxman
Grijalva	Moore	Tsongas	Petri	Sensenbrenner	Young (IN)	Kildee	Quigley	Weiner
Gutierrez	Moran	Van Hollen				Kind	Reyes	Wilson (FL)
Hanabusa	Murphy (CT)	Velázquez				Kissell	Richardson	Woolsey
Hastings (FL)	Nadler	Visclosky				Kucinich	Richmond	Wu
Heinrich	Napolitano	Walz (MN)				Langevin	Rothman (NJ)	Yarmuth
Higgins	Neal	Wasserman				Larsen (WA)	Roybal-Allard	
Himes	Owens	Schultz				Larson (CT)		
Hinche y	Pallone	Waters						
Hinojosa	Pascrell	Watt						
Hirono	Pastor (AZ)	Waxman						
Holden	Payne	Weiner						
Holt	Pelosi	Welch						
Honda	Perlmutter	Wilson (FL)						
Hoyer	Peters	Woolsey						
Inslee	Polis	Wu						
Israel	Price (NC)	Yarmuth						
Jackson (IL)	Quigley							

NOES—240

Adams	Conaway	Guinta
Aderholt	Cravaack	Guthrie
Akin	Crawford	Hall
Alexander	Crenshaw	Hanna
Amash	Culberson	Harper
Austria	Davis (KY)	Harris
Bachmann	Denham	Hartzler
Bachus	Dent	Hastings (WA)
Barletta	DesJarlais	Hayworth
Bartlett	Diaz-Balart	Heck
Barton (TX)	Dold	Heller
Bass (NH)	Dreier	Hensarling
Benishkek	Duffy	Herger
Berg	Duncan (SC)	Herrera Beutler
Biggert	Duncan (TN)	Huelskamp
Bilbray	Ellmers	Huizenga (MI)
Bilirakis	Emerson	Hultgren
Bishop (UT)	Farenthold	Hunter
Black	Fincher	Hurt
Blackburn	Fitzpatrick	Issa
Bonner	Flake	Jenkins
Bono Mack	Fleischmann	Johnson (IL)
Boren	Fleming	Johnson (OH)
Boustany	Flores	Johnson, Sam
Brady (TX)	Forbes	Jones
Brooks	Fortenberry	Jordan
Broun (GA)	Fox	Kelly
Buchanan	Franks (AZ)	King (IA)
Bucshon	Gallely	King (NY)
Buerkle	Gardner	Kingston
Burgess	Garrett	Kinzing (IL)
Burton (IN)	Gerlach	Kline
Calvert	Gibbs	Labrador
Camp	Gibson	Lamborn
Campbell	Gingrey (GA)	Lance
Canseco	Gohmert	Landry
Cantor	Goodlatte	Lankford
Capito	Gosar	LaTourette
Carter	Gowdy	Latta
Cassidy	Granger	Lewis (CA)
Chabot	Graves (GA)	LoBiondo
Chaffetz	Graves (MO)	Long
Coble	Griffin (AR)	Lucas
Coffman (CO)	Griffith (VA)	Luetkemeyer
Cole	Grimm	Lummis

NOT VOTING—8

Frelinghuysen Meeks Rangel
Giffords Oliver Sanchez, Loretta
Latham Pingree (ME)

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining on this vote.

□ 1857

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. POLIS
The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Colorado (Mr. POLIS)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.
The Clerk redesignated the amend-
ment.

RECORDED VOTE
The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 168, noes 257,
not voting 7, as follows:

[Roll No. 237]

AYES—168

Ackerman	Capps	Connolly (VA)
Andrews	Capuano	Conyers
Baca	Carnahan	Cooper
Baldwin	Carney	Courtney
Bass (CA)	Carson (IN)	Crowley
Becerra	Castor (FL)	Cummings
Berkley	Chu	Davis (CA)
Berman	Cicilline	Davis (IL)
Bishop (GA)	Clarke (MI)	DeFazio
Bishop (NY)	Clarke (NY)	DeGette
Blumenauer	Clay	DeLauro
Brady (PA)	Cleaver	Deutch
Braley (IA)	Clyburn	Dicks
Brown (FL)	Coffman (CO)	Dingell
Butterfield	Cohen	Doggett

NOES—257

Adams	Critz	Heller
Aderholt	Cuellar	Hensarling
Akin	Culberson	Herger
Alexander	Davis (KY)	Herrera Beutler
Altmire	Denham	Holden
Amash	Dent	Huelskamp
Austria	DesJarlais	Huizenga (MI)
Bachmann	Diaz-Balart	Hultgren
Bachus	Dold	Hunter
Barletta	Donnelly (IN)	Hurt
Barrow	Dreier	Issa
Bartlett	Duffy	Jenkins
Barton (TX)	Duncan (SC)	Johnson (IL)
Bass (NH)	Duncan (TN)	Johnson (OH)
Benishkek	Ellmers	Johnson, Sam
Berg	Emerson	Jones
Biggert	Farenthold	Jordan
Bilbray	Fincher	Kelly
Bilirakis	Fitzpatrick	King (IA)
Bishop (UT)	Flake	King (NY)
Black	Fleischmann	Kingston
Blackburn	Fleming	Kinzing (IL)
Bonner	Flores	Kline
Bono Mack	Forbes	Labrador
Boren	Fortenberry	Lamborn
Boswell	Fox	Lance
Boustany	Franks (AZ)	Landry
Brady (TX)	Gallely	Lankford
Brooks	Gardner	Latham
Broun (GA)	Garrett	LaTourette
Buchanan	Gerlach	Latta
Bucshon	Gibbs	Lewis (CA)
Buerkle	Gibson	LoBiondo
Burgess	Gingrey (GA)	Long
Burton (IN)	Gohmert	Lucas
Calvert	Goodlatte	Luetkemeyer
Camp	Gosar	Lummis
Campbell	Gowdy	Lungren, Daniel E.
Canseco	Granger	Mack
Cantor	Graves (GA)	Manzullo
Capito	Graves (MO)	Marchant
Cardoza	Green, Gene	Marino
Carter	Griffin (AR)	Matheson
Cassidy	Griffith (VA)	McCarthy (CA)
Chabot	Grimm	McCaul
Chaffetz	Guinta	McClintock
Chandler	Guthrie	McCotter
Coble	Hall	McHenry
Cole	Hanna	McIntyre
Conaway	Harper	McKeon
Costa	Harris	McKinley
Costello	Hartzler	McMorris
Cravaack	Hastings (WA)	Rodgers
Crawford	Hayworth	Meehan
Crenshaw	Heck	

Mica	Ribble	Smith (NJ)	Doyle	Lipinski	Ryan (OH)	Miller (MI)	Ribble	Smith (NE)
Miller (FL)	Rigell	Smith (TX)	Edwards	Loeb sack	Sánchez, Linda	Miller, Gary	Rigell	Smith (NJ)
Miller (MI)	Rivera	Southerland	Ellison	Lofgren, Zoe	T.	Mulvaney	Rivera	Smith (TX)
Miller, Gary	Roby	Stearns	Engel	Lowey	Sarbanes	Murphy (PA)	Roby	Southerland
Mulvaney	Roe (TN)	Stivers	Eshoo	Luján	Schakowsky	Myrick	Roe (TN)	Stearns
Murphy (PA)	Rogers (AL)	Stutzman	Farr	Lynch	Schiff	Neugebauer	Rogers (AL)	Stivers
Myrick	Rogers (KY)	Sullivan	Fattah	Maloney	Schwartz	Noem	Rogers (KY)	Stutzman
Neugebauer	Rogers (MI)	Terry	Filner	Markey	Scott (VA)	Nugent	Rogers (MI)	Sullivan
Noem	Rohrabacher	Thompson (PA)	Frank (MA)	Matsui	Scott, David	Nunes	Rohrabacher	Terry
Nugent	Rokita	Thornberry	Fudge	McCarthy (NY)	Serrano	Nunnelee	Rokita	Thompson (PA)
Nunes	Rooney	Tiberi	Garamendi	McCollum	Sewell	Olson	Rooney	Thornberry
Nunnelee	Ros-Lehtinen	Tipton	Green, Al	McDermott	Sherman	Palazzo	Ros-Lehtinen	Tiberi
Olson	Roskam	Turner	Grijalva	McGovern	Sires	Paul	Roskam	Tipton
Palazzo	Ross (AR)	Upton	Hanabusa	McNerney	Slaughter	Paulsen	Ross (AR)	Turner
Paul	Ross (FL)	Walberg	Hastings (FL)	Michaud	Smith (WA)	Pearce	Ross (FL)	Upton
Paulsen	Royce	Walden	Heinrich	Miller (NC)	Speier	Pence	Royce	Walberg
Pearce	Runyan	Walsh (IL)	Higgins	Miller, George	Stark	Peters	Runyan	Walden
Pence	Ryan (WI)	Webster	Himes	Moore	Sutton	Peterson	Ryan (WI)	Walsh (IL)
Peterson	Scalise	West	Hinchey	Moran	Thompson (CA)	Petri	Scalise	Webster
Petri	Schilling	Westmoreland	Hinojosa	Murphy (CT)	Thompson (MS)	Pitts	Schilling	West
Pitts	Schmidt	Whitfield	Hirono	Nadler	Tierney	Platts	Schmidt	Westmoreland
Platts	Schock	Wilson (SC)	Holt	Napolitano	Tonko	Poe (TX)	Schock	Whitfield
Poe (TX)	Schrader	Wittman	Honda	Neal	Towns	Pompeo	Schrader	Wilson (SC)
Pompeo	Schweikert	Wolf	Hoyer	Owens	Tsongas	Posey	Schweikert	Wittman
Posey	Scott (SC)	Womack	Inslee	Pallone	Van Hollen	Price (GA)	Scott (SC)	Wolf
Price (GA)	Scott, Austin	Woodall	Israel	Pascrell	Velázquez	Quayle	Scott, Austin	Womack
Quayle	Sensenbrenner	Yoder	Jackson (IL)	Pastor (AZ)	Visclosky	Rahall	Sensenbrenner	Woodall
Rahall	Sessions	Young (AK)	Johnson (GA)	Payne	Walc (MN)	Reed	Sessions	Yoder
Reed	Shimkus	Young (FL)	Johnson, E. B.	Pelosi	Wasserman	Rehberg	Shimkus	Young (AK)
Rehberg	Shuster	Young (IN)	Kaptur	Perlmutter	Schultz	Reichert	Shuler	Young (FL)
Reichert	Simpson		Keating	Polis	Waters	Renacci	Shuster	
Renacci	Smith (NE)		Kind	Price (NC)	Watt	Reyes	Simpson	
			Kissell	Quigley	Waxman			
			Kucinich	Richardson	Weiner			
			Langevin	Richmond	Welch			
			Larsen (WA)	Rothman (NJ)	Woolsey			
			Larson (CT)	Roybal-Allard	Wu			
			Lee (CA)	Ruppersberger	Yarmuth			
			Lewis (GA)	Rush				

NOT VOTING—7

Frelinghuysen	Oliver	Sanchez, Loretta
Giffords	Pingree (ME)	Wilson (FL)
Meeks	Rangel	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in the vote.

□ 1902

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. COFFMAN of Colorado. Mr. Chair, on rollcall No. 237 I inadvertently voted “yea” when I intended to vote “nay.”

AMENDMENT NO. 9 OFFERED BY MR. MARKEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 266, not voting 10, as follows:

[Roll No. 238]

AYES—156

Ackerman	Capps	Connolly (VA)
Andrews	Capuano	Conyers
Baldwin	Carnahan	Cooper
Bass (CA)	Carney	Courtney
Becerra	Carson (IN)	Crowley
Berkley	Castor (FL)	Cummings
Berman	Chu	Davis (CA)
Bishop (NY)	Cicilline	Davis (IL)
Blumenauer	Clarke (MI)	DeFazio
Boswell	Clarke (NY)	DeGette
Brady (PA)	Clay	DeLauro
Braley (IA)	Cleaver	Deutch
Brown (FL)	Clyburn	Dicks
Butterfield	Cohen	Doggett

NOES—266

Adams	Culberson	Herrera Beutler
Aderholt	Davis (KY)	Holden
Alexander	Denham	Huelskamp
Altmire	Dent	Huizenga (MI)
Amash	DesJarlais	Hultgren
Austria	Diaz-Balart	Hunter
Baca	Dingell	Hurt
Bachmann	Dold	Issa
Bachus	Donnelly (IN)	Jackson Lee
Barletta	Dreier	(TX)
Barrow	Duffy	Jenkins
Bartlett	Duncan (SC)	Johnson (IL)
Barton (TX)	Duncan (TN)	Johnson (OH)
Bass (NH)	Ellmers	Johnson, Sam
Benishke	Emerson	Jones
Berg	Farenthold	Jordan
Biggert	Fincher	Kelly
Bilbray	Fitzpatrick	Kildee
Bilirakis	Flake	King (IA)
Bishop (GA)	Fleischmann	King (NY)
Bishop (UT)	Fleming	Kingston
Black	Flores	Kinzing (IL)
Blackburn	Forbes	Kline
Bonner	Fortenberry	Labrador
Bono Mack	Fox	Lamborn
Boren	Franks (AZ)	Lance
Boustany	Galleghy	Landry
Brady (TX)	Gardner	Lankford
Brooks	Garrett	Latham
Broun (GA)	Gerlach	LaTourette
Buchanan	Gibbs	Latta
Bucshon	Gibson	Levin
Buerkle	Gingrey (GA)	Lewis (CA)
Burgess	Gohmert	LoBiondo
Burton (IN)	Gonzalez	Long
Calvert	Goodlatte	Lucas
Camp	Gosar	Luetkemeyer
Campbell	Gowdy	Lummis
Canseco	Granger	Lungren, Daniel
Cantor	Graves (GA)	E.
Capito	Graves (MO)	Mack
Cardoza	Green, Gene	Manzullo
Carter	Griffin (AR)	Marchant
Cassidy	Griffith (VA)	Marino
Chabot	Grimm	Matheson
Chaffetz	Guithrie	McCarthy (CA)
Chandler	Hall	McCaul
Coble	Hanna	McClintock
Coffman (CO)	Harper	McCotter
Cole	Harris	McHenry
Conaway	Hartzler	McIntyre
Costa	Hastings (WA)	McKeon
Costello	Hayworth	McKinley
Cravaack	Heck	McMorris
Crawford	Heller	Rodgers
Crenshaw	Hensarling	Meehan
Critz	Herger	Mica
Cuellar		Miller (FL)

NOT VOTING—10

Akin	Meeks	Sanchez, Loretta
Frelinghuysen	Oliver	Wilson (FL)
Giffords	Pingree (ME)	
Gutierrez	Rangel	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in the vote.

□ 1905

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. RUSH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. RUSH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 165, noes 260, not voting 7, as follows:

[Roll No. 239]

AYES—165

Ackerman	Carnahan	Davis (CA)
Andrews	Carney	Davis (IL)
Baca	Carson (IN)	DeFazio
Baldwin	Castor (FL)	DeGette
Bass (CA)	Chu	DeLauro
Becerra	Cicilline	Deutch
Berkley	Clarke (MI)	Dicks
Berman	Clarke (NY)	Dingell
Bishop (GA)	Clay	Doggett
Bishop (NY)	Cleaver	Doyle
Blumenauer	Clyburn	Edwards
Boswell	Cohen	Ellison
Brady (PA)	Connolly (VA)	Engel
Braley (IA)	Conyers	Eshoo
Brown (FL)	Cooper	Farr
Butterfield	Courtney	Fattah
Capps	Crowley	Filner
Capuano	Cummings	Frank (MA)

Fudge	Luján	Schakowsky	Noem	Roe (TN)	Southerland	Grijalva	Maloney	Sarbanes
Garamendi	Lynch	Schiff	Nugent	Rogers (AL)	Stearns	Gutierrez	Markey	Schiff
Gonzalez	Maloney	Schwartz	Nunes	Rogers (KY)	Stivers	Hanabusa	Matheson	Schrader
Green, Al	Markey	Scott (VA)	Nunnelee	Rogers (MI)	Stutzman	Harris	Matsui	Schwartz
Grijalva	Matsui	Scott, David	Olson	Rohrabacher	Sullivan	Hastings (FL)	McCarthy (NY)	Scott (VA)
Gutierrez	McCarthy (NY)	Serrano	Owens	Rokita	Terry	Heinrich	McCollum	Scott, David
Hanabusa	McCollum	Sewell	Palazzo	Rooney	Thompson (PA)	Higgins	McGovern	Serrano
Hastings (FL)	McDermott	Sherman	Paul	Ros-Lehtinen	Thornberry	Himes	McIntyre	Sewell
Heinrich	McGovern	Shuler	Paulsen	Roskam	Tiberi	Hinchey	McNerney	Sherman
Higgins	McNerney	Shuler	Pearce	Ross (AR)	Tipton	Hinojosa	Michaud	Shuler
Himes	Michaud	Sires	Pence	Ross (FL)	Turner	Hirono	Miller (NC)	Sires
Hinchey	Miller (NC)	Slaughter	Peterson	Royce	Upton	Holt	Miller, George	Slaughter
Hinojosa	Miller, George	Smith (WA)	Petri	Runyan	Walberg	Hoyer	Moore	Smith (WA)
Hirono	Moore	Speier	Pitts	Ryan (WI)	Walden	Inlee	Murphy (CT)	Speier
Holt	Moran	Stark	Platts	Scalise	Walsh (IL)	Israel	Nadler	Stark
Honda	Murphy (CT)	Sutton	Poe (TX)	Schilling	Webster	Jackson (IL)	Napolitano	Sutton
Hoyer	Nadler	Thompson (CA)	Pompeo	Schmidt	West	Jackson Lee	Neal	Thompson (CA)
Inlee	Napolitano	Thompson (MS)	Posey	Schock	Westmoreland	(TX)	Owens	Thompson (MS)
Israel	Neal	Tierney	Price (GA)	Schrader	Whitfield	Johnson (GA)	Pallone	Tierney
Jackson (IL)	Pallone	Tonko	Quayle	Schweikert	Wilson (SC)	Johnson, E. B.	Pascrell	Tonko
Jackson Lee	Pascrell	Towns	Reahall	Scott (SC)	Wittman	Kaptur	Pastor (AZ)	Towns
(TX)	Pastor (AZ)	Tsongas	Reed	Scott, Austin	Wolf	Keating	Payne	Tsongas
Johnson (GA)	Payne	Van Hollen	Rehberg	Sensenbrenner	Womack	Kildee	Pelosi	Van Hollen
Johnson, E. B.	Pelosi	Velázquez	Reichert	Sessions	Woodall	Kind	Perlmutter	Velázquez
Kaptur	Perlmutter	Visclosky	Renacci	Shimkus	Yoder	Kissell	Peters	Visclosky
Keating	Peters	Walz (MN)	Ribble	Shuster	Young (AK)	Kucinich	Polis	Walz (MN)
Kildee	Polis	Wasserman	Richmond	Simpson	Young (FL)	Langevin	Price (NC)	Wasserman
Kind	Price (NC)	Schultz	Rigell	Smith (NE)	Young (IN)	Larsen (WA)	Quigley	Wasserman
Kissell	Quigley	Waters	Rivera	Smith (NJ)		Larsen (CT)	Reyes	Schultz
Kucinich	Reyes	Watt	Roby	Smith (TX)		Lee (CA)	Richardson	Waters
Langevin	Richardson	Waxman				Levin	Ross (AR)	Watt
Larson (CT)	Rothman (NJ)	Weiner				Lewis (GA)	Rothman (NJ)	Waxman
Lee (CA)	Roybal-Allard	Welch				Lipinski	Roybal-Allard	Weiner
Levin	Ruppersberger	Wilson (FL)				Loebach	Ruppersberger	Welch
Lewis (GA)	Rush	Woolsey				Lofgren, Zoe	Rush	Wilson (FL)
Lipinski	Ryan (OH)	Wu				Lowey	Ryan (OH)	Woolsey
Loebach	Sánchez, Linda	Yarmuth				Luján	Sánchez, Linda	Wu
Lofgren, Zoe	T.					Lynch	T.	Yarmuth
Lowey	Sarbanes							

NOES—260

Adams	Davis (KY)	Huizenga (MI)
Aderholt	Denham	Hultgren
Akin	Dent	Hunter
Alexander	DesJarlais	Hurt
Altmire	Diaz-Balart	Issa
Amash	Dold	Jenkins
Austria	Donnelly (IN)	Johnson (IL)
Bachmann	Dreier	Johnson (OH)
Bachus	Duffy	Johnson, Sam
Barletta	Duncan (SC)	Jones
Barrow	Duncan (TN)	Jordan
Bartlett	Ellmers	Kelly
Barton (TX)	Emerson	King (IA)
Bass (NH)	Farenthold	King (NY)
Benishek	Fincher	Kingston
Berg	Fitzpatrick	Kinzing (IL)
Biggart	Flake	Kline
Bilbray	Fleischmann	Labrador
Bilirakis	Fleming	Lamborn
Bishop (UT)	Flores	Lance
Black	Forbes	Landry
Blackburn	Fortenberry	Lankford
Bonner	Fox	Larsen (WA)
Bono Mack	Franks (AZ)	Latham
Boren	Gallely	LaTourette
Boustany	Gardner	Latta
Brady (TX)	Garrett	Lewis (CA)
Brooks	Gerlach	LoBiondo
Broun (GA)	Gibbs	Long
Buchanan	Gibson	Lucas
Bucshon	Gingrey (GA)	Luetkemeyer
Buerkle	Gohmert	Lummis
Burgess	Goodlatte	Lungren, Daniel
Burton (IN)	Gosar	E.
Calvert	Gowdy	Mack
Camp	Granger	Manzullo
Campbell	Graves (GA)	Marchant
Canseco	Graves (MO)	Marino
Cantor	Green, Gene	Matheson
Capito	Griffin (AR)	McCarthy (CA)
Cardoza	Griffith (VA)	McCaul
Carter	Grimm	McClintock
Cassidy	Guinta	McCotter
Chabot	Guthrie	McHenry
Chaffetz	Hall	McIntyre
Chandler	Hanna	McKeon
Coble	Harper	McKinley
Coffman (CO)	Harris	McMorris
Cole	Hartzler	Rodgers
Conaway	Hastings (WA)	Meehan
Costa	Hayworth	Mica
Costello	Heck	Miller (FL)
Cravaack	Heller	Miller (MI)
Crawford	Hensarling	Miller, Gary
Crenshaw	Herger	Mulvaney
Critz	Herrera Beutler	Murphy (PA)
Cuellar	Holden	Myrick
Culberson	Huelskamp	Neugebauer

NOT VOTING—7

Frelinghuysen Oliver
Giffords Pingree (ME)
Meeks Rangel

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1909

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. DOYLE

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Pennsylvania (Mr.
DOYLE) on which further proceedings
were postponed and on which the noes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 173, noes 250,
not voting 9, as follows:

[Roll No. 240]

AYES—173

Ackerman	Carlson (IN)	DeFazio
Andrews	Castor (FL)	DeGette
Baca	Chandler	DeLauro
Baldwin	Chu	Deutch
Barrow	Cicilline	Dicks
Bass (CA)	Clarke (MI)	Dingell
Becerra	Clarke (NY)	Donnelly (IN)
Berkley	Clay	Doyle
Berman	Cleaver	Edwards
Bishop (GA)	Clyburn	Ellison
Bishop (NY)	Cohen	Engel
Boswell	Connolly (VA)	Eshoo
Brady (PA)	Conyers	Farr
Braley (IA)	Cooper	Fattah
Brown (FL)	Costa	Filner
Butterfield	Courtney	Frank (MA)
Capps	Crowley	Fudge
Capuano	Cuellar	Garamendi
Cardoza	Cummings	Gonzalez
Carnahan	Davis (CA)	Green, Al
Carney	Davis (IL)	Green, Gene

NOES—250

Adams	Dold	Jones
Aderholt	Dreier	Jordan
Akin	Duffy	Kelly
Alexander	Duncan (SC)	King (IA)
Altmire	Duncan (TN)	King (NY)
Amash	Ellmers	Kingston
Austria	Emerson	Kinzing (IL)
Bachmann	Farenthold	Kline
Bachus	Fincher	Labrador
Barletta	Fitzpatrick	Lamborn
Bartlett	Flake	Lance
Barton (TX)	Fleischmann	Landry
Bass (NH)	Fleming	Lankford
Benishek	Flores	Latham
Berg	Forbes	LaTourette
Biggart	Fortenberry	Latta
Bilbray	Fox	Lewis (CA)
Bilirakis	Franks (AZ)	LoBiondo
Bishop (UT)	Gallely	Long
Black	Gardner	Lucas
Blackburn	Garrett	Luetkemeyer
Blumenauer	Gerlach	Lummis
Bonner	Gibbs	Lungren, Daniel
Bono Mack	Gibson	E.
Boren	Gingrey (GA)	Mack
Boustany	Goodlatte	Manzullo
Brooks	Gosar	Marchant
Broun (GA)	Gowdy	Marino
Buchanan	Granger	McCarthy (CA)
Bucshon	Graves (GA)	McCaul
Buerkle	Graves (MO)	McClintock
Burgess	Griffin (AR)	McCotter
Burton (IN)	Griffith (VA)	McDermott
Calvert	Grimm	McHenry
Camp	Guinta	McKeon
Campbell	Guthrie	McKinley
Canseco	Hall	McMorris
Cantor	Hanna	Rodgers
Capito	Harper	Meehan
Carter	Hartzler	Mica
Cassidy	Hastings (WA)	Miller (FL)
Chabot	Hayworth	Miller (MI)
Chaffetz	Heck	Miller, Gary
Coble	Heller	Moran
Coffman (CO)	Hensarling	Mulvaney
Cole	Herger	Murphy (PA)
Conaway	Herrera Beutler	Myrick
Costello	Holden	Neugebauer
Cravaack	Honda	Noem
Crawford	Huelskamp	Nugent
Crenshaw	Huizenga (MI)	Nunes
Critz	Hultgren	Nunnelee
Culberson	Hunter	Olson
Davis (KY)	Hurt	Palazzo
Denham	Issa	Paul
Dent	Jenkins	Paulsen
DesJarlais	Johnson (IL)	Pearce
Diaz-Balart	Johnson (OH)	Pence
Doggett	Johnson, Sam	Peterson

Petri	Ros-Lehtinen	Stutzman	Johnson, E. B.	Murphy (CT)	Serrano	Rehberg	Schilling	Tiberi
Pitts	Roskam	Sullivan	Kaptur	Nadler	Sewell	Reichert	Schmidt	Tipton
Platts	Ross (FL)	Terry	Keating	Napolitano	Sherman	Renacci	Schock	Turner
Poe (TX)	Royce	Thompson (PA)	Kildee	Neal	Shuler	Ribble	Schrader	Upton
Pompeo	Runyan	Thornberry	Kind	Owens	Sires	Rigell	Schweikert	Walberg
Posey	Ryan (WI)	Tiberi	Kucinich	Pallone	Slaughter	Rivera	Scott (SC)	Walden
Price (GA)	Scalise	Tipton	Langevin	Pascrell	Smith (WA)	Roby	Scott, Austin	Walsh (IL)
Quayle	Schakowsky	Turner	Larsen (WA)	Pastor (AZ)	Speier	Roe (TN)	Sensenbrenner	Walz (MN)
Rahall	Schilling	Upton	Larson (CT)	Payne	Stark	Rogers (AL)	Sessions	Waters
Reed	Schmidt	Walberg	Lee (CA)	Pelosi	Sutton	Rogers (KY)	Shimkus	Webster
Rehberg	Schock	Walden	Levin	Perlmutter	Thompson (CA)	Rogers (MI)	Shuster	West
Reichert	Schweikert	Walsh (IL)	Lewis (GA)	Peters	Thompson (MS)	Rohrabacher	Simpson	Westmoreland
Renacci	Scott (SC)	Webster	Lipinski	Petri	Tierney	Rokita	Smith (NE)	Whitfield
Ribble	Scott, Austin	West	Loeb sack	Polis	Tonko	Rooney	Smith (NJ)	Whitfield
Richmond	Sensenbrenner	Westmoreland	Lofgren, Zoe	Price (NC)	Towns	Ros-Lehtinen	Smith (TX)	Wilson (SC)
Rigell	Sessions	Whitfield	Lowey	Quigley	Tsongas	Roskam	Southerland	Wittman
Rivera	Shimkus	Wilson (SC)	Lujan	Reyes	Van Hollen	Ross (AR)	Stearns	Wolf
Roby	Shuster	Wittman	Lynch	Richardson	Velázquez	Ross (FL)	Stivers	Womack
Roe (TN)	Simpson	Wolf	Maloney	Richmond	Visclosky	Royce	Stutzman	Woodall
Rogers (AL)	Smith (NE)	Womack	Markey	Rothman (NJ)	Wasserman	Runyan	Sullivan	Yoder
Rogers (KY)	Smith (NJ)	Woodall	Matsui	Roybal-Allard	Schultz	Ryan (WI)	Terry	Young (AK)
Rogers (MI)	Smith (TX)	Yoder	McCarthy (NY)	Ruppersberger	Watt	Scalise	Thompson (PA)	Young (FL)
Rohrabacher	Southerland	Young (AK)	McCollum	Rush	Waxman	Schakowsky	Thornberry	Young (IN)
Rokita	Stearns	Young (FL)	McDermott	Ryan (OH)	Weiner			
Rooney	Stivers	Young (IN)	McGovern	Sánchez, Linda	Welch			
			McNerney	T.	Wilson (FL)			
			Michaud	Sarbanes	Woolsey			
			Miller (NC)	Schiff	Wu			
			Miller, George	Schwartz	Yarmuth			
			Moore	Scott (VA)				
			Moran	Scott, David				

NOT VOTING—9

Brady (TX) Gohmert
 Frelinghuysen Meeks
 Giffords Oliver

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There is 1 minute remaining in this vote.

□ 1912

Mr. CONYERS changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. KIND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. KIND) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 264, not voting 8, as follows:

[Roll No. 241]

AYES—160

Ackerman
 Andrews
 Baca
 Baldwin
 Bass (CA)
 Becerra
 Berkley
 Berman
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Castor (FL)
 Chu
 Cicilline
 Clarke (MI)

Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Courtney
 Crowley
 Cummings
 Davis (CA)
 Davis (IL)
 DeGette
 DeLauro
 Deutch
 Dingell
 Doyle
 Edwards
 Ellison
 Engel
 Eshoo
 Farr

Fattah
 Filner
 Frank (MA)
 Fudge
 Garamendi
 Gonzalez
 Green, Al
 Grijalva
 Hanabusa
 Hastings (FL)
 Heinrich
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hirono
 Honda
 Hoyer
 Inslee
 Israel
 Jackson (IL)
 Jackson Lee
 (TX)
 Johnson (GA)

Adams
 Aderholt
 Akin
 Alexander
 Altmire
 Amash
 Austria
 Bachmann
 Bachus
 Barletta
 Barrow
 Bartlett
 Barton (TX)
 Bass (NH)
 Benishek
 Berg
 Biggert
 Bilbray
 Bilirakis
 Bishop (UT)
 Black
 Blackburn
 Bonner
 Bono Mack
 Boren
 Boswell
 Boustany
 Brady (TX)
 Brooks
 Broun (GA)
 Buchanan
 Bucshon
 Buerkle
 Burgess
 Burton (IN)
 Butterfield
 Calvert
 Camp
 Campbell
 Canseco
 Cantor
 Capito
 Carter
 Cassidy
 Chabot
 Chaffetz
 Chandler
 Coble
 Coffman (CO)
 Cole
 Conaway
 Costello
 Cravaack
 Crawford
 Crenshaw
 Critz
 Cuellar
 Culberson
 Davis (KY)
 DeFazio
 Denham
 Dent
 DesJarlais
 Diaz-Balart
 Doggett
 Dold

NOES—264

Donnelly (IN)
 Dreier
 Duffy
 Duncan (SC)
 Duncan (TN)
 Ellmers
 Emerson
 Farenthold
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foss
 Franks (AZ)
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Gutierrez
 Hall
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Heller
 Hensarling
 Herger
 Herrera Beutler
 Holden
 Holt
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jenkins
 Johnson (IL)
 Johnson (OH)
 Johnson, Sam
 Jones
 Jordan
 Kelly

King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kissell
 Kline
 Labrador
 Lamborn
 Lance
 Landry
 Lankford
 Latham
 LaTourette
 Latta
 Lewis (CA)
 LoBiondo
 Long
 Lucas
 Luetkemeyer
 Lummis
 Lungren, Daniel
 E.
 Mack
 Manzullo
 Marchant
 Marino
 Matheson
 McCarthy (CA)
 McCaul
 McClintock
 McCotter
 McHenry
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 Meehan
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Mulvaney
 Murphy (PA)
 Myrick
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Palazzo
 Paul
 Paulsen
 Pearce
 Pence
 Peterson
 Pitts
 Platts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Quayle
 Rahall
 Reed

NOT VOTING—8

Dicks
 Frelinghuysen
 Giffords

Meeks
 Olver
 Pingree (ME)

Rangel
 Sanchez, Loretta

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There is 1 minute remaining in this vote.

□ 1917

Ms. WASSERMAN SCHULTZ changed her vote from “no” to “aye.”
 So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. RIVERA) having assumed the chair, Mr. WESTMORELAND, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 910) to amend the Clean Air Act to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change, and for other purposes, and, pursuant to House Resolution 203, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

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. Pursuant to clause 1(c) of rule XIX, further proceedings on this bill will be postponed.

HOUR OF MEETING ON TOMORROW

Mr. CRENSHAW. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

□ 1920

H. RES. 187, NATIONAL PUBLIC HEALTH WEEK RESOLUTION

(Ms. ROYBAL-ALLARD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROYBAL-ALLARD. Mr. Speaker, the first week of April is National Public Health Week.

This year's theme, "Safety is No Accident: Live Injury-Free," highlights the fact that, each year, nearly 30 million people in our country are injured severely enough to require emergency room treatment. Of those injured, 150,000 die from these unintentional and often preventable injuries, which are ranked among the top 10 causes of death of those between the ages of 1 and 44. In addition to the devastating impact on families and communities, these injuries account for 12 percent of annual medical spending in the United States, totaling as much as \$65 billion each year.

These statistics highlight a critical public health challenge for the 21st century. For that reason, I introduced H. Res. 187, which recognizes the first week of April as National Public Health Week, and it calls on all Americans to take a proactive approach to addressing injuries in our country. I urge my colleagues to cosponsor H. Res. 187.

A REVERSE ROBIN HOOD

(Ms. BROWN of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Speaker, just yesterday, the Veterans Affairs' Committee held a hearing where the Deputy Secretary of the Department of Veterans Affairs stated, because of the budget cuts that the Republicans are advocating and a likely government shutdown, veterans' pension checks may not go out on time.

Believe it or not, this is not April Fool's.

At the same time that the veterans' checks may arrive late, my Republican colleagues want to extend tax breaks for millionaires and billionaires. Just last December, we were forced to vote on extending the Bush tax cuts for millionaires and billionaires, adding \$700 billion to the deficit. The Republican plan for the FY11 budget, as well as the new budget plan they just released, are nothing more than a reverse Robin Hood—taking from the poor and middle

class people to give huge tax breaks to the rich.

You know, Mr. Speaker, you can fool some of the people some of the time, but you can't fool all of the people all of the time. The American people will wake up.

THE GOLDSTONE REPORT IS A LIE

(Mr. ENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. Mr. Speaker, about a year ago, the United Nations passed the infamous Goldstone Report. Thankfully, this Congress on the floor of the House had a debate, and we rejected the Goldstone Report.

Well, guess what happened last week? Judge Goldstone said that his report was erroneous. What did the Goldstone Report say? The Goldstone Report said that Israel deliberately targeted civilians in Gaza.

That has now been proven not to be true. Of course, the people in the U.N. who bash Israel all the time will continue to pretend that Judge Goldstone didn't repudiate his own report, but the fact of the matter is he did.

The truth is that it is Hamas, the terrorist group, that took over the Gaza Strip. They target Israeli civilians all the time. Israel tries to protect its own citizens in going and destroying the terrorist nests, but the terrorists of Hamas build their nests and their rockets and their munitions in heavily populated areas. So, if civilians die, it is their fault.

The Goldstone Report is a lie. The United Nations should kill it once and for all, and we should be leading the way.

NO APPROPRIATED FUNDS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the majority leader.

Mr. CARTER. Thank you, Mr. Speaker.

These are interesting times we live in, and as we sit here this evening, we have a lot of things that are kind of up in the air about what's going to happen to our country and about what's going to happen to our ability to fund the government for the rest of our time. Unfortunately, we don't have answers to that question. I wish we did, but we don't. Yet there are some things that are happening that we ought to talk about because the American people are concerned about what's going on. In some ways, they're confused.

As we sit here today, we are looking at the possibility on Friday night, at midnight, of there being no more appropriated funds for the operation of the government. Some people call that shutting down the government, but that's the real term. We have no appro-

priated funds that are available for the operation of the government.

There's already the blame game going on up here. This blame game is confusing to most Americans, so I think it's kind of important that we start off by trying to explain what's going on up here. I'm going to give you a quick synopsis of what I think has gone on recently.

Let's start off with the fact that the Republicans fully funded the troops and the rest of the Federal Government through FY 2011, which would be the 1st of October of this year, with H.R. 1 in March. The Democrats refused that submission. The Republicans are ready again this week with a submission, that we will do today, to fully fund our troops through FY 2011, and we're ready to come back next week to debate the rest of the budget. It seems we're hearing a message that the Democrats will refuse. The House and Senate Republicans have a bill, H.R. 1297, that simply guarantees that our troops get their pay without any budget agreement. So far, the Democrats have refused. That's a bill that was put together by Congressman LOUIE GOHMERT and Congressman JACK KINGSTON.

So I guess we can say that—or I would at least offer this as a submission—it seems that the Democrats want to hold our fighting men and women's pay hostage so that they can continue their runaway Federal spending, because, really, the debate here in this House today and in the Senate, which is down the way from us, is:

Are we going to continue to spend like drunken sailors, as usual, or are we going to take a hard look at what this government is doing, and are we going to turn this ship of state to a ship of state that is moving in the direction of saving the American people from this runaway spending?

The President has submitted to us a budget proposal which carries in it almost \$1.5 trillion of deficit spending. What this House is trying to do is to change the mood and the attitude of where this Congress sits on the issue of spending, and it's time for us to take a long, hard look. I would argue, if people could have taken the time and watched the debate when we sent our first submission over to the Senate, which was H.R. 1, they would have seen an extensive debate that went on for hours and hours and hours on the floor of this House, with both sides participating, as to what we would and would not submit in the way of cutting certain amounts of spending, and there were multiple, multiple votes.

□ 1930

This was after this same idea had been vetted in other forms, like our committee system. And yet when it was sent to the Senate it was dead on arrival, and the only thing they could offer as an alternative to the submission we gave them was \$6 billion worth of cuts, which they even voted down.

They didn't even pass that. They weren't even willing to take their meager little \$6 billion versus our \$60-plus billion that we proposed to them.

And everybody says, Where is the give-and-take? Why don't you work together, Congress? What's wrong with you people? Well, when one side does a whole bunch of work, sends it over to the other side, they say they don't like it, they reject it, and we wait and we wait and we wait and we wait for them to submit something back so we can discuss it, well, we've been waiting a long time now and we still haven't gotten it back. And we've gone through two short-term CRs to give them the opportunity to go vote on some things in the Senate. I know they're slow. I mean, we all know they're slow, but we don't even see the Democrat majority in the Senate even trying to bring things to the floor for a vote on giving us an idea where they would stand on cutting spending.

Now, they love to do press releases out of smoke-filled rooms and come back from White House meetings with the President and tell us, Oh, we've got this deal—which our side certainly didn't agree to. And actually doing this so-called “democracy” inside of the press instead of doing it by sitting down across the table or passing a bill that we can look at and examine and see if we can't work out that bill and maybe get the comfort to do something under normal course of business here has not been available. Senator REID just says, Dead on arrival. Dead on arrival. Keep trying. Dead on arrival.

And what that requires is for the House Members to—first off, what they're really looking for us to do is to give up our principles because of threats of this government closing down. I want to make it very clear, I have heard this ever since this debate started. The leadership of the Republicans in the House of Representatives has stated consistently, every time JOHN BOEHNER steps up to the microphone, we do not want to shut down the government. And I will tell you, if people are listening with a tight ear, they will find out that any conversation about shutting down the government has always originated from the other side of the aisle where the Democrats tell us, Watch out, they're going to shut down the government. Watch out, they're going to shut down the government. And we're saying, No, we're not. We're trying to get you to respond to us and let us know what you think is the right thing for us to do to try to do something about this overwhelming debt, this overwhelming deficit, this gigantic leap in the debt that we're going to face in the future.

Just look at this chart. And you've seen it before. It's been here. I've had it here twice. Here's 2010. So 2011 is about right there. Look at 2051. Look, 300 percent plus. And right now we are bouncing around 100 percent here. That was during the Second World War, and this is where we've been ever since the Sec-

ond World War. But all of a sudden, with the projections that President Obama has given us as to what he perceives is the right path for America, bam, that red line goes up and that red block comes there, and that's what our children and grandchildren are going to have to deal with. And we honestly believe that that takes this country and changes the very nature of what makes America great because it wipes out any opportunity that possibly our children and our grandchildren can look forward to when they are overwhelmed with debt.

Have you ever heard the debate that goes on among college parents and among college students when they graduate from college these days and they're faced with \$100,000 or \$200,000 worth of debt to pay for these expensive college educations we've got out there; and they've borrowed all the money and how they are overwhelmed with debt to the point where they look at the salaries that are being offered them and they say, Holy cow. If this is what my revenues are going to be, my income is going to be, I will never pay off this student loan. I know that I heard it from hundreds of kids because I used to teach Sunday school at that age. And they came back from college saying, I can't believe I've got this much debt to pay off before I even start making a living. Well, that's meager compared to what this Congress, if we don't change the way we do business, is going to do to our children and our grandchildren. College debt is going to look like a walk in the park compared to that kind of accelerated debt that's going to be placed on every human being that calls themselves an American.

This is frightening. It's more frightening when you think what this Congress really needs to be about—and is about over here on our side, and I would hope on the other side, too—is finding jobs for the American people.

Now, what do the job creators think when they see this? People who run businesses, small businesses or large, they look at the projected future of the economy and they make decisions as to why they hire people for very simple reasons. You hire someone to advance your business. You don't hire them because you're a nice guy. You don't hire them because somebody gives you an incentive to hire them. You hire them because ultimately they are going to improve your productivity or your bottom line. That's why labor is infused into anything that people do. Most people who start out with their small business, it's all them and maybe their family. And then when they hire that first employee, they don't hire them just because they like that kid across the street. They hire them because that first employee is going to make their business do better.

Now, if they're looking at the accumulated debt being put upon them by this government and they look at what projected debt they have to deal with,

what they have to handle, where they think their revenues are going to be, what solutions there are going to be for this debt in the way of tax increases, they have to say, Whoa. Until somebody gets a handle on this stuff, we're looking at a world that I'm not sure I want to hire anybody else in.

This is not rocket science, this is very simple. You hire to prosper. If you're afraid prosperity is not going to be a result of the hiring, you don't hire.

I would argue—and I think it's an argument that's made by many, many economists and many, many editorial writers—that the fear of the unknown and the known that you think you see by the way the government is proceeding keeps a lot of people from hiring other folks. I think that's common sense. I think anybody that knows anything about business can realize that. So this looms over everybody.

I saw a cartoon up here in Washington. Many of you may have seen it. It was a gigantic elephant's behind sitting on a scale, and it had written across the back of it, “National Debt.” And then on the very top of the backside of that elephant was a Band-Aid about the size that would wrap around my little finger stuck on there, and it had an arrow right there that said, “Spending Cuts.”

The reality is what the Republicans have proposed in terms of spending cuts as they relate to the gigantic mess that we're in is just that teeny, weensy little Band-Aid. And yet, this very meager proposal of changing the way we spend money has been rejected out of hand by the Harry Reid Democrats over in the Senate and by our colleagues in the House. And it is on every submission that we've made, on every attempt we've made to negotiate, on every time we have said, so and so, how about you all getting together and come up with an alternative? And it's just, no, you're dead on arrival. We'll talk at the White House behind closed doors or we'll talk in smoke-filled rooms or whatever—smoke-filled rooms probably dates me a little bit, but there are still some smokers around here.

□ 1940

Okay. Now, where are we tonight? I think where we are tonight, I am optimistic about where we are tonight. And the world may be sitting out there pessimistic, but I'm optimistic because, first and foremost, I honestly believe that we're going to do everything at least in our power to try to get us to come up with a solution for this small spending cut bill of \$60-plus billion that we put forward, which, compared to that elephant's behind, is nothing. And we're going to get it done before we run out of time and we run out of appropriations and the government starts to wind down.

But I'm more optimistic than that, because I am very optimistic that the fact that PAUL RYAN and the Budget

Committee of this House have put forward a proposal that is like you ought to have the Hallelujah Chorus in the background when they introduced it, singing "Hallelujah." Because it was finally a budget that wasn't the same old budget—how can we jack every spending level up, and how can we figure out a way to raise some taxes to make that work? No. It's a budget that says this budget is going to be about prosperity and preserving the America we love for our generations to come.

If that's not something as we come up on this deadline—which should make us nervous, and it makes me nervous. But the big picture is our Budget Committee has put a revolutionary budget out for discussion. And that budget is worth joy on behalf of the American people, because what it does is it says to the people around us that there are some good ideas we ought to try.

I'm joined with many of my colleagues here today, and I want to give them all an opportunity to talk. So let me finish up at least this short part of talking here and let some other folks talk.

Today where we are is a very simple place. Are we going to fund our Department of Defense and make sure our troops get paid or are we going to be so—with miniscule cuts and then continue this debate so we could probably try to get a resolution next week, or are we going to reject out of hand—as now HARRY REID is making public statements to say and the President, in Atlanta, supposedly said he would veto this proposal—reject out of hand to say we want our troops to suffer and we don't care whether they're getting shot at. We don't care. We're ready to let them get shot at and do without pay, men and women who have been risking their lives for over 10 years so that we can stand in this Chamber and talk. We ought to be ashamed of ourselves to even consider not doing something.

All of us ought to be wanting to do something to make sure that those folks get their paychecks so their spouses and children back home don't suffer while they suffer the possibility of being killed or maimed on our behalf. And that's what this vote, this day and tomorrow, is all about.

The deadline is Friday night at midnight. We're asking our Senators to reconsider rejecting out of hand what we are sending over and consider it in light of that momma back home with a child on her hip, telling the creditors, We have no money to pay you. And I'm sorry my husband can't talk to you. He's over in Afghanistan, in the mountains, trying to stay alive. Or he's flying missions into Libya, trying to stay alive. So I think we really need to know that's where we are in time, and the other is stuff we're going to be talking about.

Whoever would like to step up, grab the microphone, and let's talk.

My friend from Virginia, step up. Tell us what you've got to say.

Mr. WITTMAN. Well, thank you, Representative CARTER. I thank you and Representative GOHMERT for your leadership in putting forth a bill to make sure we address this issue of military pay for our men and women in uniform.

And, you know, Mr. Speaker, we shouldn't even be here tonight. We should be having before us a spending decision that doesn't call into question whether or not we can pay our men and women in uniform. Now, that's absolutely reprehensible. You know, it's clear that this spending discussion needs to be focused, and it needs to be focused on making sure that we're getting our troops paid, bottom line, period.

I had the opportunity a couple weeks ago to travel to Afghanistan, and I had the privilege there to visit with a young man who's a lieutenant colonel in the Air Force. And I had met his family earlier in the little town of Pocosin. And I was there for a pancake breakfast one morning there at a middle school, and I had a chance to see his family there, and I talked to his wife, and I met his children. And they told me that their father was deployed downrange. And I asked where he was, and they gave me the information. And I said, Well, listen. I'm going to be going there soon. I want to make sure that I have a chance to visit him.

So I was able to go downrange and visit this fine lieutenant colonel. He's doing a great job for this Nation. They are under very trying conditions there in Afghanistan. I had a chance to thank him for his service and had a chance to also, when I got back, to call his wife and to thank her and her family for their sacrifice and for them staying back home here in anxiety as their father and husband served downrange.

And folks, I cannot imagine being in a situation to look that lieutenant colonel in the eye and say, You know something? Thank you for your service. Thank you for your sacrifice. But we don't think enough about what you're doing to even have the backbone to stand and make sure that you get paid.

You know, how do you look at their family, that mother who's at home, those children whose father and husband are downrange being deployed, and look them in the eye and say, Hey, listen, thanks for your sacrifice, but, by the way, we're not going to be able to make a decision up here to make sure that you get the paycheck that supports your family in the weeks to come? I mean, I cannot imagine how we are letting ourselves get to that point.

Mr. Speaker, there is a lack of fortitude to make sure that we get this done and get it done now. Just as Representative CARTER said, the time is now. This needs to get done. We have a deadline of Friday. This Congress needs to act, get this done.

And also, as you pointed out, we have a spending problem here. It is clear

that spending is absolutely out of control. As Mr. CARTER said, clearly there is a spending issue we need to address. We're on an unsustainable path. This has to be done. This decision has to be done on time.

The American people expect leadership out of this Congress. They expect leadership out of both sides. As the Speaker said, we can't continue to negotiate with ourselves. We have to have folks on the other side of the aisle that are willing and able to say yes, we're going to get these things done; there's at least a counterproposal, instead of saying no, no, no. There has to be more to this than "no."

Our goal is to cut spending and reduce the size of government. It's not to shut it down. I know you hear out there people say, oh, you know, they want to shut it down. They want to shut it down. That's the last thing we want to do. We don't want to shut it down. We want to make sure that our military gets paid. That's the bottom line. And we have to get this thing done as soon as possible.

My question is: Is Congress in Washington, D.C., so out of touch that we don't get it, that we don't get what the American people have sent us here to do, what they want us to accomplish? Do they expect from us that we're going to forgo a budget and not ensure that our military families get paid? I think that's not the case.

They want to make sure we act, and I want to make sure that we act and make sure that we get things done. And I think we ought to bypass the 72-hour review rule and get this done out of respect for our men and women in uniform.

Again, I want to thank my colleagues, Mr. CARTER and Mr. GOHMERT, for their leadership in bringing this bill forward to ensure that our military get their pay.

□ 1950

I am a proud cosponsor of that act because I think it is the responsible way to go about getting things done. I was also eager to join 80 of my colleagues in signing a letter to Senator Majority Leader HARRY REID to let him know that this needs to get done: We need to pay our men and women in uniform.

You know, in my district, in what we call America's first district, we have a proud tradition of military there, with seven military installations and a number of people there that serve this country and are now retired or in active duty. We have a great military presence there.

I got a call the other day from a mother in Stafford County. And she said, "My husband is an active duty military officer. And if I understand the news correctly, if this budget isn't passed by April 8, 2011, the military will be expected to work and will not be paid until the budget has been passed. My family will struggle. And I am concerned about how I am going to

pay my mortgage and feed my family. If the military is asked to work without pay, you will be causing severe stress on our families. As a spouse who has endured my husband's deployment in Iraq four times, I know the thought of not getting paid would be making me sick. I also know that I would not be able to talk to my husband about this concern because I wouldn't want him to worry. Please work hard and pass the budget. I am counting on you."

Folks, there are so many people out there that are counting on us, counting on Congress to stand up and do what is needed to be done to make sure that our military families get paid, to make sure that we adopt a budget, to make sure that we get this country on the right track to reduce spending. The time has come for us to get that done.

You know, our military members out there do a fantastic job for this country. It is unconscionable to even think about them worrying about not getting paid, or for folks downrange to be thinking about what's happening here in Washington rather than being able to focus on their mission downrange. Folks, we need to get this done. Our military families serve this Nation with honor, with distinction, and without question. And they are there performing flawlessly. They don't have to, I think, be expected to have that uncertainty about what's going to happen here in the future.

So I want to make sure that this bill gets done and that we take away any worry from our military families or folks serving downrange. Our military families need to be worrying about the everyday necessities of life, and not have to worry about getting paid and to make sure they can meet those necessities. And our men and women downrange need to be focusing on the mission that they have at hand.

Just as Mr. CARTER said, our military and their families have been to war now for almost 10 years, some of them on their fifth, sixth, and seventh deployments. You know, we need to keep in mind the sacrifices that those families make and know the great job that they are doing, the hard work that they put forward. It's time for us to show the same resolve here and get this budget done and make sure that we without question assure that our military families are paid, that our men and women that serve downrange get the respect that they deserve from this body here in Congress.

So Mr. CARTER, I thank you for your leadership. Mr. GOHMERT, I thank him for his leadership in making sure that this is first and foremost in our minds about ensuring that our military gets paid.

With that, Mr. CARTER, I yield back.

Mr. CARTER. And I thank you very much for those comments. I want to point out that I have here the Ensuring Pay for Our Military Act of 2011. Mr. GOHMERT is the cosponsor of this, along with JACK KINGSTON. I was worried

about LOUIE. He was here a minute ago. He left. I am going to recognize KRISTI NOEM to discuss with me, and I will yield whatever time she needs, and then we will get Mr. GOHMERT for a minute and hear what he has to say.

Mrs. NOEM. I appreciate that, and thank the gentleman for yielding to me.

I am one of the new Members of Congress that has first come here tonight, this is the first opportunity I have had to give a Special Order. And I cannot think of a better reason to be here tonight than to make sure that our military men and women have the opportunity to receive pay for their hard work and for their service to our country.

I think it's extremely important that we focus on all of the important things that this Congress is doing and the important things that this Republican Conference in the House is doing, because we recognized that from the very beginning we took every action possible to ensure that our military could get paid. We started with our first bill that addressed the spending problems that this country has, H.R. 1. We brought it to the House floor. We changed the way that this House does business by having an open process on the House floor. Hundreds of amendments were offered. And that bill ensured that paying our military was a priority from us. It got the job done. It did the work that the previous Congress did not do.

The previous Congress did not choose to make that a priority. They did not choose to wrap up the business of fiscal year 2011. They left that for us to do. Then they left us in a big hole as far as the debt that this country is accumulating. We came in as the adults at the table.

When our President talks about having adult conversations addressing the spending in this country and addressing the budget resolution that we need to come to, the only ones who have been doing that from the very beginning have been the Republicans in the House. We came with H.R. 1, with real spending cuts that would put us on a much better path, that funded our military. Because we wanted to take care of them. We recognized that their families were at home while their spouses and family members were at war, and they were trying to make ends meet while that was going on.

I will tell you that I feel that the Democrats are holding our troops hostage, that they truly are. Because they choose to do that so they can spend more money. They choose to hold them hostage and their pay hostage because they want to help this country accumulate more debt. And it's unacceptable. You know, we voted to fully fund their pay, to fund our troops through fiscal year 2011 through H.R. 1, and we are still dedicated to that, and still pursuing that because it's a very high priority for us.

I will tell you that the Department of Defense is allowed to continue oper-

ations without appropriations because of its authority to protect the national security. But I will also tell you the military personnel are scheduled to receive their paychecks on April 15. Now, if this government truly does shut down, if it truly does shut down tomorrow night, they will only receive 1 week's pay instead of the 2 that they are owed. And that is not right.

When you look at people who are at war overseas, standing on that wall so we can sleep safely in our beds at night and we are telling them we are not going to pay them for doing that, then that is truly a travesty, and a travesty that we should not allow to happen. And if this shutdown were to continue and to continue on and on and they would not be paid, we cannot do that to their families.

People talk about the debt that this country accumulates. And they recognize the fact that it is a big deficit, that it continues to accumulate. The way that I talk about it back home in South Dakota is that months ago, when I was making the analogy and talking about the fact that our country borrows 40 cents out of every dollar that it spends, well just in the few short months since I was talking about that back in October and November, now it's we borrow 42 cents out of every dollar. I used to tell my son you owe \$42,000. You are responsible for that. That's the amount of our Federal debt that you are responsible for. Well, just in a few short months now he is responsible for almost \$46,000. You know, that boy is 8 years old. That boy is 8 years old, and he owes that kind of money because of the irresponsibility of this government and because of the irresponsibility of the previous Congress and the Congresses before that that did not get this spending under control.

That's what we are trying to address today. And that's why we are making sure we are addressing the spending cuts, we are being much more responsible in what we are proposing, and we are also making it a priority to make sure that our military gets funded. You know, I think that it is absolutely discouraging to see that we are even having to pursue the priority of funding our military during these times, and that it is being held hostage literally through these discussions that have gone on. It doesn't seem reasonable or fair to ask our military men and women to have to worry about the types of situations that they would be put in.

Many of them live paycheck to paycheck just like a lot of families are during this recession in America right now. They are having a tough time. How do they make their car payment? How do they make their housing payment? When they are out there standing and serving our country, we are telling their families that we are putting their ability to even pay their bills in jeopardy.

Then you look at the situation that we are accumulating more and more

debt in this country. That is only going to lead to higher inflation. It's only going to devalue the dollar. I was talking to someone last week about what that really means. When you talk to people on the street about what does it mean when the dollar is devalued? Well, what that means is that maybe that loaf of bread that that military wife needs to go buy next week when she only has half of a paycheck, well, someday instead of costing her \$2 it will cost her \$4. Maybe it will cost her \$6.

So we are telling her not only are we putting you in the situation where you are going to be faced with high inflation, that you are going to be faced with a dollar that's not worth as much as it used to be because people in Washington, D.C. couldn't have some discipline in their spending habits, couldn't make the tough decisions; well, on top of all of that, then we are going to keep your spouse's pay. On top of that we're not going to pay him even though he is risking his life for our country. It absolutely is wrong. And it absolutely needs to stop.

Mortgages don't stop. Bills don't stop. Car payments don't stop. How do we expect these men and women to continue paying for their everyday living expenses when they have no paycheck? In South Dakota we have an Air Force base, Ellsworth Air Force Base.

□ 2000

We have 1,000 civilians that work there and over 3,000 military personnel. Those people are extremely special to me. Not all of them grew up in South Dakota, but they are all living there in South Dakota, and they are all serving this country. And I think that a government shutdown not only affects these individuals, but it also is going to impact that local economy where they are trying to raise their children and raise their families.

Two Ellsworth Air Force Base B-1 bombers were recently involved in the Libyan military strikes. Missions like Odyssey Dawn are likely to continue whether the government shuts down or not. These missions are risky, they are costly, they are vital for our national security.

Doesn't it seem unreasonable that the Democrats here in Washington, D.C., would put those servicemen and -women in harm's way to protect our freedoms and then not compensate them for the work that they have done simply because they want to spend more money and they want to put this country further into debt?

These are all the reasons why I have fought on every CR to make sure our military men and women get paid, why we are continuing to do that, and I thank you for bringing this bill. It is critical if for no other reason I have had family members that have served, I have had friends that have served, friends that have been overseas and have stood on that line so that we could continue to live the kind of free-

dom and have the kind of liberty that we have in this country today.

But even if I didn't, I am an American; and I recognize the importance of having them there to protect us and to protect our future, and I am grateful every single day for the sacrifice and service that they offer to us. It is completely inappropriate for us to play politics with military pay.

We owe these men and women at least some financial stability in return for all of their service that they provide to us, to our children and to our country.

Mr. CARTER. Thank you, Congresswoman.

I want to say that I agree with everything you have to say. As you were speaking, I was thinking our soldiers are not asking for somebody to excuse their mortgage, not asking for somebody to come bail them out. They are just asking to be paid for the dangerous blood, sweat and tears work that they are doing right as we speak today.

Right now, somebody is being fired on somewhere in the world in an American uniform. It's a frightening thing to think about, but it's true, and they just want to have the paycheck they earned. And their families back home want to be able to stay current on their bills, and they are not asking for these grandiose bailouts that this body has become famous for. They are just saying, give me my paycheck.

Now, this is not hard stuff. I want to recognize my good friend from Texas, Congressman GOHMERT. He was the author of this bill. I think we got it done well.

Soldiers, might even be some of mine, Fort Hood.

You started the ball rolling. We have been talking about this for a long time. If we are getting close to this deadline, we have got to get the soldiers paid.

I want to recognize LOUIE GOHMERT, who introduced this, along with JACK KINGSTON. I joined with them on this.

Now our leadership is offering an alternative submission, which would fund the entire DOD, which is an even better idea because of all the contract authority and all the things that go on that get hurt by not having an appropriations finished up with. And we are hopeful, although we are hearing signals, that it's going to be dead on arrival, and they are not going to tell us what they want us to do.

I will submit this to you, and then I will let you comment, LOUIE, and that is, I would submit, if anybody is shutting down the government, it's the Democrats in the Senate, not the Republicans in the House.

I yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Thank you.

Your comments also point to another aspect, not only your caring about America, caring about those that are fighting for us and your desire to fight for those here in Washington who are fighting for us, but it also shows a

great deal about your humility, because you and I both know you have been working on this issue just every bit as long and as hard as I have, and yet you are giving JACK and me great credit and I appreciate that.

But the truth is you have done every bit as much work, perhaps more, as JACK and I have and the cosponsors we have here.

But, you know, things here in Washington obviously don't get done in a vacuum, and it means so much when we have people like KRISTI, ROB, NAN, folks that are out here. We got over 100, I am not sure how many over 100 now, cosponsors on the bill. These are people that want to make sure that the military is not used as pawns in this game.

A lot of us haven't been thrilled about the short-term CRs, but it does point out one thing, that the leadership of the Republicans in the House are committed and have paid the price of being criticized by people like me for doing short-term CRs. They are so committed to trying to do everything they can, especially Speaker BOEHNER. He has really gone as far as humanly possible to do all that he could to avoid a shutdown, making it clear he doesn't want that.

Some folks have been critical that he needed to stand up and be ready to do so. He has made it clear he doesn't want one; he doesn't believe it's good for America.

And so I know my friend from Round Rock, Texas, sitting in Georgetown as a judge for so many years, often looked at things like I do, as another former district judge. You look at evidence to bear things out.

Who is at fault? The American people are going to be looking around. Who is at fault?

Well, you look at what's happened, and the evidence is quite clear. You have a group here, a majority in the House that has done absolutely everything possible to try to placate the Senate.

We passed lots of bills, trying to get the funding done. And why was that? Well, the evidence is clear. The Democratic majority last year refused to do what was required and pass a budget. No budget passed, no appropriation to fund things.

Why? You can only speculate about that. It was an election year. Perhaps there was concern that if people really saw the total amount that they were going to be appropriating in all these areas that it might have even been worse in the election in November.

The people saw through, and the majority switched here in the House. So here we are with these bills that have been filed, pushing another bill this week here in the House. In response, there has been nothing passed in the Senate.

People that know the rules know that the Senators, any one of them—and of course it would have to be a Democrat that would have any chance

of getting something passed, because the Democrats under HARRY REID are in the majority, so a Democrat, any Democrat down there, could take the bill, the bills that we have done, the CRs that we have done. They could take those and do as they did in ObamaCare.

You know, that was, boy, here again, it's the military.

The ObamaCare bill was a bill to assist with a tax credit for first-time homebuyers who were veterans. And what did the Senate do with that bill? Since it had to originate in the House under the Constitution, they took it, and in their bill they said they are taking the first-time homebuyer bill for veterans, stripping out every word and substituting, therefore, about 2,700 or 2,800 pages of their ObamaCare bill.

Well now, if they don't agree with what we have done, they could have taken any one of these CRs that we passed and said we don't like it; it's dead on arrival. They could have taken those, stripped out every word just like they did for the veterans, to count every word that helped the veterans and substituted, therefore, their disastrous bill in ObamaCare.

They could have done that with their own CR, what they were going to fund, what they wanted to see happen. Not one person down there in the majority of the Senate has taken the leadership to do that.

Some have said, well, why isn't the White House involved in what's going on in the Senate? Why aren't they showing some leadership down there?

I heard someone say, well, that's the White House. It's a separate branch.

The Vice President of the country is and has been the President of the Senate. He has not only a vested interest; he is the presiding officer of the Senate.

We have heard over and over from this President that JOE BIDEN is going to make sure things are done right. And yet what did he do when the going got tough? Maybe he is tough because he got going to Russia, and he disappeared.

□ 2010

When the going got tough for the President, he went to Brazil and played golf and then issued an order from down in South America sending troops into battle. And we had a former President Bush who quit playing golf. He said it just didn't feel right to know our troops were in harm's way and I would be out on some golf course.

This President not only doesn't have a problem playing golf with people in harm's way, he takes time out of his golf round to send more people into Libya into harm's way. And to be assured today that, hey, we really are going to get around to turning everything over to NATO, and it won't be us—my friends, 65 percent of NATO is American military. It's not a lot of comfort to me. But the least we could do is to make sure that our military,

and that includes Reserves, and so that the military knows it includes all pay, all allowances, you're not going to miss anything if the Senate will just do right by them. We have a standalone bill that could be passed in the next day or two. It is House bill 1297. It could be done.

But as my friend from Round Rock has pointed out, our leadership, Speaker BOEHNER, has brought a CR for 1 week. He didn't want to do that. We know he didn't. But he was concerned about the military. And it funds all aspects of the military through the end of the year. Then we have this fallback bill that if the Senate is doing as they're indicating—oh, it's dead on arrival. We're not even going to pick it up and put our ideas and pass it through the Senate—then obviously the evidence is clear, Judge. It seems to me the evidence is all in, and it's very clear: They want a shutdown. They think they win politically by forcing a shutdown and then blaming the Republicans in the House. It's not only not the Republicans in the House's fault. It's also clearly them playing games with our military, with the vital function in this country, and it isn't right.

I thank you for yielding. I do thank you so much. I know we've got several of our critical key sponsors here on the House floor. And I am so grateful for the leadership. We're talking freshmen. We're talking people that haven't been here all that long, and yet they have grabbed this issue and have shown such leadership. I appreciate you so much. Thank you, Judge.

Mr. CARTER. Reclaiming my time. Let me point out, as Mr. GOHMERT said, those of us who sat in a courtroom for years, in my case almost 21 years, you want to look at the evidence to see what the evidence shows. And just very quickly, the evidence shows first: How do we get to a shutdown for failing to fund the government? Well, you start with last year when the Democrats were in charge of the House, the Senate, and the Presidency. They passed no budget and not one single appropriations bill, although I'm on the Appropriations Committee. They certainly could have. They just chose not to. They chose not to.

They chose the date that they would have a CR go into the next term of Congress when it had already lost and knew how many of these wonderful people were going to be here replacing them the next time they showed up in the House, so they put this thing all the way to March, which they knew was going to put us under a tremendous amount of pressure to get something to do to fund the government. And we made diligent attempts to fund the government. And it didn't even last long enough for HARRY REID to say "dead on arrival" when it got to the Senate.

So let's see. They didn't do their job. They didn't do their budget. They set up the CR deadline. We met the CR

deadline with a way to fund the government for the rest of the year for all departments. They rejected it out of hand without even coming back with any alternative of any substance. They offered a \$6 billion cut and spending as usual under the Obama budget. And then now we've given two extensions to try to talk, and each time dead silence. No comment. If there's a comment, it's to the press. But to us, they're treating us like a stepchild. And then they're wanting to shut down the government when we say, at least let's protect our soldiers. Let's take care of our troops.

Before we've even got it over there tomorrow, HARRY REID and the President have both made a statement tonight. "Dead on arrival," HARRY REID says. The President says, "I will veto it." He would veto funds—that's what he supposedly said in Georgia. Now I may be out of school, I didn't hear it, but I was told he did, that he said, I won't accept what Mr. BOEHNER is going to send to us. I will reject it.

That's the bill that funds our troops. I think we've got other great people.

Mr. GOHMERT. Judge, would you yield for a question?

Mr. CARTER. Yes.

Mr. GOHMERT. Since we know it would do no good for a Republican in the Senate to take a CR and bring it to the floor of the Senate, or file it, but we also know that any Democrat in the majority down there could do that and at least try to get over some Democrats, Judge CARTER, what does it tell you that not a single person in the majority has bothered to usher forth and file a CR of any kind to respond or to take ours? modify it? What does it tell you?

Mr. CARTER. It tells me that they are marching in route step to the commands of the majority leader, HARRY REID. And unfortunately, we didn't get elected to march route step in that fashion. We got elected, Senators included, to make decisions that are good for the American people.

SCOTT, my friend from Virginia, I will recognize you for the amount of time you need. We have 9 minutes.

Mr. RIGELL. Thank you so much. I appreciate the gentleman yielding, Judge CARTER, for your leadership on this topic and also Representatives GOHMERT and KINGSTON for their leadership on this.

I will say this: As the son of an Iwo Jima veteran and as the proud father of a third-generation marine, it is deeply troubling to me that we are even having to discuss how and if our men and women in uniform are going to be compensated.

A failure of leadership, Mr. Speaker, has left us in this precarious position, and it is deeply troubling to me that we are having to address it tonight, the confusion that's out there. Just today, the White House said that military personnel would not be paid.

Now, Mr. Speaker, this is failed leadership. How could it possibly be that the message from our Commander in

Chief is that it's very likely if this shutdown occurs that our men and women in uniform would not be compensated?

This week, a senior Department of Defense official said that our troops would be paid for a week but not for 2 weeks. Just yesterday, the Pentagon spokesman said that the Department had not issued any direction to the services about implementing a shutdown. And he really skirted the question of how a shutdown would affect the pay of our servicemembers.

Mr. Speaker, this lack of clarity is not only unnecessary, it's unconscionable. Brave men and women—Americans—are around the globe, and they are putting their lives at risk fighting for our freedom and our way of life. I just got back from a trip to Afghanistan, and it's just unbelievable to think that a young corporal in Helmand province would have to speak or somehow communicate to his wife about whether he is going to get paid or not.

Our men and women in uniform deserve our unwavering support from this Congress. If our military is not paid, Mr. Speaker, I believe that Members of Congress and the Commander in Chief should not be paid, not one nickel. My office gets calls every day from spouses of our military. They are concerned and understandably so.

Let's be clear on this, Mr. Speaker. The genesis of this crisis that we're in is because the Democratic leadership last year had the Presidency, had the Senate and had the House, and failed to pass a budget. Not only was this a failure in leadership; I truly believe it's nothing less than an abdication of the responsibility that was entrusted to them by the American people.

So here we are debating last year's budget. And as a result, we have this climate of uncertainty. And as an entrepreneur, I know that it's holding back job creation. As a result, we are operating under a continuing resolution which each and every service chief has said is hurting the readiness of our military.

□ 2020

I truly believe we are a nation at serious and increasing risk because of our failure to manage our finances properly. Indeed, that is why I ran for this office. I am proud to be a Republican tonight because we have proposed a path toward fiscal stability that would keep the government open.

It has been pointed out, rightfully so, the Senate has failed to move on that proposal, preferring apparently to allow the government to close and not pay our men and women in uniform. That is not acceptable. We must achieve stability and funding. I stand ready to work with any Member on the opposite side of the aisle here, and I know my colleagues do as well.

This is so important. We must do what is right. The Senate must act. I truly believe that the House has met

its responsibilities, starting with H.R. 1. We have worked every day to resolve this. We must pass a defense appropriations bill for the sake of our troops and our national security.

I encourage every American to let their Senators and our President know that they want our troops paid on time. I thank the gentleman for this time. I appreciate it.

Mr. CARTER. Reclaiming my time, I now yield to the gentlewoman from New York (Ms. HAYWORTH).

Ms. HAYWORTH. I thank you for your commitment and dedication. I have the privilege of serving the 19th Congressional District in New York, and the U.S. Military Academy at West Point is in my district. We have sent, as we all know, thousands of young men and women to join and to sustain the long gray line. Their talents and their commitment are made to our Nation in order to defend us from threats from without. We owe them that same dedication and commitment and sacrifice and discipline here in the Congress, in the House, and in the Senate. And our President owes it to them and to the children of America whose future is at risk from within.

We were elected in that great wave in November 2010 because the American people told us we could no longer afford to continue on a path of enormous deficits and mounting debt. It is difficult to do what we are called on to do, and that presumably is why the Senate has so resisted the lead that we have offered them with the passage of a continuing resolution to compensate for a budget that was never passed for this fiscal year by the 111th Congress. It is difficult to say no to certain types of spending that have become the usual mode of behavior by the Federal Government, but that is what we are called on to do.

And what we do pales in comparison with what the men and women who put themselves in harm's way around the world must do every day. What they sacrifice must be emulated by us in this small way. We must join together in the House, and we must be joined by the Senate to pass this bill that will fund our troops through the end of fiscal year 2011 and will allow us the time that we need to bring everyone together, to bring the Senate and the President on board so that they too will have that discipline that they need so that we can do what is right for America's future and so that we can get on to thinking, as we must, about the budget for 2012 and beyond.

I thank you, Judge CARTER, for your leadership in ensuring that our troops are properly cared for and for your leadership in this enormous and crucial fight for our Nation's future.

Mr. CARTER. I don't know how much time is left, but I yield to my good friend, the gentlewoman from Tennessee (Mrs. BLACK).

Mrs. BLACK. Mr. Speaker, I stand here tonight as a daughter, a wife, and a mother of veterans; and I am an ar-

dent supporter of our Nation's military. These brave men and women can never be thanked enough for their service to our country, and this Congress must do everything that we can to stand up for those who defend America. That is why I urge my colleagues to protect the military paychecks and to ensure that if the government shutdown were to occur, that the members of our Armed Forces and their families will receive their salaries on time.

This is not an issue that we can play politics with, and my colleagues on the other side of the aisle who seek to use these paychecks of our military as part of their plan to force a government shutdown should absolutely be ashamed of themselves. Military families have already sacrificed so much for this country. Back in Tennessee, there are families who are worried right now about whether their loved ones are safe overseas in Iraq and Afghanistan and other places even around the country, and they are praying for their safe return home. Those military families should not, under any circumstances, have to worry about when and where the next paycheck is coming from.

Mr. CARTER. I apologize for the short time. Thank you, Mr. Speaker.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1363, DEPARTMENT OF DEFENSE AND FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2011; AND WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Ms. FOXX (during the Special Order of Mr. CARTER), from the Committee on Rules, submitted a privileged report (Rept. No. 112-56) on the resolution (H. Res. 206) providing for consideration of the bill (H.R. 1363) making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

THE DEFICIT AND JOBS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, we intend tonight to talk about the deficit, solutions to the deficit, where it came from and what can be done about it in the context of creating jobs here in America. But before we get into that, we just heard a whole hour of talk that really is based upon a fallacious foundation, that is, it is just not correct.

Last year in 2010, it was the Republican Senators that blocked every attempt to pass legislation by threatening a veto and denying the 60 votes that were necessary. So when it came time to do a budget, it was impossible to put a budget through the Senate because of the Republican blockade in the use of the filibuster.

Similarly, when it came time to fund the government, to appropriate the money, the same thing happened. It was impossible to get the 60 votes out of the Senate because of the Republican blockade. So everything that we have heard over the last hour about the process that is now under way, the continuing resolutions, began with the blockade in the Senate by the Republicans as they continually threatened a filibuster. That's why we are where we are today.

Now, with regard to the funding of the military, let's understand that the Democrats have always consistently voted to fund the military when it was a straight up-or-down vote. However, in the CR, the first CR that did have funding for the military, it also had extraordinary cuts that would destroy 700,000 jobs in the last 6 months of this fiscal year—March, April, May, June, July, August, September, and October—700,000 jobs lost.

The Democrats said no way, no way are we going to throw 700,000 employed Americans out of work, and we rejected that. Put a clean CR for the funding of the military on, and you'll have a 100 percent vote. But when you cobble together the kinds of foolish cuts, unwarranted cuts, 700,000 lost jobs, and then attach to it the military and expect support, you won't get it.

The Democrats want this government funded, and we fought for more than a year and a half to get the government funded. We were blocked along the way. And now, as the Republicans put out these pieces of legislation, the continuing resolution, and attach to it totally unacceptable language and unacceptable cuts, to the American people, not to the Democrats, but to the American people, then we find this gridlock. What we want to do really is talk about jobs.

Joining me tonight are two wonderful legislators. One is imported from Detroit, and another one from the manufacturing capital of the world.

□ 2030

I want to start with an understanding of why we are where we are. I know my colleagues will help me on this.

First of all, the Democrats have been about creating jobs, from the stimulus to today. The GOP majority has been in power for 14 weeks. Zero, no, nada, nothing to create jobs. Not one jobs bill. In fact, the only bill that they have put on that has anything to do with jobs is one that destroys 700,000 jobs. So keep this in mind, American public. Fourteen weeks of GOP leadership in the House and not one piece of

legislation that would create a job putting Americans to work this year and next year. That's the fact.

Now, another fact: Where did the deficit come from? In order to understand where we are, we need to know where we've been. Here is what the deficit is all about. Beginning with Ronald Reagan, the budget was not balanced. Ronald Reagan at the end of his term left for the American public a \$1.4 trillion deficit in the years ahead. At the end of each year and, therefore, at the end of a President's term, the Congressional Budget Office makes an estimate of what is going to happen over the next 5 to 10 years. At the end of Ronald Reagan's term, they said there would be a \$1.4 trillion deficit going forward.

George Walker Bush followed Reagan; and at the end of his administration, the estimate by the non-partisan Congressional Budget Office was that there would be a \$3.3 trillion deficit going forward. That's the numbers provided by the Congressional Budget Office, nonpartisan group.

Bill Clinton came to office, established the pay-for program, established the balanced budget program; and at the end of his administration, it was projected going forward that there would be a \$5.6 trillion surplus, wiping out the American debt. That's what happened during the Clinton administration. So that in the years beyond the Clinton administration, had the same policies gone forward, the American debt would have been wiped out.

However, another gentleman was elected, George W. Bush. In his first year in office, the Bush tax cuts went into effect, the Afghanistan war started, and the deficit began to grow once again. So that in his second year, the second Bush tax cuts were added and the Iraq war was started. Never before in America's history has a war been under way that was not paid for with tax increases. Instead, the Republicans and George W. Bush decided that they would start not one war, but two wars, and pay for it with borrowed money. The fourth piece was the unpaid-for Medicare drug benefit which didn't even require that the Federal Government force the insurance companies to compete for drugs.

The result was at the end—oh, did I forget the Great Recession? I did. You add the Great Recession to it, so at the end of the George W. Bush administration, the projection from the Congressional Budget Office was that the deficit would grow by an additional \$11.5 trillion.

The George W. Bush Republican period created the Great Recession, two wars unpaid for, a major increase in the Medicare program, and the result, the Great Recession and the great deficit. This is what Obama faced the day he came into office, the greatest recession since the Great Depression and an \$11.5 trillion deficit going forward. Those are the facts. That's where we started this.

Now, what are we going to do about this problem? The President has put forth a budget that would, in 8 years, significantly reduce the deficit so that it wouldn't grow and allow us to pay the interest, not removing it, not paying it all off—neither do the Republican proposals—but it would put us in a position where it would not grow. It takes time to solve the huge deficit problem that George W. Bush, Ronald Reagan, and Bush, Sr. put us into. We can do it. But we cannot do it unless we grow this economy. It's about growing the economy and creating jobs that we would now like to talk about.

I am going to turn now to my colleague from Ohio, BETTY SUTTON, who has been working on the issue of putting Americans to work for a long, long time. Please share with us where you are now with this proposal that you are putting forward.

Ms. SUTTON. I thank the gentleman. I thank you for your leadership. You gave us a little bit of background that I think is really, really important when we talk about where this deficit came from and how it came to be. I would just add a couple of other points that I think are significant.

At the end of last year, we will remember that the same people who are now cutting indiscriminately, cuts aimed at seniors, cuts aimed at middle class Americans, cuts aimed at Head Start, low-income housing, heating assistance, Community Development Block Grants that add to economic activities in our communities, those same folks, some of them, were over there fighting to make sure that we had super tax cuts for billionaires that were also going to add exponentially to the deficit.

Then they turn around and say, hey, we've got this horrible deficit, and so now everyone has to sacrifice. But whenever the American people hear the words, "Everyone needs to sacrifice," chances are if you're in the 95 percent of the population that controls very little of the wealth in this country, they mean you. They don't mean that top 5 percent that controls most of the wealth in this country. They are all about protecting what they have and grabbing more power.

It's very interesting when we talk about where the policies coming out of the Republican House majority are these days, because all of the cuts seem to be targeted at the people back in the district where I live, hardworking, salt-of-the-Earth constituents whom I am so honored to serve.

Your point is well taken and very sad, that the one bill that they put out there—I mean, hey, you don't have to take our word for it—the bill that they put out there puts 700,000 jobs, more than at risk, it's been determined by their own Republican analysts that it would cost us 700,000 jobs. Frankly, our economic recovery, which is so fragile, is under threat.

A group of 300 economists, including two Nobel laureates, wrote a letter

warning that the shortsighted budget cuts to, quote, human capital, our infrastructure and the next generation of scientific and technological advances would threaten future economic competitiveness as well as the current recovery.

So the path that the Republicans are on, and it's funny because we just saw the new budget proposal unveiled and they called it a path to prosperity. I think that the better name is a path to poverty. At any rate, the path that they are on is not a good one.

We know that the answer to what ails our economy is we need to put the American people back to work. We need to have jobs that will create opportunities for the people that we are so honored to represent, that will keep our communities running, will have the revenue that we need to pay for those services, those firefighters, those teachers, those police officers, those nurses, those public servants that make our world turn.

□ 2040

So everyone at all levels of government, regardless of party, should be focused on priority one—getting Americans back to work. That's where we come in with what we need to be focused on, which is: How do we make it in America? Manufacturing matters.

So we are working in this House, as you know, Congressman GARAMENDI, to make sure we put forth an agenda on the Democratic side of the aisle, and we hope that our Republican colleagues will stop being deflected and will start focusing on what will help the people we serve, which would be focusing on these jobs, giving people opportunity, and creating real value by making things in this country. Not only will we make the products; we will then give a chance to the American people to make it in America, and America will make it again.

Mr. GARAMENDI. Thank you very much for laying out the thematics as well as the past history.

Our theme in the Democratic Caucus here in the House is one of making it in America—once again, going into Target, going down to the local automobile dealership, and finding products that are made in America. The great strength of America, historically for the last 150 years, has been its manufacturing strength, but we need to understand that, in the last decade, we have seen the hollowing out of the American manufacturing industry.

In 1999, there were 17,383,000 Americans working in manufacturing. In the decade that followed, more than 6 million of those jobs were lost, and we saw the hollowing out of American manufacturing. That's the strength. It also happens to be the middle class. So our theme is "make it in America." As you say, if America is going to make it, we must, once again, make it in America. Manufacturing matters.

Let me put up here on the board why it matters to the American public.

What has happened in the last decade has been a skewing of the economy, the great unshared prosperity of America. If we look at the bottom fifth of the population, these are the poor. They've seen a \$200 annual increase in their well-being. For the next fifth, 20 to 40 percent, they've seen just under \$10,000. As you go up, if you look at the top 10 percent, \$300,000. If you look at the top 1 percent of Americans, what has happened with them? Their wealth has grown by over \$5,978,870.

So what has happened as a result of the policies of the Bush administration is a push to the wealthy and the clampdown of the working class in America. The middle class in America is losing the race to wealth. It is losing it to the top 1 percent.

Let me put this another way.

There are, perhaps, some people you might recognize at the bottom, the poorest fifth, the folks who work for Wal-Mart. Eleven percent of the wealth went to them. For the second poorest—these are the teachers—it's the same thing. There was very little growth in their income. As you get to the millionaires and billionaires, the Donald Trumps of the world, they have seen a 256 percent—a 256 percent—increase in their wealth. At the bottom, an 11 percent. For the teachers, an 18, 20 percent. For manufacturing, maybe a 32 percent. Here is where the money is: It's with the super wealthy. They have seen a 256 percent.

Take a close look, America. Take a close look at what was proposed yesterday by the Republican caucus:

Yesterday, the Republican caucus proposed to take this skewing of wealth, the unshared prosperity, and push even more of it to the super wealthy of America. It is unconscionable, but that's what they've proposed to do, and they're going to do it with tax breaks for the wealthy, continuing on, indefinitely, increasing the deficit by \$1 trillion—a \$1 trillion increase—because they want even more wealth to go to the super wealthy.

At the same time, they're cutting the benefits that the working men and women rely upon. What are those benefits? Well, how about employment opportunities? How about educational opportunities? All of those are cut, and they're taking money out of the economy so that 700,000 men and women will lose their jobs this year, in the next 9 months. That's the Republican agenda.

For those who are not working, the seniors of America, the Republicans are proposing to end Medicare as we know it. It will be the privatization of Medicare, giving every senior in this Nation an \$11,000 voucher so that they can then go and negotiate with the rapacious greed of the health insurance companies. If you want to live to be 65 and finally have a health insurance policy that you can count on, don't look to the Republicans, because they intend to terminate Medicare as we know it and turn over the well-being—

the health and, indeed, the life of every senior—to the vagrancies, to the rapacious profit orientation of the health insurance industry. That's what's going to happen if the Republicans get their way. We'll do everything we can to stop it, and we will also do everything we can to build the American middle class.

Ms. SUTTON. Will the gentleman yield?

Mr. GARAMENDI. I would be delighted to.

Ms. SUTTON. In addition to that, at the same time they're cutting Medicare and changing it and removing the guarantee that seniors have known, which is that they're going to have access to that care when they need it, isn't it also true that they're continuing to protect those subsidies to big oil companies, those billions of dollars in subsidies, and are continuing to protect tax breaks that ship those jobs overseas, which has led, in large part, to the decline of American manufacturing?

Mr. GARAMENDI. Precisely so.

Look at their budget proposal. Their budget proposal says that the oil companies in the last 10 years have earned a profit of \$947 billion. That would be \$53 billion less than \$1 trillion in profits, nearly \$1 trillion in profits. Yet our Republican colleagues say they need to continue to be subsidized by the American taxpayers. Hello? What's that all about? Do you want to balance the budget? Remove those subsidies from the oil companies, and let them pay taxes. Why should we be subsidizing the wealthiest industry in the world, the oil industry? That's what they want to do—and you talk about tax breaks. Good heavens.

I want to turn now to our colleague from the great City of Detroit. We loved that advertisement in the Super Bowl. We now call HANSEN CLARKE the "imported from Detroit Representative."

Please share with us your thoughts here.

Mr. CLARKE of Michigan. Thank you, the great gentleman from California, Congressman GARAMENDI.

You're right. I was born and raised in Detroit, and am very proud of it—imported from Detroit, as you say.

One reason why U.S. manufacturing has been so innovative is that we use the best research. As a matter of fact, U.S. manufacturing performs half of the research and development in the United States. It has been fantastic, and let me give you an example.

In Detroit, which is the district that I represent, General Motors Corporation is now manufacturing one of the best electric-powered vehicles around, the Chevy Volt. The cost of the Chevy Volt has dropped. It's very affordable now, which is, in large part, because of the Department of Energy's investment into research and development in the lithium-ion battery. The cost of that battery has now dropped down to just \$8,000 apiece.

□ 2050

So this car is not only a great car, saving gas, it's a good riding vehicle, but also it will be affordable.

But here's the problem: The problem is that many in the majority right now want to cut back on research and development that's going to be so essential for us not only to build the best products to be sold here, but also so that we can compete overseas. What's very disturbing is that, for the first time since 2008, the U.S. level of investment in clean energy technology has now dropped from first place in the world. We used to be number one in the world in clean energy technology research until recently. We have fallen now to number three, number three behind China and Germany. That's not acceptable.

Mr. GARAMENDI. Would the gentleman yield for a moment?

Mr. CLARKE of Michigan. I will yield to the gentleman.

Mr. GARAMENDI. In the Republican continuing resolution, H.R. 1, they reduce the research budget for energy research here in America, cutting out vital research at the Department of Energy, at the laboratories across this Nation. And what are they thinking?

Mr. CLARKE of Michigan. Well, you're right, this makes no sense at all. And I'll tell you what's disturbing is that the British National Science Academy predicted that if we go on this path that we're going on right now—which we're going to ask the American people to back us up because we've got to put more research and development dollars into building these great manufacturing products. But if we don't do that, if we don't change, China could overtake us in scientific output in just a couple of years. That's not acceptable. We want to make sure that the best products are imported from Detroit, not from China.

Mr. GARAMENDI. Thank you so very much.

And how correct you are in laying out this strategy of how we can move the American manufacturing industry: Education, a well-educated workforce; research on fundamental issues like energy systems, batteries, transportation; and then making those things in America, importing from Detroit to American consumers and selling around the world. However, when the Republicans put together a proposal such as H.R. 1—their continuing resolution that would cut 700,000 jobs out—it also cut out the research budget for energy research, for battery research, for transportation research, and in addition to that, research for health. The National Institutes of Health budget was decimated. That's not good public policy. We need to make these financial investments. And if the Democratic strategy of making it in America is carried forward, Detroit will prosper and America will prosper.

Another part of our country in trouble for manufacturing, but a great manufacturing center of America, is Il-

linois. Our Representative from that great State is here to join us, JAN SCHAKOWSKY.

Ms. SCHAKOWSKY. I am so happy to join you. And I thank you for coming down to the floor each week and making the point that we have choices in the United States of America.

We can put our people back to work. We can reduce our debt and our deficit, but we don't have to do it on the backs of middle class Americans, and we certainly don't have to do it on the backs of our elderly. That's exactly what the budget proposal by our Republican Budget Chairman PAUL RYAN says. He said, look, the country is broke. We've got to just show courage and we've got to cut that deficit—we agree with that—and the way that we think we ought to do it is by ending Medicare as we know it, by abolishing Medicare. Instead of that guaranteed benefit that all older Americans can aspire to now, can get when they're 65 years old, that persons with disabilities would get, they know that it's there—and I cannot imagine that there is not every single Member of this House, Republican or Democrat, where people come in and say, I hope I can make it until I'm 65 and get on Medicare because I can't get insurance, and even if I could, I can't afford it right now or I have a pre-existing condition. He wants to do it on the backs of senior citizens.

It's been said many times tonight that 700,000 jobs would be lost if H.R. 1—the top priority of the Republicans—were to pass, that the cuts that it would make, instead of spurring on jobs, creating jobs, putting the 15 million people that want to pay taxes—that's all they want is to go back to work and actually pay taxes, that that would be their dream come true, and it would also cut our deficit. But you know what the American people are thinking? They're thinking, We aren't broke—maybe we are, but not everyone is broke in America.

This is a sign that my staff made before I introduced a bill with an idea supported by 81 percent of Americans that it is time for millionaires and billionaires to pay their fair share; 81 percent of Americans. That means it's not just Democrats and it's not just Republicans. It's Independents, and I believe that it's Tea Party people, too. They know that they are not getting a fair shake and that the millionaires are.

Did you explain the chart?

Mr. GARAMENDI. Go ahead.

Ms. SCHAKOWSKY. Well, what it says is that from 1979, at that end, to 2005, this is the growth in income over certain income categories. And you can see way down at the end there is a little bracket—even if you can't, you get the idea. There is a little sign down there that says that the bottom 20 percent of Americans over that period, almost 30 years, their income increased \$200.

Let's go to the other end. The top 0.1 percent of Americans, their average income increased, actually increased,

over \$6 million. Their average income right now is \$27 million. Get this: The bottom 90 percent of Americans—I was even shocked by this number—the average income is under \$32,000 a year. Top 0.1 percent, \$27 million; 90 percent of the rest of Americans, less than \$32,000. This is not good for our economy and it is not good for our democracy.

Mr. GARAMENDI. Would you yield for a moment?

Ms. SCHAKOWSKY. Yes.

Mr. GARAMENDI. The Republican budget proposal put out yesterday calls for a tax decrease for that 0.1 percent from 35 percent to 25 percent.

Ms. SCHAKOWSKY. Just the people who need it, right? Just the people who need a tax break. Isn't that astonishing that they should actually pay less?

Mr. GARAMENDI. We're talking about super trickle-down theory here.

Ms. SCHAKOWSKY. Yeah. Take it from Medicare and give them a tax break.

And, by the way, the top tax bracket in the United States of America right now starts at \$375,000. So if you make \$27 million or \$375,000, you're still paying the same tax rate.

What I did was say, okay, let's make the taxes fairer. I said, starting at \$1 million—that's earning in 1 year—45 percent tax rate. And it would ratchet up, \$10 to \$20 million, \$20 to \$100 million, \$100 million to \$1 billion, and then a \$1 billion tax bracket. And you know what? There are Americans who have made \$1 billion last year. The top 20 hedge fund managers, an average of over \$1 billion a year. One guy made over \$5 billion in 1 year. I'm saying those billionaires, that top tax bracket, 49 percent taxes. And guess what? That is lower than the tax rate in all the Reagan years. I'm under Ronald Reagan's highest tax bracket. It's fair.

This is not about punishment. It's not about revenge. It's certainly not about jealousy. It is about fairness in our tax system. And we would have plenty of money here. We wouldn't have to cut Medicare, of course we wouldn't. We wouldn't have to cut Medicaid, the poorest people off their health care. We wouldn't have to threaten seniors with cuts in Social Security benefits. And we could fund those job training programs to put people back to work. We could even fund infrastructure programs that put people on the job, or green energy programs that make America a leader in the world. We could do all those things. We are not broke as a people.

□ 2100

So my Fairness in Taxation Act, I hope people will sign on as cosponsors. Eighty-one percent of Americans think it's a good idea. We have to have the courage to follow—listen to people out there, and follow.

Mr. GARAMENDI. Our Republican colleagues have consistently said we ought to listen. And apparently all that we know about tax policy, there's

little or no support for reducing the taxes on the super wealthy but rather they go the other way. And we're wondering what they're thinking over on the other side of the aisle as they continue to skew to create the unshared prosperity by even reducing further the taxes on the super wealthy.

Ms. SCHAKOWSKY. One of the things that they say, that PAUL RYAN says, We all have to sacrifice. Shared sacrifice. I believe in that. I think that's a good idea. But some people have been sacrificing for a long time.

If you drew another line starting at the bottom left and going to the top right of productivity increases in the United States, that line would shoot way up because we have the most productive workers in the world. Productivity has soared. And yet where have the benefits gone for our more productive workers? Right here. And it has been deliberate, and it's been based on policies that have passed in the Congress, a partnership between government that's been hand-in-hand with the wealthiest Americans. And the rest of America—and you know what, the other thing is if you started up here and tracked union membership, you would find that line going straight down.

When workers, as 62 percent of Americans agree is a good thing, have collective bargaining, they're able to help raise the middle class instead of having a disappearing middle class, which is what's happening now.

Mr. GARAMENDI. And yet we're seeing across this Nation a Republican attack on unions claiming that unions are bad. But the great history of this Nation is that the union movement, collective bargaining over these many, many decades did in fact create the middle class. And so that in the 1960s was the period of time when the middle class of America was at its peak. It had the greatest distribution of wealth. The greatest share of the income went to the middle class. It was also the time when the union movement was the strongest in America. Since that time through a variety of governmental policies, we have seen a decline in the union movement and a commensurate consistent decline in the middle class.

We're going to build the middle class. This is about making it in America. This is about rebuilding the middle class.

I want to now turn to our colleague from the great industrial—the once and future great industrial center of America, Ohio, and share with us—you've got some specific proposals that you've put forward. I'd like to talk about them. I know that our Congresslady from Illinois has, and I do, too, so we're going to talk about specific things that we're going to do to rebuild the middle class by making it in America.

Ms. SUTTON. I thank the gentleman and I thank the gentlewoman for her making the case about the fundamental unfairness about what is going

on with the proposals coming from the other side of the aisle.

And I think that the point that the gentleman just made about the union movement in this country, helping to build the middle class and frankly, leading us to a place where we had a strong middle class in this country—you know, it's that middle class that makes America so great, that people have a chance to aspire to that American dream.

And so when you stand on this floor or you come here as we do, and you see attack after attack on those middle class families—from attacks on prevailing wage payments that are just living wages that are going to those folks who work in our trades. We see those attacks come up over and over again at the same time that those on the other side of the aisle are protecting that huge income disparity, it's really, really hard to take, I know for us over here, and it's hard for the people who I represent who work hard for a living and are just looking for a chance to take care of their families and make their way.

We also see those attacks on collective bargaining to silence workers, to take away rights to even have a voice at the table, to be part of the solution, which they have been and will continue to be.

You know, those power grabs, those attempts to disempower ordinary Americans, we have to fight against. There is a better way, and this Make It in America agenda offers us that better way.

Manufacturing, we all know, is a multiplier in terms of jobs. We know that for every manufacturing job, it has a multiplier effect of four more jobs. And in some industries, the auto industries, it's as high as 10 additional jobs.

We know that where people manufacture, if we manufacture in America, we do research and development in America. We maintain our capacity to be strong as a Nation—both economically as well as in our sense of national security. What happens if we can't make it in America?

So here we are. We have a number of proposals, we know that we need a national manufacturing strategy in this country. Democrats are committed to making sure that we have one.

Another area that we need to work on that I think the American people—honestly I think that they expect this, and I'm hoping that our friends across the aisle will see fit to join us in the effort to make sure that when taxpayer money is used to build our infrastructure, which in and of itself puts people to work, we will use that taxpayer money to buy American iron and steel and manufactured goods and get that multiplier effect as we build our streets and our roads and our bridges and our sewer systems and our water systems and our alternative energy products.

Mr. GARAMENDI. Could you just yield for a moment?

Ms. SUTTON. I will yield to the gentleman.

Mr. GARAMENDI. There's a piece of legislation that someone introduced that's called Don't Let American Jobs Go Down the Drain. Do you know who that was who introduced that piece of legislation?

Ms. SUTTON. Absolutely. I introduced that legislation.

Mr. GARAMENDI. I thought you did.

Ms. SUTTON. I thank the gentleman for bringing it up. It is called Keep American Jobs from Going Down the Drain Act. And what it says is very simple. It says that as we do what we need to do in this country to rebuild our infrastructure, our water and sewer systems, that we will make sure we do it using American iron and steel and manufactured goods because that puts the American people back to work.

Other countries have similar procurement policies, and it's way past time that this country also do what it can to keep these jobs right here in Ohio, right here in America.

Mr. GARAMENDI. Well, I love the title, but even more so, I love the purpose of your legislation. Using our tax dollars to build the infrastructure, the water, the sanitation systems that every city, every community needs, and using that money to buy American-made pumps and pipes and fittings and valves and all of the rest of the things that go into those kinds of systems.

It's not the only place where American taxpayers' money can be used.

Let me give you a couple of examples, and these are my pieces of my legislation that deal with a similar theme.

We all pay gasoline tax and a diesel tax—18½ cents on the Federal side and 25 cents for diesel on the Federal side. Where does that money go? It goes to build our streets, highways, and buy our buses and trains.

We need a firm policy that says if it is American taxpayer money, it's going to be used to buy American-made buses, trains, American-made steel, concrete. We need to use our tax money to build the American economy so that we are making those things in America.

I'm going to give you the poster child for the wrong policy. State of California going to rebuild the San Francisco-Oakland Bay Bridge, a multibillion dollar project. Bids went out. An American contractor came in with two bids. One bid was for steel in America, and the other bid was for steel made in China. The Chinese steel was 10 percent cheaper.

The State of California—wrong-headed, big mistake—went out and said, Well, we're going to save 10 percent. Turns out, the Chinese steel was defective, the welds were defective, the bridge was delayed. The 10 percent disappeared. The 10 percent was added. The American jobs were lost. Never ever, ever again should that happen in America. If it's American taxpayer money, then by golly, use American-

made products. I love it. Don't let American jobs go down the drain. Make sure we are making it in America.

One more thing, and then I want to turn to our minority whip to talk about Make It in America.

□ 2110

We also use American taxpayer dollars to build the solar systems and the wind turbine systems in America. Are they made in America? They ought to be. There are American manufacturers that make wind turbines and make solar. Once again, our taxpayer money. Is it going to be used to buy solar panels from China, wind turbines from Europe, or is it going to be used to buy American-made wind turbines and American-made solar panels? We must pass legislation, and it ought to be Democrat and Republican alike, that says finally it's going to be American made. We are going to make it in America so that Americans can make it.

Let me now turn to STENY HOYER, our esteemed leader, the whip of the Democratic caucus. Mr. HOYER.

Mr. HOYER. Mr. GARAMENDI, I thank you not only for your yielding, but more importantly for the extraordinary time you have invested in educating all of the Members of this House on both sides of the aisle in what can truly be perceived I think as an absolutely nonpartisan, bipartisan, pro-American agenda that says we ought to make it in America. And if we do, we are going to make it in America. We're going to succeed in America.

You've got our logo up there, Manufacturing Matters. I want to congratulate you, and I want to congratulate Ms. SUTTON from Ohio, who has been such an extraordinary advocate. Her legislation in many respects took the automobile industry and put it back on track. That was an action that saved literally hundreds of thousands of jobs. Thousands of jobs in the automobile industry, but all the jobs that are related to the automobile industry. And I congratulate BETTY SUTTON for the leadership she showed. That legislation of course was passed in a bipartisan fashion. Not a partisan divide on that issue.

Mr. GARAMENDI has been not only educating the Members of this House, but as the American public watches the proceedings in this House, educating them as well. I go all over America and talk to groups, and there is not a group that I have talked to, no matter how liberal, how conservative, whether it's a Democratic group, a nonpartisan group, anywhere in this country, and I have talked to a number of the heads of major corporations, and I have talked to a lot of heads of small corporations, 200, 300, 400 members, and all of them are appreciative of the fact that we have focused the Congress of the United States and the administration and America on the importance of making things in America.

BETTY SUTTON, as I walked on the floor, was talking about the kinds of

jobs that we create in manufacturing, which have on average a 22 percent higher salary. That middle income, middle class workers, working Americans can have the kind of quality of life that they deserve. And when you see Ford bringing jobs back to America, you see Whirlpool bringing jobs back to America, you see other corporations bringing jobs back to America, why are they bringing them back to America? Because they are finding out that they get better quality and higher productivity.

The gentleman from California mentioned the steel in the bridge that's being built. We make the best steel in America. I was visiting the president of U.S. Steel in Pittsburgh. Extraordinary technology. And we are the most productive producer of steel now. We frankly in the fifties sort of rested on our laurels. And then in the sixties and seventies, the Japanese, the Koreans, and others built new plants and they overtook us in technology. But it wasn't because we couldn't compete; it was that we weren't competing.

What Make It In America says is American workers can compete with anybody in the world. And we are prepared to do so. And this Congress hopefully is going to give them the incentives and the tools to do that. So I wanted to come on the floor and join you, as I have in evenings past, to thank you, because I believe this agenda, if it's known to our Republican colleagues fully and our Democratic colleagues, but much more importantly to the American people, it's an agenda that I have found has the support of 8 to 9 of every Americans who shake their head and say, yes, that's the deal. I don't mean that the 1 or 10 percent are against it. It's just that about 85 percent say, yes, that's what we need to do. America can compete. America can be again the center of manufacturing and growth and the creation of jobs.

We know that we've lost some 8 million jobs over the last few years, 3 or 4 years. We know that Americans are struggling to find employment. Well, if we want to find employment for them we need to create jobs for them. We need to focus on creating jobs. I am hopeful that as we move on in the coming months that we will in fact start focusing on jobs, on job creation. We have created, as you know, 1.75 million new private sector jobs over the last 13 months. But that's not enough. It's progress, but it's not enough.

So I congratulate the gentleman and thank him for his leadership. And I thank Ms. SUTTON for hers as well. Two giants in focusing on an agenda that we call Make It In America.

Mr. GARAMENDI. Your kind words are much appreciated. But you are very much a part of this. This logo itself and the theme Make It In America was one that you developed. And we appreciate that and value the leadership that you have put into this.

I want to turn back to our colleague from Ohio. We have about 7 minutes, I

believe, and we are going to wrap this thing up. Mr. HOYER, thank you very much. We really appreciate your work here.

Ms. SUTTON, if you will carry on, I am going to find one more of these placards.

Ms. SUTTON. I thank the gentleman.

You know, again, this Make It In America agenda, it really is something that we believe that whether you are a Republican, a Democrat, that everybody can embrace, and frankly, everybody needs to embrace. We saw what happened when we had our economy relying on the financial sector, where you had a few people moving money around. And it wasn't real value that was being created. When that bubble burst, we had a big problem. But when you engage in manufacturing, you take something of lesser value and you turn it into something of greater value. That is something that we can rely on.

So one of the things that we have to do is we have to have a national manufacturing strategy. And in that national manufacturing strategy, like on the agenda, the Make It In America agenda, we need to look at a number of things and how they all work together so that they will support U.S. manufacturing and U.S. workers.

Why do we need a manufacturing strategy? Well, it's kind of obvious, but I do think it's worth noting that others have national manufacturing strategies. So Germany has one, South Korea has one. In fact, every other industrialized nation has a network of currency, trade, tax, investment, innovation, and skills policies that promote their domestic manufacturing. So right here in the House we encourage our colleagues on the other side of the aisle to join us in this Make It In America agenda, to promote a national manufacturing strategy that deals with trade policies that are fair, and that there will be a reciprocity of trade that will no longer leave our workers and our businesses at an unfair disadvantage, where others will be forced to play by the rules in the same way that our manufacturers and our workers play by the rules. A program that also promotes tax policies that encourage manufacturing in this country and stops the outsourcing of jobs overseas, which we have seen take place for decades now. That will be smart with respect to our energy policies, our labor policies.

We shouldn't be attacking workers. Workers are not the ones who drove our economy off the cliff. So that whole issue of disproportionate shared sacrifice, right? Just like we saw the disproportionate wealth accumulated in this country as it did with the help of the policies that were promoted by the last Republican administration. We need education policies as a part of that national manufacturing strategy to promote a workforce that will keep us competitive and on top. Policies that protect intellectual property and research and development right here.

Because where you have research and development you have manufacturing, and vice versa.

□ 2120

Of course, we need to strengthen and rebuild this country by investing in our infrastructure. It puts people to work, and it is what we need to do.

Smart cuts make sense, but so do smart investments, and infrastructure is a good way to go.

Mr. GARAMENDI. I am going to pick up right on the issues that you raised. These are the essential elements of a manufacturing strategy. So if we are going to make it in America, we need to make things in America and these are the essential things.

You talk about trade policy. We cannot continue just to give it all away and just expect to be importers of cheap products made elsewhere. So we need good trade policies that position America's manufacturing sector to be competitive.

We speak specifically here of China, a lot of issues involved in China, currency; and it goes on and on. But this is one of the areas where we must stand firmly or else we will lose it because somebody else is going to make it and ship it here.

Unfairly, taxes. The tax policy of the Nation needs to encourage manufacturing. I want to give two examples that were part of the Democratic agenda, and these are now in law. Last year, as part of our program, we provided a tax break for American manufacturers who invested in capital equipment. We said, don't worry about depreciation. You invest in capital equipment, that is grow your manufacturing capacity and you could write off against your taxes in 1 year, that investment. That's a tax policy.

The second tax policy we said is it's not right for American corporations to get a tax break when they offshore jobs. We said enough of that. No more, you are going to do that. On both of these policies, our Republican colleagues refuse to join us. So presumably they want to continue giving corporations tax breaks when they send jobs offshore, and they don't care whether American companies invest here in the United States with capital equipment.

Energy, crucial, crucial. We cannot any longer put our future to risk on international oil markets. We are seeing it today, the extraordinary rise in the cost of gasoline and diesel, energy policy, energy independence, advanced biofuels, conservation, electric cars, all of those things.

Labor, you talked about labor. Again, it was the labor movement that created the middle class in America by standing firm and saying the workers of America need to share in the great wealth of America. We have seen the decline of labor, and we have seen the equal decline of the middle class. They go together.

Labor, fair labor rules, what's going on in the Midwest, Wisconsin, your

State of Ohio, other States, is wrong. The labor movement and collective bargaining is crucial to America's middle class because that gives the foundation, education policy.

What in the world are our Republican colleagues thinking about when they cut education funding? If we are going to compete, we need a well-educated workforce, and you can't do it on the cheap. It requires an investment.

I use intellectual property here; we could just as easily use the word "research." It is from the research that the new products are created. It's in those new products that the great profits are, and it's where we must protect the research.

Again, my Republican colleagues, why are you reducing the research budget for America? Why are you doing that, when, in fact, that's where the future industries come from? Don't, don't cut there.

And, finally, infrastructure, the foundation upon which everything moves, including thought.

We used to think of infrastructure being roads, streets, water systems, sanitation systems, yes. And now it's the intellectual infrastructure, the intellectual highway. All of that infrastructure is crucial if we fail to invest. By the way, in terms of the Net highway, access to the Net, the United States falls behind virtually every other industrialized country in the world and in many cases behind developing countries.

This is a Make it in America strategy. These are the elements: trade policy, tax policy, energy policy, labor policy, education, research, intellectual property and infrastructure. This is the Democratic agenda. This is what we are putting forth. This is what we will fight for because this is how you build the American middle class, by making it in America.

I want to thank my colleagues Ms. SUTTON; Mr. CLARKE, who was here earlier; our minority leader. We use the words minority whip now. You were our majority leader just a few months ago, and you will once again be because this agenda, the Make it in America, is the American solution to our economy and to our economic growth and to rebuilding the great American middle class.

I yield back the balance of my time.

HONORING FORMER CONGRESSMAN JOHN ADLER

The SPEAKER pro tempore (Mr. REED). Under the Speaker's announced policy of January 5, 2011, the gentleman from New Jersey (Mr. LANCE) is recognized for 17 minutes.

Mr. LANCE. Mr. Speaker, I rise this evening in a very sad moment for the people of the State of New Jersey. I want to thank Congressman PALLONE for joining with me this evening, as well as other Members of the House, as we pay tribute to our colleague, John Adler, who served in this House in the

last Congress, an extremely close personal friend of mine, he and I having served 17 years together in the New Jersey legislature.

Mr. Speaker, before I deliver my remarks, we are honored this evening to be joined by the minority whip, the former majority leader, who certainly knew Congressman Adler well.

I yield to the distinguished minority whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank my friend for yielding.

I did not know that he was taking a Special Order, but I was here on the floor, went over to say hello to my dear friend and he indicated this Special Order was being taken for John Adler.

John Adler died too young. John Adler contributed extraordinarily to his family, to his community, to his State and to his Nation.

He served here too short a time. He was full of energy and of ideas, of intellect, of integrity; and he became a good friend in a short period of time. And I counted him as one of the assets of this Congress, not a Democratic asset or a Republican asset, but someone who cared about his country and who wanted to see it adopt policies that were productive for its people.

It is appropriate that we remember this too short a life that, notwithstanding its brevity, was filled with great productivity, service and commitment. I appreciate the fact that the members of the New Jersey delegation have allowed me to join them, Mr. Speaker, in paying tribute to this great American.

I want to say to his family, I called Shelley the other day and didn't get her but left a message, four children are missing their father tonight, a loving wife, whom I got to know as well, missing her husband. While our loss is certainly not as personal or as keen as their loss, we share that loss in a very real sense.

Not only have we lost an American public servant; we have lost a friend and a colleague. For that we will say a prayer for his family, and we will be there for his family whenever they need us.

So I thank the gentleman from New Jersey, my friend Mr. LANCE, for giving me this time to join him and Mr. PALLONE and Mr. HOLT in paying tribute to this wonderful human being whom we had the privilege of serving with, for too brief a time.

Mr. LANCE. Thank you very much, Mr. HOYER.

Mr. Speaker, I have known John Adler for 20 years.

□ 2130

He entered the New Jersey State Senate in January 1992, having been the only Democratic candidate to win an open seat that year, defeating an incumbent in what was not a strong year for the Democratic Party, his party. It was a strong year for my party, the Republican Party. And so he came to Trenton as a phenomenon.

He was a very young man. He was born in 1959, so he would have been 32 years old when he became a member of the State Senate. I had been elected to an unexpired term in the General Assembly the year before, and I served in the 1990s in the General Assembly, the lower house of our legislature, and he served continually in our upper house, in our State Senate, having first been elected in 1991 and then reelected in 1993, 1997, 2001, 2003 and 2007.

He rose to a position of prominence in the New Jersey Senate. He eventually chaired the State Senate Judiciary Committee, which is an extremely important responsibility in the structure of our government in New Jersey. And he was always interested in public policy. The year before he was elected to the State Senate, he had run as an underdog in a congressional race. And although he did not win that race, I think that many took note of his candidacy, and I think that propelled him into our State Senate.

I moved from the lower house of the New Jersey legislature to the State Senate in the election of 2001 when we became direct colleagues, and we worked together on many different issues. And he always worked in a collegial and extremely competent fashion.

Indeed, we sat next to each other for a period of time of our service in the State Senate, divided only by the center aisle. To those who know our State Capitol in Trenton, the State Senate chamber is a very small room. It was designed originally for 21 members, one State Senator from each of our 21 counties, and when the State Senate was increased in population in the 1960s, based upon the principle of one person one vote, to 40 members, it became a place where it's really quite overcrowded. And so we really sat extremely close to each other in this small chamber of the State Senate.

John Adler's career in the legislature was one of distinction—for example, prohibiting smoking in indoor public places and workplaces. He also sponsored an act promoting lower vehicle emissions and an antipredatory lending act to protect consumers from unfair credit practices. And based on that and many other accomplishments when he came here, he was appointed to the Financial Services Committee, the committee to which I was appointed, as well, and so we became colleagues not only here in this Chamber, the House of Representatives, the people's House across the United States, but we became colleagues on the Financial Services Committee.

John was not raised in circumstances of affluence. He lost his father when he was a young man, and for him and his mother, it was a struggle. And yet despite that, he went to Harvard. He was graduated from Harvard College in 1981, and from Harvard Law School in 1984. He was an excellent student. And at Harvard, he met the person who became his wife, Shelley, someone whom

I know and who is known by my wife, Heidi, and we consider ourselves to be friends with the entire Adler family.

And together, John and Shelley brought into this world four wonderful sons, Jeff, Alex, Andrew and Oliver, all of whom I know. Jeff is at Harvard at the moment, Alex is at Cornell, and they have two younger brothers. And tonight on this sad day, the day when John's funeral took place at Temple Emanuel in Cherry Hill, we remember prayerfully his wife, Shelley, and their beautiful sons, Jeff, Alex, Andrew and Oliver.

In 2008, there were two open seats in the House of Representatives in New Jersey due to retirements: Jim Saxton in District 3 and Mike Ferguson in District 7. And John succeeded Jim Saxton, as I had the honor of succeeding Mike Ferguson. So we were the only freshmen in the class of 2008 from New Jersey. And I think that we shared that bond as, of course, every member of a freshman class shares a particular and special bond.

Certainly, it is exciting for someone to move from a State legislative chamber here to the House of Representatives, and I think we shared that excitement, for example, when we went together to the Harvard seminar that took place for new members, and of course the orientation that takes place here and when we would bump into each other in the Hall here during orientation sometimes we thought, what were we doing here? It was an exciting time for both of us.

John Adler was a person of enormous wit, a very dry, subtle, and sophisticated wit. And it really pierced the veil of much of what occurs in public life and in political life where in so many instances we take ourselves too seriously. That was not Congressman Adler.

He had been involved over the course of his life in many different charitable activities. He served on the Cherry Hill Township Council before he went to the State legislature, the boards of the Camden County Chapter of the American Red Cross, the Food Bank of South Jersey, the Virtua West Jersey Health and Hospital Foundation, and the Camden County Advisory Board on Children. And certainly his respect for the political process is something that we should all recall, especially those of us who had the honor of serving with him in Trenton and in Washington.

I believe that those who serve in public life do so out of a sense of responsibility. John Adler could have made a great fortune in the practice of law given his native intelligence, given his academic training and given his ability as a speaker. He chose to be involved in public life in Cherry Hill, a great suburban community in Camden County in southern New Jersey, in the State legislature, where he was very much involved in making sure that the judges who were appointed to office in New Jersey were men and women of ability. We have a system in New Jersey, Mr.

Speaker, where our judges are appointed, not elected; appointed by the Governor and confirmed by the State Senate. And as chairman of the State Senate Judiciary Committee, John was intimately involved in that.

The district he served was an interesting district. The only Camden County community in the district is his hometown of Cherry Hill, and he served vast portions of neighboring counties, Burlington County and Ocean County. And to those who are not familiar with the geography of the State of New Jersey, places in Ocean County are among the most beautiful beaches anywhere, not only in this country but in the entire world. And I know that he had a commitment to protecting our environment.

John Adler's life was ended by a bacterial infection in his heart at age 51. His father had died in his late 40s also based upon a heart condition. So perhaps John Adler had a weakened heart. But he had a very strong heart in his views on public policy, in his views on helping the people whom he represented, first in a municipal governing body for many distinguished years in our State senate, and in the 111th Congress, where he was my colleague and my friend. And where we, too, alone, were the freshmen from the State of New Jersey.

I'm pleased to yield to Congressman HOLT.

□ 2140

Mr. HOLT. Mr. Speaker, I thank the gentleman from New Jersey (Mr. LANCE) and my other colleague from New Jersey (Mr. PALLONE) for setting aside this time.

Too young, too soon, not fair, not explicable in a larger sense. It is with great sadness that we come to the floor tonight to honor the life of a fine colleague and a friend, a dedicated public servant to the State of New Jersey, John Adler.

John was dedicated to the service of the people of New Jersey. His devotion to New Jersey led him to run for and win a congressional seat in 2008, as you heard from our colleague, Mr. LANCE. While John ultimately was not returned to this body for this session of Congress, his legacy of public service will indeed live on. No doubt he would have continued to find ways to improve the lives of New Jerseyans.

Sharing not only a State but also a hallway in the Longworth Office Building with John, I had an opportunity to get to know him fairly well. He was a wonderful colleague. I will miss, as we all will, his cheerful demeanor and wonderful sense of humor that he brought to all of his work. A sense of humor, a good spirit in good times and in bad. And I will miss his wisdom and his sharp political insight and his policy knowledge.

Today, during a memorial at his funeral in New Jersey, there were several comments made, and I would like to read a few. His law school roommate

and best man commented that John Adler really did believe that worrying was just a waste of time. He believed that any setback was an opportunity for something good to happen.

Friends remembered that after he had been defeated but Congress was still in session for another 2 months, he continued diligently to work here in Congress. As they said, he wanted to make sure that he made it to all of the caucus meetings on time. He wanted to continue to make the right votes for the people of New Jersey.

His brother-in-law commented that playing knowledge games against John was like playing against Google. He recalled John's near-brush with "Jeopardy" fame that fizzled after the former Congressman paid, out of his own pocket, to fly for a taping to the television program. He made it to the makeup room, and one of the functionaries asked in a formal sense whether John knew anyone who worked for ABC. And John said, Well, yes, he thought one of his law school classmates had taken a job with a station. And the producers said that was it; he couldn't participate.

Said his brother-in-law: You mean you flew all the way out to California on your own dime? Why on Earth would you tell them that? And John replied, because I didn't want to lie.

Shelley, John's wife, is an accomplished, lovely person. And there is every indication that their sons are as bright and public spirited as their parents. This is a real loss for many of us, as well as for the people of New Jersey.

I ask that the Members of the House join me in extending our sympathy and condolences to John's family and friends and his many admirers.

TRIBUTE TO FORMER CONGRESSMAN JOHN ADLER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New Jersey (Mr. PALLONE) is recognized for 17 minutes.

Mr. PALLONE. Thank you, Mr. Speaker; and I want to continue making this tribute and joining my colleagues, Congressman LANCE and Congressman HOLT, in this tribute this evening to John Adler, a good friend and one of our colleagues.

I don't want to repeat some of the things that my colleagues have already said, but I would like to talk a little bit about some instances of my own life that also involved John.

I think Mr. LANCE mentioned how difficult his political life was in the sense that he was always running in areas that were primarily or historically Republican. When he was elected to the State senate back in the early 1990s, he won in an upset against an incumbent. Of course, when he ran for the congressional seat which adjoins mine in the south in Ocean County, he was very much running against the odds. That seat had been held by Con-

gressman Saxton, who was also a good friend for many years, and was Republican as far back as anyone can remember. And he still won. I think he won by 51 or 52 percent of the vote. He just always faced challenges like that.

It was mentioned when he was growing up that his father died also of a heart condition at a young age, I think 47 years old; and I don't even know if John was in high school at that time. He would often talk on the campaign trail about growing up and having to depend on Social Security benefits, and he was able to relate to people because of his upbringing, those who were struggling and those who had a hard time because maybe they had lost a father or didn't have a parent or grew up in circumstances where they didn't have much money.

I think that the energy and the willingness to always take on the fight very much characterized John. As was mentioned, he really was one of the smartest people that I have ever met. I remember on another occasion when we were at a campaign event and I was introducing him, and I mentioned he graduated undergraduate from Harvard University and then went on to Harvard law school and how impressed I was with that. After the event was over, he came up to me and said, Frank, don't mention I went to Harvard; I have to be humble. And that certainly doesn't indicate any kind of humility if you mention Harvard. Not that he wasn't proud of it, he certainly was, and he had reason to be.

But he always wanted to relate to the average person, to the middle class person, to the little guy because that was his upbringing. That is what he was really all about. That is why he wanted to come to Congress.

As Mr. LANCE mentioned, anybody who graduates from Harvard undergraduate and law school could easily spend the rest of their life making money and doing well financially, but he decided he wanted to go into politics. He wanted to help people. And even if it meant he had to run in a district and work hard and raise a lot of money to campaign in order to win, he was determined to do that because he really believed that that is what life is all about, giving back, giving to the public, giving back to his country.

I want to just mention a couple of other things that I thought were kind of interesting. John would always talk about his family. I don't know how long it takes to go back and forth to where he lived in Cherry Hill exactly, probably a couple of hours, maybe a little more, but he was always determined to go back and forth as much as possible. Even when he was here, in order to make sure that he was able to help his family and not spend a lot of money, he would spend the night in his office because he wanted to make sure that he had enough money to pay for his family.

He always talked about his kids; he talked about their education. He was

so proud of the fact of where they were going to college and talked to me many times about them and their education and wanted to go back home so he could go to an athletic event with them or just be with them and his wife, Shelley.

The one thing that everyone comments about is not only John's humility but also his sense of humor. I have to tell you that many times I would come to the floor and sometimes I always remember him over in that set of chairs or standing up in that part of the House floor. I would always come up to him and ask him if he wanted to do a 1-minute Special Order or if he wanted to do this or that. I was always nagging him to do different things. And sometimes he would do, and sometimes he wouldn't; but he would always tell a joke. He always would make me laugh.

□ 2150

I have to be honest that oftentimes after a long day here in the House of Representatives, that's really what you need. You need someone to tell a joke or to make you laugh with his wit, with his sense of humor. It was a very special thing. I'm not sure that I can really describe it well.

Also, on the campaign trail, JON RUNYAN, his successor in Congress, was here speaking the other night. You couldn't help when you saw John Adler and JON RUNYAN together, Jon is this huge guy, a football player, big, tall, and, of course, John Adler was so slight. He always exercised. I don't even know how much he weighed, but he was very slight. The contrast between them was sort of interesting. John would always poke fun at that as well, the fact that he was a slight guy and that JON RUNYAN was such a big guy as a football player.

I heard Mr. LANCE talk about Ocean County and John representing Ocean County. I can't help but mention one aspect of that, and that is the fact that when he first was running in Ocean County, because I used to represent it at one time, he would remark to me about how beautiful it was, how wonderful the beaches were, and he was very concerned to preserve the quality of the beaches, the quality of the ocean, and also protect the industries that used them, particularly the fishing industry. There was an organization called the Recreational Fishing Alliance that was very supportive of John because he was very concerned about the fishing industry. It was historically part of Ocean County and part of New Jersey going back to even Colonial times, and that he felt he had a special role to play in trying to protect the industry.

They appreciated it. Fishermen, maybe unlike some people, they can kind of see whether you're really on their side and whether you really are truly supportive of them and understand their concerns. They understood that John did, and they really appreciated all the help that he gave them.

I know our time is running out. I did want to first recognize my colleague, Mr. PASCRELL, and then after that, I wanted to read a statement from former Governor Jon Corzine into the record because he had asked that I do that this evening.

At this point I would yield to my colleague from New Jersey.

Mr. PASCRELL. I thank the gentleman for yielding.

I really am honored to be on the floor with two great congressmen, Congressman PALLONE and Congressman LANCE. I know the three of us served in the New Jersey legislature. John Adler was a great New Jersey Senator. He was everything but a Harvard man. In other words, he didn't act like a Harvard man. You could connect with him. He was a human being, above everything else. He was tenacious on the campaign trail, but he was more valuable as a public servant. He took what he did very seriously. He was sincere, very hardworking. He did his homework before each vote. He would never allow anyone to lead him by the nose to vote. Very independent thinker. Not unlike PALLONE and LANCE. He was not a Trenton guy. He was not a Washington guy. He came here to do a job.

I could not believe when I heard the news, a 51-year-old young man. Compared to me he's a young man. He had so much to give and he gave it. He really loved the public that he served. He will be greatly missed by Democrats and Republicans on this floor. To his wife, Shelley, and their four beautiful sons, Jeff, Alex, Andrew, and Oliver, you have friends here. This is by no means the end.

Growing up in Haddonfield and coming to Washington, it was no difference to John Adler. He truly loved his fellow man. He truly did what he was supposed to do here on his mission. Folks voted him here. Even when things didn't go well in the last election, he rose above. He was a winner in every sense of the word. God bless him. God bless our beautiful State. God bless the best country in the world. We remember John Adler this evening with fond memory.

Thank you, FRANK.

Mr. PALLONE. Thank you, my colleague.

I mentioned, Mr. Speaker, that former Governor Corzine, who worked with John Adler for many years on judicial and law enforcement issues while Adler served in the State senate as chairman of the Judiciary Committee and Corzine, of course, was the Governor at the time, he asked that I read this statement on the passing of Congressman John Adler:

"Congressman John Adler was a dedicated public servant whose wit, intelligence, and drive enriched the public debate in both the New Jersey statehouse and in our Nation's capital. For nearly half his life, Congressman Adler committed himself to the truly noble idea that our government and our great country can be a force for good in the lives of so many citizens.

"Today, we owe a debt of gratitude to Shelley Adler for sharing John with countless New Jerseyans who, whether they know it or not, are better off because of her loving and generous husband.

"John's true legacy, however, as Shelley would certainly attest, is found in four wonderful boys who will undoubtedly enrich their communities with the same spirit of compassion and commitment to the greater good found in their father.

"While we mourn John's passing, may we also celebrate him by remembering that our own lives are defined by those moments when we decide to stop and help someone else."

Those are the comments by former Governor Corzine.

Mr. Speaker, I know that Congressman HOLT before mentioned some of the statements that were made by friends and relatives at John Adler's funeral this afternoon in Cherry Hill. I did want to, if I could, just take a couple of excerpts here, as I know we only have a few minutes left, that I would like to enter into the RECORD, some parts of the narrative of the funeral that are mentioned in PolitickerNewJersey.com.

It starts out by saying:

They came Wednesday to honor the memory of John Adler, a New Jersey exemplar, a self-made man of Horatio Alger levels, a man of law, a family man, and a man of the people.

Rabbi Jerome David said, "John died—too soon, too young—after a 3-week battle in the hospital surrounded by his family, surrounded by a very dedicated circle of friends. But he died knowing he used his intelligence and skills to help people—to really make a difference."

Another rabbi spoke of his humble leadership, reading a passage in Hebrew and translating to English: "It is not the position that honors the man; rather it is the man who has honored the position. He saw himself as a public servant in the best sense." The rabbi recalled a particular moment that exemplified John's *joie de vivre*, when the Harvard-schooled pol would exit a stage—ignoring completely the half-stack of steps attached to the side—and he would bound off the front onto the people's floor.

Two of his sons spoke at the funeral. The eldest, Andrew, emotionally recalled how much his father would get from doing the mundane family things, like attending soccer games, yelling some absurdity onto the field at tense moments. "I will always miss him," his son said. "But I know he was always proud of the ones he loved."

Lastly, Mr. Speaker, the rabbi concluded the ceremony with a poem that ends:

Perhaps my time seemed all too brief
Don't lengthen it now with undue grief

Lift up your hearts and share with me

God wanted me now, he set me free.

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

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4. An act to repeal the expansion of information reporting requirements for payments of \$600 or more to corporations, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reports that on March 30, 2011 she presented to the President of the United States, for his approval, the following bill.

H.R. 1079. To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

ADJOURNMENT

Mr. LANCE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 59 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 7, 2011, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1065. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Bacillus thuringiensis* eCry3.1Ab Protein in Corn; Temporary Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2009-0609; FRL-8866-5] received March 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1066. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Acquisition of Commercial Items (DFARS Case 2008-D011) (RIN: 0750-AG23) received March 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1067. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Ownership or Control by a Foreign Government (DFARS Case 2010-D010) (RIN: 0750-AG78) received March 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1068. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2010-0003] received March 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1069. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received March 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1070. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-B-1177] received March 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1071. A letter from the Associate General Counsel for Legislation and Regulations Divisions, Department of Housing and Urban Development, transmitting the Department's final rule — Public Housing Evaluation and Oversight: Changes to the Public Housing Assessment System (PHAS) and Determining and Remedying Substantial Default [Docket No.: FR-5094-I-02] (RIN: 2577-AC68) received March 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1072. A letter from the Legal Information Assistant, Department of the Treasury, transmitting the Department's final rule — Standards Governing the Release of a Suspicious Activity Report [Docket ID: OTS-2010-0016] (RIN: 1550-AC28) received March 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1073. A letter from the Legal Information Assistant, Department of the Treasury, transmitting the Department's final rule — Stock Benefit Plans in Mutual-to-Stock Conversions and Mutual Holding Company Structures [No. OTS-2007-0014] (RIN: 1550-AC07) received March 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1074. A letter from the Legal Information Assistant, Department of the Treasury, transmitting the Department's final rule — Permissible Activities of Savings and Loan Holding Companies [Docket ID: OTS-2007-0007] (RIN: 1550-AC10) received March 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1075. A letter from the Legal Information Assistant, Department of the Treasury, transmitting the Department's final rule — Personal Transactions in Securities [Docket ID: OTS-2007-0010] (RIN: 1550-AC16) received March 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1076. A letter from the Legal Information Assistant, Department of the Treasury, transmitting the Department's final rule — Prohibited Service at Savings and Loan Holding Companies [OTS-2007-0008] (RIN: 1550-AC14) received March 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1077. A letter from the Legal Information Assistant, Department of the Treasury, transmitting the Department's final rule — Community Reinvestment Act-Community Development [No. 2006-16] (RIN: 1550-AB48) received March 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1078. A letter from the Legal Information Assistant, Department of the Treasury, transmitting the Department's final rule — Confidentiality of Suspicious Activity Reports [Docket ID: OTS-2010-0015] (RIN: 1550-AC26) received March 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1079. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Department of Education Acquisition Regulation [Docket ID: ED-2010-

OCFO-0015] (RIN: 1890-AA16) received March 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1080. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Consumer Products: Test Procedure for Microwave Ovens [Docket No.: EERE-2008-BT-TP-0011] (RIN: 1904-AB76) received March 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1081. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List, Final Rule No. 51 [EPA-HQ-SFUND-2010-0072, 0073, 0075, 0634, 0636, 0638, 0639, 0643, 0645, 0646; FRL-9277-8] (RIN: 2050-AD75) received March 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1082. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Source [EPA-HQ-OAR-2008-0334; FRL-9279-8] (RIN: 2060-AQ89) received March 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1083. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of One-Year Extension for Attaining the 1997 8-Hour Ozone Standard in the Baltimore Moderate Non-attainment Area [EPA-R03-OAR-2010-0431; FRL-9278-8] received March 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1084. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revisions to the Open Burning Regulations [EPA-R03-OAR-2010-0903 FRL-9278-7] received March 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1085. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Lake Brownwood and Early, Texas) [MB Docket No. 09-181] received March 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1086. A letter from the Chief, Satellite Division, International Bureau, Federal Communications Commission, transmitting the Commission's final rule — Telesat Canada Petitions for Reconsideration [IB Docket No.: 06-123] March 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1087. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) table of Allotments, FM Broadcast Stations. (Willow Creek, California) (MB Docket No.: 10-189) received March 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1088. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Amendment to the Export Administration Regulations: Part 750- Application Processing, Issuance, and Denial [Docket No.: 110224164-1168-02] (RIN: 0694-AF16) received March 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1089. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Disclosure and Consistency of Cost Accounting Practices for Contracts Awarded to Foreign Concerns [FAC 2005-50; FAR Case 2009-025; Item VIII: Docket 2010-0087, Sequence 1] (RIN: 9000-AL58) received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1090. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Compensation for Personal Services [FAC 2005-50; FAR Case 2009-026; Item IX; Docket 2010-0088, Sequence 1] (RIN: 9000-AL54) received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1091. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-50; Small Entity Compliance Guide [Docket: FAR 2011-0077, Sequence 2] received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1092. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting The Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-50; Item X; Docket 2011-0078; Sequence 1] received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1093. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting The Administration's final rule — Federal Acquisition Regulation; Trade Agreements Thresholds [FAC: 2005-50; FAR Case 2009-040; Item VII; Docket 2010-0092, Sequence 1] (RIN: 9000-AL57) received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1094. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting The Administration's final rule — Federal Acquisition Regulation; Use of Commercial Services Item Authority [FAC 2005-50; FAR Case 2008-034; Item VI; Docket 2009-0035, Sequence 1] (RIN: 9000-AL44) received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1095. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Clarification of Countries and Geographic Areas Eligible for Participation in the Guam-Commonwealth of the Northern Mariana Islands Visa Waiver Program [USCBP-2011-0007; CBP Dec. 11-07] (RIN: 1651-AA81) received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1096. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Sabine Bank Channel, Sabine Pass Channel and Sabine-Neches Waterway, TX [Docket No.: USCG-2009-0316] (RIN: 1625-AA87) received March 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1097. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; New Jersey

Intracoastal Waterway, Manasquan River [CGD05-05-079] (RIN: 1625-AA09) received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1098. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 1000 yard radius from position 29 degrees 48.77 'N 091 degrees 3.02 'W, Charenton Drainage and Navigation Canal, St. Mary Parish, LA [Docket No.: USCG-2010-0979] (RIN: 1625-AA00) received March 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1099. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Country of Origin of Textile and Apparel Products [USCBP-2005-0009] (RIN: 1515-AD57) (Formerly RIN: 1505-AB60) received March 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1100. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Extension of Import Restriction Imposed on Certain Archaeological and Ethnological Materials from Colombia (RIN: 1515-AD73) received March 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1101. A letter from the Chief Counsel, Department of the Treasury, transmitting the Department's final rule — Sale and Issue of Marketable Book-Entry Treasury Bills, Notes, and Bonds: Minimum Interest Rate [Docket No.: BPD GSRS 11-01] received March 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1102. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Disclosure of Return Information in Connection with Written Contracts Among the IRS, Whistleblowers, and Legal Representatives of Whistleblowers [TD 9516] (RIN: 1545-BG73) received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1103. A letter from the Acting Protected Critical Infrastructure Information (PCII) Program Manager, Department of Homeland Security, transmitting the Department's final rule — Procedures for Handling Critical Infrastructure Information (RIN: 1601-AA14) received March 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

1104. A letter from the Director, Office of SAFETY Act Implementation, Department of Homeland Security, transmitting the Department's final rule — Regulations Implementing the Support Anti-terrorism by Fostering Effective Technologies Act of 2002 (the SAFETY Act) [USCG-2003-15425] (RIN: 1601-AA15) received March 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

1105. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Revisions to the Reductions and Increases to Hospitals' FTE Resident Caps for Graduate Medical Education Payment Purposes [CMS-1430-IFC] (RIN: 0938-AQ92) received March 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of the rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CAMP: Committee on Ways and Means. H.R. 1232. A bill to amend the Internal Revenue Code of 1986 to eliminate certain tax benefits relating to abortion; with an amendment (Rept. 112-55). Referred to the Committee of the Whole House on the State of the Union.

Ms. FOXX: Committee on Rules. House Resolution 206. A resolution providing for consideration of the bill (H.R. 1363) making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 112-56). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SULLIVAN (for himself, Mr. BOREN, Mr. LARSON of Connecticut, Mr. BRADY of Texas, Mr. MCCAUL, Mr. SUTTON, Mr. GENE GREEN of Texas, Mr. SHUSTER, Mr. SIMPSON, Mr. BACHUS, Mr. ALEXANDER, Mr. GRIMM, Mr. BURTON of Indiana, Mr. THOMPSON of Pennsylvania, Mr. LUJÁN, Mr. CRITZ, Mr. BISHOP of Georgia, Mr. CUELLAR, Mr. DOYLE, Ms. KAPTUR, Mr. KISSELL, Mr. LIPINSKI, Mr. MATHESON, Mr. MURPHY of Connecticut, Mr. ROSS of Arkansas, Mr. LUCAS, Mr. WELCH, Mr. COLE, Mr. MCINTYRE, Mr. BILBRAY, Mr. CULBERSON, Mrs. BLACKBURN, Mr. DONNELLY of Indiana, Mr. BOUSTANY, Mr. FLEMING, Mr. CHANDLER, Mr. HALL, Mrs. CAPITO, Mr. JONES, Mr. MURPHY of Pennsylvania, Mr. ROGERS of Alabama, Mr. PERLMUTTER, Mr. ALTMIRE, Mr. GARDNER, Mr. CONAWAY, Mr. RYAN of Ohio, Mr. SESSIONS, Mr. HOLT, Mr. TONKO, Mr. SABLAN, Mr. PETERS, Ms. DEGETTE, Mr. CAPUANO, Mr. COURTNEY, Mr. CLAY, Mr. THOMPSON of California, Mr. LOEBSACK, Mr. BARTON of Texas, Mr. ISSA, Mr. GALLEGLY, Mr. HARPER, Mr. BISHOP of Utah, Mr. TERRY, Mr. COSTA, Mr. BARROW, Ms. FUDGE, Mr. CLEAVER, Mr. SERRANO, Mr. WU, Mr. PASCRELL, Mr. SCALISE, Mrs. BONO MACK, Mr. BOSWELL, Mrs. LUMMIS, Mr. LANKFORD, Mr. REHBERG, and Mr. MARCHANT):

H.R. 1380. A bill to amend the Internal Revenue Code of 1986 to encourage alternative energy investments and job creation; to the Committee on Ways and Means, and in addition to the Committees on Science, Space, and Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. LANGEVIN, Mr. POLIS, Mr. HOLT, Mr. HIMES, Mr. HARPER, Mr. SABLAN, Mr. KILDEE, Mr. GRIJALVA, Mr. LOEBSACK, Mr. HINCHAY, Mr. PAYNE, Mr. HINOJOSA, Mr. BISHOP of New York, Ms. WOOLSEY, Mrs. MCCARTHY of New York, Ms. HIRONO, and Mr. SCOTT of Virginia):

H.R. 1381. A bill to prevent and reduce the use of physical restraint and seclusion in schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MCGOVERN (for himself and Mrs. EMERSON):

H.R. 1382. A bill to require the President to call a White House Conference on Food and Nutrition; to the Committee on Agriculture.

By Mr. MILLER of Florida (for himself and Mr. STUTZMAN):

H.R. 1383. A bill to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HELLER (for himself and Mr. BLUMENAUER):

H.R. 1384. A bill to amend the Internal Revenue Code of 1986 to temporarily increase the investment tax credit for geothermal energy property; to the Committee on Ways and Means.

By Mr. PITTS (for himself and Mr. DAVIS of Illinois):

H.R. 1385. A bill to repeal the sugar price support program and marketing allotments for sugar, and for other purposes; to the Committee on Agriculture.

By Mr. MARKEY (for himself, Mr. SMITH of New Jersey, Ms. BORDALLO, Mr. BURGESS, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. MCDERMOTT, and Mr. PIERLUISI):

H.R. 1386. A bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease and related dementias by improving detection, diagnosis, and care planning; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHENRY (for himself, Mr. ISSA, and Mr. ROSS of Florida):

H.R. 1387. A bill to amend the Emergency Economic Stabilization Act of 2008 to give the Special Inspector General oversight over the Small Business Lending Fund; to the Committee on Financial Services.

By Mr. COFFMAN of Colorado (for himself, Mr. PETERS, Mr. LATTA, Mrs. LUMMIS, and Mrs. MCMORRIS RODGERS):

H.R. 1388. A bill to reestablish a competitive domestic rare earths minerals production industry; a domestic rare earth processing, refining, purification, and metals production industry; a domestic rare earth metals alloying industry; and a domestic rare-earth-based magnet production industry and supply chain in the Defense Logistics Agency of the Department of Defense; to the Committee on Science, Space, and Technology, and in addition to the Committees on Natural Resources, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. WOLF, and Mr. MCCOTTER):

H.R. 1389. A bill to prevent United States businesses from cooperating with repressive governments in transforming the Internet into a tool of censorship and surveillance, to

fulfill the responsibility of the United States Government to promote freedom of expression on the Internet, to restore public confidence in the integrity of United States businesses, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHUSTER (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. HOLDEN):

H.R. 1390. A bill to amend title 49, United States Code, to provide for enhanced motor-coach safety, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Ways and Means, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself, Mr. WHITFIELD, Mr. RAHALL, Mr. HOLDEN, Mr. TERRY, Mrs. CAPITO, Mr. OLSON, Mr. BARTON of Texas, Mr. POMPEO, Mr. GIBBS, Mr. GUTHRIE, Mr. KINZINGER of Illinois, Mrs. McMORRIS RODGERS, Mr. CRITZ, Mr. MURPHY of Pennsylvania, and Mr. GRIFFITH of Virginia):

H.R. 1391. A bill to prohibit the Environmental Protection Agency from regulating fossil fuel combustion waste under subtitle C of the Solid Waste Disposal Act; to the Committee on Energy and Commerce.

By Mr. FITZPATRICK:

H.R. 1392. A bill to provide assistance to veterans and veteran-owned businesses with respect to contract opportunities, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BUCHANAN:

H.R. 1393. A bill to reform the Bureau of Ocean Energy Management, Regulation and Enforcement and offshore drilling for oil and gas, to repeal the limitation of liability of a responsible party for discharge of oil from an offshore facility, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CHRISTENSEN (for herself and Mr. LOBIONDO):

H.R. 1394. A bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner; to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. CLARKE of Michigan, and Ms. MOORE):

H.R. 1395. A bill to direct the Secretary of Transportation to establish a grant program to assist the development of aerotropolis transportation systems, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CRITZ (for himself, Mr. HOLDEN, and Mr. MCKINLEY):

H.R. 1396. A bill to amend the Workforce Investment Act of 1998, to authorize a national grant program for on-the-job training; to the Committee on Education and the Workforce.

By Mr. FRANK of Massachusetts (for himself, Ms. ROS-LEHTINEN, Mr.

GEORGE MILLER of California, Ms. PELOSI, Mr. HOYER, Mr. CONYERS, Ms. BALDWIN, Mr. POLIS, Mr. CICILLINE, Mr. NADLER, Mr. ANDREWS, Ms. RICHARDSON, Mr. DOYLE, Ms. SPEIER, Mr. HOLT, Mrs. LOWEY, Mr. PETERS, Mr. ISRAEL, Ms. CHU, Mr. WU, Ms. DEGETTE, Mr. BERMAN, Mr. JACKSON of Illinois, Mr. ACKERMAN, Ms. CLARKE of New York, Mr. TOWNS, Mr. McDERMOTT, Mr. GRIJALVA, Mrs. DAVIS of California, Mr. LOEBSACK, Mr. MORAN, Ms. TSONGAS, Mr. SARBANES, Ms. LINDA T. SANCHEZ of California, Mr. KEATING, Mr. FILNER, Mr. COOPER, Ms. SUTTON, Mr. QUIGLEY, Mr. WAXMAN, Ms. LEE of California, Mr. CONNOLLY of Virginia, Mr. COURTNEY, Mr. LARSEN of Washington, Mr. HINCHEY, Mr. MARKEY, Mr. TIERNEY, Mr. OLVER, Mr. CAPUANO, Mr. FARR, Ms. SCHAKOWSKY, Mrs. MALONEY, Mr. DINGELL, Mr. GUTIERREZ, Mr. STARK, Mr. SCOTT of Virginia, Mr. PLATTS, Mr. CROWLEY, Mr. SERRANO, Ms. ESHOO, Ms. ROYBAL-ALLARD, Mr. HONDA, Ms. SCHWARTZ, Ms. MOORE, Mrs. CAPPS, Mr. PRICE of North Carolina, Mr. SHERMAN, Mr. BECERRA, Ms. ZOE LOFGREN of California, Ms. DELAURO, Mr. SCHIFF, Mr. HEINRICH, Mr. RANGEL, Mr. ROTHMAN of New Jersey, Mr. SIRE, Mr. BRADY of Pennsylvania, Mr. BOSWELL, Mr. BRALEY of Iowa, Ms. CASTOR of Florida, Mr. LEVIN, Mr. MCGOVERN, Mr. FATTAH, Mr. HIGGINS, Mrs. NAPOLITANO, Ms. BERKLEY, Mr. LUJÁN, Mr. MICHAUD, Mr. WEINER, Mr. HASTINGS of Florida, Ms. WOOLSEY, Ms. HIRONO, Mrs. BIGGERT, Ms. NORTON, Ms. MCCOLLUM, Mr. VAN HOLLEN, Ms. PINGREE of Maine, Mr. ENGEL, Ms. WASSERMAN SCHULTZ, Mr. LEWIS of Georgia, Mr. COHEN, Mr. DEUTCH, Mr. PASCRELL, Ms. WATERS, Mr. KILDEE, Mr. INSLEE, Mr. LANGEVIN, Mr. SMITH of Washington, Mr. LYNCH, Mr. NEAL, Mr. CUMMINGS, Mr. LARSON of Connecticut, and Ms. FUDGE):

H.R. 1397. A bill to prohibit employment discrimination on the basis of sexual orientation or gender identity; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Missouri (for himself and Mr. KIND):

H.R. 1398. A bill to amend title XVIII of the Social Security Act to treat certain provider taxes as allowable costs for purposes of Medicare reimbursements to critical access hospitals; to the Committee on Ways and Means.

By Mr. GRIMM (for himself and Mr. BISHOP of New York):

H.R. 1399. A bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the additional standard deduction for real property taxes for nonitemizers; to the Committee on Ways and Means.

By Mr. HELLER (for himself, Ms. BERKLEY, and Mr. HECK):

H.R. 1400. A bill to validate final patent number 27-2005-0081, and for other purposes; to the Committee on Natural Resources.

By Ms. KAPTUR:

H.R. 1401. A bill to amend the Federal Reserve Act to alter the terms and conditions applicable to members of the Board of Governors of the Federal Reserve System, and for other purposes; to the Committee on Financial Services.

By Mr. KILDEE (for himself, Mr. DINGELL, Mr. LEVIN, Mr. RYAN of Ohio, Mr. HINCHEY, and Mr. PETERS):

H.R. 1402. A bill to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the House of Representatives at no net cost to the Federal Government; to the Committee on House Administration.

By Mr. KINGSTON:

H.R. 1403. A bill to authorize the Secretary of the Interior to conduct a special resource study of Point Peter in St. Marys, Georgia, and for other purposes; to the Committee on Natural Resources.

By Mr. LARSON of Connecticut (for

himself, Ms. PINGREE of Maine, Mr. JONES, Ms. BALDWIN, Mr. BRALEY of Iowa, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. COHEN, Mr. CONYERS, Mr. COOPER, Mr. COURTNEY, Mrs. DAVIS of California, Ms. DELAURO, Mr. DOYLE, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Mr. FILNER, Mr. GRIJALVA, Mr. HEINRICH, Mr. HINCHEY, Ms. HIRONO, Mr. HOLT, Mr. HONDA, Mr. ISRAEL, Mr. JACKSON of Illinois, Mr. KUCINICH, Ms. LEE of California, Mr. LEWIS of Georgia, Mr. LOEBSACK, Mr. LUJÁN, Ms. MATSUI, Mr. McDERMOTT, Mr. GEORGE MILLER of California, Mr. MURPHY of Connecticut, Mr. NADLER, Mr. OLVER, Mr. POLIS, Mr. ROTHMAN of New Jersey, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SHERMAN, Mr. STARK, Mr. TONKO, Ms. TSONGAS, Ms. WOOLSEY, and Mr. YARMUTH):

H.R. 1404. A bill to reform the financing of House elections, and for other purposes; to the Committee on House Administration.

By Mr. LATTA:

H.R. 1405. A bill to prohibit the Environmental Protection Agency from regulating coal combustion byproducts as hazardous waste under subtitle C of the Solid Waste Disposal Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MATHESON (for himself and Mr. TERRY):

H.R. 1406. A bill to provide pet owners the ability to receive a copy of veterinary prescriptions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RUNYAN (for himself and Mr. STUTZMAN):

H.R. 1407. A bill to increase, effective as of December 1, 2011, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Alaska (for himself, Mr. PIERLUISI, Mr. FALEOMAVAEGA, Mr. SABLON, Ms. BORDALLO, Mr. BOREN, Mr. DENHAM, Mr. BENISHEK, Mr. LUJÁN, and Ms. HANABUSA):

H.R. 1408. A bill to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Natural Resources.

By Mr. WALSH of Illinois (for himself, Mr. BUCHANAN, Mr. HUELSSKAMP, Mr. BISHOP of Utah, Mr. CHAFFETZ, Mr. STUTZMAN, Mrs. HARTZLER, Mr. MARINO, Mr. REHBERG, Mrs. McMORRIS RODGERS, Mr. BROOKS, Mr. FRANKS of Arizona, Mr. LANCE, Mr. HELLER, and Mr. LABRADOR):

H.J. Res. 54. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; to the Committee on the Judiciary.

By Mr. ISRAEL:

H. Res. 207. A resolution recognizing the 150th anniversary of the start of the American Civil War; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SULLIVAN:

H.R. 1380.

Congress has the power to enact this legislation pursuant to the following:

Article(s) I, Section 8, Clause 1, Article I, Section 8, Clause 3 of the United States Constitution and the Sixteenth Amendment of the United States Constitution.

By Mr. GEORGE MILLER of California:

H.R. 1381.

Congress has the power to enact this legislation pursuant to the following:

Art. 1 sec. 1

Art. 1 sec. 3

Art. 1 sec. 8

By Mr. MCGOVERN:

H.R. 1382.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8, of Article 1, which gives Congress the power to provide for the general welfare.

By Mr. MILLER of Florida:

H.R. 1383.

Congress has the power to enact this legislation pursuant to the following:

Clauses 12, 13, 14, and 18 of Section 8 of Article 1 of the Constitution

By Mr. HELLER:

H.R. 1384.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. PITTS:

H.R. 1385.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sect. 8

By Mr. MARKEY:

H.R. 1386.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. MCHENRY:

H.R. 1387.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 1 (relating to the general welfare of the United States), clause 3 (relating to the power to regulate interstate commerce), and clause 18.

By Mr. COFFMAN of Colorado:

H.R. 1388.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authorities on which this bill rests are:

The power of Congress to make law regarding the raising and supporting of armies and to provide and maintain a navy, as enumerated in Article I, Section 8, Clause 12 and 13 of the United States Constitution;

And

The power of Congress to make law regarding the needful rules and regulations respect-

ing the property of the United States, as enumerated in Article IV, Section 3, Clause 2 of the United States Constitution;

And

The power of Congress to make law regarding providing for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. SMITH of New Jersey:

H.R. 1389.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. SHUSTER:

H.R. 1390.

Congress has the power to enact this legislation pursuant to the following:

Clause 3, of Section 8, of Article I of the Constitution.

By Mr. MCKINLEY:

H.R. 1391.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. FITZPATRICK:

H.R. 1392.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is pursuant to the Necessary and Proper Clause—Article I, Section 8, Clause 18 of the Constitution.

By Mr. BUCHANAN:

H.R. 1393.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this resolution rests is the power of Congress as enumerated in Article 1 Section 8 of the United States Constitution.

By Mrs. CHRISTENSEN:

H.R. 1394.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to enact bills pursuant to clause 1 of section 8 of article I of the Constitution.

By Mr. COHEN:

H.R. 1395.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CRITZ:

H.R. 1396.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the Constitution.

By Mr. FRANK of Massachusetts:

H.R. 1397.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution; clause 18 of section 8 of article I of the Constitution; section 5 of Amendment XIV to the Constitution.

By Mr. GRAVES of Missouri:

H.R. 1398.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3; and including, but not solely limited to Article I, Section 8, Clause 14.

By Mr. GRIMM:

H.R. 1399.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I.

By Mr. HELLER:

H.R. 1400.

Congress has the power to enact this legislation pursuant to the following:

Article IV. Section 3.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

By Ms. KAPTUR:

H.R. 1401.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. KILDEE:

H.R. 1402.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: [The Congress shall have Power] To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

By Mr. KINGSTON:

H.R. 1403.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. LARSON of Connecticut:

H.R. 1404.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but Congress may at any time make or alter such Regulations, except as to the Place of choosing Senators.

and

Article I, Section 8, Clause 3

The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. LATTA:

H.R. 1405.

Congress has the power to enact this legislation pursuant to the following:

This resolution is enacted pursuant to Article I, Section 8, Clause of the United States Constitution.

By Mr. MATHESON:

H.R. 1406.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. RUNYAN:

H.R. 1407.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. YOUNG of Alaska:

H.R. 1408.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 3.

By Mr. WALSH of Illinois:

H.J. Res. 54.

Congress has the power to enact this legislation pursuant to the following:

Article V of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. LEWIS of California and Mr. HOLDEN.

H.R. 23: Mr. WILSON of South Carolina and Mr. MURPHY of Connecticut.

H.R. 49: Mr. TERRY, Mr. WOLF, and Mr. SOUTHERLAND.

H.R. 58: Mr. WESTMORELAND, Mr. FLORES, Mr. OWENS, Mr. YOUNG of Alaska, Mr. MARCHANT, Mr. BRADY of Texas, Mr. THORNBERRY, Mrs. LUMMIS, Mr. ALEXANDER, Mr. SESSIONS, Mr. CONAWAY, Mr. FRANKS of Arizona, and Mr. GRIFFITH of Virginia.

H.R. 100: Mr. GARY G. MILLER of California and Mr. DAVIS of Kentucky.

H.R. 104: Mr. FITZPATRICK, Mr. GRIFFIN of Arkansas, and Mr. YOUNG of Alaska.

H.R. 110: Mr. HULTGREN.

H.R. 111: Mr. GERLACH, Mr. FILNER, and Mr. MARKEY.

H.R. 158: Mr. ROSS of Florida and Mr. FORBES.

H.R. 178: Mr. RIGELL and Mr. MCNERNEY.

H.R. 237: Mr. SIMPSON.

H.R. 272: Mr. BACHUS.

H.R. 303: Mr. MILLER of North Carolina.

H.R. 308: Mr. LEWIS of Georgia and Mr. KEATING.

H.R. 324: Mr. BILBRAY.

H.R. 373: Mr. FORBES.

H.R. 399: Mr. CAMPBELL.

H.R. 420: Mr. SESSIONS, Mr. ALEXANDER, Mr. THOMPSON of Pennsylvania, Mrs. LUMMIS, Ms. GRANGER, Mr. GRIFFITH of Virginia, Mr. FRANKS of Arizona, and Mr. CONAWAY.

H.R. 431: Mr. BURGESS.

H.R. 432: Ms. TSONGAS.

H.R. 458: Mr. COHEN.

H.R. 459: Mr. GRIFFIN of Arkansas and Mrs. BACHMANN.

H.R. 469: Mr. KILDEE.

H.R. 470: Mr. HUNTER.

H.R. 498: Mr. HURT.

H.R. 529: Mr. FORBES.

H.R. 530: Mr. CONYERS.

H.R. 531: Ms. NORTON.

H.R. 546: Mr. PITTS, Mr. LABRADOR, Mr. SABLAN, Mr. WOLF, Mr. JOHNSON of Ohio, Mr. ALEXANDER, Ms. WOOLSEY, Mr. FORTENBERRY, Mr. HARPER, and Mr. MANZULLO.

H.R. 547: Mr. POE of Texas.

H.R. 563: Mr. BARLETTA.

H.R. 593: Mr. MCKINLEY, Mr. PAUL, and Mr. MARCHANT.

H.R. 602: Mr. HINCHEY.

H.R. 607: Mr. CRAVACK and Mr. SHULER.

H.R. 609: Mr. POE of Texas.

H.R. 615: Mr. CONAWAY, Mr. SESSIONS, Mr. ALEXANDER, and Mr. ROHRBACHER.

H.R. 623: Ms. WILSON of Florida.

H.R. 645: Mr. MARCHANT, Mr. YOUNG of Alaska, Mr. WESTMORELAND, Mrs. ELLMERS, Mr. FLORES, Mr. THORNBERRY, Mrs. LUMMIS, and Mr. ALEXANDER.

H.R. 651: Mr. HASTINGS of Florida.

H.R. 664: Mr. TERRY.

H.R. 673: Mr. WALBERG.

H.R. 674: Mr. COSTA, Mr. HANNA, Mr. BISHOP of New York, and Mr. RUPPERSBERGER.

H.R. 680: Mr. HUNTER, Mr. WALBERG, Mrs. HARTZLER, and Mrs. BLACK.

H.R. 700: Mr. JOHNSON of Illinois.

H.R. 718: Ms. LEE of California, Mr. LATOURETTE, and Mr. SCHIFF.

H.R. 721: Mr. REED, Mrs. MILLER of Michigan, Mr. WESTMORELAND, Mr. HOLDEN, Mr. REHBERG, Mr. BUCHON, and Mr. WALBERG.

H.R. 745: Mr. CASSIDY, Mr. CHAFFETZ, Mr. WILSON of South Carolina, Mr. STEARNS, and Mr. HERGER.

H.R. 790: Mr. BLUMENAUER.

H.R. 812: Mr. WELCH and Mr. SMITH of New Jersey.

H.R. 843: Mr. SCHILLING and Mr. MCINTYRE.

H.R. 876: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 890: Mr. WEST, Mr. SCHOCK, and Ms. BERKLEY.

H.R. 895: Mrs. MYRICK, Mr. HERGER, Mr. GALLEGLY, and Mr. MARINO.

H.R. 905: Mr. MCHENRY, Mr. JOHNSON of Georgia, Mr. BRALEY of Iowa, and Mr. MILLER of North Carolina.

H.R. 912: Mr. FILNER.

H.R. 920: Mr. GARRETT, Mr. HUIZENG of Michigan, Mr. WALBERG, Mr. DESJARLAIS, Mr. POSEY, Mr. ROONEY, Mr. KING of Iowa, Mr. SOUTHERLAND, and Mr. FLORES.

H.R. 926: Mr. COBLE.

H.R. 942: Mr. RIBBLE.

H.R. 943: Ms. MCCOLLUM.

H.R. 964: Mr. ACKERMAN, Mr. RAHALL, Mr. HOLT, and Mr. JACKSON of Illinois.

H.R. 969: Mr. BOUSTANY.

H.R. 990: Mr. BROUN of Georgia.

H.R. 991: Mr. FLORES and Mr. BROUN of Georgia.

H.R. 993: Mr. REHBERG.

H.R. 998: Ms. FUDGE and Mr. SABLAN.

H.R. 1005: Mr. SCHOCK.

H.R. 1014: Mr. LOEBSACK.

H.R. 1023: Mr. GOODLATTE.

H.R. 1040: Mr. NEUGEBAUER.

H.R. 1041: Mr. WELCH, Mr. COSTELLO, Mr. QUIGLEY, Mr. GRIFFITH of Virginia, Mr. BISHOP of Utah, Mrs. MALONEY, Mrs. BLACKBURN, Mr. MANZULLO, Mr. NUGENT, Ms. GRANGER, and Mr. GRIMM.

H.R. 1058: Mr. BOUSTANY, Mr. ROSS of Florida, and Mr. MILLER of Florida.

H.R. 1061: Mr. FORBES.

H.R. 1065: Mr. LIPINSKI.

H.R. 1089: Mr. STARK and Mr. PALLONE.

H.R. 1093: Mr. MARCHANT, Mr. YOUNG of Alaska, Mr. BRADY of Texas, Mr. THORNBERRY, Mr. SESSIONS, Mr. STEARNS, Mr. HUNTER, Mr. ALEXANDER, Mr. CONAWAY, and Mr. BURGESS.

H.R. 1113: Ms. CHU.

H.R. 1116: Ms. SUTTON.

H.R. 1159: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1167: Mr. SOUTHERLAND and Ms. FOXX.

H.R. 1169: Ms. SUTTON.

H.R. 1182: Mr. JORDAN, Mr. PRICE of Georgia, Mr. WALBERG, Mr. WALSH of Illinois, Mr. BROOKS, Mr. MULVANEY, Mr. LAMBORN, Mr. BISHOP of Utah, Mr. FLEMING, Mr. KING of Iowa, Mr. FLAKE, Mr. BARTLETT, Mr. STUTZMAN, Mr. DESJARLAIS, Mr. RIGELL, Mr. GINGREY of Georgia, Mr. HUIZENG of Michigan, Mr. GOHMERT, and Mrs. BLACKBURN.

H.R. 1186: Ms. JENKINS.

H.R. 1187: Ms. HANABUSA.

H.R. 1211: Mr. MCCAUL and Mr. ROSS of Florida.

H.R. 1212: Mr. DEFAZI and Mr. GRIFFITH of Virginia.

H.R. 1215: Mr. CHAFFETZ.

H.R. 1219: Mr. WEST, Mr. SHERMAN, Mr. ROGERS of Alabama, and Mr. BRALEY of Iowa.

H.R. 1229: Mr. NUNNELEE, Mr. MCKEON, Mr. BURTON of Indiana, Mr. KLINE, Mr. GOODLATTE, Mr. REHBERG, Mr. MCCLINTOCK, Mr. CANSECO, Mr. WOODALL, and Mr. ROE of Tennessee.

H.R. 1230: Mr. NUNNELEE, Mr. MCKEON, Mr. BURTON of Indiana, Mr. KLINE, Mr. GOODLATTE, Mr. REHBERG, Mr. MCCLINTOCK, Mr. CANSECO, Mr. WOODALL, and Mr. ROE of Tennessee.

H.R. 1231: Mr. NUNNELEE, Mr. MCKEON, Mr. BURTON of Indiana, Mr. KLINE, Mr. GOODLATTE, Mr. REHBERG, Mr. MCCLINTOCK, Mr. CANSECO, Mr. WOODALL, and Mr. ROE of Tennessee.

H.R. 1234: Mr. BLUMENAUER and Mrs. CHRISTENSEN.

H.R. 1242: Mr. NADLER and Ms. BERKLEY.

H.R. 1250: Mr. SARBANES, Mr. GARAMENDI, Ms. ZOE LOFGREN of California, and Mr. FRANK of Massachusetts.

H.R. 1262: Mr. CLEAVER, Mr. FRANK of Massachusetts, and Mr. CARSON of Indiana.

H.R. 1270: Mr. ROGERS of Alabama and Mr. CARTER.

H.R. 1289: Mr. HASTINGS of Florida.

H.R. 1291: Mrs. CHRISTENSEN, Mr. ALEXANDER, and Mr. REHBERG.

H.R. 1297: Mr. BACHUS, Mr. BARLETTA, Mr. BENISHEK, Mr. BISHOP of Utah, Mrs. BLACK, Mr. BUCHON, Mr. BURTON of Indiana, Mr. DESJARLAIS, Mr. FORBES, Mr. GIBBS, Mr. GOSAR, Mr. HECK, Mr. HERGER, Mr. LOBIONDO, Mr. LUETKEMEYER, Mrs. LUMMIS, Mr. MCCLINTOCK, Mr. MCINTYRE, Mr. GARY G. MILLER of California, Mrs. NOEM, Mr. PALAZZO, Mr. PEARCE, Mr. PENCE, Mr. REHBERG, Mr. ROGERS of Alabama, Mr. ROGERS of Michigan, Mr. SCHILLING, Mrs. SCHMIDT, Mr. SCOTT of South Carolina, Mr. STUTZMAN, Mr. THORNBERRY, Mr. TIBERI, Mr. TURNER, Mr. WALBERG, Mr. WITTMAN, and Mr. WOODALL.

H.R. 1311: Ms. WASSERMAN SCHULTZ.

H.R. 1317: Mr. MORAN.

H.R. 1319: Mr. KUCINICH.

H.R. 1323: Mr. DUNCAN of Tennessee, Mr. LAMBORN, Mr. BISHOP of Utah, Mr. CHABOT, Mr. CAMPBELL, Mr. GOSAR, Mr. BROOKS, Mr. FRANKS of Arizona, Mr. TURNER, and Mr. AKIN.

H.R. 1328: Ms. ROYBAL-ALLARD and Mr. KUCINICH.

H.R. 1341: Mr. HALL and Mr. WEBSTER.

H.R. 1352: Mr. SABLAN.

H.R. 1371: Mr. CLARKE of Michigan and Ms. MOORE.

H.J. Res. 1: Mr. LABRADOR and Mr. SCOTT of South Carolina.

H.J. Res. 2: Mr. DOLD, Mr. FLEISCHMANN, and Mr. LABRADOR.

H.J. Res. 13: Mr. HELLER, Mr. REED, Mr. MANZULLO, and Mr. RAHALL.

H. Con. Res. 18: Mr. AUSTRIA.

H. Con. Res. 31: Mr. GRIFFITH of Virginia.

H. Res. 25: Mr. SENSENBRENNER, Mr. ANDREWS, Mr. WEST, Ms. HANABUSA, Ms. GRANGER, and Mr. ROGERS of Alabama.

H. Res. 60: Mr. ALTMIRE and Mr. BURTON of Indiana.

H. Res. 111: Mr. FILNER, Mr. HARPER, Mr. SARBANES, Mr. LAMBORN, and Mr. ELLISON.

H. Res. 137: Mr. HOLT, Ms. BALDWIN, Ms. BROWN of Florida, Ms. HANABUSA, Mr. ROE of Tennessee, Mr. THOMPSON of Mississippi, Mr. ALTMIRE, Mr. SIREN, Mr. ROSS of Arkansas, Ms. DELAUNO, Mr. LANGEVIN, Mr. PRICE of North Carolina, Mr. JONES, Mr. LOBIONDO, Mr. RYAN of Ohio, Mr. LUCAS, Mr. KUCINICH, Mr. CLEAVER, and Mr. FRANK of Massachusetts.

H. Res. 164: Mr. FORBES.

H. Res. 165: Mr. BRALEY of Iowa, Mr. PASCRELL, and Mr. CROWLEY.

H. Res. 179: Mr. MCGOVERN.

H. Res. 180: Mr. GARRETT and Mr. JONES.

H. Res. 193: Mr. WOLF.