

PROVIDING FOR CONSIDERATION OF H.R. 2822, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016; PROVIDING FOR CONSIDERATION OF H.R. 2042, RATEPAYER PROTECTION ACT OF 2015; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JUNE 26, 2015, THROUGH JULY 6, 2015

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 333 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 333

Resolved, That (a) at any time after 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. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, 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 Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived.

(b) During consideration of the bill for amendment—

(1) each amendment, other than amendments provided for in paragraph (2), shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment except as provided in paragraph (2);

(2) no pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate; and

(3) the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read.

(c) When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after 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. 2042) to allow for judicial review of any final rule addressing carbon dioxide emissions from existing fossil fuel-fired electric utility generating units before requiring compliance with such rule, and to allow States to protect households and businesses from significant adverse effects on electricity ratepayers or reliability. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General de-

bate 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 an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-20. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that 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 amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. It shall be in order without intervention of any point of order to consider concurrent resolutions providing for adjournment during the month of July, 2015.

SEC. 4. On any legislative day during the period from June 26, 2015, through July 6, 2015—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

□ 1245

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

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman 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. BURGESS. Mr. 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. BURGESS. Mr. Speaker, House Resolution 333 provides for a rule to consider important bills that deal with our environment: the first, H.R. 2822, the Interior, Environment, and Related Agencies Appropriations bill for fiscal year 2016; and the second, H.R. 2042, the Ratepayer Protection Act of 2015. Each bill will be provided the standard 1 hour of debate, equally divided between the majority and the minority. Further, on each bill, the minority is granted the standard motion to recommit, a chance to amend the legislation one final time prior to its passage.

As with nearly all regular order appropriations bills that have come to the floor under the Republican leadership, the Interior-EPA bill will be considered under a modified open rule, allowing every Member of this body the opportunity to come to the floor and offer amendments to the bill that comply with the House budget rules.

H.R. 2042, the Ratepayer Protection Act, is given a structured rule under the resolution before us today, with the Rules Committee making in order five of the eight amendments offered during consideration of the bill last evening. Of the amendments made in order, one is bipartisan, three were offered by Democrats, and one was offered by a Republican.

H.R. 2822, the Department of the Interior, Environment, and Related Agencies Appropriations Act for fiscal year 2016, provides funding for both the Department of the Interior and the Environmental Protection Agency. This bill provides funding for many of the national parks and recreational facilities throughout the United States. The bill includes over \$30 billion in base funding, decreasing the top line level by \$246 million below fiscal year 2015 and cutting \$3 billion from the President's budget request.

This spending reduction is necessary to rein in an out-of-control Environmental Protection Agency that is moving at breakneck speed to regulate every aspect of our economy. Following the failure of the House and Senate Democrats to get the disastrous Waxman-Markey cap-and-trade legislation to President Obama's desk in 2009, Lisa Jackson and, now, Gina McCarthy, both administrators of the Environmental Protection Agency, have moved forward with regulatory regimes under the guise of the Clean Air Act to go around Congress to regulate carbon after the American people explicitly rose up and said do not do this.

The Energy and Commerce Committee has held countless hearings and markups to address the out-of-control efforts by the Environmental Protection Agency and has taken over the past few years to push President Obama's harmful environmental policies onto a populace that has rejected those same policies at the ballot box. From carbon dioxide to ozone to every stream, puddle, ditch, pond in America, the Environmental Protection Agency

will not rest until it has regulatory control over every aspect of every life in America.

The appropriations bill before us is an important step toward reining in such a power-hungry agency. The bill contains prohibitions on the Department of the Interior's attempts to regulate hydraulic fracturing, a process that President Obama's own Environmental Protection Agency recently stated has not resulted in any significant environmental or health harms. It includes a provision preventing the Environmental Protection Agency from proposing new ozone standards until at least 85 percent of the country is able to meet current standards, which would seem to be a reasonable request. It prohibits the Environmental Protection Agency from moving forward with new greenhouse gas regulations, regulations that the American people have never supported. And it prohibits the Environmental Protection Agency from moving forward with regulating every stream and pond in the country, an issue that the Supreme Court has rejected and that farmers and landowners all across America have risen up to oppose.

Even more than the funding levels in this bill, passing the House Interior Appropriations bill will keep the Environmental Protection Agency from doing further damage to the United States economy than has already been done by this administration. Mr. Speaker, I will just point out, we were greeted with the news that in the first quarter of this year, the economy actually contracted by 0.2 percent. That is not the direction that we need to go.

The second bill contained in today's rule is H.R. 2042, the Ratepayer Protection Act of 2015, which does address the Environmental Protection Agency's job-killing carbon rules on existing power plants. The bill allows for judicial review of any final rule pertaining to greenhouse gas emissions before requiring compliance with such a rule and allows States to protect households and businesses from significant adverse effects on electricity ratepayers or reliability. This seems like a reasonable ask, that the EPA's own rule, which we know will be litigated anyway, not go into effect until the courts have had a final say on whether or not the Environmental Protection Agency actually followed the law.

The Environmental Protection Agency's proposed regulation on greenhouse gases, a regulation that the Democrats couldn't achieve through legislation, places different limits on different States, allowing the Environmental Protection Agency to pick winners and losers in the carbon wars.

If a State does not comply with the strict guidelines that the Environmental Protection Agency sets out for its electricity market, then the EPA will force its own Federal plan on the State, driving up the cost to ratepayers exponentially.

The EPA's own estimates of this rule—just the rule, without any men-

tion of the other disastrously expensive rules that it is currently proposing, such as the ozone regulations—suggest that the carbon rule for existing power plants will impose annual costs of \$5.5 billion to \$7.5 billion by 2020, and almost \$9 billion by 2030. All of those costs will be passed on to every American who pays an electricity bill.

Of course, as we have seen in previous rules, the Environmental Protection Agency consistently underestimates the cost of its rules to hide the ball from the American people about the true damage that is actually being proposed by the Agency. Outside estimates put the cost of this one regulation at upwards of well over \$360 billion to almost \$500 billion between 2017 and 2031. That level of harm to the United States economy is insane after seeing such a slow recovery under the current President, but it is exactly what Administrator Gina McCarthy is proposing.

State Governors, regulators, and other stakeholders have submitted thousands of comments on this rule, explaining how difficult it will be to implement and prevent rates from increasing, but those pleas appear to have hit a dead end. The Environmental Protection Agency is moving forward with these rules, and this bill before us presents one of the great opportunities to slow them down before irreversible damage is done to the economy.

Mr. Speaker, the House is moving forward with important legislation today to make the government more accountable. I look forward to both bills having a full debate on the House floor after the passage of today's rule.

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

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

If we defeat the previous question, I will offer an amendment to the rule to allow for consideration of legislation that would reauthorize the Export-Import Bank for 7 years. The Export-Import Bank allows American businesses to compete in global markets and supports hundreds of thousands of jobs.

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.

□ 1300

Mr. POLIS. Mr. Speaker, we have one legislative day until the expiration of the Export-Import Bank's authorization. We are going to get to talk about this EPA rule in a few minutes, but there are many Members on my side of the aisle who want to bring forward in the form of a previous question, the only procedural way that we can advance this important piece of legislation to the floor before the House goes

home in July, to reauthorize the Export-Import Bank.

Reauthorization of the Export-Import Bank would strengthen our Nation's economy. It would provide stability and certainty for American businesses. The Export-Import Bank assists tens of thousands of small-and-medium-sized businesses throughout the country. In fact, nearly 90 percent of Export-Import's transactions are with small businesses, and the Bank directly supports 164,000 private sector jobs at over 3,300 companies.

In August, I was honored to receive a visit from Export-Import Bank President Fred Hochberg, who came to my district to highlight the kinds of jobs and companies that Export-Import really benefits and discuss ways that it can work together with some of our local Colorado small businesses. Together, we visited Boulder-based Drop-let Measurement Technologies, which was named the Export-Import Bank's 2015 Small Business Exporter of the Year for its work in cloud and aerosol measurements. Roughly two-thirds of this small company's sales come from exports.

Mr. Speaker, that is the kind of growing business that Export-Import Bank supports—export-related jobs so important in today's global economy—not just the brand names, not big companies, but the types of small-and-mid-sized firms that need and deserve our support to compete on the global market.

FiberLok in Fort Collins is a specialty-based printing company in my district that provides heat transfer graphic products like computer mouses and drink coaster rugs. It is family-owned with 70 employees, and about 40 percent of its business is international. They sell worldwide, including Germany, Mexico, and the U.K. In 2008, the company discovered Export-Import Bank through a direct mail campaign that targeted small businesses, and they have been using the small business multibuyer credit insurance since, and through that, with the help of that program, export sales have grown 15 to 20 percent, and the Bank has supported over 2.7 million of FiberLok's exports.

Mr. Speaker, I understand that there are some on the other side of the aisle that have a philosophical problem with the existence of the charter of the authorization for this Bank. If that is the case, surely unilateral disarmament is not the solution. Perhaps instruct our trade negotiators to remove backdoor subsidies at other export-import banks that other nations have, but as long as these types of efforts are permitted under WTO and trade rules, and as long as other nations support the export economy in their countries through programs like the Export-Import Bank, why would we want to unilaterally disarm? It makes no sense and puts American businesses and American exporters at a disadvantage and would lead to the outsourcing of even more jobs overseas.

Financing assistance from this Bank—which, incidentally, costs zero money to taxpayers—helps ensure that U.S. companies are competing on a level playing field. Canada, China, and Japan, over 60 other nations, have similar banks that extend even more export financing to their businesses.

Mr. Speaker, there is strong, bipartisan support for the renewal of the Bank's charter. I urge every Member who supports that to help defeat the previous question so we can offer our amendment, and I reserve the balance of my time.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from the great State of California (Ms. MAXINE WATERS), to discuss the previous question and the Export-Import Bank.

Ms. MAXINE WATERS of California. Mr. Speaker, I would like to thank the gentleman from Colorado, as well as Leader PELOSI and Whip HOYER, for continuing to fight for the survival of the Export-Import Bank.

Mr. Speaker, with just 1 day left for Congress to act before the Ex-Im Bank shuts down, I am shocked that my Republican colleagues are planning to leave town without even considering legislation to review its charter. Democrats will not sit idly by. That is why I rise today to urge my colleagues to defeat the previous question in order to force a vote on legislation sponsored by myself, Mr. HECK, Ms. MOORE, Mr. HOYER, and nearly every other Democrat in this House to renew and reform the Export-Import Bank's charter for the long term.

Over the past 5 years, the Export-Import Bank has created or sustained an estimated 1.3 million jobs, and it has returned \$6.9 billion to the American people over the past two decades. But next Tuesday, that record of success will be stopped in its tracks. The Export-Import Bank will stop creating jobs and supporting our small businesses. It will stop returning profits to the Treasury, and it will stop helping to make our businesses more competitive.

Failure to act hands countries like China, Russia, and countless others that have their own version of the bank a significant victory—at the hands of American workers' products and businesses. But we haven't given up yet. Today we are giving the broad base of Democrats and Republicans who support the Bank an opportunity to cast a vote in favor of keeping this engine of job creation and economic growth alive.

Last week my Republican colleagues who support the Bank failed to stand up for its survival. But with just 1 more day for Congress to save the Bank from shutting down, I am afraid that those who claim to support the Export-Import Bank but refuse to stand up and do so do not truly support the Bank or the jobs it creates.

Mr. Speaker, businesses need to know that our government will stand up for them, not work to undermine them.

The SPEAKER pro tempore (Mr. HOLDING). The time of the gentlewoman has expired.

Mr. POLIS. Mr. Speaker, I yield the gentlewoman an additional 20 seconds.

Ms. MAXINE WATERS of California. Mr. Speaker, I ask my colleagues to heed the advice of Ronald Reagan, George W. Bush, and Bill Clinton, all of whom supported the Export-Import Bank.

I urge a "no" vote on the previous question.

Mr. BURGESS. Mr. Speaker, I yield 1 minute to myself.

Mr. Speaker, I would remind the Chair that the issue under consideration today before the House of Representatives is H. Res. 333, which provides for the consideration of the bill, H.R. 2822, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; and further providing for the consideration of H.R. 2042, to allow for judicial review of any final rule addressing carbon dioxide emissions from existing fossil fuel-fired electric utility generating units before requiring compliance with such rule, and to allow States to protect households and businesses from significant adverse effects on electricity ratepayers or reliability.

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

Mr. POLIS. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, my friend, Dr. BURGESS, has just made an observation, that this resolution is about the Interior, Environment, and Related Agencies Subcommittee Appropriations bill. I will tell Mr. Speaker, as you know—and the American people, I am sure, know—that that Agency is funded through September 30 of this year, which means we have months to go before it will run out of funds.

The other bill that he mentions, of course, as you know, is about a proposal, not a rule. It may be a rule at some point in time, but it is a proposal which has no absolute definite need to be done today or next week or next month.

However, Mr. Speaker, the Export-Import Bank, if we do not act by tomorrow, loses its authority to loan money or to support—not to loan money, but to support the selling of goods from America by American workers to those abroad.

We just went through a trade debate which was about jobs and whether or not it was going to undermine jobs in America. Now, my previous colleague, Ms. WATERS, mentioned President Reagan, she mentioned President Bush, and she mentioned President Clinton.

But the person who says we are going to lose jobs if we don't pass the Export-Import Bank is the Speaker of this House, Mr. Speaker, JOHN BOEHNER of Ohio. He says, if we don't pass this, we are immediately going to start losing jobs—JOHN BOEHNER, Speaker of the House from Ohio.

Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from shutting down.

The SPEAKER pro tempore. The Chair would advise that all time has been yielded for the purpose of debate only.

Does the gentleman from Texas yield for the purpose of this unanimous consent request?

Mr. BURGESS. Mr. Speaker, I do not.

The SPEAKER pro tempore. The gentleman from Texas does not yield. Therefore, the unanimous consent request cannot be entertained.

Mr. BURGESS. Mr. Speaker, again, I will just remind the House that what is under consideration is a rule resolution, H. Res. 333, for consideration of the appropriations bill for the Department of the Interior and H.R. 2042 to allow for judicial review of any final rule addressing carbon dioxide emissions.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from Washington (Mr. HECK), a champion of reauthorizing the Export-Import Bank for the purpose of a unanimous consent request.

Mr. HECK of Washington. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031, which is within its power to do—a bill to protect thousands of American jobs by preventing the shutting down of the Export-Import Bank.

The SPEAKER pro tempore. Does the gentleman from Texas yield for the purpose of this unanimous consent request?

Mr. BURGESS. Mr. Speaker, I would reiterate my earlier announcement that all time yielded is for the purpose of debate only, and I do not yield time for any other purpose.

The SPEAKER pro tempore. The gentleman from Texas does not yield. Therefore, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from Arizona (Mr. GRIJALVA) for the purpose of a unanimous consent request.

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from being shut down.

The SPEAKER pro tempore. The Chair understands that the gentleman from Texas does not yield for that purpose. Therefore, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from Nebraska (Mr. ASHFORD) for the purpose of a unanimous consent request.

Mr. ASHFORD. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from shutting down.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from Texas (Mr. AL GREEN) for the purpose of a unanimous consent request.

Mr. AL GREEN of Texas. Mr. Speaker, I join my colleagues, and I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from shutting down.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from New York (Mr. TONKO) for the purpose of a unanimous consent.

Mr. TONKO. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from shutting down.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from California (Mr. SHERMAN) for the purpose of a unanimous consent request.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect hundreds of thousands of American jobs by preventing the shutdown of the Ex-Im Bank.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentlewoman from California (Ms. MAXINE WATERS), the ranking member of the Committee on Financial Services, for the purpose of a unanimous consent request.

Ms. MAXINE WATERS of California. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from shutting down.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE) for the purpose of a unanimous consent request.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, as you might be able to predict, I ask unanimous consent that the House bring up H.R. 1031—a bill that would protect thousands of American jobs by preventing the shutdown of the Export-Import Bank.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, we were hoping at least Mr. BOYLE's would be accepted. But, Mr. Speaker, I yield to another Member of Congress from California (Mr. CÁRDENAS), a leader in the fight to reauthorize the Export-Import Bank, for the purpose of a unanimous consent request.

Mr. CÁRDENAS. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from shutting down.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield to the gentlewoman from New York (Ms. SLAUGHTER), the ranking member of the Committee on Rules, for the purpose of a unanimous consent request.

Ms. SLAUGHTER. Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1031—a bill to protect thousands of American jobs by preventing the Export-Import Bank from shutting down. It is most important in my district.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

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

Mr. BURGESS. Mr. Speaker, I yield 1 minute to myself.

Again, I just want to underscore that the issue under consideration on the House floor today is to consider H. Res. 333, to provide for consideration of the bill, H.R. 2822, making appropriations for the Department of the Interior, environment and related agencies, and to provide for consideration of the bill, H.R. 2042, to allow for judicial review of any final rule addressing carbon dioxide emissions.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2½ minutes to the gentleman from Washington (Mr. HECK), a leader in the effort to reauthorize the Export-Import Bank.

Mr. HECK of Washington. Mr. Speaker, I am going to get an enormous frustration off my chest today, the obsessive-compulsive focus of this Chamber on the Ts: trade, trade promotion authority, Trans-Pacific Partnership, and trade adjustment authority. This view that we can distill our entire Nation's future trading prospects to one trade agreement or the TPA leading up to it is wrongheaded, it is myopic, and it does not serve our self-interest. The fact of the matter is, in order for us to be successful in a global economy, we must be much more complex and nuanced in our view.

□ 1315

Infrastructure—we don't even spend two-thirds of the money generated by the harbor maintenance tax, which is generated by trade, on improving the ports so that we can have more trade. Where is that issue?

The International Monetary Fund, 5 years hanging loose the reform. We are

Nero; Rome is burning. No reforms to the IMF—and what is the consequence? This is real. This isn't abstract. I didn't make this up. China forms the Asian Infrastructure Investment Bank; Brazil, Russia, India, China, and South Africa form the BRICS Bank—all of this while we sit and watch Rome burn.

Lastly, the Export-Import Bank is a deficit-cutting, job-creating machine—\$6 billion to reduce our deficit, 164,000 thousand jobs in the country just last year. Ninety-five percent, as has so often been said, of the world's population lives outside the borders of the great country of the United States of America.

If we want to keep our middle class, we are going to have to learn how to sell into their middle class and engage in global trade, but it is more complex than just one trade agreement or IMF or what we do with the infrastructure investment. It is all of these things.

Yes, at the top of that list, the Export-Import Bank, a deficit-cutting, job-creating machine, we need to reauthorize the Export-Import Bank—1 day left—because the layoff notices are going out next week.

People will lose that which they value more than anything in life, save their family; and that is the opportunity to be self-sufficient and provide for themselves.

Ladies and gentlemen, I beseech you, vote against the previous question, bring up H.R. 1031, reauthorize the Export-Import Bank in the name of cutting deficits and creating jobs.

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

Mr. POLIS. Mr. Speaker, you have heard what we will bring up if we defeat the previous question. You will now hear what this body under this rule has chosen to consider instead—a bill that, as Mr. HOYER said, could be done any time and a bill that is bad.

To explain that, I yield 3 minutes to the gentleman from Arizona (Mr. GRIJALVA), the distinguished member of the Committee on Natural Resources.

Mr. GRIJALVA. Mr. Speaker, I thank the gentleman.

I rise in opposition to House Resolution 333.

The Interior Appropriations bill is a disaster, not only because it would continue the pattern of underfunding core Department of Interior programs and ignoring climate change, but also because it is littered with partisan legislative riders that don't belong in an appropriations bill.

This rule does nothing to improve the bill, and even includes waivers to protect these illegitimate riders. Republicans make the rules, but through this appropriations bill, they seek to break their own rules and sneak significant legislative changes into this spending bill.

The riders protected by this rule would make species extinction more likely, close the courthouse door to American citizens, and grease the wheels for Big Business to make private profits from public resources.

These are all terrible ideas, but they are terrible ideas that should be considered in the Natural Resources Committee, not snuck into an Interior spending bill.

I have the honor of serving as the ranking member of the Natural Resources Committee, and I would tell my colleagues: we have hearing rooms and a full staff, and if you support delisting endangered species or prohibiting judicial review of resource decisions or giving away public resources to wealthy companies, you should put your name on a bill and come over to 1324 in the Longworth Building for a hearing.

While I cannot speak for the chairman of the Natural Resources Committee, as ranking member, I cannot agree to cede jurisdiction over management of our Federal natural resources to appropriators, and I cannot support a rule designed to allow it.

Even though the best available science indicates otherwise, section 121 of the underlying bill would direct the Secretary to reissue two final rules removing wolves in Wyoming and the Great Lakes from the endangered species list.

Another rider would make it more difficult to protect the habitat of the threatened northern long-eared bat. We aren't the experts. We should not interfere with the species listing and recovery processes at all, let alone interfere through an appropriations bill where the merits of such proposals cannot be given any appropriate consideration. This is why the House rules prohibit these riders, and this rule should not protect them.

Another awful rider would block the Fish and Wildlife Service from cracking down on illegal ivory trade within the U.S. Poaching of elephants and trafficking of illegal ivory is currently at an all-time 25-year high here in the U.S., and the U.S. is one of the major markets for the sale of illegal ivory.

Section 120 of the underlying bill would restrict our ability to regulate the trade of elephant ivory in the U.S. and will directly contribute to elephant slaughter. House rules prohibit these kinds of sneaky, partisan riders in spending bills for a good reason, and we should not adopt a rule to protect these provisions.

If these provisions are so toxic that they can only be passed by waiving House rules, they shouldn't be passed at all.

Either way, the question should be considered in the authorizing committee, not in an appropriations bill and not in this rule.

Mr. BURGESS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I would remind the gentleman from Arizona that this appropriations bill is coming to the floor, as has been the custom during the Republican majority, under a modified open rule, which means that any Member is able to bring an amendment to the floor of the House and have it heard.

This, of course, includes limitation amendments that would be heard at the end of the reading of the bill that would allow for the striking of any of the provisions that he finds objectionable. Then all that is necessary for the gentleman to do is to convince 218 Members of this body to vote with him on an amendment, and he will be able to accomplish his heart's desire.

A modified open rule is a good process, and it does allow the will of the House to be heard on this bill. I look forward to us affirming the previous question, passing the rule to allow the bill to be heard, and then we can get on to the business at hand.

I reserve the balance of my time.

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

I think the problem with the idea of the gentleman from Texas is that the base bill is so bad, it could take this body weeks or months to fix it. Meanwhile, we are 1 day away from the Export-Import Bank's reauthorization.

At least let's get that done, and then we are happy to begin the work of trying to fix this terrible bill. Although, again, it might be more productive just to defeat it, send it back to Appropriations, and have them come up with a better base bill.

I am proud to yield 2½ minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, I thank the gentleman for yielding. As he points out, we are 1 legislative day away from the end of the authorization of the Ex-Im Bank.

American businesses are already losing contracts as foreign companies must decide whether to structure themselves around American equipment or whether to buy equipment from another source. That foreign source offers stable export promotion authority financing provided by the governments of Germany, Japan, China, et cetera; whereas, we dawdle here.

The purpose of a rule is to decide how the House will devote its time here on the floor. The most pressing matter before us is the Export-Import Bank. That is why we should defeat the rule and focus the House on the most pressing matter, and we should allow the House to work its will. A majority of this body wants to reauthorize the Ex-Im Bank, but instead, we are being held hostage by a group inside only one of the two caucuses.

I gave 100 speeches for George McGovern. I am proud of that. We were accused of unilateral disarmament being our platform. This is a platform for unilateral disarmament because this is a platform that says Germany, Japan, and China will provide concessionary financing to push their exports, and we will be disarmed in the world of business.

The Export-Import Bank makes money. The CBO concludes that; generally accepted accounting principles conclude that. The enemies of the

Bank have concocted a fantasy accounting system, and only under that system, used nowhere else, is there any argument that the Export-Import Bank does not make money.

We have hundreds of thousands of American jobs at stake. They should not be sacrificed on the altar of a new religion. Ayn Rand is not a deity; "Fountainhead" is not Holy Scripture, and we need to make practical decisions in the real world where we face real competition from real competitors.

That is why we need to focus the attention of this House on today's most pressing issue, the reauthorization of Ex-Im Bank.

Mr. BURGESS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I am proud to yield 2 minutes to the gentleman from Nebraska (Mr. ASHFORD), a leader in the effort to reauthorize the Export-Import Bank.

Mr. ASHFORD. Mr. Speaker, I thank the gentleman.

I rise today to express my support for the reauthorization of the Export-Import Bank.

The Ex-Im Bank is an independent, self-sustaining executive branch agency with one mission, to foster American job growth by helping American companies with the tools they need to compete in the global marketplace.

In short, the Ex-Im Bank provides the business community the certainty it needs to compete in overseas markets and grow jobs at home.

Why am I so supportive of the Ex-Im Bank and its reauthorization? In my district alone, in the month of May, the Ex-Im Bank provided \$3.8 million worth of Nebraska's export goods into the global marketplace, companies as large as Valmont Industries, one of the largest manufacturers of center pivot irrigation systems in the world, and companies as small as Volcanic Peppers, that in a small kitchen produced hot sauce that is exported to Australia.

In fiscal year 2014, the Ex-Im Bank supported approximately \$107 million in Nebraska exports, 49 percent of which went to Nebraska small businesses.

Since 2007, the Bank has supported \$230 million in exports from 52 Iowa companies and \$550 million in exports from 39 Nebraska companies. This translates into American private sector jobs in every district of this country.

In real terms, the Ex-Im Bank helps to level the playing field for both large and small businesses who export products abroad.

Simply put, there is no rational reason, Mr. Speaker, for allowing American products and American goods to have a disadvantage in the global marketplace.

Congress must reauthorize the Ex-Im Bank immediately, and I am committed to working with my colleagues on both sides of the aisle to make this happen.

Mr. BURGESS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I think it is clear what we would like to do, what Democrats would like to do, like the probusiness Members of this House would try to do, we want to, with 1 legislative day left, bring forward a reauthorization of the Export-Import Bank for the reasons that have been made abundantly clear by my Democratic colleagues and I know an idea that is shared by many, perhaps less outspoken, Members on your side of the aisle who also support reauthorizing the Export-Import Bank.

Let's have a clean vote. If we defeat the previous question, that is exactly what we will bring forward, a 7-year authorization that I believe will pass this body.

Now, let's talk about what this House is choosing to do instead under these rules—two bills that are not urgent, are not timely, both of which would need Presidential vetoes: the Ratepayer Protection Act of 2015, which I will talk about, which, again, will go nowhere, even if it gets out of both chambers, will get a Presidential veto and won't have two-thirds in this body to override; and Interior Appropriations, which needs to be done, but could be done next week, while we are up against a deadline of the expiration of the Export-Import Bank.

The Ratepayer Protection Act pertains to the recently proposed clean power plan, which establishes emission guidelines for States to follow in developing plans to control carbon pollution from existing coal and natural gas-fired power plants.

Like so many Presidential initiatives, it stems out of the President's legitimate authority to act in areas under his statutory authority when this body fails to act.

I applaud the President for using his existing executive powers on immigration. I applaud the President for using his existing executive powers for a clean power plan to work with the States and the EPA.

□ 1330

What this bill would do, however, is suspend the implementation of the clean power plan and extend all compliance and submission deadlines until a judicial review can be completed, already in process.

On this point, let me make one thing very clear, that there is no existent rule and that the proposed clean power plan is a proposal. Let's give the executive branch the opportunity to at least come forward with a final proposal before this body decides that it somehow wants to invalidate that very proposal.

I have discussed this proposal with many folks in my district, and there are issues that need to be worked out to make this regulation feasible. I have talked to and heard from rural electric utilities and from many others, and we

all want to make sure that ratepayers are not detrimentally impacted, but the answer is not to cut the process short.

That is why developers are actually working with the EPA through a public input process, which includes rural electric utilities and others, an unprecedented reach of outreach opportunities that the EPA is doing, including in my district.

They are saying that they want to amend this proposed rule to make it work better. If a majority of this body doesn't like the final result, then it is time to talk about how we want to amend it and how this body would rather deal with emissions and carbon reduction.

There are plenty of other opportunities. Several years ago, this body considered a cap-and-trade program. I am a cosponsor of a bill with Mr. DELANEY that would implement a carbon tax and would use the income from that to reduce the corporate tax rate and reduce the tax burden on American businesses.

There are plenty of good ideas out there, but let's at least see what the administration and the EPA come up with and then respond to its final proposal with meaningful legislation to address our carbon emissions.

Passing this bill now would prematurely undermine the EPA's collaborative effort, instead of encouraging them to involve multiple stakeholders in reducing carbon emissions. Under current law, the EPA is required to develop and implement a Federal plan for any State that fails to submit its own State plan.

This means that the passage of this bill would overturn that existing requirement in the Clean Air Act as it pertains to the clean power plan, which means the State would find itself in a place in which, if it fails to utilize the flexibility this rule provides, it might have a plan that they have not been part of forming.

I urge my colleagues to reflect on a position that not only disregards science but that runs in opposition to business, to the religious community, and to our national and global security. Congress can constructively weigh in on reducing carbon emissions, and I encourage this body to do so.

There are a number of great bills that would provide a statutory mechanism to reduce our carbon emissions. Instead of going that route, this body is saying that we don't even want to see what the President comes up with or what the EPA comes up with. We want to invalidate it before they even finalize it. We want to invalidate the hard work of listening to rural electric utilities; of listening to ratepayer groups; and, instead, throw it all out because, somehow, politicians in Washington know better. That is simply not the right answer, and the American people will not stand for it.

Let's talk about the other bill that the Republicans are bringing forth under this rule instead of reauthorizing

the Export-Import Bank—the Interior, Environment, and Related Agencies Appropriations bill.

First of all, I always try to talk about what is good in a bill. I do want to commend the chairman and the ranking member of the subcommittee for including the Payments in Lieu of Taxes program, or PILT.

As a Representative of a district that is 62 percent owned by the Federal Government and, therefore, untaxable by our local taxing jurisdictions, I know how important it is to ensure the sustainability of our county programs, particularly those that affect our Federal lands; but much of the remainder of the bill and the reasoning for my opposition to it is the drastic approach it takes to nearly every other environmental, energy, and animal welfare issue facing our Nation.

The bill fails to deal with the issue of fire sharing, which is a mechanism utilized that takes money from the Forest Service and gives it to emergency response systems in the wake of wildfires. This limits the Forest Service's resources and capabilities that could be used for the protection of the watershed and for the insurance of access and accountability of maintenance on Forest Service lands, especially those like some in my district that are affected by forest fires.

This bill sets backward priorities for the Bureau of Land Management, funding the continuation and expansion of oil and gas permitting when it doesn't facilitate the zoning of solar or wind projects as my bipartisan bill with Mr. GOSAR would do.

The National Park Service, facing a backlog of over \$11 billion, is drastically cut under this bill. The bill also fails to address the fact that offshore oil and gas operations require an inspection fee while onshore wells do not.

This bill fails to address the looming expiration of the Land and Water Conservation Fund, which helps American citizens, businesses, homeowners, and communities protect important lands and resources.

It also includes, as Mr. GRIJALVA pointed out, a number of policy riders, any one of which would be grounds for a veto by the President of the United States. It fails to adequately fund the Environmental Protection Agency, and it circumvents its ability to enforce and ensure protections granted to critical species under the Endangered Species Act.

This bill needs a lot of work. I suggest we reject it, send it back to the Appropriations Committee, and let them come up with a more meaningful effort to fund our Department of the Interior, a goal that all of us share.

I also urge my colleagues to reject the Ratepayer Protection Act of 2015, a bill that seeks to proactively invalidate the process of listening, as the Environmental Protection Agency has done, to many stakeholders across my district and across this country.

Instead, Mr. Speaker, I call upon my colleagues to defeat the previous question so that, with 1 day remaining, we can move to reauthorize the Export-Import Bank, protect over 130,000 American jobs, help American small businesses compete in an increasingly global economy, and grow our export-related economy in Colorado and across the Nation.

I encourage my colleagues to reject the previous question and reject the rule.

I yield back the balance of my time. Mr. BURGESS. Madam Speaker, I yield myself the balance of my time.

It was 6 years ago this week. I don't know if many people remember the activities on the House floor 6 years ago this week, but in June of 2009, right before we left for the July 4 recess, the then-Speaker of the House, NANCY PELOSI, brought forward to this floor a bill.

The bill was called Waxman-Markey. It was the cap-and-trade bill. The bill had come through our Committee on Energy and Commerce. I thought it was a dead duck when it left there, but that bill was pushed through to the floor at the end of June 2009.

Madam Speaker, I don't know that I need to remind you that, in 2009, right after the 2008 election, the Republicans were deeply in the minority. People talked about the fact that the Republicans were so far in the minority that 40 years in the wilderness actually sounded like the best case scenario for House Republicans; but something happened, and it began in that last week of June 2009.

Now, a lot of people will credit the change in the House majority to the President's healthcare law—and, indeed, it was ill-advised; and, indeed, it did upset a lot of people very quickly—but prior to that, even before we began having the big debates on the Affordable Care Act—the big debates on what became ObamaCare—the then-Speaker of the House brought to the floor of this House Waxman-Markey.

When people started to look at it, Waxman-Markey, we started to get phone calls. People said: "I can't sell my house unless the Department of Energy certifies it as reaching certain levels of energy efficiency. How am I supposed to be able to do that? That is not a free society. That is not a free country when I am prohibited from selling the one possession that I had used to accumulate dollars in my estate over my entire life, and I can't sell it without permission from the Department of Energy."

People were legitimately asking questions about what this cap-and-trade bill will do.

Madam Speaker, I have got to tell you that there are times in this body when there is one of those moments when the incandescent lightbulb goes off. One of those was last night. We were sitting in the Rules Committee, and we were hearing testimony from two Members from Kentucky, one in the majority and one in the minority.

The one in the majority is bringing the bill that we have before us, H.R. 2042, the Ratepayer Protection Act. Mr. WHITFIELD of Kentucky was explaining what the bill would do and the protections the bill would provide. The other Member from Kentucky, a member of the minority, said, because of the failure of the legislative process, the President was required to act, and this is part of the President's Climate Action Plan.

What the H? A failure of the legislative process?

Madam Speaker, I would submit that the legislative process functioned as intended when Speaker PELOSI brought Waxman-Markey to the floor of this House and this House passed that bill. We went back to our districts that weekend, and I will tell you what we caught.

We caught unmitigated holy "you know what" because people were so incensed at the freedoms that Waxman-Markey and the cap-and-trade program would take away from them.

When the gentleman last night said it was a failure of the legislative process and that the President had to act, it was exactly the performance of the legislative process that delivered us from a very bad proposition.

What happened after that? Because the country was in such a convulsion about what the House had done, the visceral and immediate reaction of the people of the United States was: "Hold the phone; we don't want what they are doing."

The Senate, which was fully invested in passing a cap-and-trade bill—you had Senators who thought cap-and-trade was the be-all and end-all, and that was the reason they were in the United States Senate—didn't bring it up. It never came up for a vote.

Here was a situation in which the Democrats had—I don't remember what—a 55-seat majority on us here in the House of Representatives and a 60-vote—filibuster-proof—majority over in the Senate, and they couldn't get this done. They couldn't get this done because the people said: "No. No. Don't do this to me."

The legislative process worked. The Senate said, "I haven't got the courage to do this right before the 2010 election," and the proposition died at the end of the session that concluded on December 31, 2010. I would just submit that that is a good thing.

Here we have before us a bill today to provide, in some measure, some of the protections about things that people were worried about 6 years ago, but it is precisely because we were where we were 6 years ago that we are now considering a bill that will hold back some of the rulemaking authority from the Environmental Protection Agency.

Madam Speaker, under today's rule, we are providing for the consideration of two important bills, bills that prevent the Environmental Protection Agency from doing irreversible damage to our economy through dozens of ill-

advised regulations that Administrator McCarthy is looking to push on the American people before President Obama leaves the White House in January 2017.

The bills are thoughtful responses to one of the most egregious agencies in the administration, and I look forward to a full debate for that reason.

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

AN AMENDMENT TO H. RES. 333 OFFERED BY MR. POLIS OF COLORADO

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

SEC. 6. Immediately upon adoption of this resolution the Speaker shall, 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. 1031) to reauthorize the Export-Import Bank of the United States, and for other purposes. 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 Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill 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. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1031.

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 Democratic minority 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."

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

The SPEAKER pro tempore (Mrs. HARTZLER). 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 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 243, nays 181, not voting 9, as follows:

[Roll No. 379]

YEAS—243

Abraham	Boustany	Coffman
Aderholt	Brady (TX)	Cole
Allen	Brat	Collins (GA)
Amash	Bridenstine	Collins (NY)
Amodei	Brooks (AL)	Costmck
Babin	Brooks (IN)	Conaway
Barletta	Buchanan	Cook
Barr	Buck	Costello (PA)
Barton	Bucshon	Cramer
Benishek	Burgess	Crawford
Bilirakis	Byrne	Crenshaw
Bishop (MI)	Calvert	Cuberson
Bishop (UT)	Carter (GA)	Curbelo (FL)
Black	Carter (TX)	Davis, Rodney
Blackburn	Chabot	Denham
Blum	Chaffetz	Dent
Boat	Clawson (FL)	DeSantis

DesJarlais	Kinzinger (IL)	Rogers (AL)	Larson (CT)	Nolan	Sewell (AL)
Diaz-Balart	Kline	Rogers (KY)	Lawrence	Norcross	Sherman
Dold	Knight	Rohrabacher	Lee	O’Rourke	Sinema
Donovan	Labrador	Rokita	Levin	Pallone	Sires
Duffy	Lewis	Rooney (FL)	Lewis	Pascarella	Slaughter
Duncan (SC)	Lamborn	Ros-Lehtinen	Lieu, Ted	Pelosi	Smith (WA)
Duncan (TN)	Lance	Roskam	Lipinski	Perlmutter	Speier
Ellmers (NC)	Latta	Ross	Loebsack	Peters	Swalwell (CA)
Emmer (MN)	LoBiondo	Rothfus	Lofgren	Peterson	Takai
Farenthold	Long	Rouzer	Lowenthal	Pingree	Takano
Fincher	Loudermilk	Royce	Lowe	Pocan	Thompson (CA)
Fitzpatrick	Love	Russell	Lujan Grisham (NM)	Polis	Thompson (MS)
Fleischmann	Lucas	Ryan (WI)	Lujan, Ben Ray (NM)	Price (NC)	Titus
Fleming	Luetkemeyer	Salmon	Lynch	Quigley	Titus
Flores	Lummis	Sanford	Maloney, Carolyn	Rangel	Tonko
Forbes	MacArthur	Scalise	Maloney, Sean	Rice (NY)	Torres
Fortenberry	Marchant	Schweikert	Matsui	Richmond	Tsongas
Fox	Marino	Scott, Austin	McCollum	Roybal-Allard	Van Hollen
Franks (AZ)	Massie	Sensenbrenner	McDermott	Ruiz	Vargas
Frelinghuysen	McCarthy	Sessions	McGovern	Ruppertsberger	Veasey
Garrett	McCaul	Shimkus	McNerney	Rush	Vela
Gibbs	McClintock	Shuster	Meeks	Ryan (OH)	Velázquez
Gibson	McHenry	Simpson	Meng	Sánchez, Linda T.	Visclosky
Gohmert	McKinley	Smith (MO)	Moore	Sanchez, Loretta	Walz
Goodlatte	McMorris	Smith (NE)	Moulton	Schakowsky	Wasserman
Gosar	Rodgers	Smith (NJ)	Murphy (FL)	Schiff	Schultz
Gowdy	McSally	Smith (TX)	Nadler	Schrader	Waters, Maxine
Granger	Meadows	Stefanik	Neal	Scott (VA)	Watson Coleman
Graves (GA)	Meehan	Stewart		Scott, David	Welch
Graves (LA)	Messer	Stivers		Serrano	Wilson (FL)
Graves (MO)	Mica	Stutzman			Yarmuth
Griffith	Miller (FL)	Thompson (PA)			
Grothman	Miller (MI)	Thornberry			
Guinta	Moolenaar	Tiberi			
Guthrie	Mooney (WV)	Tipton			
Hardy	Mullin	Trott			
Harper	Mulvaney	Turner			
Harris	Murphy (PA)	Upton			
Hartzler	Neugebauer	Valadao			
Heck (NV)	Newhouse	Walberg			
Hensarling	Noem	Wagner			
Herrera Beutler	Nugent	Walberg			
Hice, Jody B.	Nunes	Walker			
Hill	Olson	Walorski			
Holding	Palazzo	Walters, Mimi			
Hudson	Palmer	Weber (TX)			
Huelskamp	Paulsen	Webster (FL)			
Huizenga (MI)	Pearce	Wenstrup			
Hultgren	Perry	Westerman			
Hunter	Pittenger	Westmoreland			
Hurd (TX)	Pitts	Whitfield			
Hurt (VA)	Poe (TX)	Williams			
Issa	Poliquin	Wilson (SC)			
Jenkins (KS)	Pompeo	Posey			
Jenkins (WV)	Johnson (OH)	Price, Tom			
Johnson (OH)	Ratcliffe	Reed			
Johnson, Sam	Reed	Reichert			
Jolly	Reichert	Renacci			
Jones	Renacci	Ribble			
Jordan	Ribble	Rice (SC)			
Joyce	Rice (SC)	Rigell			
Katko	Rigell	Roy			
Kelly (PA)	Roy	Roe (TN)			
King (IA)	Roe (TN)				
King (NY)					

NAYS—181

Adams	Cohen	Gallego
Aguilar	Connolly	Garamendi
Ashford	Conyers	Graham
Bass	Cooper	Grayson
Beatty	Costa	Green, Al
Becerra	Crowley	Green, Gene
Bera	Cuellar	Grijalva
Beyer	Cummings	Gutiérrez
Bishop (GA)	Davis (CA)	Hahn
Blumenauer	Davis, Danny	Hastings
Bonamici	DeFazio	Heck (WA)
Boyle, Brendan F.	DeGette	Higgins
Brady (PA)	DeLauro	Himes
Brown (FL)	DelBene	Honda
Brownley (CA)	DeSaunier	Hoyer
Bustos	Deutch	Huffman
Butterfield	Dingell	Israel
Capps	Doggett	Jackson Lee
Capuano	Doyle, Michael F.	Jeffries
Cardenas	Duckworth	Johnson (GA)
Carney	Edwards	Johnson, E. B.
Carson (IN)	Ellison	Kaptur
Cartwright	Engel	Keating
Castor (FL)	Eshoo	Kelly (IL)
Castro (TX)	Esty	Kennedy
Chu, Judy	Farr	Kildee
Cicilline	Fattah	Kilmer
Clark (MA)	Foster	Kind
Clarke (NY)	Frankel (FL)	Kirkpatrick
Clay	Fudge	Kuster
Cleaver	Gabbard	Langevin
		Larsen (WA)

NOT VOTING—9

Clyburn	Hanna	Napolitano
Courtney	Hinojosa	Payne
Delaney	Kelly (MS)	Sarbanes

□ 1408

Mr. CARSON of Indiana changed his vote from “yea” to “nay.”

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

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

Stated against:

Mrs. NAPOLITANO. Madam Speaker, on Wednesday, June 24th, 2015, I was absent during rollcall No. 379. Had I been present, I would have voted “nay” on ordering the previous question on H. Res. 333—Rule providing for consideration of both H.R. 2042—Ratepayer Protection Act of 2015 and H.R. 2822—Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.

(By unanimous consent, Mr. BARTON was allowed to speak out of order.)

54TH ANNUAL CONGRESSIONAL BASEBALL GAME

Mr. BARTON. Madam Speaker, I rise with an extremely heavy heart to, once again, have to congratulate my good friend MIKE DOYLE, the manager of the Democratic baseball team, for another victory. It is sad, but true. Sad, but true.

On June 11, the Republicans and the Democrats played the Annual Congressional Baseball Game. It was a spirited game, but for the seventh year in a row, Mr. DOYLE’s team won. I don’t know how to say that.

I will say that our team is back. MARK WALKER, our MVP from North Carolina, pitched a good game. He struck out CEDRIC RICHMOND, which I think is probably the first time CEDRIC has not gotten a hit.

We had new blood: Mr. COSTELLO, Mr. MOOLENAAR, and several others. Of course, we had our stalwarts: JOHN SHIMKUS; KEVIN BRADY; our whip, STEVE SCALISE.

So we played a good game, but the Democrats deserved to win. They beat us, 5–20.

I will say that it was a pretty low blow to have the President of the United States come and interrupt the game, take away our momentum right when we had a big rally.

I am very proud of the Republican team, but I do want to congratulate MIKE DOYLE and the Democrats.

I yield to the gentleman from Pennsylvania (Mr. DOYLE).

Mr. MICHAEL F. DOYLE of Pennsylvania. First off, I want to thank my good friend, JOE BARTON. JOE, you know, you used the tools that are at your disposal.

This was a great game. It was good. I think all the fans were treated to a very competitive game this year. We had almost 10,000 people attend the game this year.

As we all know, the real winners here are our charities. This game helps raise money for the Washington Boys & Girls Clubs, the Washington Literacy Council, and the Nationals Dream Foundation. I am happy to report, after expenses, we were able to write checks in excess of \$100,000 to each of the three charities. So those are the big winners of the game.

This was a hard-fought game. In the last 3 years that we have played this game, our team has made only one error. We made that this game, but I think the difference in the score was that we made the plays in the field.

Both pitchers were outstanding. Your new pitcher, MARK, we weren't used to that knuckle ball and some of those curves. He kept us off balance, and he pitched a brilliant game. I believe you guys actually had one more hit than we did. You had six and we had five.

CEDRIC RICHMOND, coming off of shoulder surgery, pitched a gutsy game for seven innings. And I should also mention that, after striking out, he hit a double over the center fielder's head, just to throw that in.

I want to also note JOE DONNELLY, our first baseman, made some unbelievable plays at first base that, I think, saved the game for us.

And then, as always, anytime I ask LINDA SANCHEZ to put a batting helmet on, she gets a hit. So those three individuals share our team MVPs.

Also, there are lots of ways to contribute, and ERIC SWALWELL stole three bases for us and scored. He did it all on the base pads, and he deserves some notice for that, too.

JOE, I just want to say it was a great game. I want to thank you for how hard your team fought, and we look forward to a competitive game next year.

We know some day, you know, the shoe will be on the other foot. But for the past 7 years, we are kind of enjoying this. So God bless.

Mr. BARTON. Madam Speaker, I want to thank leadership on both sides: our Speaker, JOHN BOEHRNER; our majority leader, KEVIN MCCARTHY; and our whip, STEVE SCALISE, who played in the game. On their side, Ms. PELOSI, Mr. HOYER, and Mr. CLYBURN were all

there. So both leadership supported the game.

It was a good game. We did raise a lot of money for charity.

But I will put you on notice, MIKE DOYLE, the shoe is going to be on the other foot next year. Be ready.

Mr. MICHAEL F. DOYLE of Pennsylvania. Talk is cheap, JOE. Bring it on.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

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

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

RECORDED VOTE

Mr. BURGESS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 244, noes 178, not voting 11, as follows:

[Roll No. 380]

AYES—244

Abraham	Fincher	Lance
Aderholt	Fitzpatrick	Latta
Allen	Fleischmann	LoBiondo
Amash	Fleming	Long
Amodei	Flores	Loudermilk
Babin	Forbes	Love
Barletta	Fortenberry	Lucas
Barr	Foxo	Luetkemeyer
Barton	Franks (AZ)	Lummis
Benishke	Frelinghuysen	MacArthur
Billirakis	Garrett	Marchant
Bishop (MI)	Gibbs	Marino
Bishop (UT)	Gibson	Massie
Black	Gohmert	McCarthy
Blackburn	Goodlatte	McCaul
Blum	Gosar	McClintock
Bost	Gowdy	McHenry
Boustany	Granger	McKinley
Brady (TX)	Graves (GA)	McMorris
Brat	Graves (LA)	Rodgers
Bridenstine	Graves (MO)	McSally
Brooks (AL)	Griffith	Meadows
Brooks (IN)	Grothman	Meehan
Buchanan	Guinta	Messer
Buck	Guthrie	Mica
Bucshon	Hardy	Miller (FL)
Burgess	Harper	Miller (MI)
Byrne	Harris	Moolenaar
Calvert	Hartzler	Mooney (WV)
Carter (GA)	Heck (NV)	Mullin
Carter (TX)	Hensarling	Mulvaney
Chabot	Herrera Beutler	Murphy (PA)
Chaffetz	Hice, Jody B.	Neugebauer
Clawson (FL)	Hill	Newhouse
Coffman	Holding	Noem
Cole	Hudson	Nugent
Collins (GA)	Huelskamp	Nunes
Collins (NY)	Huizenga (MI)	Olson
Comstock	Hultgren	Palazzo
Conaway	Hunter	Palmer
Cook	Hurd (TX)	Paulsen
Costello (PA)	Hurt (VA)	Pearce
Cramer	Issa	Perry
Crawford	Jenkins (KS)	Pittenger
Crenshaw	Jenkins (WV)	Pitts
Culberson	Johnson (OH)	Poe (TX)
Curbelo (FL)	Johnson, Sam	Poliquin
Davis, Rodney	Jolly	Pompeo
Denham	Jones	Posey
Dent	Jordan	Price, Tom
DeSantis	Joyce	Ratcliffe
DesJarlais	Katko	Reed
Diaz-Balart	Kelly (PA)	Reichert
Dold	King (IA)	Renacci
Donovan	King (NY)	Ribble
Duffy	Kinzinger (IL)	Rice (SC)
Duncan (SC)	Kline	Rigell
Duncan (TN)	Knight	Roby
Ellmers (NC)	Labrador	Roe (TN)
Emmer (MN)	LaMalfa	Rogers (AL)
Farenthold	Lamborn	Rogers (KY)

Rohrabacher	Sinema
Rokita	Smith (MO)
Rooney (FL)	Smith (NE)
Ros-Lehtinen	Smith (NJ)
Roskam	Smith (TX)
Ross	Stefanik
Rothfus	Stewart
Rouzer	Stivers
Royce	Stutzman
Russell	Thompson (PA)
Ryan (WI)	Thornberry
Salmon	Tiberi
Sanford	Tipton
Scalise	Trott
Schweikert	Turner
Scott, Austin	Upton
Sensenbrenner	Valadao
Sessions	Wagner
Shimkus	Walberg
Shuster	Walden
Simpson	Walker

Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—178

Adams	Gabbard	Neal
Aguilar	Gallego	Nolan
Ashford	Garamendi	Norcross
Bass	Graham	O'Rourke
Beatty	Grayson	Pallone
Becerra	Green, Al	Pascarell
Bera	Green, Gene	Pelosi
Beyer	Grijalva	Perlmutter
Bishop (GA)	Gutiérrez	Perkins
Blumenauer	Hahn	Peterson
Bonamici	Hastings	Pingree
Boyle, Brendan F.	Heck (WA)	Pocan
Brady (PA)	Higgins	Polis
Brown (FL)	Himes	Price (NC)
Brownley (CA)	Honda	Quigley
Bustos	Hoyer	Rangel
Butterfield	Huffman	Rice (NY)
Capuano	Israel	Richmond
Cárdenas	Jackson Lee	Roybal-Allard
Carney	Jeffries	Ruiz
Carson (IN)	Johnson (GA)	Ruppersberger
Cartwright	Johnson, E. B.	Rush
Castor (FL)	Keating	Kaptur
Castro (TX)	Kennedy	Ryan (OH)
Chu, Judy	Kildee	Sánchez, Linda T.
Cicilline	Kilmer	Sanchez, Loretta
Clark (MA)	Kind	Schakowsky
Clay	Kirkpatrick	Schiff
Cleaver	Kuster	Schrader
Cohen	Langevin	Scott (VA)
Connolly	Larsen (WA)	Scott, David
Coopers	Larson (CT)	Serrano
Cooper	Lawrence	Swell (AL)
Costa	Lee	Sherman
Crowley	Levin	Sires
Cuellar	Lewis	Slaughter
Cummings	Lieu, Ted	Smith (WA)
Davis (CA)	Lipinski	Speier
Davis, Danny	Loebach	Swalwell (CA)
DeFazio	Lofgren	Takai
DeGette	Lowenthal	Takano
Delaney	Lowey	Thompson (CA)
DeLauro	Lujan Grisham	Thompson (MS)
DelBene	(NM)	Titus
DeSaulnier	Luján, Ben Ray	Tonko
Deutch	(NM)	Torres
Dingell	Lynch	Tsongas
Doggett	Maloney,	Van Hollen
Doyle, Michael F.	Carolyn	Vargas
Duckworth	Maloney, Sean	Veasey
Edwards	Matsui	Vela
Ellison	McCollum	Velázquez
Engel	McDermott	Visclosky
Eshoo	McGovern	Walz
Esty	McNerney	Wasserman
Farr	Meeks	Schultz
Fattah	Meng	Waters, Maxine
Foster	Moore	Watson Coleman
Frankel (FL)	Moulton	Welch
Fudge	Murphy (FL)	Wilson (FL)
	Nadler	Yarmuth

NOT VOTING—11

Capps	Hanna	Napolitano
Clarke (NY)	Hinojosa	Payne
Clyburn	Kelly (IL)	Sarbanes
Courtney	Kelly (MS)	

□ 1422

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.

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Wednesday, June 24th, 2015, I was absent during rollcall vote No. 380. Had I been present, I would have voted “no” on H. Res. 333—Rule providing for consideration of both H.R. 2042—Ratepayer Protection Act of 2015 and H.R. 2822—Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.

RATEPAYER PROTECTION ACT OF 2015

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 2042.

The SPEAKER pro tempore (Mr. POE of Texas). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 333 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. 2042.

The Chair appoints the gentleman from Tennessee (Mr. DUNCAN) to preside over the Committee of the Whole.

□ 1424

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. 2042) to allow for judicial review of any final rule addressing carbon dioxide emissions from existing fossil fuel-fired electric utility generating units before requiring compliance with such rule, and to allow States to protect households and businesses from significant adverse effects on electricity ratepayers or reliability, with Mr. DUNCAN of Tennessee 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 Kentucky (Mr. WHITFIELD) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. WHITFIELD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill before us today addresses EPA’s proposed clean power plan for existing power plants under section 111(d) of the Clean Air Act.

Unfortunately, the Obama administration has made a decision that they are not going to work with Congress, and in order to accomplish his public policy goals, he has indicated that he is going to use executive orders and regulations.

Now, this proposed regulation focuses on power plants. That is why it is

called the existing coal plant rule. But because of this regulation, once it becomes final, it is only the first step in the administration’s plan to regulate other areas of our economy, including sources such as refineries, industrial boilers, cement plants, pulp and paper mills, and steel mills.

Since its proposal in June 2014, the Subcommittee on Energy and Power has held five hearings on the proposed rule, where we heard from EPA, FERC, entities within the States, legal experts, and industry stakeholders and manufacturers.

Now, when Mrs. McCarthy comes to Congress, she always says that this proposed rule gives maximum flexibility to the States, but what she does not say is that EPA, and EPA alone, sets the emissions standard for every State, and there is no flexibility in that.

Even Harvard Law School Professor Laurence Tribe, who taught President Obama constitutional law at Harvard, testified at one of the hearings that “EPA’s proposal raises grave constitutional questions, exceeds EPA’s statutory authority, and violates the Clean Air Act.”

The hearings also identified implementation challenges, risks to electric reliability, and significantly higher energy costs under the rule.

For example, economist Eugene Trisko estimated that, for 31 geographically diverse States, electricity rates under the rule could increase by an average of 15 percent, with peak year increases of 22 percent during the period 2017–2031.

State officials also appeared, expressing the same concerns. And I might say, this rule is so complicated that, generally, EPA allows States 3 years to develop their State implementation plans. But under this proposed rule, which we know will be final soon, they are giving States 16 months, which is going to be extremely difficult for them to meet.

So the States are not only filing lawsuits, as are other entities, to try to slow this process down, but they are coming to Congress and saying, you know, Congress didn’t pass this regulation, Congress has not asked for this, but the administration, unilaterally, is imposing it upon the American people, and so they are asking us to give them some more time.

So this legislation does specifically that. It does two things: One, it delays the time for the States to submit their implementation plans until after the courts have rendered a decision on whether or not the rule is legal. And then, if it is found to be legal, the State Governors have an option, after consulting with their economic development people, the EPA people, the Attorney General, and other authorities in the States. They have the option, if they find that it significantly and adversely affects their electricity prices and the reliability of electricity, they can opt out of the program.

□ 1430

This bill is simple. It simply gives States more time. We are not repealing this power grab of a regulation, but simply responding to requests from the States and other entities.

I reserve the balance of my time.

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

Mr. WHITFIELD. Mr. Chairman, at this time, I yield such time as he may consume to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP of Georgia. I thank the gentleman for yielding.

Mr. Chairman, I am pleased to be an original cosponsor of the Ratepayer Protection Act, and I want to commend Representative ED WHITFIELD for his leadership on this important issue.

We all agree that it is vital that we protect our environment today and for future generations. At the same time, though, we must ensure that we are acting within the law, as well as safeguarding American jobs and the economy.

I have serious concerns that the Environmental Protection Agency’s proposed clean power rule will be a vast and unprecedented regulatory overreach, resulting in high energy costs; loss of jobs; and a disruption in the states’ ability to generate, transmit, distribute, and use electricity.

As the gentleman from Kentucky (Mr. WHITFIELD) noted earlier, no less than the renowned Harvard Law School professor Laurence Tribe has testified that “the EPA lacks the statutory and constitutional authority to adopt its plan.” He described the proposed clean power plan as a “power grab” from the three branches of government.

I am especially concerned, Mr. Chairman, about the impact that the EPA’s proposed rule will have on Georgia ratepayers. The State of Georgia already has reduced CO₂ emissions by 33 percent between 2005 and 2012 but will have no credit for these reductions. Under the proposed regulation, Georgia would be required to reduce emissions by an additional 44 percent, the sixth largest reduction of any State.

Georgia also will receive no credit towards achieving EPA’s mandated State goal for the two nuclear plants that are being constructed.

Ratepayers in Georgia served by Georgia Power, MEAG, and the Electric Membership Corporation would face hundreds of dollars in higher energy bills, which would be especially devastating to rural households in the Second Congressional District, which I represent.

I believe that this legislation takes a commonsense approach that the issue that allows for the completion of judicial review before States are required to comply with the clean power plan.

In addition, the Ratepayer Protection Act provides for a safe harbor if a Governor determines that the proposed rule’s implementation will have an adverse impact on ratepayers or on the reliability of this electrical system.