□ 1403

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:

Mr. GENE GREEN of Texas. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 274.

MOUNT HOOD COOPER SPUR LAND EXCHANGE CLARIFICATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3826) to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 401, nays 2, not voting 30, as follows:

[Roll No. 275]

YEAS—401

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walz
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—2

Amash
Griffith

NOT VOTING—30

Black
Cárdenas
Cummings
Duffy
Ellison
Ellmers (NC)
Farr
Fattah
Fincher
Grijalva
Gutiérrez
Hahn
Hardy
Herrera Beutler
Huffman
Hunter
Jeffries
Kennedy
Lee
Lieu, Ted
McCarthy
Nadler
Payne
Sánchez, Linda T.
Sanchez, Loretta
Sires
Takai
Walters, Mimi
Wasserman Schultz
Waters, Maxine

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia) (during the vote). There are 2 minutes remaining.

□ 1411

Ms. VELÁZQUEZ changed her vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Wednesday, June 8, 2016. Had I been present, I would have voted "nay" on rollcall votes 273 and 274, and "yea" on rollcall vote 275.

THE JOURNAL

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

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

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

□ 1415

OZONE STANDARDS IMPLEMENTATION ACT OF 2016

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. 4775.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 767 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. 4775.

The Chair appoints the gentleman from Georgia (Mr. JODY B. HICE) to preside over the Committee of the Whole.

□ 1415

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. 4775) to

facilitate efficient State implementation of ground-level ozone standards, and for other purposes, with Mr. JODY B. HICE of Georgia 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 York (Mr. TONKO) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. UPTON), the chairman of the Committee on Energy and Commerce.

Mr. UPTON. Mr. Chairman, jobs, the economy, and public health all are very critical priorities for the American people. It is possible, in fact, to pursue policies that simultaneously protect all three of them. Today we have a balanced approach in the Ozone Standards Implementation Act, and it does exactly that.

Addressing ozone levels has been one of the major successes of the 1970 Clean Air Act. Across the country, ozone levels, in fact, have declined dramatically, having declined nearly one-third since 1980. The EPA's 2008 ozone standard would have continued that success by setting out a program to achieve further reductions for many years to come.

But the EPA failed to finalize the implementing regs and guidance for the 2008 rule until just last year, and as a result, States are currently still in the process of implementing the rule. Although EPA had difficulty finalizing the 2008 regs, the Agency had no such problems coming up with a new ozone standard so unworkable for certain areas of the country that even the Agency itself concedes the technologies to fully implement and to comply still don't exist. And now, States are stuck with the impossible task of applying both standards concurrently.

In my district in southwest Michigan, in Allegan County, you could, in fact, remove every piece of human activity—roads, barbecues, jobs, move everybody out—and the region still would be in nonattainment because of the ozone that is generated from Chicago, Milwaukee, and Gary, Indiana. The new standard would result in potentially hundreds of counties across the Midwest—certainly a good number of them in Michigan—that would be designated as nonattainment, resulting in fewer new businesses or expansions of existing ones, and even fewer major construction and other infrastructure projects.

The threat of future nonattainment designation has a chilling effect and encourages employers to move someplace else, even out of the United States to relocate abroad. So it is essentially often a kiss of death for economic growth, and it comes at a time when our fragile economy can least afford it.

This thoughtful solution, this bill, retains the 2008 standard—yes, it does—but it provides additional time for States to comply with the new standard until after the current one has been fully implemented. It is common sense. Under this bill, we will have in place a more streamlined and effective schedule to ensure continued improvements in air quality in the years ahead.

The bill also has a number of sensible provisions to address practical implementation challenges that States face under the National Ambient Air Quality Standards program. It extends the mandatory review process from 5 years to a more workable 10, while allowing the EPA Administrator the discretion to review and revise standards earlier if circumstances warrant. It requires that EPA's implementing regs and guidance come out along with a new standard so that States and affected entities will have the direction that they need to comply.

The good news is, under this bill, ozone levels continue their long-term downward trend, and we can accomplish that goal without jeopardizing jobs.

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

Mr. Chairman, here we go again. We should be addressing our failing infrastructure, funding the National Institutes of Health or the Centers for Disease Control to control Zika, helping the people of Flint who were exposed to lead in the drinking water, investing in clean energy, mitigating the risks of climate change, and fulfilling our constitutional responsibility to fund our government. Instead of attending to the many important challenges we face, we are here to consider yet another bill that will undermine our Clean Air Act.

Consideration of this bill is a waste of time. No wonder people across the country are frustrated and disappointed with Washington. We are not doing the things that will create opportunities to inspire our young people and fully employ everyone who wants and needs to work. Instead of doing something to improve public health and our environment, we are trying to undermine those dynamics.

H.R. 4775 is a bill that will do nothing to further improve our air quality. It offers no assistance to State and local governments. It offers no assistance to businesses that want to do the right thing and find ways to improve our environmental and social performance of their operations.

This bill creates new loopholes through which polluters will add toxic substances to our air and erode the substantial gains we have made in public health under the Clean Air Act.

H.R. 4775 has taken many approaches to undermining the Clean Air Act: it doubles the NAAQS review cycle from 5 to 10 years, which will prevent standards from being set using the most up-to-date science; it delays the implementation of the 2015 ozone NAAQS up to 8 years; and it alters the criteria for establishing a NAAQS from one based solely on protecting public health to one that would include considerations of affordability and current technical feasibility. These are just a few among many harmful changes in this bill.

That is why this bill has inspired such opposition. We have received letters of opposition signed by more than 130 environmental and public health organizations as well as a veto threat from the President's administration.

There is nothing new here. Once again, we hear the false choice presented: jobs or clean air. But that is not the choice, and we have decades of experience with local and Federal policy to regulate air pollution as proof that we do not have to choose between being employed and being healthy.

This false choice is even more absurd when you consider that there is one choice we must make every day about 20,000 times to stay alive: the choice to breathe. That is the average number of breaths that each adult takes every day of his or her life. Children, whose lungs are smaller average more breaths than that; and if you are exercising, that number will understandably be higher as well. That is a lot of exposure. So it is vitally important that the air we take in some 20,000 times per day is as clean as possible.

Ozone is extremely harmful. We have known this for about 70 years. We did not know the precise chemical nature of ozone back in 1947 when the Los Angeles County Board of Supervisors established the Nation's first air pollution control program. Back then it was called smog. In the middle of a heat wave, the smog that formed over L.A. caused people's eyes to burn and a scraping sensation in their throats. It literally became painful to breathe.

Although Los Angeles has long been recognized as a location with special challenges in air pollution due to geography and prevailing weather patterns, it is not the only city that experienced these problems. They were reported in other industrial cities as well.

We have come a long way since that time, but we did not clean up the air significantly until we created an enforceable regulatory structure that applied a set of standards to both businesses and individuals.

H.R. 4775 undermines the single most important criteria in the Clean Air Act: the mandate to set a standard that will allow every one of our citizens, no matter their age or location, to take 20,000 breaths of clean, safe air every day. We can certainly afford clean air. In fact, we must afford clean air. We have demonstrated time and time again that we can develop and deploy technologies that will achieve those ends.

H.R. 4775 is a dangerous and unnecessary bill, and I oppose the bill. I urge my colleagues to reject this latest assault on public health and to support the further improvements of air quality for our constituents.

Mr. Chair, I include in the RECORD, for the sake of this dialogue, the over 130 letters of opposition we have received.

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

MAY 10, 2016.

DEAR REPRESENTATIVE: Clean air is fundamental for good health, and the Clean Air Act promises all Americans air that is safe to breathe. The undersigned public health and medical organizations urge you to oppose H.R. 4775, the so-called ''Ozone Standards Implementation Act of 2016.'' Despite the clear scientific evidence of the need for greater protection from ozone pollution, and the Clean Air Act's balanced implementation timeline that provides states clear authority and plenty of time to plan and then work to reduce pollution to meet the updated standard, H.R. 4775 imposes additional delays and sweeping changes that will threaten health, particularly the health of children, seniors and people with chronic disease.

In contrast to what the bill's title implies, H.R. 4775 reaches far beyond implementation of the current ozone standards. It also permanently weakens the Clean Air Act and future air pollution health standards for all criteria pollutants. Specifically, H.R. 4775 weakens implementation and enforcement of all lifesaving air pollution health standards including those for carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide. It would also permanently undermine the Clean Air Act as a public health law.

The Clean Air Act requires that the Environmental Protection Agency review the science on the health impacts of carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide air pollutants every five years and update these national ambient air quality standards according to the current science. H.R. 4775 would lengthen the review period of the air pollution health standards from once every five years to once every ten years for all criteria pollutants. As the science continues to evolve, EPA and states should have the best and most current data inform air pollution cleanup.

New research shows additional impacts that air pollution has on human health. For example, on March 29, 2016, a new study, Particulate Matter Exposure and Preterm Birth: Estimates of U.S. Attributable Burden and Economic Costs, was published that shows particulate air pollution is linked to nearly 16,000 preterm births per year. Under H.R. 4775, EPA would have to wait as much as a decade to consider new evidence when setting standards. Ten years is far too long to wait to protect public health from levels of pollution that the science shows are dangerous or for EPA to consider new information.

In the 2015 review of the ozone standard, EPA examined an extensive body of scientific evidence demonstrating that ozone inflames the lungs, causing asthma attacks, resulting in emergency room visits, hospitalizations, and premature deaths. A growing body of research indicates that ozone may also lead to central nervous system harm and may harm developing fetuses. In response to the evidence, EPA updated the ozone standards. While many of our organizations called for a more protective level, there is no doubt that the new 70 parts per billion standard provides greater health protections compared to the previous standard.

H.R. 4775 would delay implementation of these more protective air pollution standards for at least eight years. This means eight years of illnesses and premature deaths that could have been avoided. Parents will not be told the truth about pollution in their community and states and EPA will not work to curb pollution to meet the new standards. The public has a fundamental right to know when pollution in the air they breathe or the water they drink threatens health, and Congress must not add eight years of delay to health protections and cleanup.

H.R. 4775 would also permanently weaken implementation of the 2015 and future ozone standards. It would reduce requirements for areas with the most dangerous levels of ozone. Areas classified as being in ''extreme nonattainment'' of the standard would no longer need to build plans that include additional contingency measures if their initial plans fail to provide the expected pollution reductions. The Clean Air Act prioritizes reducing air pollution to protect the public's health, but H.R. 4775 opens a new opportunity for communities to avoid cleaning up, irrespective of the health impacts.

Further, the bill would greatly expand the definition of an exceptional event. Under the Clean Air Act, communities can demonstrate to EPA that an exceptional event—such as a wildfire—should not ''count'' in determining whether their air quality meets the national standards. This bill would recklessly expand the definition of exceptional events to include high pollution days when the air is simply stagnant—the precise air pollution episodes the Clean Air Act was designed to combat—and declare those bad air days as ''exceptional.'' Changing the accounting rules will undermine health protection and avoid pollution cleanup.

Additionally, the bill would permanently weaken the Clean Air Act. The Clean Air Act is one of our nation's premier public health laws because it puts health first. The Act has a two-step process: first, EPA considers scientific evidence to decide how much air pollution is safe to breathe and sets the standard that is requisite to protect public health with an adequate margin of safety. Then, states work with EPA to develop a plan to clean up air pollution to meet the standard. Cost and feasibility are fully considered in the second phase during implementation of the standard.

This bill states that if EPA finds that ''a range of levels'' of an air pollutant protect public health with an adequate margin of safety, then EPA may consider technological feasibility in choosing a limit within that range. Further, the bill would interject implementation considerations including adverse economic and energy effects into the standard setting process. These changes will permanently weaken the core health-based premise of the Clean Air Act—protecting the public from known health effects of air pollution with a margin of safety.

H.R. 4775 is a sweeping attack on lifesaving standards that protect public health from air pollution. This bill is an extreme attempt to undermine our nation's clean air health protections. Not only does it delay the long-overdue updated ozone standards and weaken their implementation and enforcement, it also permanently weakens the health protections against many dangerous air pollutants and the scientific basis of Clean Air Act standards.

Please prioritize the health of your constituents and vote NO on H.R. 4775.

Sincerely,

Allergy & Asthma Network, Alliance of Nurses for Healthy Environments, American Academy of Pediatrics, American College of Preventive Medicine, American Lung Association, American Public Health Association, American Thoracic Society, Asthma and Allergy Foundation of America, Children's Environmental Health Network, Health Care Without Harm, March of Dimes, National Association of County & City Health Officials, National Environmental Health Association, Physicians for Social Responsibility, Public Health Institute, Trust for America's Health.

LEAGUE OF CONSERVATION VOTERS,
Washington, DC, June 7, 2016.

Re: Oppose H.R. 4775—Extreme Attack on Smog Protections & the Clean Air Act.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of our millions of members, the League of Conservation Voters (LCV) works to turn environmental values into national priorities. Each year, LCV publishes the National Environmental Scorecard, which details the voting records of members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide, and the media.

LCV urges you to vote NO on H.R. 4775, the ''Ozone Standards Implementation Act,'' a radical bill that jeopardizes the health of the American people by undermining the EPA's recently-updated standards for ozone pollution (a.k.a. smog) and eviscerating a central pillar of the Clean Air Act.

The Clean Air Act was enacted with strong bipartisan support and is based on the central premise that clean air protections for dangerous pollutants like smog, soot, carbon monoxide, sulfur dioxide and lead be based solely on the best-available health science. The law's drafters structured the law in this manner because Americans deserve to know if their air is safe to breathe or not. For the first time ever, H.R. 4775 would allow the EPA to consider factors unrelated to health, like technical feasibility in the initial standard setting process. States consider feasibility and cost when they implement the standards. This system has worked extremely well since 1970 as air quality has improved dramatically while the economy has grown.

The bill would also gut EPA's ozone standards, which were updated last fall. H.R. 4775 would delay these vital health protections by at least ten years and double the law's current five-year review periods for updating ozone and all national air quality standards allowing unhealthy air to persist even longer. High ozone levels pose a significant threat to our health, and are especially dangerous for children, the elderly, and asthmatics.

We urge you to REJECT H.R. 4775 and will strongly consider including votes on this bill in the 2016 Scorecard. If you need more information, please call my office and ask to speak with a member of our Government Relations team.

Sincerely,

GENE KARPINSKI,
President.

JUNE 7, 2016.

DEAR SENATOR/REPRESENTATIVE: On behalf of our millions of members, the undersigned 118 organizations urge you to oppose the ''Ozone Standards Implementation Act'' (H.R. 4775, S. 2882). The innocuous-sounding name is misleading: this legislation would actually systematically weaken the Clean Air Act without a single improvement, undermine Americans' 46-year right to healthy air based on medical science, and delay lifesaving health standards already years overdue.

This bill's vision of ''Ozone Standards Implementation'' eliminates health benefits and the right to truly safe air that Americans enjoy under today's law. First, the legislation would delay for ten years the right

to safer air quality, and even the simple right to know if the air is safe to breathe. Corporations applying for air pollution permits would be free to ignore new ground-level ozone (aka smog) health standards during these additional ten years. For the first time the largest sources of air pollution would be allowed to exceed health standards. The bill would also outright excuse the parts of the country suffering the worst smog pollution from having backup plans if they do not reduce pollution. The most polluted parts of the country should not stop doing everything they can to protect their citizens' health and environment by cleaning up smog pollution.

This bill is not content to merely weaken and delay reductions in smog pollution. It also strikes at our core right to clean air based on health and medical science. The medically-based health standards that the law has been founded on for 46 years instead could become a political football weakened by polluter compliance costs. This could well result in communities being exposed to unhealthy levels of smog and soot and sulfur dioxide and even toxic lead pollution. The bill would also double the law's five-year review periods for recognizing the latest science and updating health standards, which are already frequently years late; this means in practice that unhealthy air would persist for longer than ten years.

The legislation also weakens implementation of current clean air health standards. The bill expands exemptions for ''exceptional events'' that are not counted towards compliance with health standards for air quality, even when air pollution levels are unsafe. This will mean more unsafe air more often, with no responsibility to clean it up. Requirements meant to ensure progress toward reducing smog and soot pollution would shift from focusing on public health and achievability to economic costs. Despite the bland name ''Ozone Standards Implementation Act,'' this bill represents an extreme attack on the most fundamental safeguards and rights in the Clean Air Act.

Since 1970, the Federal Clean Air Act has been organized around one governing principle—that the EPA must set health standards based on medical science for dangerous air pollution, including smog, soot and lead, that protect all Americans, with ''an adequate margin of safety'' for vulnerable populations like children, the elderly and asthmatics. This legislation eviscerates that principle and protection. We urge you to oppose H.R. 4775 and S. 2882, to protect our families and Americans' rights to clean air.

Sincerely,

350KC; 350 Loudoun; Alaska Community Action on Toxics; Alton Area Cluster UCM (United Congregations of Metro-East); Brentwood House California Latino Business Institute; Center for Biological Diversity; Chesapeake Physicians for Social Responsibility; Chicago Physicians for Social Responsibility; Citizens for Clean Air; Clean Air Watch; Clean Water Action; Cleveland Environmental Action Network; Climate Action Alliance of the Valley; Connecticut League of Conservation Voters; Conservation Voters for Idaho; Conservation Voters of South Carolina; Dakota Resource Council; Earth Day Network; Earthjustice.

Earthworks; Environment Iowa; Environment America; Environment Arizona; Environment California; Environment Colorado; Environment Connecticut; Environment Florida; Environment Georgia; Environment Illinois; Environment Maine; Environment Maryland; Environment Massachusetts; Environment Michigan; Environment Minnesota; Environment Missouri; Environment Montana; Environment Nevada; Environment New Hampshire; Environment New Jersey.

Environment New Mexico; Environment North Carolina; Environment Ohio; Environment Oregon; Environment Rhode Island; Environment Texas; Environment Virginia; Environment Washington; Environmental Defense Action Fund; Environmental Entrepreneurs (E2); Environmental Law & Policy Center; Ethical Society of St. Louis; Faith Alliance for Climate Solutions; Florida Conservation Voters; Fort Collins Sustainability Group; GreenLatinos; Health Care Without Harm; Iowa Interfaith Power & Light; Jean-Michel Cousteau's Ocean Futures Society; KyotoUSA.

Labadie Environmental Organization (LEO); Latino Donor Collaborative; League of Conservation Voters; League of Women Voters; Maine Conservation Voters; Maryland League of Conservation Voters; Michigan League of Conservation Voters; Moms Clean Air Force; Montana Conservation Voters Education Fund; Montana Environmental Information Center; National Parks Conservation Association; Natural Resources Defense Council; NC League of Conservation Voters; Nevada Conservation League; New Mexico Environmental Law Center; New York League of Conservation Voters; Northern Plains Resource Council; OEC Action Fund; Ohio Organizing Collaborative, Communities United for Responsible Energy; Oregon League of Conservation Voters.

Partnership for Policy Integrity; PennEnvironment; People Demanding Action, Tucson Chapter; Physicians for Social Responsibility; Physicians for Social Responsibility, Maine Chapter; Physicians for Social Responsibility, Los Angeles Chapter; Physicians for Social Responsibility, Arizona Chapter; Physicians for Social Responsibility, SF Bay Area Chapter; Physicians for Social Responsibility, Tennessee Chapter; Physicians for Social Responsibility, Wisconsin Chapter; Powder River Basin Resource Council; Public Citizen; Public Citizen's Texas Office; RVA Interfaith Climate Justice Team; Safe Climate Campaign; San Juan Citizens Alliance; Sierra Club; Southern Environmental Law Center; Sustainable Energy & Economic Development (SEED) Coalition; Texas Campaign for the Environment.

Texas Environmental Justice Advocacy Services; Texas League of Conservation Voters; The Environmental Justice Center at Chestnut Hills United Church; Trust for America's Health; Union of Concerned Scientists; Utah Physicians for a Healthy Environment; Valley Watch; Virginia Organizing; Virginia Interfaith Power & Light; Voces Verdes; Voices for Progress; Washington Conservation Voters; Western Colorado Congress; Western Organization of Resource Councils; Wisconsin Environmental Health Network; Wisconsin League of Conservation Voters; Wisconsin Environment; Wyoming Outdoor Council.

Mr. WHITFIELD. Mr. Chair, I yield 3 minutes to the gentleman from Texas (Mr. OLSON), the vice chairman of the Subcommittee on Energy and Power.

Mr. OLSON. Mr. Chairman, every time I talk about this bipartisan bill, I make sure to emphasize one point: I want clean air.

I remember Houston in the 1970s. We could not see the downtown through the smog. We have made a lot of progress since then. The whole country has made a lot of progress since then. I want that progress to continue.

Despite what some would have you believe, Mr. Chairman, this bipartisan bill is not about fundamentally changing the Clean Air Act. Nothing in this bipartisan bill changes any air quality standard or regulation. Nothing in this bipartisan bill puts cost before science when EPA sets a new standard.

This bipartisan bill is about carefully thought-out, commonsense reforms. It is about listening to State regulators who actually had to make EPA's rules work for the people.

The people I work for back home are full of common sense. Common sense says that EPA should put out guidance to follow a new rule at the same time they put out the rule.

Folks in Texas 22 and across America are puzzled. What is wrong with EPA putting out a complete package of rules and regulations together instead of a rule first followed by regulations 7 years later? That is not common sense. That is a road to failure, a road we are going down right now.

As Dr. Bryan Shaw, the top regulator for air quality in my home State of Texas, said, provisions in this bipartisan bill will ''allow States to focus their limited resources'' to implement EPA's previous ozone rule. We can continue to improve Texas air—and the air of every State—if we let our regulators do their jobs.

I carefully wrote this bipartisan bill to include more common sense. Let EPA consider achievability when issuing a new rule. This is not a mandate.

□ 1430

I ask my opponents to read this bipartisan bill. Read the language. It clearly says the EPA may consider achievability when they set a new standard. This provision will never allow EPA to set an unhealthy standard. They can't use cost to ignore science.

Let's bring common sense to the EPA and work together to help States improve air quality. Vote for this bill.

Mr. RUSH. Mr. Chairman, I yield 5 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. I thank the gentleman for yielding and for his leadership on energy and clean air policy for all of America.

Mr. Chair, I rise in strong opposition to H.R. 4775. The Republican bill is a radical attempt to gut the Clean Air Act.

The Clean Air Act has been one of our bedrock environmental laws for America since the 1970s. So for 50 years it has worked well to ensure that it protects our health while businesses thrive. It has made such a difference in our lives.

I heard my good friend from Houston say he has seen the air cleaned up. The same is true in the Sunshine State of Florida. I remember those smoggy days in the late sixties and early seventies. I watched the impact of the Clean Air Act make it healthier for us to breathe, to grow up, to live healthy lives. All you have to do is look across the globe at China and India and the struggles they have with their economy because they are not able to control their pollution.

The great thing about the Clean Air Act is that it is based on science. It requires the EPA every 5 years to bring scientists together and do a health check, do a check on the air quality standards all across America. Then they can—they are not required to—say: we are going to improve the air quality standards. And then they leave it up to States and stakeholders at home to determine how best to control air pollution. It has been extraordinarily effective at cleaning the air.

EPA has set air quality standards for six different pollutants: ozone, nitrogen dioxide, sulfur dioxide, carbon monoxide, lead, and particulate matter. Between 1980 and 2014, emissions of these six air pollutants dropped by 63 percent. During the same period, the Nation's gross domestic product increased by 147 percent, vehicle miles traveled increased by 97 percent, energy consumption increased by 26 percent, and the U.S. population increased by 41 percent. These emissions reductions have generated dramatic health effects. There is a balance in the law already.

A recent peer-reviewed study says the Clean Air Act will save more than 230,000 lives and will prevent millions of cases of respiratory problems like asthma and other problems in 2020 alone. It will also enhance our national productivity by preventing 17 million lost workdays. These public health benefits translate into $2 trillion in monetized benefits to the economy.

Again, from the Sunshine State's perspective, we have a booming tourist economy largely because we have clean water and clear air. Everyone wants to come to Florida. They are very discerning with their tourist dollars and where they are going to take a vacation. They look across the world, and one of the reasons people travel to America or you travel to the Sunshine State is because it is healthy and clean; and it is largely because of the Clean Air Act that we have been able to do that.

So this bill is irresponsible because it will take us backwards. And let's talk a few specifics. The bill dramatically delays implementation of the 2015 ozone air quality standards by up to 8 years. It says to America: we are going to ignore the science, we are going to ignore the new standards that have been developed with thousands and thousands of comments, and we are going to ignore the fact that these improved standards will net benefits of up to $4.6 billion in 2025 alone.

Second, the bill doubles the air quality standard review period for all criteria air pollutants to every 10 years. Currently, the Clean Air Act says: EPA, every 5 years, look at the best science. Now, this bill says to ignore the science. Again, we will wait 10 years.

That is not smart and that is not helpful to our communities and our neighbors back home.

The bill also gives new and expanded facilities amnesty from new air quality standards. And this is where I think my Republican friends are going to invite a lot of litigation.

Before I came to Congress, I did a little bit of environmental law. Current existing industrial users and businesses will have to bear the burden because the new polluters will get a break—they will get amnesty—while our existing businesses will have to make up the difference. That is not smart, and I think that is going to create a lot of lawsuits.

Prime Minister Narendra Modi from India was here today. One of his messages, besides what a great democracy America is and what a great democracy India is, is that we have to think about the future. And we can tap the American ingenuity and what we have already done to clean air and grow business at the same time.

Other nations are realizing now what we have learned long ago: unregulated emission of dangerous air pollutants is unsustainable. The Clean Air Act has helped us make dramatic improvements in air quality over the past decades. Our economy has grown at the same time.

So I would urge my colleagues, do not gut the Clean Air Act. Vote ''no'' on H.R. 4775.

Mr. WHITFIELD. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Chairman, I thank the gentleman for yielding and for his efforts on this very important legislation.

Mr. Chair, I rise today in support of H.R. 4775, the Ozone Standards Implementation Act of 2016, so States will have the flexibility and tools to reasonably and effectively meet the new EPA ozone standards.

Since the proposal of EPA's 2008 ozone standards, States have continually worked to implement air quality standards to comply with EPA's clean air requirements. However, EPA's implementation regulations for the 2008 standards were not published until March 6, 2015, and then the revised ozone standards were issued in October of 2015.

States now face the prospect of simultaneously implementing two ozone standards at the same time. H.R. 4775 remedies this problem by creating a phase-in approach to the 2008 and 2015 ozone standards, extending the final designations under the 2015 standards to 2025.

It would also make reforms to the National Ambient Air Quality Standards to provide flexibility and structure to actions taken to implementing and revising these standards. States should be given the flexibility to implement air quality standards in a way that is cost effective and efficient.

I want to thank the gentleman from Texas (Mr. OLSON) for introducing this bill. I also encourage my colleagues to support this legislation to ensure States are able to implement EPA ozone standards without harming their overall economy.

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

Mr. Chair, H.R. 4775 would fundamentally and permanently weaken the Clean Air Act as well as future air pollution health standards for all criteria pollutants.

Mr. Chair, H.R. 4775 would unacceptably delay implementation of the EPA's 2015 ozone standards for another 8 years, even though these standards haven't been updated since the Bush administration last did so in the year 2008.

Additionally, Mr. Chair, this bill would also mandate that the EPA wait a decade before considering any new evidence regarding the health implications from ozone and other harmful pollutants, despite what the science may say in the interval.

This drastic change to the Clean Air Act would prohibit the EPA from relying on the most current health-based scientific data when determining air pollutant standards.

Mr. Chair, H.R. 4775 would also fundamentally change provisions of the Clean Air Act by imposing cost and technological feasibility considerations on the standard-setting process, even though the Clean Air Act clearly states that only medical and public health data should be used when setting clean air health standards.

Mr. Chair, this radical change to the Nation's most historically important environmental law will lead to adverse consequences for both the public health and the resourcefulness of American companies and innovators.

As the EPA's Acting Assistant Administrator for the Office of Air and Radiation, Janet McCabe, noted in her recent testimony to the Energy and Power Subcommittee at a hearing entitled ''H.R. 4775, Ozone Standards Implementation Act'' just earlier this year in April: ''Despite repeated assertions that achieving clean air was just not feasible, American ingenuity has consistently risen to the challenge and made our country the leader in both clean air and clean air technology.

''That approach,'' she went on to say, ''has been very successful for both the health of Americans and our economy.''

Mr. Chair, what is missing in the arguments made by the majority against the Clean Air Act, as well as most other environmental protection laws, is the fact that these regulations have been extraordinarily beneficial not only to the American health, but also to the American economy.

In almost every instance, Mr. Chair, whenever a new environmental regulation has been proposed, we have heard opponents label them as job killers, overly burdensome, harmful to the economy, the end of the American way of life as we know it. In practically every instance, those dire predictions have been proven to be unequivocally wrong, as these laws, Mr. Chair, have served to protect the public health as

well as to spur new advances in technology and in services that we can then export overseas.

Mr. Chairman, undoubtedly, today's fight over the new ozone standard will follow this very same pattern. Instead of trying to stall the 2015 ozone standards and prohibit the EPA from regularly updating the National Ambient Air Quality Standards, as H.R. 4775 would do, we in this Congress should be heeding the warnings of doctors and scientists of not acting quickly enough to protect the public health.

□ 1445

Mr. Chairman, I strongly oppose this awful bill, and I urge all of my colleagues to do the same.

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Ohio (Mr. LATTA), who is a member of the Energy and Commerce Committee, a cosponsor of this legislation, and a gentleman focused on energy issues.

Mr. LATTA. I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of H.R. 4775, the Ozone Standards Implementation Act, of which I am a proud sponsor.

I would like to focus, in particular, on what this bill really does for the timeline of implementing ozone standards. H.R. 4775 focuses on efficient implementation of ozone and other air quality requirements by making commonsense adjustments to facilitate how air quality standards are implemented, based on practical experience.

Our legislation provides States with additional time to implement the 2015 standards which is needed to fully implement the 2008 ozone standards, since EPA only issued the implementing regulations in 2015.

Further, H.R. 4775 allows EPA time to develop the new implementing regulations and guidance needed for the 2015 standards, and also allows EPA to clear its existing backlog of hundreds of implementation plans relating to other existing standards.

Clean air remains our priority, and this legislation does not change the recent new ozone standard of 70 parts per billion. It does not change of the standards set by the agency for any other criteria pollutants.

Instead, it ensures that hundreds of counties are not unnecessarily subjected to additional regulatory burdens, paperwork requirements, and restrictions.

EPA projects that, based on 2012–2014 data, over 240 counties with ozone monitors would violate the 2015 standards, but they are already on track to meet those standards by 2025. It makes no sense to sweep these counties into unnecessarily burdensome ''nonattainment'' regulatory regimes.

EPA has estimated compliance costs for 2008 beginning in 2020 of $7.6 billion to $8.8 billion annually. On top of these costs, EPA estimates compliance costs for the 2015 standards beginning in 2025, of $2 billion annually, including $1.4 billion outside California, and $800 million in California.

However, EPA's own estimate may be too low, since they have admitted that in some places, most of or even all of the technology that will be needed to meet this rule has yet to be invented.

What this legislation postpones is the diversion of State resources from the most pressing challenges to meet a standard that EPA projects will be met anyway through measures already on the books.

Mr. Chairman, I urge support of H.R. 4775.

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

Mr. WHITFIELD. Mr. Chairman, may I ask how much time is remaining on both sides?

The CHAIR. The gentleman from Kentucky has 20 minutes remaining. The gentleman from Illinois has 13½ minutes remaining.

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Texas (Mr. FLORES), who is a member of the Energy and Commerce Committee and, I believe, a cosponsor of this legislation.

Mr. FLORES. Mr. Chairman, I thank Chairman WHITFIELD for allowing me to speak on behalf of this bill.

As a coauthor of H.R. 4775, I rise to strongly urge my colleagues to support this bipartisan Ozone Standards Implementation Act of 2016.

Since 1980, our economy has more than tripled in growth, while ozone levels have gone down by 33 percent. The EPA predicts that ozone levels will continue to improve, particularly as the 75 parts per billion standard is fully implemented.

Most importantly, the EPA states: ''The vast majority of U.S. counties will meet the 70 parts per billion standard by 2025 just with the rules and programs now in place or underway.''

In March of 2015, the EPA released its implementation regulations on the delayed 2008 ozone standard of 75 percent per billion. Last October, just 7 months later, the EPA moved the goal posts with a new ozone standard of 70 parts per billion.

Our States and communities now face the burden of spending scarce taxpayer resources to implement two different ozone standards at the same time.

So what does this mean? It means that even though the EPA admits that air quality will improve, our States and counties now face a premature nonattainment designation, significantly limiting new job creation opportunities.

Additional bureaucratic processes and unnecessary red tape will do nothing to protect public health; however, they will export jobs to countries like China with fewer regulations, while those countries send us their ozone emissions in return.

H.R. 4775 includes a key harmonization provision from H.R. 4000, the bipartisan legislation I introduced last November.

Section 2 of today's bill gives communities the needed time to meet the 70 parts per billion standard through 2025. It protects these areas from being subjected to unnecessary additional regulatory burdens and red tape, as these areas are already on track for compliance with both standards.

We have also heard from our State regulators that the current 5-year review cycle timeline for National Ambient Air Quality Standards is overly ambitious and not attainable. This is proven by the fact that, since 1971, the EPA has taken an average of 10½ years to review the standard for ozone, not 5, as is currently in effect.

Another provision I authored, section 3(a), modernizes the Clean Air Act by matching the mandatory review cycle with the actual timeline of previous EPA reviews; in other words, 10 years between reviews. This is a reasonable timeline in light of the Nation's dramatically improved air quality over the last three decades.

Protecting both public health and the economy are bipartisan goals we all share, and the two are not mutually exclusive.

I would like to thank Mr. OLSON, Mr. CUELLAR, Mr. LATTA, Whip SCALISE, and Leader MCCARTHY for their work on this important issue. I would also like to thank Chairman UPTON and Chairman WHITFIELD for their efforts in shepherding this bill through the Energy and Commerce Committee.

I strongly urge my colleagues to support this commonsense bipartisan legislation.

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

Mr. Chairman, I strongly disagree with my friend from Texas.

The proposed changes to the NAAQS review cycle would put lives at risk by permanently delaying updates to limits on not just ozone, but on every dangerous criteria air pollutant: carbon monoxide, lead, nitrogen oxides, ozone, particulate matter, and sulfur dioxide.

Mr. Chairman, the Clean Air Act requires the EPA to review the science every 5 years and to update the standards when necessary to protect the public health.

It is important to note that the EPA isn't required to update the NAAQS every 5 years, but to just review the science.

The 2015 ozone standard, Mr. Chairman, reflects strong scientific evidence regarding the harmful effects of ozone on human health and the environment; including more than 1,000 new studies.

Scientists, Mr. Chairman, are constantly researching the impacts that air pollution have on human health, and have consistently discovered that ozone, particle pollutants, and other types of air pollution covered by the Clean Air Act are, indeed, harmful in more ways and at lower concentration than previously understood.

Mr. Chairman, this bill would ignore all this scientific work and evidence by

doubling the review period from 5 years to 10 years, delaying the review of science and potentially necessary updates to the standard.

Mr. Chairman, 10 years is too long to wait to protect public health from levels of ozone, particle pollution, and other pollutants that the science shows are, indeed, very, very, very dangerous.

Delaying the EPA's review of the best medical science won't make outdated air pollution levels safe.

The Acting CHAIR (Mr. HULTGREN). The time of the gentleman has expired.

Mr. RUSH. Mr. Chairman, I yield myself another 15 seconds.

Delaying EPA's review of the best medical science won't make outdated air pollution levels safe, it will just lead to more Americans suffering from unhealthy air for longer periods of time.

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

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. Mr. Chairman, I rise in strong support of H.R. 4775, the Ozone Standards Implementation Act, which I have cosponsored. I want to thank Congressman OLSON, my good friend and fellow Texan, for introducing this important legislation.

Last year, Mr. Chairman, the EPA finalized a costly new regulation to reduce ozone levels, even as States are only now beginning to implement the 2008 ozone standard. States will now have to deal with two regulations with overlapping implementation schedules. This is Federal bureaucracy at its finest, Mr. Chairman.

Now that the EPA is moving full steam ahead on its regulatory freight train, in order to get States back on track, Congress must act to give them certainty. H.R. 4775 will phase in implementation of those ozone standards over a reasonable timeline.

As ozone continues to fall to levels that reflect naturally occurring and even foreign-source ozone, we must also insist that the EPA report on how foreign pollution affects compliance with its overburdensome regulations. This legislation will do just that, Mr. Chairman.

There is no denying that the EPA's regulations will be costly for the States and costly, in turn, for our economy. The lower ozone levels are mandated, the harder it is for economic development to occur. That's just the way it is, as TED POE would say.

Communities across the country will be harmed, and low-income families, Mr. Chairman, are going to be harmed the most from this overburdensome regulation.

It is perfectly reasonable for Congress to insist that this regulatory boondoggle is reined in. I urge all Members to support this important legislation. It is the right thing to do. You know I am right.

Mr. RUSH. Mr. Chairman, may I inquire as to how much time is left?

The Acting CHAIR. The gentleman from Illinois has 10¼ minutes remaining. The gentleman from Kentucky has 15 minutes remaining.

Mr. RUSH. Mr. Chairman, I yield 7 minutes to an extraordinary gentleman from the great State of New Jersey (Mr. PALLONE), our fine leader on the Democratic side.

Mr. PALLONE. Mr. Chairman, I want to thank the ranking member of our subcommittee for his kind remarks.

Once again, the House is considering a bill to undermine one of our most successful public health and environmental laws, the Clean Air Act. And clean air isn't a luxury, it is a necessity.

Before the Clean Air Act became law 43 years ago, thousands of Americans experienced the consequences of unhealthy air, respiratory disease, severe asthma attacks, and premature deaths. This landmark legislation, for the first time, ensured that hazardous air pollution would be controlled.

But in spite of the overwhelming evidence of the success of this law and its many vital public health benefits, the Clean Air Act continues to be a favorite target for my Republican colleagues. This bill, H.R. 4775, is, unfortunately, the latest in an ongoing attempt to undermine the progress we have made on cleaning the air and protecting public health.

The bill's sponsors claim their goal is to help States to implement the National Ambient Air Quality Standards set by the EPA, yet this bill fails to provide the one thing that would be most helpful to States in their efforts to implement air quality standards, and that is additional resources.

In fact, Chairman WHITFIELD will be offering an amendment to the bill to ensure that EPA receives no additional funding to implement the provisions of this legislation, or any of the requirements under existing law.

H.R. 4775 is not a package of minor changes to minor provisions of the Clean Air Act. These changes are radical revisions intended to roll back the progress we have made in public health. This bill alters the fundamental premise of the act, that standards should be set to ensure the air is safe and healthy to breathe.

H.R. 4775 would bring economic costs, technological feasibility, and other non-risk factors into the standard-setting process.

□ 1500

These things are important, to be sure, and that is why they are already considered when the States develop their plans to achieve the health-based standards set by EPA, and that is appropriate. They should, however, never come into play in setting these standards.

Let's just use technology as an example. Technology is always evolving. What is technologically feasible today does not define what is possible tomorrow. For example, air pollution from automobile emissions was recognized as a serious problem in southern California as early as 1959. At that time, there were no pollution-control devices for cars. Auto manufacturers said that it couldn't be done, the technology was impossible, and that even if it were possible, it would be far too expensive. But California passed laws requiring pollution control anyway.

We all know the rest of the story: it was not impossible or prohibitively expensive. People still bought cars. And we have cleaner, more efficient cars today because regulation pushed technology forward. The only reason to make technological feasibility a factor in setting the standard is to avoid setting the standard, and that is the goal of the supporters of this legislation.

The history of the Clean Air Act is one of great success: the economy has continued to grow; the air has gotten cleaner; and most importantly, public health has improved.

So, Mr. Chairman, my Republican colleagues refuse to accept the fact that we can continue to improve the air, have a vibrant economy, and give everyone the opportunity for a long and healthy life. So I urge my colleagues to reject the false choice between jobs and clean air. The fact is that we can have both.

H.R. 4775 is a dangerous bill, and I would urge my colleagues to vote ''no'' on increased ozone pollution.

Mr. WHITFIELD. Mr. Chairman, we have no further speakers on our side of the aisle except for myself, and I think I have the right to close. I don't know if the gentleman from Illinois has additional speakers or if he would like to go at this time.

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

Mr. Chairman, supporters of this bill claim that EPA doesn't issue implementation rules and guidance quickly enough after updating a national ambient air quality standard. So this awful piece of legislation concludes that the solution is to sacrifice Americans' health—sacrifice our public health—by allowing facilities to ignore new air quality standards. But, Mr. Chairman, this would only allow these same facilities to pollute more while doing nothing to facilitate faster implementation of new NAAQS.

The bill says that EPA must release implementing rules and guidance concurrently with a new standard, meaning, if EPA updates a national ambient air quality standard, that standard does not apply to new or expanding facilities unless and until EPA has issued implementation rules and guidance for the new standard.

Mr. Chairman, witnesses have testified that concurrent guidance isn't always practical or even necessary. This provision presumes a problem that does not even exist. The Agency provides a wealth of tools already, Mr. Chairman, to assist States with air permits, and in many cases, States are fully capable of issuing permits without any new

guidance from EPA. Mr. Chairman, they have been doing this same thing for decades now.

Most guidance evolves after a standard takes effect as States and industry raise questions that require EPA clarification. It is unclear, Mr. Chairman, how the Agency could provide guidance on solving problems before they even know what those problems are.

Mr. Chairman, you are talking about a catch-22, and this creates an epic catch-22 for the Environmental Protection Agency.

On the one hand, the EPA could hurry to issue guidance before hearing questions from States and industry. That guidance would necessarily be incomplete, as it won't even address issues that only emerge during the implementation process. An industry group, Mr. Chairman, that wanted to delay implementation of the new air quality standard could file a lawsuit saying that EPA's guidance wasn't sufficient.

On the other hand, EPA could wait to issue more robust and helpful guidance, but in the meantime, facilities would be able to obtain permits under the old air quality standard. A company, Mr. Chairman, could build a facility that is allowed to pollute more than it would under current law.

In both scenarios, Mr. Chairman, who wins? Not the American people. Who wins? The polluter wins, and our public health loses.

Mr. Chairman, I yield back the balance of my time.

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

Mr. Chairman, I want to thank our fellow legislators from the other side of the aisle for working with us on this legislation. One of the great things about the House of Representatives is we have the opportunity to come and talk on different sides of the issues. We can have different opinions, we can talk about it, disagree, and then try to move forward.

Now, some of the speakers today, when we discussed this legislation, H.R. 4775, have described it as irresponsible, as a radical action to gut the Clean Air Act, to fundamentally weaken the Clean Air Act, and to undermine the Clean Air Act. I would say that that absolutely is not our intent.

I think all of us living in America understand that we do, in this country, more than any other country in the world, work to ensure clean air for our constituents and our citizens. We don't have to take a backseat to anyone to make that statement.

I might say that the criteria of pollutants, the six of them, the emissions have been reduced by a total of 63 percent—making up the National Ambient Air Quality Standards has been reduced by 63 percent, those emissions—since 1980.

So we are committed to clean air. But many people do not realize that, today, 24 States, counties in 24 States and the District of Columbia do not even meet the requirement of the 2008 Ambient Air Quality Standards, which is 75 parts per billion. And we know that even though that standard was set in 2008, EPA did not come forth with the guidelines to help the States meet that standard until 2015—7 years later.

Now they have come out with a new standard in 2015 saying that States must meet that in 2017. This legislation is brought to the floor in response to concerns by entities and individuals responsible in the States for implementing the Federal standards set by the Federal EPA, so that is why we are here.

So what are we doing in this legislation? Let me just point out that I mentioned the 24 States, counties in 24 States and the District of Columbia are in noncompliance with the 2008 standard. Los Angeles is never going to be in compliance. San Joaquin Valley is probably never going to be in compliance, and many parts of the West are never going to be in compliance because of their geographical location and because of foreign emissions coming in from other countries.

If you are in noncompliance, it has a drastic impact on your ability to create jobs and to bring in new industry because it is much more difficult to get a permit. So these over 270 counties in these 24 States at a time when our job growth is stagnant are going to find it even more difficult to create jobs.

Poverty also has a tremendous impact on people's health. Yes, we want clean air, but we want jobs so people can provide health care for their families and their children. So we need a balancing act here, and that is what this legislation is designed to do.

Under existing law, EPA at the Federal level must, they are mandated to review the national air quality standard every 5 years. They can do it in 2 if they want to, or 3, but they must do it in 5. So, because we are now trying to implement the 2008 and the 2015 all at the same time in certain areas, all we are saying is, instead of mandating EPA to do it every 5, we mandate them to do it every 10. They can do it in 4 if they want to, or 3 or 2, but they must do it in 10. So is that irresponsible? Is that trying to gut the Clean Air Act?

What are some other things we are doing here? We are also saying that we are authorizing—we are not mandating, but we are authorizing—the EPA Administrator to consider that technology is available to meet the new standard—not that it is required to, but it is authorized to. Is that unreasonable? Is that trying to gut the Clean Air Act?

Then we are also saying, before EPA revises its National Ambient Air Quality Standards, that they must get the advice of the Agency's independent scientific advisory committee. Now they do that, but we are saying we also want you to do it to look at potential adverse effects relating to implementing a new standard as required by section 109 of the Clean Air Act.

□ 1515

So you have got this advisory body already there. We want you to talk to them and at least consider any adverse effects that may come from the new standard.

And we also are saying—we have talked about this a lot already—if you issue a new standard, at the same time give the States the implementation and guidance so they know what to do to meet the new standard instead of being 7 years late, as they were on the 2008 standard.

And then we want to ensure that for certain ozone and particulate matter nonattainment areas—and I have already talked about the nonattainment areas of the 2008—that we do not require the States to include an economically infeasible measure to meet it. In other words, if it is going to be self-defeating, if it is going to be economically infeasible, you are in a nonattainment area, you don't have to do that.

And then we want to ensure that States may seek relief with respect to certain exceptional events. For example, there are some areas of the country that are having their worst drought since the early 1800s, hundred-year droughts, and yet they can't get relief from EPA because of these exceptional events; and because of that, they are going to suffer in trying to bring in new jobs that create economic growth.

And then, finally—and this makes a lot of sense to me—I want to quote a statement that was made by a regulator from Utah. He said that international emissions and transports, dirty pollution and air coming from outside America can, at times, account for up to 85 percent of the 8-hour ambient ozone concentration in many Western States.

Many areas in the West have little chance of identifying sufficient controls to achieve attainment because they are not causing it. So we are simply saying to EPA: Do a study so that we know what is being caused by other countries. That is what this bill is all about.

I might say that we are doing this after we had four forums on the Clean Air Act, we had four hearings on the National Ambient Air Quality Standards and ozone. These suggestions were made not by Republican legislators per se, but by regulators responsible for meeting EPA standards back in their States. They came and said: Would you help us with this?

So that is what we are attempting to do.

It is not our intent to gut the Clean Air Act. We recognize how important it is. The importance of health care and clean air is a part of what America is all about.

I urge our Members to pass this legislation. It is a commonsense approach to address concerns raised by people with the responsibility of meeting the standards required by the Federal EPA.

Mr. Chairman, I yield back the balance of my time.

Mr. TED LIEU of California. Mr. Chair, I rise today in opposition to H.R. 4775, the Ozone Standards Implementation Act of 2016.

Protecting our air from dirty pollution should not be a partisan issue. We all want to breathe clean air. We all want our children to be able to play outside without risking an asthma attack due to high ozone levels.

Last year, the Environmental Protection Agency finalized new ozone rules designed to protect the health of all Americans, particularly those communities which are at higher risk for smog. H.R. 4775 would delay this rule and critically undermine the Clean Air Act, jeopardizing Americans' health.

In my home state of California, smog used to be so bad that people were not allowed to go outside. We have made a lot of progress since then, and the last smog alert in California occurred in 1997. H.R. 4775 represents a step backward in our nation's fight for cleaner air, and I urge my colleagues to vote.

Mr. GENE GREEN of Texas. Mr. Chair, the Ozone issue is extremely complicated.

Many of our Members are probably not very familiar with the National Ambient Air Quality Standard, let alone the potential impact.

In 1993, the Environmental Protection Agency faced a choice similar to that of 2016.

After missing the 1988 and 1992 Ozone NAAQS review deadlines, the EPA settled a court decree that required a decision on whether the Agency would promulgate a new Ozone standard.

The EPA stated the following:

"Based on applicable statutory requirements and the volume of material requiring careful evaluation, the EPA estimates that it would take 2 to 3 years to incorporate over a 1,000 new health studies into criteria documents.

Given various legal constraints and the fact that EPA already missed deadlines for completion of Ozone review cycles, the Administrator concluded that the best course of action is to complete the current review based on the existing air standard and proceed as rapidly as possible with the next review."

In 2015, the Administrator stated at the Energy and Power subcommittee hearing, "EPA examined thousands of scientific studies, including more than 1,000 new studies published since EPA last revised the standard."

Further, EPA, in the Ozone NAAQS proposal concluded, "there are significant uncertainties regarding some of the studies the EPA did include regarding lowering the standard."

EPA acknowledged there are issues with the proposed standard stating, "Given alternative views of the currently available evidence and information expressed by some commenters, the EPA is taking comment on both the Administrator's proposed decision to revise the current primary O3 standard and the option of retaining that standard."

EPA must address the challenges and opportunities for improving our air quality and protecting human health. The process must remain health-based but cannot be set aside when it is politically convenient.

Our industries are capable of meeting the requirements of Ozone NAAQS but not when the rules are changed or not enforced due to unknown criteria.

I support the EPA's determination but I do think there is opportunity to address some of the challenges faced by both the Agency and other stakeholders.

While I do not support the bill today, I look for opportunities to improve the process to promote the economy and public health.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 4775

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Ozone Standards Implementation Act of 2016''.

SEC. 2. FACILITATING STATE IMPLEMENTATION OF EXISTING OZONE STANDARDS.

(a) DESIGNATIONS.—

(1) DESIGNATION SUBMISSION.—Not later than October 26, 2024, notwithstanding the deadline specified in paragraph (1)(A) of section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)), the Governor of each State shall designate in accordance with such section 107(d) all areas (or portions thereof) of the Governor's State as attainment, nonattainment, or unclassifiable with respect to the 2015 ozone standards.

(2) DESIGNATION PROMULGATION.—Not later than October 26, 2025, notwithstanding the deadline specified in paragraph (1)(B) of section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)), the Administrator shall promulgate final designations under such section 107(d) for all areas in all States with respect to the 2015 ozone standards, including any modifications to the designations submitted under paragraph (1).

(3) STATE IMPLEMENTATION PLANS.—Not later than October 26, 2026, notwithstanding the deadline specified in section 110(a)(1) of the Clean Air Act (42 U.S.C. 7410(a)(1)), each State shall submit the plan required by such section 110(a)(1) for the 2015 ozone standards.

(b) CERTAIN PRECONSTRUCTION PERMITS.—

(1) IN GENERAL.—The 2015 ozone standards shall not apply to the review and disposition of a preconstruction permit application if—

(A) the Administrator or the State, local, or tribal permitting authority, as applicable, determines the application to be complete on or before the date of promulgation of the final designation of the area involved under subsection (a)(2); or

(B) the Administrator or the State, local, or tribal permitting authority, as applicable, publishes a public notice of a preliminary determination or draft permit for the application before the date that is 60 days after the date of promulgation of the final designation of the area involved under subsection (a)(2).

(2) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to—

(A) eliminate the obligation of a preconstruction permit applicant to install best available control technology and lowest achievable emission rate technology, as applicable; or

(B) limit the authority of a State, local, or tribal permitting authority to impose more stringent emissions requirements pursuant to State, local, or tribal law than national ambient air quality standards.

SEC. 3. FACILITATING STATE IMPLEMENTATION OF NATIONAL AMBIENT AIR QUALITY STANDARDS.

(a) TIMELINE FOR REVIEW OF NATIONAL AMBIENT AIR QUALITY STANDARDS.—

(1) 10-YEAR CYCLE FOR ALL CRITERIA AIR POLLUTANTS.—Paragraphs (1) and (2)(B) of section 109(d) of the Clean Air Act (42 U.S.C. 7409(d)) are amended by striking ''five-year intervals'' each place it appears and inserting ''10-year intervals''.

(2) CYCLE FOR NEXT REVIEW OF OZONE CRITERIA AND STANDARDS.—Notwithstanding section 109(d) of the Clean Air Act (42 U.S.C. 7409(d)), the Administrator shall not—

(A) complete, before October 26, 2025, any review of the criteria for ozone published under section 108 of such Act (42 U.S.C. 7408) or the national ambient air quality standard for ozone promulgated under section 109 of such Act (42 U.S.C. 7409); or

(B) propose, before such date, any revisions to such criteria or standard.

(b) CONSIDERATION OF TECHNOLOGICAL FEASIBILITY.—Section 109(b)(1) of the Clean Air Act (42 U.S.C. 7409(b)(1)) is amended by inserting after the first sentence the following: ''If the Administrator, in consultation with the independent scientific review committee appointed under subsection (d), finds that a range of levels of air quality for an air pollutant are requisite to protect public health with an adequate margin of safety, as described in the preceding sentence, the Administrator may consider, as a secondary consideration, likely technological feasibility in establishing and revising the national primary ambient air quality standard for such pollutant.''.

(c) CONSIDERATION OF ADVERSE PUBLIC HEALTH, WELFARE, SOCIAL, ECONOMIC, OR ENERGY EFFECTS.—Section 109(d)(2) of the Clean Air Act (42 U.S.C. 7409(d)(2)) is amended by adding at the end the following:

''(D) Prior to establishing or revising a national ambient air quality standard, the Administrator shall request, and such committee shall provide, advice under subparagraph (C)(iv) regarding any adverse public health, welfare, social, economic, or energy effects which may result from various strategies for attainment and maintenance of such national ambient air quality standard.''.

(d) TIMELY ISSUANCE OF IMPLEMENTING REGULATIONS AND GUIDANCE.—Section 109 of the Clean Air Act (42 U.S.C. 7409) is amended by adding at the end the following:

''(e) TIMELY ISSUANCE OF IMPLEMENTING REGULATIONS AND GUIDANCE.—

''(1) IN GENERAL.—In publishing any final rule establishing or revising a national ambient air quality standard, the Administrator shall, as the Administrator determines necessary to assist States, permitting authorities, and permit applicants, concurrently publish regulations and guidance for implementing the standard, including information relating to submission and consideration of a preconstruction permit application under the new or revised standard.

''(2) APPLICABILITY OF STANDARD TO PRECONSTRUCTION PERMITTING.—If the Administrator fails to publish final regulations and guidance that include information relating to submission and consideration of a preconstruction permit application under a new or revised national ambient air quality standard concurrently with such standard, then such standard shall not apply to the review and disposition of a preconstruction permit application until the Administrator has published such final regulations and guidance.

''(3) RULES OF CONSTRUCTION.—

''(A) Nothing in this subsection shall be construed to preclude the Administrator from issuing regulations and guidance to assist States, permitting authorities, and permit applicants in implementing a national ambient air quality standard subsequent to publishing regulations and guidance for such standard under paragraph (1).

''(B) Nothing in this subsection shall be construed to eliminate the obligation of a preconstruction permit applicant to install best available control technology and lowest achievable emission rate technology, as applicable.

''(C) Nothing in this subsection shall be construed to limit the authority of a State, local, or

tribal permitting authority to impose more stringent emissions requirements pursuant to State, local, or tribal law than national ambient air quality standards.

''(4) DEFINITIONS.—In this subsection:

''(A) The term 'best available control technology' has the meaning given to that term in section 169(3).

''(B) The term 'lowest achievable emission rate' has the meaning given to that term in section 171(3).

''(C) The term 'preconstruction permit'—

''(i) means a permit that is required under this title for the construction or modification of a stationary source; and

''(ii) includes any such permit issued by the Environmental Protection Agency or a State, local, or tribal permitting authority.''.

(e) CONTINGENCY MEASURES FOR EXTREME OZONE NONATTAINMENT AREAS.—Section 172(c)(9) of the Clean Air Act (42 U.S.C. 7502(c)(9)) is amended by adding at the end the following: ''Notwithstanding the preceding sentences and any other provision of this Act, such measures shall not be required for any nonattainment area for ozone classified as an Extreme Area.''.

(f) PLAN SUBMISSIONS AND REQUIREMENTS FOR OZONE NONATTAINMENT AREAS.—Section 182 of the Clean Air Act (42 U.S.C. 7511a) is amended—

(1) in subsection (b)(1)(A)(ii)(III), by inserting ''and economic feasibility'' after ''technological achievability'';

(2) in subsection (c)(2)(B)(ii), by inserting ''and economic feasibility'' after ''technological achievability'';

(3) in subsection (e), in the matter preceding paragraph (1)—

(A) by striking ''The provisions of clause (ii) of subsection (c)(2)(B) (relating to reductions of less than 3 percent), the provisions of paragaphs'' and inserting ''The provisions of paragraphs''; and

(B) by striking '', and the provisions of clause (ii) of subsection (b)(1)(A) (relating to reductions of less than 15 percent)''; and

(4) in paragraph (5) of subsection (e), by striking '', if the State demonstrates to the satisfaction of the Administrator that—'' and all that follows through the end of the paragraph and inserting a period.

(g) PLAN REVISIONS FOR MILESTONES FOR PARTICULATE MATTER NONATTAINMENT AREAS.—Section 189(c)(1) of the Clean Air Act (42 U.S.C. 7513a(c)(1)) is amended by inserting '', which take into account technological achievability and economic feasibility,'' before ''and which demonstrate reasonable further progress''.

(h) EXCEPTIONAL EVENTS.—Section 319(b)(1)(B) of the Clean Air Act (42 U.S.C. 7619(b)(1)(B)) is amended—

(1) in clause (i)—

(A) by striking ''(i) stagnation of air masses or'' and inserting ''(i)(I) ordinarily occurring stagnation of air masses or (II)''; and

(B) by inserting ''or'' after the semicolon;

(2) by striking clause (ii); and

(3) by redesignating clause (iii) as clause (ii).

(i) REPORT ON EMISSIONS EMANATING FROM OUTSIDE THE UNITED STATES.—Not later than 24 months after the date of enactment of this Act, the Administrator, in consultation with States, shall submit to the Congress a report on—

(1) the extent to which foreign sources of air pollution, including emissions from sources located outside North America, impact—

(A) designations of areas (or portions thereof) as nonattainment, attainment, or unclassifiable under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)); and

(B) attainment and maintenance of national ambient air quality standards;

(2) the Environmental Protection Agency's procedures and timelines for disposing of petitions submitted pursuant to section 179B(b) of the Clean Air Act (42 U.S.C. 7509a(b));

(3) the total number of petitions received by the Agency pursuant to such section 179B(b), and for each such petition the date initially submitted and the date of final disposition by the Agency; and

(4) whether the Administrator recommends any statutory changes to facilitate the more efficient review and disposition of petitions submitted pursuant to such section 179B(b).

(j) STUDY ON OZONE FORMATION.—

(1) STUDY.—The Administrator, in consultation with States and the National Oceanic and Atmospheric Administration, shall conduct a study on the atmospheric formation of ozone and effective control strategies, including—

(A) the relative contribution of man-made and naturally occurring nitrogen oxides, volatile organic compounds, and other pollutants in ozone formation in urban and rural areas, and the most cost-effective control strategies to reduce ozone; and

(B) the science of wintertime ozone formation, including photochemical modeling of wintertime ozone formation, and approaches to cost-effectively reduce wintertime ozone levels.

(2) PEER REVIEW.—The Administrator shall have the study peer reviewed by an independent panel of experts in accordance with the requirements applicable to a highly influential scientific assessment.

(3) REPORT.—The Administrator shall submit to Congress a report describing the results of the study, including the findings of the peer review panel.

(4) REGULATIONS AND GUIDANCE.—The Administrator shall incorporate the results of the study, including the findings of the peer review panel, into any Federal rules and guidance implementing the 2015 ozone standards.

SEC. 4. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) BEST AVAILABLE CONTROL TECHNOLOGY.—The term ''best available control technology'' has the meaning given to that term in section 169(3) of the Clean Air Act (42 U.S.C. 7479(3)).

(3) HIGHLY INFLUENTIAL SCIENTIFIC ASSESSMENT.—The term ''highly influential scientific assessment'' means a highly influential scientific assessment as defined in the publication of the Office of Management and Budget entitled ''Final Information Quality Bulletin for Peer Review'' (70 Fed. Reg. 2664 (January 14, 2005)).

(4) LOWEST ACHIEVABLE EMISSION RATE.—The term ''lowest achievable emission rate'' has the meaning given to that term in section 171(3) of the Clean Air Act (42 U.S.C. 7501(3)).

(5) NATIONAL AMBIENT AIR QUALITY STANDARD.—The term ''national ambient air quality standard'' means a national ambient air quality standard promulgated under section 109 of the Clean Air Act (42 U.S.C. 7409).

(6) PRECONSTRUCTION PERMIT.—The term ''preconstruction permit''—

(A) means a permit that is required under title I of the Clean Air Act (42 U.S.C. 7401 et seq.) for the construction or modification of a stationary source; and

(B) includes any such permit issued by the Environmental Protection Agency or a State, local, or tribal permitting authority.

(7) 2015 OZONE STANDARDS.—The term ''2015 ozone standards'' means the national ambient air quality standards for ozone published in the Federal Register on October 26, 2015 (80 Fed. Reg. 65292).

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 114–607. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. WHITFIELD

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–607.

Mr. WHITFIELD. 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 bill, add the following new section:

SEC. 5. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The Acting CHAIR. Pursuant to House Resolution 767, the gentleman from Kentucky (Mr. WHITFIELD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. WHITFIELD. Mr. Chairman, H.R. 4775, as I said, requires the EPA to develop two studies and reports to submit to Congress. I talked about that in my closing statement. My amendment is relating to those studies.

The first is a study of the impacts of foreign emissions on the ability of States in America to meet new ozone standards. The second study relates to ozone formation and the effective control strategies for that.

These studies will assist EPA and State regulators in better understanding background ozone and implementing ozone standards. In its estimate for H.R. 4775—as you know, we must always consider cost—the Congressional Budget Office estimated a cost of $2 million associated with the development of these studies.

My amendment would clarify that no additional funds are authorized by this legislation. Developing the studies required by this bill is part of EPA's job and can be covered by the Agency's existing budget.

I might point out that the President's clean energy plan, which was implemented by EPA, never passed the House of Representatives, never passed the U.S. Senate, and was never even considered by the United States Congress. Yet, EPA issued that clean energy plan without any additional appropriations. I can tell you, it cost millions of dollars to do it.

This small amount to come up to reprogram funding within EPA to require these studies I do not believe is much of a burden on EPA. EPA's budget for regulatory activity is over $2 billion annually. These are analyses EPA should have already been undertaking as part of its existing responsibilities.

This amendment simply says we are not appropriating additional money. EPA can reprogram some of the $2 billion that it already has to develop

these studies and provide useful information to the States and other agencies.

I reserve the balance of my time.

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

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

Mr. RUSH. Mr. Chairman, the Congressional Budget Office identified an additional $2 million that will be needed to conduct the duplicative study required by this bill.

Mr. Chairman, that is the reason we are actually seeing this amendment. It is a Republican classic trick. It is a trick, Mr. Chairman. My colleague from Kentucky—who I respect and honor tremendously—knows that although this bill will require additional resources to implement, this amendment ensures that no new resources will be provided. It is a trick, Mr. Chairman.

My Republican colleagues have voted time and time again to cut the EPA's budget, but that just places greater burdens on States since about one-third of EPA's budget is distributed to the States in grants and other types of assistance. They will say on the other side that the goal is efficiency and that EPA must learn to do more with less. But, Mr. Chairman—another part of the trick—their real goal is to have EPA do less, rather than more with less. They just want them to do even less.

Well, Mr. Chairman, that just removes the environmental cop from the beat. Polluters benefit, but our constituents don't benefit. And, ultimately, Mr. Chairman, all of us Americans will pay the enormous price.

Much of the permitting and much of the preparation of implementation plans done under the Clean Air Act is done by the States. One of the complaints that we have heard is that EPA is not providing sufficient guidance early enough in the process to assist States in meeting their obligations under the law, and that States want and need assistance.

Well, Mr. Chairman, this amendment doesn't do anything to address that concern. In fact, it will only make a dire situation even more dire. The public expects EPA to protect their health and the environment. Resources, Mr. Chairman, are required to fulfill that expectation and that mandate.

Public health is worth paying for. It is much more cost effective to prevent health problems than it is to cure those very same problems. And make no mistake, the Clean Air Act is, indeed, a public health law. We save billions and billions of dollars in medical expenses due to asthma-related emergency room visits and other respiratory and cardiac illness. We save billions and billions in lost sick time at work, school, and other productive activities. And, most important, Mr. Chairman, let us not forget that the Clean Air Act saves lives. We enable people to be healthier and more productive.

Mr. Chairman, I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. Mr. Chairman, I support this amendment. It is real simple. This says to the EPA: Do your job. Do your job.

EPA admits half of the ozone in America comes from ''uncontrolled sources,'' ''uncontrolled sources.'' That means sources we can't control. Sources like ozone from China, like ozone in my home State from Mexico, like ozone coming from annual crop burnings, like ozone coming across the Atlantic from Sub-Saharan Africa sandstorms, like ozone coming from all over the world.

This past Christmas, my wife and I went to the Grand Canyon—beautiful. It has an ozone problem. They have a sign there that says:

> Most of the Grand Canyon air pollutants come from distant sources ignoring human boundaries.

All this amendment says is: EPA, do your job. Do the research to find out where this is coming from and don't penalize Americans for something they can't control.

I support this amendment.

Mr. WHITFIELD. Mr. Chairman, I yield back the balance of my time.

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

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

Mr. RUSH. 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 Kentucky will be postponed.

□ 1530

AMENDMENT NO. 2 OFFERED BY MR. RUSH

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–607.

Mr. RUSH. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

> Page 7, lines 24 and 25, strike ''If the Administrator fails'' and insert the following:
>
> ''(A) STANDARD NOT APPLICABLE.—Except as provided in subparagraph (B), if the Administrator fails
>
> Page 8, after line 8, add the following:
>
> ''(B) STANDARD APPLICABLE.—Subparagraph (A) shall not apply with respect to review and disposition of a preconstruction permit application by a Federal, State, local, or tribal permitting authority if such authority determines that application of such subparagraph is likely to—
>
> ''(i) increase air pollution that harms human health and the environment;
>
> ''(ii) slow issuance of final preconstruction permits;
>
> ''(iii) increase regulatory uncertainty;
>
> ''(iv) foster additional litigation;
>
> ''(v) shift the burden of pollution control from new sources to existing sources of pollution, including small businesses; or
>
> ''(vi) increase the overall cost of achieving the new or revised national ambient air quality standard in the applicable area.

The Acting CHAIR. Pursuant to House Resolution 767, the gentleman from Illinois (Mr. RUSH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RUSH. Mr. Chair, my list of concerns with H.R. 4775 are many, but one of the main issues I have with this legislation is that it would permanently weaken the Clean Air Act as well as future air pollution health standards for all criteria pollutants.

In fact, Mr. Chair, in addition to delaying scientifically based health standards and harming the public interest, this bill may also have unintended consequences for the very industries that the majority is trying to help. If enacted, this bill may actually slow down the issuance of preconstruction permits, increase regulatory uncertainty, lead to additional lawsuits, and shift the burden of pollution control from new sources to existing ones, potentially hurting small businesses.

Mr. Chair, section 3(d) requires the EPA to issue rules and guidance for implementing new or revised National Ambient Air Quality Standards ''concurrently'' when issuing the new standard. Otherwise, under this legislation, expanding facilities would only have to comply with the outdated standards, allowing some facilities to pollute more than their fair share. This bill, Mr. Chair, would also unfairly shift the burden and the cost of cleaning up pollution to existing facilities, and it would only serve to slow down the preconstruction permitting process.

My amendment, Mr. Chair, seeks to address many of the problems that may result from this bill, both intentionally and unintentionally. The Rush amendment would strike the section that exempts preconstruction permit applications from complying with new or revised National Ambient Air Quality Standards if guidelines are not published concurrently with those regulations.

Specifically, the amendment simply states that section 3(d) shall not apply with respect to the review and disposition of a preconstruction permit application by a Federal, State, local, or tribal permitting authority if such authority determines that the application of such subparagraph is likely to increase air pollution that harms human health and the environment; to slow the issuance of final preconstruction permits; to increase regulatory uncertainty; to foster additional litigation; to shift the burden of pollution control from new sources to existing sources of pollution, including small businesses; or to increase the

overall cost of achieving the new or revised National Ambient Air Quality Standard in the applicable area.

Mr. Chair, the new standard that the EPA recently issued already represents a measured approach that seeks to balance both public health impacts as well as the rule's overall cost benefit, even though this is not a requirement of the Clean Air Act. On the other hand, Mr. Chair, H.R. 4775 represents the exact opposite of a measured approach as it seeks to tip the scales in favor of industry over public health.

Mr. Chair, this amendment will help to prevent some of the adverse consequences of this bill from going into effect whether they be intended or unintended, and I urge all of my colleagues to support it.

Mr. Chair, I yield back the balance of my time.

Mr. OLSON. Mr. Chair, I rise in opposition to the amendment.

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

Mr. OLSON. Mr. Chair, the intent of this bill is to end the nightmare scenario we are going through right now by which the EPA issues regulations 7 years after it announces a new rule, and it piles on a new regulation 6 months later. But don't take my word with regard to the problems that it causes in America; listen to the States.

Teresa Marks, Arkansas' Department of Environmental Quality, July 31, 2012:

> Five years may not allow enough time for new technology or science to be fully developed. With more time between review processes, the States could have adequate time to develop proper SIPs and meet Federal deadlines.

Martha Rudolph, Colorado's Department of Public Health and Environment, July 23, 2012:

> This ambitious schedule for evaluating and promulgating NAAQS revisions every 5 years has created an inefficient planning process.

I saved the best for last.

Michael Krancer, Pennsylvania's Department of Environmental Protection, November 29, 2012:

> The development of the NAAQS on an interval of 5 years, section 109(d)(1), has created significant resource burdens for both the EPA and the States. Furthermore, the cascading standards can create confusion for the public actions because, as the State's EPA continues to work on SIP revisions and the determination of attainment for one standard with the ozone, the air quality index is based on another. NAAQS review intervals should be lengthened to 10 years.

Section 3(d) of this bill provides that a new rule or a revised standard shall not apply to pending permit applications until the Agency has published regulations and guidance about how to implement the new standards in the permitting process.

If a State, local, or tribal permitting authority wants to impose more stringent standards with respect to a particular preconstruction permit application, nothing in H.R. 4775 prevents it from doing so. This amendment allows the EPA to escape its responsibility for issuing timely guidance. We should ensure the EPA has to take timely action. I urge a ''no'' vote on this amendment.

Mr. Chair, I yield back the balance of my time.

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

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

Mr. RUSH. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. PALLONE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–607.

Mr. PALLONE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

> Page 6, strike lines 9 through 20, strike subsection (b) (relating to consideration of technological feasiblity) and redesignate the subsequent subsections accordingly.

The Acting CHAIR. Pursuant to House Resolution 767, the gentleman from New Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. PALLONE. Mr. Chair, my amendment is straightforward, and it fixes one of the most egregious provisions in the bill: the consideration of technological feasibility in the NAAQS-setting process. The bill's approach would make feasibility a factor in the scientific decision about how much pollution is safe for a child to breathe without experiencing an asthma attack.

Requiring the EPA to consider technological feasibility when setting an air quality standard is a dangerous precedent that ignores the history of the Clean Air Act. Frankly, it is not even necessary. Since 1970, the Clean Air Act has had several key features that have helped make it one of the most successful environmental laws in our country. The law's science-based, health-protective standards keep our eye on the prize, which is healthy air for everyone. Cooperative federalism allows the EPA to set the clean air goals and States to then decide how best to achieve them.

The Clean Air Act uses regulatory standards, like the National Ambient Air Quality Standards, to drive technological innovation in pollution controls. The act recognizes that it is usually less costly to simply dump pollution rather than to clean it up, so businesses generally don't control pollution absent regulatory requirements.

We know from decades of experience that the Clean Air Act drives innovations in pollution controls that then become the industry standard. Once an air pollution standard is in place, industry gets to work to meet it, and, along the way, we develop more effective and less expensive pollution control technologies. Not only is our air cleaner, but we also export tens of millions of dollars of pollution control equipment all over the world. We have seen that happen over and over again.

Mr. Chair, section 3(b) ignores this fact and rejects an approach that has been successful for over four decades; so my amendment would restore current law, preserving the NAAQS as purely health-based standards and leaving the consideration of costs and feasibility to the States. If you truly believe that this bill is not an attack on the Clean Air Act and its critical public health protection, then supporting my amendment should not be a problem.

In closing, almost every time the EPA proposes a significant new requirement, opponents tell us it can't be done, that it is going to cost too much, or that it will destroy our economy. The Republicans are once again raising the false specter of job losses and high economic costs to try to block the implementation of stronger ozone standards. These doomsday claims about the costs of clean air are nothing new. The history of the Clean Air Act is a history of exaggerated claims by industry that have never come true.

Section 3(b) is just the latest in a string of reckless legislative attacks on these purely health-based air quality standards, which could unravel the entire framework of the Clean Air Act. It ignores decades of experience in cleaning up air pollution, and it is an extreme and, in my opinion, irresponsible proposal that would put the health of all Americans at risk. I urge the adoption of my amendment.

I reserve the balance of my time.

Mr. OLSON. Mr. Chair, I rise in opposition to the amendment.

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

Mr. OLSON. Mr. Chair, for the Members who are thinking about voting for this amendment, I will simply say: Read the bill.

Section 3(b) states that, if the EPA Administrator, in consultation with the EPA's independent scientific advisory committee, finds a range of levels of air quality that protect public health with an adequate margin of safety, then—and only then—''the Administrator may consider as secondary consideration likely technological feasibility in establishing and revising the national primary ambient air quality standard for this pollutant.''

It reads ''may,'' not ''must,'' not ''shall''—but ''may.''

H.R. 4775 does not change the Clean Air Act's requirement that standards be based on public health. This is a clarification for future administrations that Congress considers technical feasibility to be a reasonable part of the decisionmaking process when policy

choices must be made among a range of scientifically valid options.

I urge a ''no'' vote on this amendment.

Mr. Chair, I yield back the balance of my time.

Mr. PALLONE. Mr. Chair, I yield myself such time as I may consume.

I have listened to what the gentleman has said. It seems to me that he is essentially making an argument as to why we don't need this change. If he is saying that the underlying bill—the current law, the current statute—allows for the consideration of technological feasibility and if we know that the Clean Air Act has essentially worked in protecting the environment and in putting health as a priority with these other issues as simply being something that can be considered and, as I said, is considered when the States actually decide how to carry out the law, then I do not understand why he finds it necessary to change the law, say, with regard to this issue.

□ 1545

It seems to me that the argument you are making, which is that this is already something that can be considered but is not a priority—health being the priority—would negate the very need for the legislation and support the amendment that I am putting forward.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

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

Mr. PALLONE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114–607.

Mr. GOSAR. 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 13, line 1, after ''rural areas,'' insert ''including during wildfires,''.

The Acting CHAIR. Pursuant to House Resolution 767, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer a commonsense amendment that will ensure that the study on ozone formation in the underlying bill analyzes the relative contribution from wildfires.

The National Interagency Coordination Center reported this year that we set a new record in terms of total acreage burned from wildfires with more than 10.1 million acres going up in smoke. This significant increase is not the result of more wildfires, as the nonpartisan Congressional Research Service reported last month that ''the number of wildfires has stayed about the same over the last 30 years, but the number of acres burned annually has increased by nearly double the acreage burned in the 1990s.''

Timber removal is down 80 percent over the last 30 years and acreage has burned up. There is a direct correlation between thinning our forest and overall forest health. As a medical professional for over 25 years, I know firsthand that preventive care is a much cheaper and effective treatment as opposed to dealing with an illness or disease after it has already been diagnosed. Let's not forget the old adage that an ounce of prevention is worth a pound of cure.

Unfortunately, the Federal Government has failed to employ such a strategy when it comes to our Nation's forests and continues to spend billions of dollars on the back end of suppression activities.

The CRS reports that the top 5 years with the largest wildfire acreage burned since 1960 all occurred between 2006 and 2015. In Arizona, we have seen the tragic results of this agency's misprioritization firsthand, as the five largest fires in Arizona's history occurred between 2002 and 2011.

Data released from NASA a few years ago concluded that one catastrophic wildfire can emit more carbon emissions in a few days than total vehicle emissions in an entire State over the course of a year.

My commonsense amendment simply seeks to determine the overall contribution to ozone formation from wildfires. We should all want to have this information and know the extent to which ozone formation from wildfire emissions occurs.

I am proud to be a cosponsor of the underlying bill and applaud Representative OLSON, Chairman UPTON, and my other colleagues who are actively involved with moving this much-needed legislation forward.

Most States are just beginning to adopt the 2008 ozone standards as the EPA didn't announce the implementation guidance and a final rule until March 6, 2015. Rather than allowing time for those standards to be implemented, the EPA moved the goalposts and is seeking to unilaterally implement a regulation that has been projected to be the most expensive mandate in our Nation's history.

The Arizona Chamber of Commerce and Industry recently reported that ''the EPA's new ozone standard of 70 parts per billion will be virtually impossible for Arizona to meet due to Arizona's high levels of background, limited local sources, and unique geography'' and that ''implementation of the current rule in Arizona is not reasonable, based in sound science, or achievable.''

Again, my amendment simply ensures that the study on ozone formation in the underlying bill analyzes the relative contribution from wildfires. Chairman UPTON supports my amendment, and I wholeheartedly support the underlying bill.

I ask my colleagues to do the same and support my amendment and H.R. 4775.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Mr. Chairman, on its face, Mr. GOSAR's amendment seems innocuous enough, having EPA also consider the contribution of wildfires in the bill's required study on ozone formation, wintertime ozone formation, and control strategies. But in reality, this study is a wolf in sheep's clothing. So adding further criteria, as this amendment would do, only makes it worse.

First, many of the aspects of this proposed study are already covered by EPA's integrated science assessment. Integrated science assessments are reports that represent concise evaluations and synthesis of the most policy-relevant science for reviewing National Ambient Air Quality Standards. Essentially, these assessments form the scientific foundation for the review of the NAAQ Standards. All integrated science assessments are vetted through a rigorous peer-review process, including review by the Clean Air Scientific Advisory Committee and public comment periods.

Furthermore, the EPA is already doing a comprehensive review of wildfires and ozone, so additional study of this issue is not necessary, in my opinion.

But this study is more than a duplication of work already being done, Mr. Chairman. The bill would inject costs into this scientific review process by requiring the assessment of cost-effective control strategies to reduce ozone. While this is certainly worthy as an issue to review, EPA's scientific assessments are the wrong venue for such a discussion.

Requiring EPA to do additional assessments of cost-effective control strategies would, of course, pull the Agency's limited staff and resources away from the public health priorities of implementing and reviewing the NAAQ Standards in a timely manner outlined in the Clean Air Act. When viewed in connection with the other provisions of this bill, like the requirement that implementing regulations and guidance must be issued concurrently with an air quality standard for preconstruction permits, expanding this study would only serve to further delay implementation of the 2015 ozone standard.

The 2015 ozone NAAQS update is long overdue, and the bill before us doesn't need any further procedural hoops for

EPA to jump through before a more protective ozone standard can be put into effect.

I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. GOSAR. Mr. Chairman, once again, this three-word amendment simply ensures that the study on ozone formation in the underlying bill analyzes the relative contribution from wildfires. Just simply that.

This is something that I would hope would be analyzed anyway under the language in the underlying bill, but I felt the need to clarify so as to ensure such analysis occurs.

Data released from NASA a few years ago concluded that one catastrophic wildfire can emit more carbon emissions in a few days than total vehicle emissions in an entire State over the course of a year. We should all want to have this information and know the extent to which ozone formation from wildfire emissions occurs. The science is science, the whole science, nothing less, nothing more.

I ask everybody to vote for this amendment.

I yield back the balance of my time.

Mr. PALLONE. Mr. Chairman, I urge a ''no'' vote.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114–607.

Mr. POLIS. 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:

After section 3, insert the following sections:

SEC. 4. REPEAL OF EXEMPTION FOR AGGREGATION OF EMISSIONS FROM OIL AND GAS SOURCES.

Section 112(n) of the Clean Air Act (42 U.S.C. 7412(n)) is amended by striking paragraph (4).

SEC. 5. HYDROGEN SULFIDE AS A HAZARDOUS AIR POLLUTANT.

The Administrator shall—

(1) not later than 180 days after the date of enactment of this Act, issue a final rule adding hydrogen sulfide to the list of hazardous air pollutants under section 112(b) of the Clean Air Act (42 U.S.C. 7412(b)); and

(2) not later than 365 days after a final rule under paragraph (1) is issued, revise the list under section 112(c) of such Act (42 U.S.C. 7412(c)) to include categories and subcategories of major sources and area sources of hydrogen sulfide, including oil and gas wells.

The Acting CHAIR. Pursuant to House Resolution 767, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, since this bill is supposed to be about making the Clean Air Act work better, I have offered an amendment—that is identical to a bill with 64 cosponsors that I coauthored—to close a very glaring loophole in the law that frankly harms the air in my State, across the Mountain West, and indeed across the country.

My amendment, which is based off legislation I first introduced in 2011 and have introduced three times, including this Congress, is called the BREATHE Act. Essentially it is very simple. It would close the oil and gas industry's loophole to the Clean Air Act's aggregation requirement. Currently, oil and gas operators are exempt from the aggregation requirements in the Clean Air Act.

What the aggregation requirement does, it is small air pollution sources that cumulatively release as much air pollution as a major source, are supposed to be required to curb pollution by installing the maximum achievable control technology. But oil and gas is exempt, not for any policy reason, but simply because oil and gas has a lot of influence here in Washington, D.C.

This directly affects the air quality in my district. Take a county like Weld County, Colorado. There are over 20,000 operating fracking wells. Any one of those has a very small emissions profile. But in the aggregate, when you start talking about 1,000, 5,000, 10,000, it looks a lot more like multiple emissions-spewing factories or other highly pollutive activity. And yet they are completely exempt from being aggregated.

So essentially, they are rounded to down to zero, each one of them, which is fine if there is one or three or five of them. But if you have 20,000 of them, it is a gross abuse of the intent of the Clean Air Act to round it down to zero.

My amendment would also add hydrogen sulfide to the Clean Air Act's Federal list of hazardous air pollutants. It was originally on the list. Unfortunately, it was later removed.

The Clean Air Act currently exempts hydrogen sulfide from the Federal list of hazardous air pollutants, even though it is well-documented that hydrogen sulfide has been associated with a wide range of health issues, such as nausea, vomiting, headaches, irritation of eyes, nose, throat, and asthma.

Often, it is released from wellheads, pumps, and piping during the separation process, from storage tanks, and from flaring. In fact, 15 percent to 25 percent of the natural gas wells in the U.S. emit hydrogen sulfide, even though, I would point out, control technologies are inexpensive and readily available to curb hydrogen sulfide emissions. All we ask is that those are looked at as part of that.

My amendment has broad support with 64 Members that have added their names as cosponsors. I am grateful this was allowed under the bill.

My amendment will simply hold oil and gas operators accountable for their impact on our Nation's air quality, as every industry should be. They shouldn't play by special rules. They should play by the same rules under the Clean Air Act as every industry.

I reserve the balance of my time.

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

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

Mr. WHITFIELD. Mr. Chairman, we all have a great deal of respect for the gentleman from Colorado (Mr. POLIS) and know that he focuses on these particular issues and is quite familiar with them.

The reason that we are opposing this amendment is that his amendment would make changes to section 112 of the Clean Air Act by adding, specifically, hydrogen sulfide as a hazardous air pollutant.

Now, there is a well-established regulatory process for listing new hazardous air pollutants set forth in the Clean Air Act, section 112.

The underlying legislation, H.R. 4775, really is dealing only with sections 107 to 110 and part C and D of title I of the Clean Air Act. And we are not doing anything with section 112, nor have we had any hearings in the Energy and Commerce Committee on adding hydrogen sulfide as a hazardous air pollutant. On the other hand, we have had four hearings about ambient air quality standards. We have had four forums on the Clear Air Act relating to ambient air quality standards.

So for that reason, the fact that there is an established way to add, we would respectfully oppose this amendment and ask the other Members to oppose it at this time. We would welcome the opportunity to work with Mr. POLIS in letting the Energy and Commerce Committee do it in a regular manner.

I oppose the amendment.

I yield back the balance of my time.

Mr. POLIS. Mr. Chairman, I yield 45 seconds to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I urge support for the Polis amendment. It is common sense, and it certainly improves the bill in the way that Mr. POLIS set forth.

I would urge my colleagues to support the amendment.

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

So again, with great respect to the gentleman from Kentucky, this is the first opportunity we have had since I first introduced the bill in 2011 where the Clean Air Act has been brought to the floor and opened and allowed to have this amendment and discussion. I personally would have been thrilled if we would have been able to have a hearing in the intervening years. Of course, should this not prevail, I would be happy to continue to work to pursue a hearing in this area.

Because frankly, again, when you have 20,000 wells in a limited area, you can't round each one down to zero. Separately, we have the issue of hydrogen sulfide. Both are very important issues.

Of course, we want to further the discussion.

I personally am thrilled again on behalf of the 64 Members that are already cosponsors of this bill that at least we have the time to debate this on the floor in a way that it is germane to a bill that we are considering in opening up the Clean Air Act.

□ 1600

Certainly I am appreciative of the process the committee has in place. Again, should this not prevail, I would be happy to continue to work with the committee to help deal with these small-site aggregations in a way where they are no longer rounded down to zero if, in fact, they are found scientifically to have a tangible cumulative effect, just like we have the aggregation of every other type of industrial activity except for those that are particular to oil and gas.

I would encourage my colleagues to vote ''yes'' on the bill to simply make sure that oil and gas operators play by the same rules with regard to their impact on air quality as any other industry, as well as adding hydrogen sulfide to the list of hazardous air pollutants and listing, of course, oil and gas wells as one of the major sources of hydrogen sulfide, as they certainly are in my neck of the woods.

I ask my colleagues to vote ''yes'' on the amendment.

I yield back the balance of my time.

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

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

Mr. POLIS. 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 Colorado will be postponed.

AMENDMENT NO. 6 OFFERED BY MS. NORTON

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114–607.

Ms. NORTON. 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 bill, add the following new section:

SEC. 5. LIMITATION.

If the Administrator, in consultation with the Clean Air Scientific Advisory Committee, finds that application of any provision of this Act could harm human health or the environment, this Act and the amendments made thereby shall cease to apply.

The Acting CHAIR. Pursuant to House Resolution 767, the gentlewoman from the District of Columbia (Ms. NORTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise to offer an amendment to the Ozone Standards Implementation Act of 2016 that would ensure that the environment and human health aspects are protected. The amendment states that if the EPA Administrator, in consultation with the Clean Air Scientific Advisory Committee, finds that application of any provision of this act could harm human health or the environment, the Ozone Standards Implementation Act shall cease to apply.

The Ozone Standards Implementation Act puts our children, communities, and environment at extreme risk simply to benefit private corporations rather than to look at what the act could do to people. It weakens implementation and enforcement of the Clean Air Act's essential air pollution health standards, further delays reductions in smog pollution, and expands the very definition of ''exceptional events'' to include high pollution days when communities exclude certain extreme events, like wildfires, in determining whether their air quality meets national standards. The bill also takes health and medical science out of the process.

My amendment ensures that we will fulfill the purpose of the Clean Air Act and continue the progress we have made over the past 46 years. One fact pointed out by the Statement of Administration Policy is that the ''emissions of key pollutants have decreased by nearly 70 percent while the economy has tripled in size.'' This proves that we can both improve the environment and still grow our domestic economy.

Right now, just to cite my own district as an example, 17,000 children in the District of Columbia have pediatric asthma and over 115,000 children and teens in the District are at risk of health implications from smog. Our health and future depend on the Clean Air Act, but the Ozone Standards Implementation Act will put us right back where we were before 1970.

I urge the adoption of my amendment.

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

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

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

Mr. OLSON. Mr. Chairman, since 1980, ozone levels have decreased by 33 percent, and EPA projects air quality ''will continue to improve over the next decade as additional reductions in ozone precursors from power plants, motor vehicles, and other sources are realized.''

Nothing in this bill changes any existing air quality standards or prevents these improvements to air quality from being realized.

This amendment, however, would allow the EPA, in consultation with CASAC, the Clean Air Scientific Advisory Committee, to invalidate the entire bill. Why we would give CASAC this power is beyond me because they haven't done a good job with ozone.

Under the Clean Air Act, CASAC is required to provide advice to the Agency about the potential adverse effects of implementing new air quality standards. Section 109(d)(2)(C)(iv) expressly requires CASAC to ''advise the Administrator of any adverse public health, welfare, social, economic, or energy effects which may result from various strategies for attainment and maintenance of such national ambient air quality standards.'' Despite this provision, CASAC has not provided that advice.

In May of 2015, the Government Accountability Office issued a report indicating that CASAC has never provided that advice because EPA has never requested that advice, and that EPA has no plans to ask CASAC to provide advice on potential adverse effects. In a recent survey, 80 percent of State air agencies said that such advice would be helpful to their agency.

H.R. 4775 will ensure that such advice is provided and also ensure that States have the time and regulatory tools they need to comply with new ozone rules and other air quality standards.

I urge a ''no'' vote on this amendment.

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

Ms. NORTON. Mr. Chairman, part of the problem is, perhaps, that EPA has never requested this particular advice from CASAC. My amendment would make it clear that Congress wants the EPA to do so. Yes, I made clear that there had been improvements in air quality, despite the fact that our own industry, our own economic growth has tripled. Would anybody say that we are now where we want to be?

We do not want, at this point of progress, to countermand the progress we have made. We should be building on that progress. No one, I think, in the world today—and certainly in the United States—would say we have finally reached where we want to be. The improvements are not nearly enough. We need to go much more rapidly. We certainly don't need to be retrograde at this point in history when the whole world now is looking at this very issue and seeking to improve.

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

Mr. OLSON. Mr. Chairman, I will offer a quote from the San Joaquin Valley Air Pollution Control District executive director. He said these words before our committee: ''H.R. 4775, in my opinion, provides for much-needed streamlining of the implementation of the Clean Air Act. It does not roll back anything that is already in the Clean Air Act in the form of protections for public health, safeguarding public health, and it does nothing to roll back any of the progress that has been made, and it will not impede or slow down our progress as we move forward to reduce air pollution and improve public health.''

This amendment trashes that statement.

I urge my colleagues to vote ''no'' on this amendment.

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

Ms. NORTON. Mr. Chairman, we should all be grateful to the authors of the Clean Air Act for the progress we have achieved. The way to express our gratitude is to use an occasion like this to expand, not to retract, that act.

Mr. Chairman, I yield back the balance of my time.

Mr. OLSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

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

Ms. NORTON. 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 gentlewoman from the District of Columbia will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114–607 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. WHITFIELD of Kentucky.

Amendment No. 2 by Mr. RUSH of Illinois.

Amendment No. 3 by Mr. PALLONE of New Jersey.

Amendment No. 5 by Mr. POLIS of Colorado.

Amendment No. 6 by Ms. NORTON of the District of Columbia.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. WHITFIELD

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kentucky (Mr. WHITFIELD) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 236, noes 170, not voting 27, as follows:

[Roll No. 276]

AYES—236

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
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—170

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—27

Black
Cárdenas
Clark (MA)
Duffy
Ellmers (NC)
Farr
Fattah
Fincher
Franks (AZ)
Gosar
Hahn
Hardy
Herrera Beutler
Jeffries
Lieu, Ted
Nadler
Payne
Rice (NY)
Roby
Sánchez, Linda T.
Sanchez, Loretta
Scott, David
Sires
Smith (NE)
Takai
Walters, Mimi
Waters, Maxine

□ 1632

Mr. LANGEVIN and Ms. JACKSON LEE changed their vote from ''aye'' to ''no.''

Mr. JOHNSON of Ohio changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mrs. ROBY. Mr. Chair, on rollcall No. 276 I was unavoidably detained. Had I been present, I would have voted "yea."

AMENDMENT NO. 2 OFFERED BY MR. RUSH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. RUSH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 171, noes 235, not voting 27, as follows:

[Roll No. 277]

AYES—171

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps

Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—235

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Crawford
Crenshaw
Cuellar
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garamendi
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—27

Black
Cárdenas
Cramer
Duffy
Ellmers (NC)
Farr
Fattah
Fincher
Franks (AZ)
Hahn
Hardy
Herrera Beutler
Hurt (VA)
Jeffries
Lieu, Ted
Nadler
Payne
Roe (TN)
Sánchez, Linda T.
Sanchez, Loretta
Sires
Stutzman
Takai
Tiberi
Wagner
Walters, Mimi
Waters, Maxine

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1636

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HURT of Virginia. Mr. Chair, I was not present for rollcall vote No. 277 on the Rush of Illinois Amendment No. 2 on H.R. 4775. Had I been present, I would have voted "no."

AMENDMENT NO. 3 OFFERED BY MR. PALLONE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. PALLONE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 169, noes 242, not voting 22, as follows:

[Roll No. 278]

AYES—169

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—242

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk

Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—22

Black
Cárdenas
Duffy
Ellmers (NC)
Farr
Fattah
Fincher
Franks (AZ)
Hahn
Hardy
Herrera Beutler
Jeffries
Lieu, Ted
Nadler
Payne
Sánchez, Linda T.
Sanchez, Loretta
Sires
Takai
Walters, Mimi
Waters, Maxine
Westmoreland

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1640

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 251, not voting 22, as follows:

[Roll No. 279]

AYES—160

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Gutiérrez
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—251

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carson (IN)
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Maloney, Carolyn
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—22

Black
Cárdenas
Duffy
Ellmers (NC)
Farr
Fattah
Fincher
Franks (AZ)
Grijalva
Hahn
Hardy
Herrera Beutler
Jeffries
Lieu, Ted
Nadler
Payne
Sánchez, Linda T.
Sanchez, Loretta
Sires
Takai
Walters, Mimi
Waters, Maxine

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1644

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MS. NORTON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 171, noes 239, not voting 23, as follows:

[Roll No. 280]

AYES—171

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette

Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—23

Black
Cárdenas
Duffy
Ellmers (NC)
Farr
Fattah
Fincher
Franks (AZ)
Hahn
Hardy
Herrera Beutler
Jeffries
Johnson (OH)
Lieu, Ted
Nadler
Payne
Sánchez, Linda T.
Sanchez, Loretta
Sires
Takai
Walters, Mimi
Waters, Maxine
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1647

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. HULTGREN, 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. 4775) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes, and, pursuant to House Resolution 767, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

Mr. RUSH. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. RUSH. I am opposed in its current form.

Mr. OLSON. Mr. Speaker, I reserve a point of order against the motion to recommit.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Rush moves to recommit the bill H.R. 4775 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith, with the following amendment:

Page 5, after line 11, insert the following:

(c) LIMITATION.—If the Administrator, in consultation with the Clean Air Scientific Advisory Committee, finds that application of subsection (a) could increase the incidence of asthma attacks, respiratory disease, cardiovascular disease, stroke, heart attacks, babies born with low birth weight and impaired fetal growth, neurological damage, premature mortality, or other serious harms to human health, especially for vulnerable populations such as pregnant women, children, the elderly, outdoor workers, and low income communities, then this section shall cease to apply.

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

Mr. RUSH. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, it appears that the Republican Party has truly fallen in line behind its standard-bearer, Donald Trump, and is content to put industry profits over the public interest. Mr. Speaker, the art of the deal should not mean putting corporate welfare over the public well-being.

Mr. Speaker, our agreement is nonnegotiable. Protecting the public health is absolutely why we are here in this Congress today.

Mr. Speaker, H.R. 4775 is a disastrous bill that will put our most vulnerable citizens, including the elderly, the young, pregnant women, and low-income communities, at substantial risk.

This bill unacceptably delays implementation of EPA's 2015 ozone standards for another 8 years, while also delaying any new evidence regarding the health implications from ozone and other harmful pollutants for at least a decade, despite what the science may say in the interval.

In fact, under this legislation, not only will States be exempt from complying with the 2015 standards until 2016, but parents—our parents—and our loved ones, Mr. Speaker, will not even be informed if their communities were in violation of clean air standards until the year 2025.

Mr. Speaker, I can think of no benefit to the public interest of denying citizens information directly tied to their health and to their well-being.

The research, Mr. Speaker, informs us that breathing in dirty pollutants

such as ozone, carbon monoxide, lead, nitrogen, sulfur dioxide, and other dirty pollutants can lead to a host of problems, including asthma, inflammation of the lungs, respiratory disease, and even premature death.

Yet, Mr. Speaker, despite all of the scientific research, this bill will stall the new ozone standards, permanently weaken the Clean Air Act, and hamstring EPA's ability to regulate these harmful contaminants, both now and in the future.

Mr. Speaker, in order to address some of the deficiencies found in this bill, I am offering an amendment that would nullify sections from taking effect if they may result in adverse public health impacts.

This amendment simply states that section 2(a) would cease to apply if the EPA Administrator, in consultation with the Clean Air Scientific Advisory Committee, finds that it could increase health problems, including asthma attacks, respiratory disease, cardiovascular disease, stroke, heart attacks, babies with low birth weight and impaired fetal growth, neurological damage, premature mortality, or other serious harms to human health, especially for America's most vulnerable populations such as pregnant women, children, the elderly, outdoor workers, and low-income communities.

Mr. Speaker, this is a commonsense and compassionate amendment that seeks to put the interests of the public health above the profits of industry, and I urge all my colleagues to support it.

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

Mr. OLSON. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

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

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

Mr. OLSON. Mr. Speaker, I want healthy air. Everyone here in this Chamber wants healthy air. Every American wants healthy air.

Where I live in the greater Houston area, we have struggled with air quality, but we are making great progress. In fact, communities all across America have cut ozone levels by one-third in the last few decades. That progress must continue, and that is why this bill is not about blocking the path forward on clean air.

As a top air official in California said about H.R. 4775: ''It does not roll back anything that is already in the Clean Air Act in the form of protections for public health . . . it will not slow down our progress as we move forward to reduce air pollution and improve public health.''

There has never been a regulator in this country who wants to drag their feet on clean air. Our States have said for years that they face real challenges under current law. Addressing those real challenges is what this bill is all about.

□ 1700

That is why we need H.R. 4775. It gives our local officials the tools they need to make the Clean Air Act work. It tackles the challenges of States being asked to implement overlapping regulations.

H.R. 4775 will let EPA consider whether its rules are achievable, but never putting cost ahead of public health when setting a new standard.

H.R. 4775 will make sure that clean air rules are implemented fairly, and that communities like mine and yours aren't penalized for emissions they can't control.

In 2008, the Bush administration put out lower ozone standards. In 2015, the Obama administration finally put out rules for 2008 standards. America lost 7 years of cleaner air. And then, in late 2015, the Obama administration put out even lower standards.

Are we going to lose 7 more years of cleaner air?

Albert Einstein said that the definition of insanity is doing the same thing over and over again and expecting different results. Let's not repeat the last 7 years of ozone insanity.

I urge my colleagues to vote ''no'' on the motion to recommit. Give our local communities the ozone sanity they crave and deserve. Vote ''yes'' for final passage.

I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on the passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 173, noes 239, not voting 21, as follows:

[Roll No. 281]

AYES—173

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—239

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

Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—21

Black
Cárdenas
Duffy
Ellmers (NC)
Farr
Fattah
Fincher
Hahn
Hardy
Herrera Beutler
Jeffries
Lieu, Ted
Nadler
Payne
Sánchez, Linda T.
Sanchez, Loretta
Sires
Takai
Walters, Mimi
Waters, Maxine
Woodall

□ 1707

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 234, nays 177, not voting 22, as follows:

[Roll No. 282]

YEAS—234

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—177

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—22

Black
Cárdenas
Duffy
Ellmers (NC)
Farr
Fattah
Fincher
Hahn
Hardy
Herrera Beutler
Hultgren
Jeffries
Lieu, Ted
Nadler
Payne
Pingree
Sánchez, Linda T.
Sanchez, Loretta
Sires
Takai
Walters, Mimi
Waters, Maxine

□ 1714

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HARDY. Mr. Speaker, rollcall No. 273—I would have voted "yes." Rollcall No. 274—I would have voted "yes." Rollcall No. 275—I would have voted "yes." Rollcall No. 276—I would have voted "yes." Rollcall No. 277—I would have voted "no." Rollcall No. 278—I would have voted "no." Rollcall No. 279—I would have voted "no." Rollcall No. 280—I would have voted "no." Rollcall No. 281—I would have voted "no." Rollcall No. 282—I would have voted "yes."

MAKING IN ORDER CONSIDERATION OF VETO MESSAGE ON H.J. RES. 88

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that when a veto message on House Joint Resolution 88 is laid before the House on this legislative day, then after the message is read and the objections of the President are spread at large upon the Journal, further consideration of the veto message and the joint resolution shall be postponed until the legislative day of Wednesday, June 22, 2016; and that on that legislative day, the House shall proceed to the constitutional question of reconsideration and dispose of such question without intervening motion.

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

There was no objection.

NULLIFY DEPARTMENT OF LABOR'S FINAL CONFLICT OF INTEREST RULE—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114–140)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.J. Res. 88, a resolution that would nullify the Department of Labor's final conflict of interest rule. This rule is critical to protecting Americans' hard-earned savings and preserving their retirement security.