

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."

The Republican majority may 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. COLE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. HOLDING). 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.

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

The yeas and nays were ordered.

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

ENERGY CONSUMERS RELIEF ACT OF 2013

GENERAL LEAVE

Mr. CASSIDY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 1582.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 315 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1582.

Will the gentleman from Kansas (Mr. YODER) kindly take the chair.

□ 1353

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 further consideration of the bill (H.R. 1582) to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules that are estimated to cost more than \$1 billion and will cause significant adverse effects to the economy, with Mr. YODER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, July 31, 2013, a request for a recorded vote on amendment No. 3 printed in part B of House Report 113-174 offered by the gentleman from Virginia (Mr. CONNOLLY) had been postponed.

AMENDMENT NO. 4 OFFERED BY MR. WOODALL

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 113-174.

Mr. WOODALL. Mr. Chairman, 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 2, lines 11 through 17, amend subparagraph (D) to read as follows:

(D)(i) an estimate of the total benefits of the rule and when such benefits are expected to be realized;

(ii) a description of the modeling, the calculations, the assumptions, and the limitations due to uncertainty, speculation, or lack of information associated with the estimates under this subparagraph; and

(iii) a certification that all data and documents relied upon by the Agency in developing such estimates—

(I) have been preserved; and

(II) are available for review by the public on the Agency's Web site, except to the extent to which publication of such data and documents would constitute disclosure of confidential information in violation of applicable Federal law;

The Acting CHAIR. Pursuant to House Resolution 315, the gentleman from Georgia (Mr. WOODALL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WOODALL. Mr. Chairman, I yield myself such time as I may consume to talk about an amendment that recognizes that knowledge is power.

So often today, we've talked about what we can do to make the government more accountable to the people. One of those things is entailed in the underlying bill that says, for these big rules that make a big difference, tell us what it is that you did. How did you come to this decision that this is the rule that you want to implement? My amendment goes one step further and asks for the underlying data on which that decision was made. We want to know what those calculations were.

It's going to be a good step forward if we can get agencies to share with us their modeling, but one step further would be those calculations that went into the modeling and came out of the modeling. What about the underlying data, Mr. Chairman? How in the world can we be in a conversation with the American people as the Congress with the agencies if we don't have access to the underlying data?

This is not a trade secret. This is not private information. This is the information that the agency uses to promulgate these rules that will then govern the entire United States of America. We simply say, if the disclosure of that data won't violate any laws, if it won't violate any trade secrets, if it's not going to be in violation of any applicable Federal laws, share that with America, post that on your Web page so that anyone who is interested in understanding how it is that these decisions that often go on behind closed doors, that often go on without the oversight of the public, not just what did you decide, but how did you decide it.

It's very difficult, whether you're a Republican or whether you're a Democrat, to hold the considered experts at these agencies accountable if you can't see the underlying data that went into their calculations. It's a simple amendment that says please share that with us. We're not questioning your expertise. We simply want to be a part of that process.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. Mr. Chairman and my colleagues, as I rise in opposition to this amendment, the supporters would claim that it's about transparency. What it's really about is not transparency. It's about a way to block or delay critical EPA rules. That's what this whole bill is all about. The amendment does the same thing. They use

rhetoric about transparency to cloud the amendment's true impact.

The amendment would prevent EPA from using the best science available when implementing its public health laws. It accomplishes this by not allowing EPA to rely on any scientific study unless the agency can publish, on its Web site, all of the underlying data associated with that study.

Today, EPA prides itself on using the best science available. The Agency understands that ideology will not stand the test of time, but science will; and their rules and regulations have to be based on the science, so they gladly inform stakeholders and the public about the studies upon which they rely.

The underlying data to peer-reviewed studies is often not published. That's because the data sets underlying peer-reviewed scientific studies are the property of the scientists that spend their careers gathering that information. The EPA cannot require the scientists to give up their private information. Oftentimes, those studies involve going to a lot of people and trying to find out the impact of certain exposure to pollutants. Those people agree to the study on the basis that this information about them will not be made public. But this amendment would say it would be impossible for EPA to use gold-standard scientific studies available to them unless they post this other data on their Web site.

Why do we want to prevent EPA from using high-quality scientific studies to set new pollution standards?

□ 1400

This is an issue that came up many years ago. In 1997, EPA used a study conducted by researchers at Harvard to set a new air quality standard for particulate matter. They did a rigorous peer-reviewed study that was conducted over a period of 16 years. The Harvard people showed conclusively that exposure to particulate matter in the air can kill people, while polluters said: We don't want EPA to issue this rule, it's going to cost us money.

So they said that EPA should publish all of the Harvard scientists' data, claiming that the scientists were keeping a secret. Well, the data is the work product and property of the Harvard scientists, not EPA. The agency couldn't release that information. They're relying on the Harvard scientists to give independent scientists access to the data after the scientists signed a confidentiality agreement. So independent scientists spent the next 3 years reanalyzing the data, and came to exactly the same conclusion.

There should be no objection to EPA relying on studies like this one. It's a long-term study with a huge sample. This is exactly the kind of rigorous review we expect of EPA. I urge opposition to this amendment.

I reserve the balance of my time.

Mr. WOODALL. Mr. Chairman, I yield myself 15 seconds to say nothing can be further from the truth. There is

a specific provision in this amendment that says you shall not disclose anything for which the disclosure would violate your commitments under Federal law. All we're asking is for whatever EPA saw, whatever the agency saw to make their decision. If it was good enough for the agency, shouldn't it be good enough for Congress as well?

With that, I yield 2 minutes to the gentleman from Louisiana (Mr. CASSIDY).

Mr. CASSIDY. Mr. Chairman, I cannot understand why somebody would object to this. The bill is about transparency, and this amplifies that transparency. EPA can impose rules which cost tens or even hundreds of billions of dollars on the U.S. economy. Those expenses translate into jobs lost.

Having access to the underlying information, and the estimates of cost and benefits, is critical to know why that is. And as my colleague said, there is no reason to have to reveal information about individuals. And let me just point to the medical literature. In the medical literature, there is a push that when the Federal Government funds research, that that underlying data is made subject, is made available to the general public. When the FDA reviews drugs, FDA will look at underlying data. So why would we require it for medications, which obviously affect many people, but not for the EPA. Having methodology which is transparent is absolutely essential in modern scientific literature. I don't see why there is an objection to it unless the hope is that EPA can satisfy an ideological bent without having to justify it.

This amendment will provide more transparency for EPA's billion-dollar rules. I urge my colleagues to vote "yes" on the amendment and "yes" on the underlying bill. The American people cannot afford to have jobs shipped overseas or have their economy otherwise wrecked. More rationality, transparency, and accountability must be brought to the EPA and its rulemaking process.

Mr. WAXMAN. Mr. Chairman, the fact of the matter is that EPA does not have this underlying data. It doesn't belong to EPA. It belongs to the scientists who did the study.

Consider this issue in a different context. If a pharmaceutical manufacturer wants to bring a new product to market, they would never be required to post all of their underlying data on the public Web site in order for FDA to rely on it. There's no other agency that would be held to such an unreasonable requirement as this amendment would impose on EPA. They review the data, but they don't put it on their Web site. EPA does not have the underlying data, and they can't require that the owners of the underlying data who did the study, often based on confidential agreements for those who participate in the study, they can't require that study be given to them. They are relying on the scientific data and the study results.

I think all this would do is make it more difficult for EPA to protect the public health.

I yield back the balance of my time.

Mr. WOODALL. Mr. Chairman, how much time remains?

The Acting CHAIR. The gentleman from Georgia has 1¼ minutes remaining.

Mr. WOODALL. Mr. Chairman, I yield myself the balance of my time to say that I think I speak for most of America that says I understand the government has to make decisions, but since the government is making those decisions on my behalf, shouldn't the government share with me the data that it uses to make those decisions?

The gentleman says this is going to hold EPA to a higher standard than the other agencies. I would say to the gentleman, you can look forward to me being back with this same amendment for absolutely every agency.

All we're saying is if you've seen the data, if you've utilized the data, if you believe this is sound enough science on which to base a regulation that is going to cost not \$1, not \$100, not \$1,000, not \$1 million, but more than \$1 billion, isn't it worth sharing with the American people how you reached that conclusion?

Mr. Chairman, the work that we do here, we should be proud enough of to share with absolutely anyone who asks. This is about transparency. And even if you don't support the underlying bill—I'm a strong supporter, but even if you don't—you should support in the context of transparency providing the underlying materials to the American public that went into this decisionmaking process.

Mr. Chairman, this is a great step forward as a transparency tool for the American public to restore that faith in government that has been lost.

I rise in strong support of the underlying bill and ask my colleagues to support the amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. FORTENBERRY). The question is on the amendment offered by the gentleman from Georgia (Mr. WOODALL).

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment No. 5 will not be offered.

AMENDMENT NO. 6 OFFERED BY MR. MURPHY OF PENNSYLVANIA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 113-174.

Mr. MURPHY of Pennsylvania. Mr. Chairman, 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 committee print, add the following section:

SEC. 5. PROHIBITION ON USE OF SOCIAL COST OF CARBON IN ANALYSIS.

(a) IN GENERAL.—Notwithstanding any other provision of law or any executive

order, the Administrator of the Environmental Protection Agency may not use the social cost of carbon in order to incorporate social benefits of reducing carbon dioxide emissions, or for any other reason, in any cost-benefit analysis relating to an energy-related rule that is estimated to cost more than \$1 billion unless and until a Federal law is enacted authorizing such use.

(b) DEFINITION.—In this section, the term “social cost of carbon” means the social cost of carbon as described in the technical support document entitled “Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866”, published by the Interagency Working Group on Social Cost of Carbon, United States Government, in May 2013, or any successor or substantially related document, or any other estimate of the monetized damages associated with an incremental increase in carbon dioxide emissions in a given year.

The Acting CHAIR. Pursuant to House Resolution 315, the gentleman from Pennsylvania (Mr. MURPHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MURPHY of Pennsylvania. Mr. Chairman, I yield myself 2 minutes.

I have an amendment in order that would prohibit the EPA from using “social cost of carbon” estimates for any energy-related rule that costs more than \$1 billion unless and until a Federal law is enacted authorizing such use.

The administration slipped into a role about microwave ovens a new prediction for the cost of carbon dioxide between now and the year 2300. Despite the profound implications to the economy and the families who make a living from coal, there was no public debate, no stakeholder comment, no vote in Congress on this new estimate.

In southwestern Pennsylvania, coal is our heritage. It fires the steel mills that built the Empire State Building, the St. Louis Arch, and the Golden Gate Bridge. But that heritage and prosperity is threatened by this new regulation. We’ve already seen what the social cost of the war on coal is today—the cost is jobs.

Three weeks ago, more than 380 workers at the Hatfield’s Ferry and Mitchell power plants in Pennsylvania were told they are losing their jobs. The plants had to shut down under EPA regulations after they had spent hundreds of millions of dollars in new environmental modernizations.

More than 15 organizations representing workers and stakeholders endorse my amendment because these groups share my concern that this bypassed congressional oversight and will put hundreds of thousands of miners, boilermakers, factory workers, laborers, railroaders, electricians, operating engineers, steamfitters and machinists out of work.

My amendment says Congress, not the EPA, decides regulations by considering what this means to the families and workers. The EPA’s policies have real-world consequences. Annual coal

production in central Appalachia is dropping sharply—by more than half in just 5 years’ time. There are towns where mines are shutting down, where a staggering 41 percent of the residents fall below the poverty line.

The social cost of carbon and the wider war on coal is a war on the American worker and their family.

Let me show you the real cost of the EPA’s rules. Those who oppose this amendment ignore the health effects on those living in poverty, who are twice as likely to have a risk of depression, asthma, obesity, diabetes, heart attacks, and other health effects. Poverty leads to devastated communities, early death, and lost dreams of a generation of Americans and their children.

Many of us can remember Bobby Kennedy’s walk through those broken Appalachian coal towns back in the 1960s to illustrate the abject poverty where families and children were living. I worked and volunteered in those towns, trying to help families hang on to some sort of semblance of hope in a hard-scrabble life.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MURPHY of Pennsylvania. I yield myself such time as I may consume.

Too often their hope failed, and now history is about to repeat itself. First, jobs are lost by the tens of thousands and, after that, the hundreds of thousands. And when people lose their jobs, we give them unemployment compensation. They go hungry; we give them food stamps. They lose unemployment; we give them welfare. They lose their homes; we give them public housing. They lose their dignity and pride, and the government has nothing left to give—nothing—when all these folks ever really wanted was a job—a job and a chance for the American dream not shattered by the EPA.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. The Murphy amendment denies that carbon pollution is harmful. It prohibits the Environmental Protection Agency from considering the costs of climate change when analyzing the impacts of its rules. According to this amendment, the cost of carbon pollution is zero. Well, that’s science denial at its worst. We are telling EPA the cost of carbon pollution is zero. It’s like waving a magic wand. We are going to decree that climate change imposes no costs at all.

The House Republicans can vote for this amendment. They can try to block EPA from recognizing the damage caused by climate change, but they cannot overturn the laws of nature. We should be heeding the warnings of the world’s leading climate scientists, not denying reality.

In the real world, scientific instruments accurately measure the levels of

carbon dioxide in the atmosphere and the levels trapped in ancient ice. Those measurements tell us that carbon dioxide levels just hit 400 parts per million this spring, and that’s the highest levels in the last 3 million years. In the real world, higher levels of heat-trapping carbon pollution are warming the planet and changing the climate. We are experiencing more record-breaking temperatures, worse droughts, longer wildfire seasons with more intense wildfires, and an increased number of intense storms, more flooding, and rapidly rising sea levels. Pretend it doesn’t happen. Pretend that’s not the reality.

On the other hand, as the proponent of this amendment suggested, let’s look at the impact on the family that may lose its job. Well, I think that ought to be under consideration, but let’s not have an amendment that would ignore the cost of carbon pollution.

We are seeing the effect of climate change not some time in the future but right now. And we’re being told it’s not going to get better by itself; it’s going to get worse. Scientists have been telling us for years. EPA and other Federal agencies have a responsibility to calculate the cost of climate change and take them into account when they issue new standards. That’s common sense, and that was the clear message from the Government Accountability Office when it added climate change to its high-risk list earlier this year, and that’s exactly what the Obama administration is doing.

□ 1415

They have an interagency task force that worked, over the course of several years, to estimate the cost of the harm from carbon pollution. It incorporated the latest scientific and technical information.

I’m sorry people lose their jobs, but they don’t have to lose their jobs. If an industry is told to reduce carbon emissions, they don’t have to fire people. They can develop and buy the technology that would reduce that pollution.

So to help those polluters not have to do that, we’re going to pretend there’s no cost. Mr. MURPHY’s amendment would require the government to assume zero harm, zero cost from carbon pollution and climate change.

I urge my colleagues to reject this amendment. It’s based on magical thinking. Don’t be a science-denier. Vote against the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. MURPHY of Pennsylvania. Mr. Chairman, how much time do we have left on our side?

The Acting CHAIR. The gentleman from Pennsylvania has 2½ minutes remaining. The gentleman from California has 1 minute remaining.

Mr. MURPHY of Pennsylvania. Mr. Chairman, I now yield 1 minute to the gentlewoman from West Virginia (Mrs.

CAPITO), the number two coal-producing State in America.

Mrs. CAPITO. Mr. Chairman, I rise in strong support of my colleague Mr. MURPHY's amendment and in opposition to the EPA's arbitrary, backdoor approach to regulating carbon dioxide emissions. These regulations would and are having a catastrophic effect on jobs and economic activity across the country, especially in our coal-producing States such as West Virginia and Pennsylvania.

The administration's new Social Cost of Carbon calculation is nothing more than a gimmick used to circumvent Congress so that job-killing regulations and an anti-domestic energy agenda can move forward.

Perhaps to no one's surprise, just as the administration is stepping up its efforts to issue regulations aimed at closing existing plants and stopping new ones, it decided, without public comment or transparency, to increase the cost of carbon by 44 percent. The fact is, U.S. carbon emissions from the energy sector have fallen in the last 4 of 5 years.

I am not willing to sacrifice West Virginia jobs to the administration's ideological efforts. I ask my colleagues to put jobs ahead of politics and pass the Murphy amendment.

Mr. WAXMAN. Mr. Chairman, I reserve the balance of my time.

Mr. MURPHY of Pennsylvania. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. BARTON).

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

Mr. BARTON. I want to thank the gentleman from Pennsylvania.

Mr. Chairman, I rise in strong support of the Murphy amendment, and I also want to say we should vote for that in conjunction with the gentleman from Georgia's amendment that was just heard previously.

If you walk into a greenhouse anywhere in America, do you know what the average carbon concentration will be? It won't be 350 parts per million. It won't be 400 parts per million. It will be over 1,000 parts per million. We have records that indicate the CO₂ concentration in the upper atmosphere has been as high as 5,000 to 6,000 parts per million in the past.

The gentleman from California and those adherents of his philosophy would have you believe that having a carbon concentration between 350 and 400 parts per million is somehow cataclysmic. Nothing could be further from the truth.

And this new cost of carbon calculation that the EPA and the DOE have begun to include needs to be, at a minimum, made transparent. I think it's fine until we have the facts that it shouldn't be allowed at all.

So vote for the Murphy amendment.

Mr. WAXMAN. Mr. Chairman and my colleagues, this is not my philosophy that would lead me to urge that we reduce carbon emissions. It's based on

the science. Thousands of peer-reviewed scientific studies have indicated that carbon causes problems. It causes health effects, and it threatens the climate.

The homeowners in Arizona, Texas, Colorado, and California who have seen their homes ravaged by drought-stoked wildfires know the cost of carbon pollution. The families of brave firefighters know the cost of carbon pollution.

The farmers and ranchers suffering the effects of prolonged drought, many of whom have lost entire crops or been forced to sell their livestock, know the cost of carbon pollution. And the thousands who lost businesses and homes after Hurricane Sandy slammed into the east coast know the cost of carbon pollution.

That cost is not based on a philosophy. It's based on the science and the reality.

Reject this magical-thinking amendment. Don't be a science-denier. Vote against the amendment and the underlying bill.

I yield back the balance of my time.

Mr. MURPHY of Pennsylvania. Mr. Chairman, this isn't about denying science; this is about denying jobs and denying opportunity.

The underlying amendment here is supported by the boilermakers, the electrical workers, the operating engineers, the carpenters, and United Mine Workers, the American Energy Alliance, National Mining Association, National Taxpayers Union, and Chamber of Commerce because they want jobs and they don't want poverty.

And poverty, Mr. Chairman, is the number one threat to the environment. Poverty is the number one threat to public health. It's time Congress took charge of regulations and not unregulated divisions of the government.

Mr. Chairman, I ask Members to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MURPHY).

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

Mr. WAXMAN. Mr. Chairman, 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.

Mr. CASSIDY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mr. FORTENBERRY, 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. 1582) to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final cer-

tain energy-related rules that are estimated to cost more than \$1 billion and will cause significant adverse effects to the economy, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 2 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1435

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOODALL) at 2 o'clock and 35 minutes p.m.

ENERGY CONSUMERS RELIEF ACT OF 2013

The SPEAKER pro tempore. Pursuant to House Resolution 315 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1582.

Will the gentleman from Nebraska (Mr. FORTENBERRY) kindly resume the chair.

□ 1436

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 further consideration of the bill (H.R. 1582) to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules that are estimated to cost more than \$1 billion and will cause significant adverse effects to the economy, with Mr. FORTENBERRY (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 6 printed in part B of House Report 113-174, offered by the gentleman from Pennsylvania (Mr. MURPHY), had been 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 part B of House Report 113-174 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. WAXMAN of California.

Amendment No. 3 by Mr. CONNOLLY of Virginia.

Amendment No. 6 by Mr. MURPHY of Pennsylvania.

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 MR. WAXMAN

The Acting CHAIR. The unfinished business is the demand for a recorded