Diaz-Balart
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
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)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Holding
Honda
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
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
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—17

Conyers
Graves (MO)
Hastings
Hinojosa
Hudson
Lummis
McKinley
Mulvaney
Payne
Roskam
Rush
Sanford
Schock
Scott, Austin
Smith (WA)
Vela
Young (AK)

□ 1402

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.

Stated for:

Mr. HASTINGS. Mr. Speaker, on the final vote results for rollcall vote No. 118 that took place on March 17, 2015, I would have voted in favor of H.R. 1191.

EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2015

GENERAL LEAVE

Mr. LUCAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill, H.R. 1029.

The SPEAKER pro tempore (Mr. MOONEY of West Virginia). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 138 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. 1029.

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

□ 1404

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. 1029) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes, with Mr. YODER 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 Oklahoma (Mr. LUCAS) and the gentlewoman from Oregon (Ms. BONAMICI) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma.

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

I would like to thank Chairman SMITH and former Environment Subcommittee Chairs Harris, Stewart, and Schweikert for their hard work on this important piece of legislation. I also want to thank my friend Representative PETERSON for making this bill a bipartisan effort. I appreciate his willingness to sponsor this bill with me.

This is a good government bill. It reflects the values we should uphold, regardless of which side of the political aisle we are on.

In western Oklahoma, we are no strangers to regulatory overreach from the Environmental Protection Agency. Farmers, ranchers, and small businesses often find themselves the target of burdensome and simply inefficient regulations.

These regulations range from something as specific as farm fuel tank requirements to vastly prohibitive restrictions on electric power plants that power our homes.

Government intrusion into America's energy and agricultural sectors reverberate into our everyday lives in the form of higher food prices or higher monthly energy bills. Stagnant wages and underemployment have only exacerbated the problem for families trying to make ends meet.

The science behind EPA regulations is as important as the money they siphon from our economy. Science and data are invaluable tools in helping us navigate complex policy issues, and when the economic cost of these regulations reaches into tens of millions of dollars, we need to get it right.

H.R. 1029, the EPA Science Advisory Board Reform Act, ensures that the best experts are free to undertake a balanced and open review of regulatory science.

The Board was established to provide scientific advice to the EPA, to Congress, and to review the quality and relevance of the science that EPA uses for regulations, but in recent years, shortcomings from the process, unfortunately, have arisen.

Opportunities for public participation are limited, an imbalance of viewpoints has been allowed to grow, potential conflicts of interest have gone unchecked, and the ability of the Board to speak independently seemingly has been curtailed. If the EPA undermines the Board's independence or prevents it from providing advice to Congress, the valuable advice these experts can provide is wasted.

Despite the existing requirement that EPA's advisory panels be ''fairly balanced in terms of point of view represented,'' the Science Committee has identified a number of problems that we fear undermine the panel's credibility and work product.

These include:

A number of advisory members have received money from the EPA. This could create an appearance of a conflict of interest.

Some of the panelists have taken public and even political positions on issues they are advising the Board about. For example, a lead reviewer of

the EPA's hydraulic fracturing study published an antifracking article entitled: ''Regulate, Baby, Regulate.'' Now, clearly, this is not an objective point of view and should be publicly disclosed.

Public participation is limited during most Board meetings; interested parties have almost no ability to comment on the scope of the work, and meeting records are often incomplete and hard to obtain.

The EPA routinely excludes State, local, and tribal experts while stacking the review panels with individuals who will give the EPA the answer it wants.

This bill is both proscience and prosound science. This bill is founded upon recommendations for reform outlined in the National Academy of Sciences and the EPA's Peer Review Handbook. This bill ensures that the Board is balanced, transparent, and independent, all of which will help prevent the SAB from being manipulated by any group.

H.R. 1029 liberates the Board from EPA—some would say tyranny, but I would prefer to think it empowers the Board to listen to outside expertise. This viewpoint is consistent with the basic ideals of our democracy.

Subject areas such as risk and hazardous assessments often involve the examination and evaluation of some of the most complicated scientific and technical information. These assessments are precisely where the Board's expertise is most needed. The decision to review remains in the hands of the Board, and the EPA must respect the independence of the Board's opportunity to review.

Perhaps, most importantly, this bill seeks to increase public participation that benefits all stakeholders. Currently, valuable opportunities for diverse perspectives are limited. The Federal Government does not have a monopoly on the truth.

The public has important expertise that we can't afford to ignore in a democracy. State, local, tribal, and private sectors have a long history of qualified scientific experts. Their contributions should be taken seriously.

Unfortunately, the history of the SAB shows that private sector representation is often lacking or nonexistent; instead, the EPA picks the Board—ignoring the knowledge, expertise, and contributions of these experts.

This bill ensures that qualified experts are not excluded simply due to their affiliation. This will add value and credibility to future Board reviews.

Mr. PETERSON and I recognize the important role that science should play in our policy debates and provides safeguards to give the public confidence in science. It restores the independent Science Advisory Board as a defender of scientific integrity and will help restore credibility and trust in a Federal agency that has lost much of it.

Disagreements on scientific conclusions shouldn't occur on the House floor, and this legislation will help ensure that the best experts are free to undertake an open review of the EPA's regulatory science.

I urge my colleagues to support the bill.

I reserve the balance of my time.

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

I rise in opposition to H.R. 1029, the EPA Science Advisory Board Reform Act.

I want to start by thanking my colleagues, Mr. LUCAS and Chairman SMITH, for their intention to improve the EPA's Science Advisory Board, and I especially want to thank Chairman SMITH for working with me on other legislation that passed the Science Committee and the House on a bipartisan basis.

Members and staff on both sides of the aisle worked tirelessly last week and, in fact, since the last Congress toward a bipartisan bill about the Science Advisory Board that accommodated much, if not all, of the fundamental principles shared by both Democrats and Republicans.

Unfortunately, we were not able to reach agreement on some very critical provisions by this date. Accordingly, I will be urging my colleagues to vote ''no'' on the underlying bill before us today.

This bill has not changed meaningfully since we considered it last year, and I stand here today with the same concerns I raised last Congress. My colleagues who support H.R. 1029 may describe this bill as an attempt to strengthen public participation in EPA's scientific review process, improve the process for selecting expert advisers, expand transparency requirements, and limit nonscientific policy advice within the EPA's Science Advisory Board.

All of these are good government principles that I agree with, and if this bill or the bill we considered last year achieved these goals, I would be here ready to support it, but H.R. 1029 would not achieve these good government goals.

Instead of improving the Science Advisory Board structure or operation, the bill will limit the quality of scientific advice the EPA receives and allow seemingly endless delays in EPA's regulatory process.

H.R. 1029 would make it easier for industry representatives to serve on the Board, even if they have a financial conflict of interest. To be clear, I am not opposed to industry experts participating on the Science Advisory Board or in the peer review process at the EPA. Their insight into processes and industry conduct can provide valuable guidance to an advisory body.

That being said, Congress should not be endorsing legislation that undermines longstanding ethics requirements and practices with the end result being an overrepresentation of industry voices on EPA's Science Advisory Board, and this is likely to be the result of the adoption of this bill.

□ 1415

This bill conflates bias with financial conflicts of interest, and it assumes that a simple disclosure will prevent a material interest in an outcome from coloring the judgment and actions of a Board member. Congress should not be supporting legislation that undermines longstanding ethics requirements and practices that have worked well to ensure fairness and the balance of views on all Federal advisory committees.

Another troubling element of H.R. 1029 is that it would significantly delay the work of the Science Advisory Board. The Board should absolutely seek public comment on the science it is reviewing, and, if necessary, it should extend the duration of the public comment period to ensure that interested parties have ample opportunity to submit their views. With this, we agree.

However, H.R. 1029 takes this process to the extreme by creating unnecessary burdens, including a loophole that could keep the Board from ending the public comment period and that could require that the Board provide written responses to a significant number of comments it receives. H.R. 1029 distorts the important public participation process to create what amounts to an endless appeals process that will provide those who disagree with the EPA an effective tool to halt, derail, or slow the Agency's rulemaking.

Mr. Chairman, I include for the RECORD several letters from organizations that have similar concerns with H.R. 1029, including the Union of Concerned Scientists, the Environmental Defense Fund, the National Center for Health Research, the Center for Medical Consumers, the National Physicians Alliance, and others.

MARCH 16, 2015.

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: We are writing to express our opposition to H.R. 1030, the Secret Science Reform Act of 2015, and H.R. 1029, the EPA Science Advisory Board Reform Act of 2015. Our organizations are dedicated to saving lives and improving public health.

Science is the bedrock of sound regulatory decision making. The best science underscores everything our organizations do to improve health. We strongly believe in a transparent and open regulatory process. A vital element of research is patient confidentiality. Physicians and researchers have earned the trust of their patients by steadfastly maintaining patient confidentiality. Patient confidentiality is a clear legal and ethical obligation.

The Secret Science Reform Act of 2015 will compel the U.S. Environmental Protection Agency to either ignore the best science by prohibiting the agency from considering peer-reviewed research that is based on confidential patient information or force EPA to publicly release confidential patient information, which would violate federal law. This is an untenable outcome that would completely undermine the ability of the EPA to perform its responsibilities under the Clean Air Act and myriad other federal laws. The legislation will not improve EPA's actions; rather, it will stifle public health protections.

The kind of information disclosure envisioned in this legislation exceeds that required by peer-reviewed journals. We believe much of the intent of this legislation is already achieved through the current peer-review process required by all academic journals. The vast majority of peer-reviewed journals require manuscript authors to register any trial using human subjects with clinicaltrials.gov. This public registry collects key information on the study population, research goals and methods that allow outside reviewers and scientists to either challenge or attempt to reproduce study results. Additionally, the peer-review process and publication of results invites the broader scientific community to debate study findings. Trial registry and manuscript publications are only part of the process by which scientific endeavors operate in a transparent environment.

Private organizations, public charities, research universities, the National Institutes of Health, the Centers for Disease Control and Prevention, the Centers for Medicare and Medicaid Services, the Department of Veterans Affairs, corporations and many other entities conduct medical research. Many of these organizations compile large longitudinal data sets that track patients over a period of time. These data serve as the basis of many studies that permit epidemiologists to track disease and risk factor information for large patient populations.

The published peer-reviewed information from such data often inform regulatory decision making at the EPA and other federal agencies as well as future research. Not only do these data inform regulatory action, they help inform efforts to educate the public about the magnitude of a disease, risk factors and steps individuals can take to improve their health. In order for EPA to set the most appropriate standards, it must be informed by the best information.

Understanding the impact of air pollution on human health and the magnitude of harm caused by pollution at specific levels helps the agency meet its obligations under the Clean Air Act. Absent these data, it is unclear upon what basis the agency could make sound decisions.

H.R. 1029, The EPA Science Advisory Board Reform Act of 2015 will also undermine the scientific basis for EPA policy, specifically by compromising the integrity of the panel that reviews that science. EPA's Science Advisory Board (SAB) is composed of independent scientific and technical experts who are tasked with evaluating the science and providing advice that EPA uses to inform its decision making. The current law provides for balanced panels and experts with diverse backgrounds.

This legislation would impose a hiring quota on the SAB that would require ten percent of members to be selected for qualifications other than their scientific expertise. This bill will compromise not only the scientific integrity of the SAB, but also its independence, as the quota would open the door for representatives of the regulated industries to serve on the board.

Further, the bill will also, in some cases, prohibit SAB members from participating when their own research is involved—even indirectly. This requirement could block participation of the ''best and the brightest'' researchers in a particular field at the very time their expertise is needed to accurately inform the regulatory process.

Finally, the SAB is currently governed by the Federal Advisory Committee Act and already has a public comment system in place. H.R. 1029 would add on the burdensome requirement that the SAB respond to individual comments in writing, a requirement that could be so time-consuming as to render the board unable to carry out its function.

We urge the U.S. House of Representatives to stand up for sound science and public health protections, and vote NO on both H.R. 1030 and H.R. 1029.

Sincerely,

HAROLD WIMMER,
National President & CEO, American Lung Association,
GEORGES C. BENJAMIN, MD,
Executive Director, American Public Health Association,
JEFFREY LEVI, PHD,
Executive Director, Trust for America's Health,
STEPHEN C. CRANE, PHD, MPH,
Executive Director, American Thoracic Society,
TONYA WINDERS,
President & CEO, Allergy & Asthma Network.

MARCH 16, 2015.

DEAR REPRESENTATIVE, On behalf of our millions of members and supporters we strongly urge you to oppose the ''Secret Science Reform Act of 2015'' (HR), the ''EPA Science Advisory Board Reform Act of 2015''. Collectively, these misleadingly named bills would radically diminish EPA's ability to protect public health. Under these bills, EPA would be required to ignore significant science; the Scientific Advisory Board would be required to ignore conflicts of interest; and enforcement officials would be required to ignore pollution emitted in violation of the law. These bills are broadly written and would have damaging impacts far in excess of what their sponsors will admit.

The ''Secret Science Reform Act is based on a faulty premise. Its notion of ''secret science,'' based on claims about studies of fine soot pollution conducted almost two decades ago, is unfounded despite lengthy congressional inquiries. The bill would deny EPA the ability to rely upon peer-reviewed medical studies that involve commitments to patient confidentiality, when the agency carries out its statutory responsibilities to safeguard public health and the environment Further, this bill would effectively amend numerous environmental statutes by forbidding EPA to use certain kinds of studies in setting health standards. It would also make it impossible for EPA to use many kinds of economic models it routinely relies on because those models are proprietary. This marks a radical departure from longstanding practices. Its end result would be to make it much more difficult to protect the public by forcing EPA to ignore key scientific studies.

Science Advisory Board bill would attack EPA's scientific process in a different way. The worst provision would mandate allowing the participation of scientists with financial conflicts of interest, as long as those conflicts are disclosed. This is inconsistent with a set of nearly universally accepted scientific principles to eliminate or limit financial conflicts This bill would significantly weaken the content and credibility of the Scientific Advisory Board (SAB) reviews—a textbook example of making a government program function poorly to the benefit of polluting industries and at the expense of public health and independent science. The bill will add unnecessary new burdens on the SAB, distorting its mission and altering its process with no benefit to EPA or the public. The bill also significantly broadens the scope of the SAB and creates a comment process that will add needless delay to the Board's work. The result would be further stalling and undermining of important public health, safety, and environmental protections.

This legislation will obstruct the implementation and enforcement of critical environmental statutes, undermine the EPA's ability to consider and use science, and jeopardize public health. For these reasons, we urge you to oppose these bills.

Sincerely,

BlueGreen Alliance; Center for Effective Government; Clean Water Action; Defenders of Wildlife; Earthjustice; Environmental Defense Fund; Friends of the Earth; Greenpeace; League of Conservation Voters; Natural Resources Defense Council; Physicians for Social Responsibility; Sierra Club; Union of Concerned Scientists.

MARCH 2, 2015.

DEAR REPRESENTATIVE: The undersigned individuals and organizations working on public health and science-informed regulation strongly oppose the H.R. 1029 the EPA Science Advisory Board Reform Act of 2015 and H.R. 1030, the Secret Science Reform Act of 2015, to be considered by the House of Representatives this week.

Both bills would severely undermine the ability of the Environmental Protection Agency (EPA) to use the best available scientific evidence when making decisions regarding the protection of public health and safety and the environment.

When very similar bills were up for a vote in the House last November, the Administration issued veto threats for both bills. The Administration stated that the Secret Science Reform Act would ''greatly impede the EPA's ability to use science to protect public health and the environment,'' and warned that the EPA Science Advisory Board Reform Act would ''weaken the scientific independence and integrity of the SAB.''

The erroneously named Secret Science Reform Act would tie the EPA's hands by restricting the information it can use to develop protective regulations. The EPA could only regulate based on publicly available scientific data. This restriction would block the agency's use of many different types of public health data, such as those for which public release would violate privacy protections, or data from corporations that are designated as confidential business information. It also would restrict the use of scientific data that is not ''reproducible.'' This provision seems to adopt a very narrow view of scientific information solely based on laboratory experiments. As major scientific societies including the American Association for the Advancement of Science (AAAS) have noted, such a restriction would eliminate the use of most epidemiological and public health data, such as those regarding the public health impacts of air pollution, because these data are collected in long-term studies following individuals longitudinally.

Not only do privacy concerns arise, but such studies are not inherently reproduced in the way a laboratory experiment or a clinical trial may be. It would be unethical to deliberately expose adults or children to air pollution merely to determine whether the increased rates of asthma and heart attacks caused by such exposures can be duplicated, or to encourage teenagers to smoke to re-assess the toxic effects of tobacco.

The EPA Science Advisory Board Reform Act would greatly weaken the EPA's advisory process, making it far more likely that recommendations from its independent Science Advisory Board (SAB) will be dominated by corporate special interests. This bill opens the door to increased corporate influence on the Board, by encouraging the EPA to accept more SAB panelists with corporate ties.

The bill's overly broad restriction on SAB members with subject-matter expertise is

equally counterproductive, and goes far beyond the common-sense limits imposed by the National Academies. Unlike the 2014 bill, the 2015 bill does appear to permit SAB experts with published, peer-reviewed research, to address those topics on which they have credentials, provided that their expertise is publicly disclosed. But the language in the bill is so vague that it raises many questions. Generally, experts have developed their knowledge base over time, and not purely through peer-reviewed publications. How is an expert supposed to make that distinction? What happens if a scientist relies on expertise that is not specifically permitted in the bill? Will there be legal ramifications? Clearly, scientific experts will think twice before joining the SAB if it means they will have to consult their lawyers before they give advice.

Even worse, the bill requires the SAB to remain in an endless loop soliciting public comment about the ''state of the science'' touching on every major advisory activity it undertakes and responding to nearly every comment before moving forward, without being limited by any time constraints. At best, the SAB will be reduced to busy work. At worst, the SAB's assessments will address the concerns of corporations, not the desires of citizens for science-informed regulation that protects public health.

These bills together will greatly impede the ability of EPA, and potentially other agencies, to utilize the best available science, independently reviewed, to inform regulations crucial to public health and the environment.

We strongly urge you to vote No on The Secret Science Reform Act and the EPA Science Advisory Board Reform Act.

Sincerely,

Center for Science and Democracy at the Union of Concerned Scientists; Annie Appleseed Project; Breast Cancer Action; Center for Medical Consumers; Institute for Ethics and Emerging Technologies; Jacobs Institute of Women's Health; National Center for Health Research; National Physicians Alliance; Our Bodies Ourselves; Public Citizen; Woodymatters; John H. Powers, MD, Associate Clinical Professor of Medicine; The George Washington University School of Medicine; University of Maryland School of Medicine.

UNION OF CONCERNED SCIENTISTS,
March 2, 2015.

DEAR REPRESENTATIVE: The Union of Concerned Scientists strongly opposes H.R. 1029, the EPA Science Advisory Board Reform Act of 2015, set to be voted on by the House of Representatives this week. This bill would greatly impede the Environmental Protection Agency's ability to protect public health informed by the best available science.

Last November, when a similar bill was up before the House, the Administration threatened a veto. The Administration noted that the 2014 bill ''would negatively affect the appointment of experts and would weaken the scientific independence and integrity of the SAB.'' That observation continues to hold true for the 2015 version.

This proposal would make it nearly impossible for the Board to do the crucial independent evaluations of EPA scientific analyses that enable the agency to protect public health. This bill opens the door for more corporate influence on the Board, because the bill directly stipulates that experts with financial ties to corporations affected by SAB assessments are ''not excluded.'' This signal likely will increase the number of conflicted SAB panelists empowering companies to delay the SAB's work for years, if not decades. It strikes at the heart of the whole concept of independent reviews, and at a time when the ability of corporations to influence policy is already high.

At the same time this bill encourages corporate experts to join the SAB, it creates roadblocks for academic experts to meaningfully participate by banning experts' participation in ''advisory activities that directly or indirectly involve review and evaluation of their own work.'' This effectively turns the idea of conflict of interest on its head, with the bizarre presumption that corporate experts with direct financial interests are not conflicted while academics who work on these issues are.

The notion that a member of the SAB cannot fully participate in a discussion that cites the member's own work is counterproductive and goes far beyond the common-sense limits imposed by the National Academies.

Unlike the 2014 bill, the 2015 bill does appear to permit SAB experts with published, peer-reviewed research, to address those topics on which they have credentials, provided that their expertise is publicly disclosed. But the language in the bill is so vague that it raises many questions. Generally, experts have developed their knowledge base over time, and not purely through peer-reviewed publications. How is an academic scientist supposed to make that distinction? What happens if a scientist relies on expertise that is not specifically permitted in the bill? Will there be legal ramifications? Clearly, scientific experts will think twice before joining the SAB if it means they will have to consult their lawyers before they give advice.

While hamstringing experts, the bill offers almost limitless opportunities for ''public comment,'' opportunities that only benefit moneyed special interests. For example, for each major advisory activity, the Board must convene a public information-gathering session ''to discuss the state of the science'' related to that activity.

It is possible, under this requirement, that the Board may find itself repeatedly reexamining ''the state of the science'' on climate change or the harmful effects of certain toxins—each time it made an assessment that touched on either climate change impacts or reducing air pollution.

In addition, both the EPA, before it asks for the Board's advice, and the Board itself, would be required to ''accept, consider, and address'' public comments on the agency's questions to the Board. As the SAB deliberates, it must also encourage public comments ''that shall not be limited by an insufficient or arbitrary time restriction.'' In effect, these provisions turn a scientific evaluation into a public hearing, even though EPA must already accept public input on all its regulations.

The Board is required to respond in writing to each ''significant'' comment. In practice, it is difficult to see how the Board could impose any deadlines on accepting comment. Nor is it a reasonable expectation on the Board's membership of pro bono experts.

Last year, the nonpartisan Congressional Budget Office estimated that implementing the law's mandates would cost the EPA about $2 million over a four-year period. These are funds that could be put to much better use by a cash-strapped agency.

This bill would not improve the work of the Board, and would make it more difficult for the EPA to receive the independent science advice it needs to do its work. We strongly urge your opposition.

Sincerely,

ANDREW A. ROSENBERG, PH.D.,
Director, Center for Science and Democracy,
Union of Concerned Scientists.

Ms. BONAMICI. Mr. Chairman, our government's ability to protect public health is at stake when we consider legislation like the bill before us today. Unfortunately, we do not have to look far to see the impacts of these kinds of delay tactics. Articles published last year by the Center for Public Integrity chronicle efforts to slow down and to undermine the EPA's efforts to keep arsenic out of drinking water and benzene out of American workplaces. When we prevent the EPA from taking timely action to protect the public from known poisons and cancer-causing agents, we are putting lives at risk.

The EPA's science is tied to its mission—to protect public health and the environment through rational regulation. Scientific research, knowledge, and technical expertise are fundamental to the EPA's mission and inform its regulatory functions. The need for that expertise is why Congress created advisory bodies such as the Science Advisory Board in the first place—to provide independent advice on the science underpinning regulation, which, in turn, allows the EPA Administrator to make sound regulatory decisions. Instead of undermining the scientific advice the EPA receives, we should be giving the Agency the tools it needs to strengthen and improve the regulatory process with sound science.

Mr. Chairman, I urge my colleagues to join me, once again, in opposing this bill, and I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I include for the RECORD letters from the American Farm Bureau, from the U.S. Chamber of Commerce, and from other entities that are in support of H.R. 1029.

MARCH 2, 2015.

Hon. LAMAR SMITH, CHAIRMAN,
House Committee on Science, Space, and Technology, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: On behalf of the American Farm Bureau Federation (AFBF), the nation's largest general farm organization, I am writing in support of H.R. 1029, the EPA Science Advisory Board Reform Act of 2015. AFBF strongly supports this legislation and is committed to working with you in pressing for its swift consideration.

The Science Advisory Board (SAB) is intended to review the scientific basis for EPA regulatory decisions, but shortcomings have become clear including limited public participation, EPA interference with expert advice, and potential conflicts of interest.

H.R. 1029 reforms the SAB process by strengthening public participation, improving the process of selecting expert advisors, reducing conflicts of interest and enhancing transparency. The legislation draws from EPA's own Peer Review Handbook and recommendations from the Bipartisan Policy Center to urge sensible reforms. H.R. 1029 would make the SAB a more robust tool that in the future would impact the development

of flawed EPA action such as the recent WOWS proposed rule.

American Farm Bureau Federation supports H.R. 1029 because farmers and ranchers deserve good governance and regulations based on meaningful scientific review.

This legislation deserves strong, bipartisan support. We applaud your leadership in this effort and will continue to work with you to ensure passage of H.R. 1029.

Sincerely,

BOB STALLMAN,
President.

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA,
Washington, DC, February 26, 2015.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, supports H.R. 1029, the ''EPA Science Advisory Board Reform Act of 2015,'' and H.R. 1030, the ''Secret Science Reform Act of 2015.''

H.R. 1029 would help ensure that the Science Advisory Board (SAB), which directly counsels the U.S. Environmental Protection Agency on scientific and technical issues, is unbiased and transparent in performing its duties. This bill would establish requirements that SAB members are qualified experts, that conflicts of interest and sources of bias are disclosed, that the views of members—including dissenting members—are available to the public, and that the public has the opportunity to participate in the advisory activities of the Board and view EPA's responses. Because EPA relies on SAB reviews and studies to support new regulations, standards, guidance, assessments of risk, and other actions, the actions of the SAB must be transparent and accountable. This is a critical safeguard to assure the public that the data federal agencies rely on is scientifically sound and unbiased.

H.R. 1030 would improve the transparency and reliability of scientific and technical information that federal agencies rely heavily upon by to support new regulatory actions. This bill is designed to ensure that the studies and data federal agencies cite when they write new regulations, standards, guidance, assessments of risk—or take other regulatory action—are clearly identified and made available for public review. Additionally, information must be sufficiently transparent to allow study findings to be reproduced and validated. This is a critical safeguard to assure the public that the data federal agencies rely on is scientifically sound and unbiased.

These bills would improve the transparency and trustworthiness of scientific and technical information agencies rely on to justify regulatory actions that can significantly affect society. The American public must have confidence that the scientific and technical data driving regulatory action can be trusted. Accordingly, the Chamber supports H.R. 1029 and H.R. 1030.

Sincerely,

R. BRUCE JOSTEN,
Executive Vice President Government Affairs.

THE CENTER FOR REGULATORY SOLUTIONS,
Feb. 25, 2015.

[Press Release]

CRS WELCOMES BIPARTISAN EFFORTS TO MAKE EPA SCIENCE MORE TRANSPARENT

WASHINGTON, DC.—Yesterday, Congressional leaders from both parties announced bold steps to rein in the Environmental Protection Agency (EPA), which has been imposing costs and red tape on American small businesses, all while refusing to disclose the science the agency uses to justify their mandates. The Center for Regulatory Solutions (CRS) applauded two bills that were introduced on February 24, which specifically target EPA's long standing failure to be transparent regarding the science behind the agency's ozone regulation. The House Science, Space and Technology Committee has scheduled votes on both bills for this afternoon.

''Today I applaud Republican and Democratic leaders in Congress for introducing legislation designed to ensure EPA is transparent with the American public when it comes to their justification for imposing costly regulations,'' CRS President Karen Kerrigan stated. ''The ozone rule could be EPA's most expensive rule in history. Given the enormity of the costs and impact of this regulation, why shouldn't the EPA be transparent with Congress and the American people about the science used to justify their decisions? Sadly, it appears that small businesses and their workforce may be picking up the tab for the Obama EPA's costly, secret, and political agenda.''

BACKGROUND

The timing of these bills could not be better as EPA is hard at work crafting the most expensive regulation ever promulgated by the agency, the National Ambient Air Quality Standards (NAAQS) for Ozone, to be issued in late 2015. EPA itself estimated Ozone NAAQS would cost the economy as much as $90 billion annually, but other estimates put the price tag closer to $270 billion annually and as much as $3.4 trillion from 2017 to 2040. The proposed regulation is so far-reaching in its impact that President Obama put the rule on hold in 2011 out of fear it would hurt his reelection chances and the economy.

The Administration contends the health benefits would far outweigh the costs—but here's the catch—EPA calculates the benefits based on hidden science. If enacted, the legislation would stop EPA from relying on secret science to justify new job killing regulations and would allow independent scientists the opportunity to examine EPA's claims.

The first bill, the ''Secret Science Reform Act'' was introduced by Senator John Barrasso (R–Wyo.) and House Science, Space, and Technology Committee Chairman Lamar Smith (R–Texas). The bill is necessary because EPA has repeatedly refused to comply with Congressional requests to publicly disclose the data from two important health studies.These aren't just any studies. They are the taxpayer-funded ''Havard Six Cities Study'' and the ''Cancer Prevention Study'' (including recent updates), which relied on data that remains inaccessible to the public. This means other scientists, independent from the EPA, are unable to verify the studies' conclusions. Accordingly—we are left to simply trust EPA that its benefits claims are based on reality.

In addition, Senator John Boozman (R–Ark.) and Joe Manchin (D–W.V.) introduced bipartisan legislation called the ''Science Advisory Board Reform Act'' to promote fairness, transparency, and independence within EPA's science advisory boards so that EPA relies only on unbiased scientific advice. This is important because as CRS previously pointed out the Clean Air Science Advisory Committee (CASAC) recommended EPA set more burdensome standards for ozone, while ignoring the legal requirement to report on the costs of implementing stricter standards. Ignoring a $90 billion annual price tag is no mere oversight. Rather it clearly demonstrates CASAC's pro regulatory bias.

CRS strongly supports both legislative efforts, which would allow needed insight into the science behind costly regulations that have a real impact on the daily lives of Americans across the country, and the survivability and competitiveness of small businesses. As a survey conducted by CRS found last year, 72 percent of Americans believe that regulations are created ''in a closed, secretive process.'' Moving forward with this important legislation would be a significant step toward addressing that disconnect and promoting transparency.

AMERICAN COMPOSITES MANUFACTURERS ASSOCIATION,
Arlington, VA, February 27, 2015.

Re Please support H.R. 1029, The EPA Science Advisory Board Reform Act.

DEAR MEMBERS OF CONGRESS: On behalf of the approximately 3,000 small and medium-sized U.S. companies that manufacture composite products such as wind turbine blades, pollution control equipment, auto and truck components, rebar for highway bridges, and recreational boats, I write in support of H.R. 1029, The EPA Science Advisory Board Reform Act of 2015.

EPA's reviews of the environmental and health effects possibly associated with exposure to industrial chemicals, including the substances used by composites manufacturers, can help manufacturers protect the health of employees and plant communities. But if EPA's chemical health risk assessments are not based on careful and thorough reviews of quality scientific data, the viability of manufacturers can be compromised without providing any public health benefit.

H.R. 1029 will make several changes to improve the effectiveness of the Science Advisory Board (SAB) as it assesses and provides feedback to EPA on the quality of its chemical health reviews. The legislation will increase the ability of informed stakeholders to provide information to the SAB, and allow what may be the minority views of individual SAB members to be considered by EPA as it revises draft chemical assessments.

These and the other reforms required under H.R. 1029 will improve both the scientific quality of EPA reviews and the public's confidence in EPA's chemical assessment process. These improvements will in turn improve the ability of our industry's small business owners and plant managers to rely on EPA assessments to guide the adoption of health-protective measures for workers and plant neighbors.

Thank you for your support of good science and the composites industry.

Sincerely,

TOM DOBBINS,
President,

AMERICAN FUEL & PETROCHEMICAL MANUFACTURERS,
Washington, DC, March 16, 2015.

Re Letter in Support of H.R. 1029, the EPA Science Advisory Board Reform Act of 2015 and H.R. 1030, the Secret Science Reform Act of 2015.

Hon. JOHN BOEHNER,
Speaker of the House, U.S. Capitol, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: The American Fuel & Petrochemical Manufacturers (AFPM), a national trade association representing more than 400 companies, including a majority of all U.S. refiners and petrochemical manufacturers, would like to express its support for the passage of H.R. 1029, the EPA Science Advisory

Board Reform Act of 2015 and H.R. 1030, the Secret Science Reform Act of 2015. These two measures would provide more clarity on how decisions are reached by the Environmental Protection Agency (EPA) and bring more transparency to the science that supports EPA regulations.

The United States is on the verge of a manufacturing renaissance due to a surge in oil and natural gas production that will strengthen U.S. energy security, create jobs and grow the economy. However, the manufacturing renaissance is being threatened by overly burdensome regulations from the EPA. While AFPM supports commonsense regulations, there is a severe lack of transparency in EPA's science and advisory panels, which serve as the basis for new regulations. This lack of transparency is making it more difficult for manufacturers to capitalize on America's abundance of economical and reliable energy.

EPA's Science Advisory Board (SAB) is charged with reviewing the scientific foundation of EPA regulatory decisions and advising EPA on science and technology related matters. Currently, SAB's practice of determining panels is conducted behind closed doors by EPA SAB staff. This practice has created a conflict of interest, which has resulted in the panel embedding their own policy views in their science recommendations, as well as peer reviewing their own work. The EPA Science Advisory Board Reform Act brings much needed reform to the SAB by strengthening public participation and public comment opportunities, improving the make-up of the SAB, requiring opportunities for dissenting panelists to express their opinions, and limiting non-scientific policy advice and recommendations.

Moreover, the research and data used by EPA to support new regulations is currently not available to the public. Congress and outside groups should be able to review health benefit claims by the EPA for new Clean Air Act regulations in order to determine if the science supports the high cost of many of these new regulations. The Secret Science Reform Act looks to bring greater transparency to EPA's research and data. EPA would be prohibited from issuing regulations unless all scientific and technical information relied upon is specifically identified, and would be required to make information publicly available for independent analysis.

We believe it is imperative that EPA use high quality science and provide more clarity and transparency on how decisions are made. This will only strengthen EPA's value and utility for ensuring public safety, and credibility among manufacturers. Improving the scientific quality and sharing of information, as well as the composition of the SAB is critical to fostering a regulatory environment that will allow manufacturers to develop safe and cost-effective products on which Americans depend for everyday life.

Therefore, AFPM supports and urges immediate passage of H.R. 1029 and H.R. 1030. It is critical that Congress pass legislation that brings more transparency to the science and advisory panels that supports EPA regulations.

Sincerely,

CHARLES T. DREVNA,
President.

PORTLAND CEMENT ASSOCIATION,
Washington, DC, March 2, 2015.

Hon. LAMAR SMITH, Chairman,
Committee on Science, Space and Technology, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: The Portland Cement Association (PCA) appreciates your leadership in promoting public policies that encourage transparency and the use of sound science in the federal regulatory process. PCA represents 27 U.S. cement companies operating 82 manufacturing plants in 35 states. Collectively, these companies account for approximately 80% of domestic cement-making capacity, with distribution centers in all 50 states.

America's cement manufacturers comply with a broad spectrum of federal and state environmental rules. Policies that promote an open, predictable and credible regulatory process help balance goals that we all share: a clean environment and a healthy economy. To that end, PCA supports the passage of H.R. 1030, the Secret Science Reform Act of 2015, and H.R. 1029, the EPA Science Advisory Board Reform Act of 2015.

H.R. 1030 would ensure that EPA bases its rules on publicly available, verifiable information. H.R. 1029 would strengthen the transparency and public participation requirements for the scientific panels that review EPA's regulatory science. These two bills provide a common sense framework for greater transparency, accountability and integrity in the science that supports EPA's rules.

PCA looks forward to working with you and members of the Committee to move these important bills forward. If you have questions or need more information, please feel free to contact me.

Sincerely yours,

JAMES G. TOSCAS,
President and Chief Executive Officer.

Mr. LUCAS. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. PETERSON), the ranking member of the House Agriculture Committee.

Mr. PETERSON. I thank the gentleman.

Mr. Chairman, I am proud to be an original cosponsor of H.R. 1029, the Science Advisory Board Reform Act, and I urge my colleagues to vote in support of this bill.

The Science Advisory Board's work is important in making sure that the EPA considers all scientific information when writing regulations that will impact American farmers, families, and small businesses. Unfortunately, concerns have been raised about the current review process.

In listening to the debate, people need to understand that this is merely an advisory board, that these folks are not the ones who are making the decisions. I would argue that, if there is one thing that the EPA needs, it is sound advice, and they wouldn't get themselves into all of this trouble that they continue to get themselves into over water in the U.S. and every other thing that you can name. We have got a business in my district that has complied with everything they have asked. It did a 90 percent reduction in emissions from its outside wood furnaces, and now the EPA has come with a regulation that will put them out of business and cost 250 jobs in my district, and it is just on and on.

I think that it would be good for the EPA to get advice from people whom, maybe, they aren't listening to. Under the current process, it is just not working. They are, I think, only hearing from one side of these arguments. I don't know what people are afraid of, as you are going to have advice coming from people who actually know what is going on with some of these issues, and I think that is a good thing.

This legislation addresses those concerns, and it builds on the work that we did in the 2014 farm bill. I think this bill is necessary, as I said, to make sure that there is the right kind of input in the EPA. I don't know if it is going to solve all of the problems, but it will help ensure a more balanced and independent Science Advisory Board, and it will help alleviate some of the unintended consequences that are surrounding current EPA regulations, so I encourage my colleagues' support.

Ms. BONAMICI. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member of the Committee on Science, Space, and Technology.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in strong opposition to H.R. 1029, the EPA Science Advisory Board Reform Act of 2015, which is the same one we spoke against last year, because it benefits no one but the industry, and it harms public health.

Last year, Dallas-Fort Worth received an ''F'' for air quality from the American Lung Association. Now, more than ever, the American people need a strong EPA to protect their right to clean air and water, and the public supports that. This includes an effective Science Advisory Board, a group whose job it is to provide the EPA with independent scientific analysis and advice.

As written, H.R. 1029 ''reforms'' EPA's Science Advisory Board for the worse. The hypothetical intent of this bill is to improve the balance of the members serving on the Board; but, in reality, the bill would make it easier for industry-affiliated representatives with a conflict of interest to serve on the Board. Experts with industry associations are far more likely to find that the science they are asked to review will have a financial impact on their employers. Academic scientists do not have such financial conflicts of interest with the Board's advice or with the EPA's actions.

However, my Republican colleagues seem to have a fundamental distrust of scientists from our Nation's universities because H.R. 1029 puts in place a number of requirements that will likely dissuade academic scientists from serving on the Board. It is difficult to understand how anyone could object to the most knowledgeable academic scientists offering their advice and expertise to the EPA. Who would know better whether the EPA had mischaracterized the science on an issue than the people who are leaders in their respective fields?

To be clear, I am not arguing that industry should not have representation on the EPA's Science Advisory Board, as their insight is valuable also, but I do not support weakening conflict of interest practices so more industry representatives can serve on the Board.

The bill also favors industry by tying the Board up with procedural burdens so unlimited that it is unlikely any Science Advisory Board panel could ever render an opinion in a useful period of time. I assume that that is really the point of H.R. 1029. Endless delays leave plenty of time to manufacture doubt in the science and to delay the formulation of public health regulations by the EPA. Unfortunately, that also means that the health and safety of our families, friends, and constituents will be needlessly put at risk. I strongly urge my colleagues to oppose H.R. 1029.

Mr. LUCAS. Mr. Chairman, I yield 4 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the Science, Space, and Technology Committee.

Mr. SMITH of Texas. I want to thank the gentleman from Oklahoma, the vice chairman of the Science Committee, for yielding me time.

Mr. Chairman, Americans expect the review of regulatory science to be balanced and transparent. H.R. 1029, the Science Advisory Board Reform Act, ensures scientists get the opportunity to provide unbiased, independent advice to the Environmental Protection Agency and to Congress.

I thank Congressman LUCAS and the ranking member of the Agriculture Committee, COLLIN PETERSON, for their initiative on this issue.

This bill strengthens the EPA Science Advisory Board's independence so that the administration cannot manipulate science to further its political agenda.

Hardworking American families are hit hard by costly regulations, whether it is through lost jobs or higher electric bills and gasoline prices, and the EPA has been known to twist science to justify its actions. Behind the scenes, however, there is a review process that was intended to provide a critical check on the EPA's conclusions. The EPA Science Advisory Board was created to provide a meaningful, balanced, and independent assessment of the science that supports the EPA's regulations. Unfortunately, this goal is not being realized.

The EPA frequently undermines the SAB's independence and prevents it from being able to provide advice to Congress. As a result, the valuable advice these experts can provide is wasted, and the truth is silenced. The public's right to know must be protected in a democracy. As the EPA now seeks to pursue the most aggressive regulatory agenda in its 44-year history, it is critical that the SAB be able to give unbiased advice. The more regulations the EPA creates, the more we need the involvement of an open and transparent Science Advisory Board. This bill simply gives independent experts an opportunity to review the science and provide advice.

We all know that the Federal Government doesn't have a monopoly on the truth, so it is important to get the public's take on regulations. The bill does not create an unlimited public comment period, but the public does have a right to know what the Federal Government is doing to them. H.R. 1029 expands transparency requirements, improves the process for selecting expert advisers, and strengthens public participation requirements.

This bipartisan legislation restores the independent Board as an important defender of scientific integrity. Its commonsense reforms will help make the EPA's decisions more credible and more balanced.

Again, I want to thank the gentleman from Oklahoma (Mr. LUCAS) and the gentleman from Minnesota (Mr. PETERSON) for their leadership on this bill, and I urge my colleagues to support it.

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

I mentioned the letters that were entered into the RECORD. Frequently, here in Congress, we talk about government efficiency and getting things to work better, and I just want to read what the Center for Medical Consumers said about H.R. 1029:

> The bill requires the Science Advisory Board to remain in an endless loop of soliciting public comment about the state of the science, touching on every major advisory activity it undertakes and responding to nearly every comment before moving forward, without being limited by any time constraints.

Also, the National Physicians Alliance noted:

> This bill's overly broad restriction on Science Advisory Board members with subject matter expertise is equally counterproductive and goes far beyond the commonsense limits imposed by the National Academies, and the language in the bill is so vague that it raises many questions.

Mr. Chairman, we can do better than this. We need to get back to the table and work together so that we have a bill that actually improves the Science Advisory Board.

I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I yield 4 minutes to another outstanding gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. I thank the gentleman.

Mr. Chairman, I rise today to speak in strong support of H.R. 1029, the EPA Science Advisory Board Reform Act of 2015.

The Science Advisory Board was established by Congress to review the science behind the EPA's decisions and to advise Congress and the EPA on scientific and technical matters. Unfortunately, the SAB is no longer functioning as designed as it is without the impartiality and expertise needed to be an effective arbiter of the EPA's use of science and its regulations. For example, the membership of the SAB has excluded individuals from State or local governments. Yet these are the folks who are often the closest to the impacts that the regulations have on job creators across America.

As the EPA continues its regulatory assault on America's economy, it is critically important that Congress act to improve the quality of the EPA's use of science in its decisions. This legislation will do just that. It will improve the quality of the SAB's membership, increase public participation in its scientific reviews, allow for dissenting opinions among members, and it requires that the SAB communicate uncertainties in its findings and conclusions.

□ 1430

Mr. Chair, I am an air-conditioning contractor. As such, we are licensed by the TDLR in Texas. Mr. Chair, I want someone on that board that understands the air-conditioning business, that has business background.

It is sad, Mr. Chair, we are supposed to be a country that has a government, not a government that has a country. Opponents of this bill act like business people cannot be trusted to help their own government. They say they have a conflict of interest. That just gets all over me.

Business folks, whom I call the salt of the earth, they invest money in businesses; they create jobs; they take risks; they build families and communities—and they can't be trusted? They can use their expertise to serve our community and our country. I would even offer that they are a form of a renewable resource.

Mr. Chair, it is high time for this bill to pass and put some common sense and transparency in the process.

I thank Congressman LUCAS and Chairman SMITH for bringing this important legislation to the floor today.

Ms. BONAMICI. Mr. Chairman, I also want to point out that the National Center for Health Research is concerned. They ask: What happens if a scientist relies on expertise that is not specifically permitted in the bill? Will there be legal ramifications? Clearly, scientific experts will think twice before joining the Science Advisory Board if it means they will have to consult their lawyers before they give advice.

Mr. Chairman, there is some ambiguous language in this. We can do a better job making sure that the Science Advisory Board functions in an efficient way that actually helps inform their decisions. I suggest that we get back to the table, rather than pass this bill today, and find strong legislation that improves the Science Advisory Board.

I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, might I inquire about the time remaining between the two sides?

The CHAIR. The gentleman from Oklahoma has 16½ minutes remaining, and the gentlewoman from Oregon has 19½ minutes remaining.

Mr. LUCAS. I would note to the gentlelady, at the present time I do not have any additional speakers, so whenever you are prepared to close, I believe I have the right to close ultimately.

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

Mr. Chairman and colleagues, the bill before us today does undertake the laudable goal of improving transparency at the Environmental Protection Agency; however, as I stated previously, the bill, as written, does not accomplish this goal. I worked on this bill in the last Congress; and there were a lot of recommendations that were made, when we had hearings on this bill in the last Congress, where we could all agree—recommendations that the industry supports, that academia supports, and that scientists support. We should be taking those recommendations and adding them to this bill, working together to find a bill that will improve the Science Advisory Board.

I want to clarify to my colleagues, we have no objection with industry representation on the Science Advisory Board. That is not the point. What happens under this bill, however, is that financial conflict of interest is conflated with bias, and we could have industry representation with a significant financial interest. That is not the direction we should be going in. Of course, industry people have expertise, as do scientists who work in academia.

Again, we can and should work together to improve the EPA's approach to reviewing the science underpinning regulations, but this legislation is not the answer. This bill will only damage and delay the process, and I urge my colleagues to vote ''no.''

I yield back the balance of my time.

Mr. LUCAS. Mr. Chairman, I would apologize to the gentlelady. I was just informed that the majority floor leader would like to speak for 1 minute.

I yield as much time as he may consume to the gentleman from California (Mr. MCCARTHY), the majority floor leader.

Mr. MCCARTHY. I thank the gentleman for yielding and for his work.

Mr. Chair, there is a wise saying that one of the best assets of a good leader is a good adviser. Nobody can know everything, and advisers step in to give opinions and provide different perspectives for those who have to make decisions.

History is filled with people or groups that failed because they never had their assumptions challenged. Unfortunately, the same failure can be seen in our own government.

Back in 1978, Congress created the EPA Science Advisory Board to provide independent scientific advice to the administration. Sadly, the independence has been compromised. Over the years, the Science Advisory Board has silenced voices of dissent, limited public participation in its decisions, and has shown potential conflict of interest. In fact, over half of the Board members have taken grant money from the EPA, the very Agency they are supposed to provide impartial analysis to. This isn't chump change.

Since 2000, Board members have received roughly $140 million in taxpayer money from the EPA grants according to the Congressional Research Service, and the research they are reviewing is often directly related to the money they received. This isn't transparent; this isn't accountable, and this isn't right.

Today we will consider a bill to set things right. We aren't telling the Science Advisory Board what to say; we aren't telling the EPA what to do, but we are demanding that the Board be transparent and independent, as it was originally intended.

True science demands clarity and impartiality. The Science Advisory Board lacks both, and that needs to change.

I thank the gentleman for his work, bringing transparency, accountability, and efficiency back to the Science Advisory Board.

Mr. LUCAS. Mr. Chairman, I yield myself such time as I may consume to close.

Mr. Chairman, we have listened to several points of view on different perspectives today. I think the majority floor leader and the chairman of the committee and a number of my colleagues did an outstanding job of explaining why this bill is necessary, why it is appropriate.

I will acknowledge to my colleague from Oregon that this is a work in progress, that clearly there are still things that need to be examined, addressed, looked at, and perfected over the course of the legislative session before, ultimately, this is signed into law.

But the underlying principles, an entity like the Environmental Protection Agency, which has such tremendous influence and control over our everyday lives—whether you are a farmer, rancher, business person, just a citizen, such tremendous control through their authority and their rulemaking process over our lives—it is important, and it is the very reason that Congress established the Scientific Advisory Board in 1978, it is important to have a knowledgeable group look over their shoulder to verify their facts, to understand the process they are going through in order that, ultimately, that rulemaking process is something that is based on sound science and is something that is appropriate.

Now, in the bill we simply say that, in effect, anyone with knowledge and expertise should be able to participate. We ask for full disclosure. If you have an economic interest, whether it is doing scientific research or in any related business, fully disclose your background. That presently is not going on. So that is an improvement. That is an enhancement.

We explicitly ask that public input be allowed, that it be encouraged. There is nothing wrong with that. There are a lot of really bright people around this country who have great understanding of the issues that affect their day-to-day lives and should be able to share that.

Can the Board stop the Environmental Protection Agency from doing something? It is an advisory board. Their power is not in being able to stop an action of the EPA, but their power is making them justify the action that they are proposing to take, to justify the science that leads to that action. There is nothing wrong with that. There is absolutely nothing wrong with that.

I suppose the bottom line is this: We live in an extremely cynical time. Surprisingly, there is distrust even of the United States Congress and all Federal institutions, I am afraid. This bill is an effort to take a step in the direction of restoring that faith and confidence. Call it enhanced transparency if you want; call it openness if you want; call it just making sure we all know where the money is going and where the money is coming from. Whatever you want to call it, this is a bill that tries to move us in the direction of not only better regulations when we must have regulations, but better science to justify those regulations and the confidence of all of our fellow citizens.

I simply ask, Mr. Chairman, when the opportunity avails—I know we will have several good amendments to discuss shortly—that my colleagues support H.R. 1029, and we move this process forward.

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

The CHAIR. All time for general debate has expired.

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

In lieu of the amendment in the nature of a substitute recommended by the Committee on Science, Space, and Technology, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–10. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 1029

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 ''EPA Science Advisory Board Reform Act of 2015''.

SEC. 2. SCIENCE ADVISORY BOARD.

(a) INDEPENDENT ADVICE.—Section 8(a) of the Environmental Research, Development, and Demonstration Authorization Act of 1978 (42 U.S.C. 4365(a)) is amended by inserting ''independently'' after ''Advisory Board which shall''.

(b) MEMBERSHIP.—Section 8(b) of the Environmental Research, Development, and Demonstration Authorization Act of 1978 (42 U.S.C. 4365(b)) is amended to read as follows:

''(b)(1) The Board shall be composed of at least nine members, one of whom shall be designated Chairman, and shall meet at such times and places as may be designated by the Chairman.

''(2) Each member of the Board shall be qualified by education, training, and experience to evaluate scientific and technical information on

matters referred to the Board under this section. The Administrator shall ensure that—

''(A) the scientific and technical points of view represented on and the functions to be performed by the Board are fairly balanced among the members of the Board;

''(B) at least ten percent of the membership of the Board are from State, local, or tribal governments;

''(C) persons with substantial and relevant expertise are not excluded from the Board due to affiliation with or representation of entities that may have a potential interest in the Board's advisory activities, so long as that interest is fully disclosed to the Administrator and the public and appointment to the Board complies with section 208 of title 18, United States Code;

''(D) in the case of a Board advisory activity on a particular matter involving a specific party, no Board member having an interest in the specific party shall participate in that activity;

''(E) Board members may not participate in advisory activities that directly or indirectly involve review or evaluation of their own work, unless fully disclosed to the public and the work has been externally peer-reviewed;

''(F) Board members shall be designated as special Government employees; and

''(G) no registered lobbyist is appointed to the Board.

''(3) The Administrator shall—

''(A) solicit public nominations for the Board by publishing a notification in the Federal Register;

''(B) solicit nominations from relevant Federal agencies, including the Departments of Agriculture, Defense, Energy, the Interior, and Health and Human Services;

''(C) make public the list of nominees, including the identity of the entities that nominated each, and shall accept public comment on the nominees;

''(D) require that, upon their provisional nomination, nominees shall file a written report disclosing financial relationships and interests, including Environmental Protection Agency grants, contracts, cooperative agreements, or other financial assistance, that are relevant to the Board's advisory activities for the three-year period prior to the date of their nomination, and relevant professional activities and public statements for the five-year period prior to the date of their nomination; and

''(E) make such reports public, with the exception of specific dollar amounts, for each member of the Board upon such member's selection.

''(4) Disclosure of relevant professional activities under paragraph (3)(D) shall include all representational work, expert testimony, and contract work as well as identifying the party for which the work was done.

''(5) Except when specifically prohibited by law, the Agency shall make all conflict of interest waivers granted to members of the Board, member committees, or investigative panels publicly available.

''(6) Any recusal agreement made by a member of the Board, a member committee, or an investigative panel, or any recusal known to the Agency that occurs during the course of a meeting or other work of the Board, member committee, or investigative panel shall promptly be made public by the Administrator.

''(7) The terms of the members of the Board shall be three years and shall be staggered so that the terms of no more than one-third of the total membership of the Board shall expire within a single fiscal year. No member shall serve more than two terms over a ten-year period.''.

(c) RECORD.—Section 8(c) of such Act (42 U.S.C. 4365(c)) is amended—

(1) in paragraph (1)—

(A) by inserting ''or draft risk or hazard assessment,'' after ''at the time any proposed'';

(B) by striking ''formal''; and

(C) by inserting ''or draft risk or hazard assessment,'' after ''to the Board such proposed''; and

(2) in paragraph (2)—

(A) by inserting ''or draft risk or hazard assessment,'' after ''the scientific and technical basis of the proposed''; and

(B) by adding at the end the following: ''The Board's advice and comments, including dissenting views of Board members, and the response of the Administrator shall be included in the record with respect to any proposed risk or hazard assessment, criteria document, standard, limitation, or regulation and published in the Federal Register.''.

(d) MEMBER COMMITTEES AND INVESTIGATIVE PANELS.—Section 8(e)(1)(A) of such Act (42 U.S.C. 4365(e)(1)(A)) is amended by adding at the end the following: ''These member committees and investigative panels—

''(i) shall be constituted and operate in accordance with the provisions set forth in paragraphs (2) and (3) of subsection (b), in subsection (h), and in subsection (i);

''(ii) do not have authority to make decisions on behalf of the Board; and

''(iii) may not report directly to the Environmental Protection Agency.''.

(e) PUBLIC PARTICIPATION.—Section 8 of such Act (42 U.S.C. 4365) is amended by amending subsection (h) to read as follows:

''(h)(1) To facilitate public participation in the advisory activities of the Board, the Administrator and the Board shall make public all reports and relevant scientific information and shall provide materials to the public at the same time as received by members of the Board.

''(2) Prior to conducting major advisory activities, the Board shall hold a public information-gathering session to discuss the state of the science related to the advisory activity.

''(3) Prior to convening a member committee or investigative panel under subsection (e) or requesting scientific advice from the Board, the Administrator shall accept, consider, and address public comments on questions to be asked of the Board. The Board, member committees, and investigative panels shall accept, consider, and address public comments on such questions and shall not accept a question that unduly narrows the scope of an advisory activity.

''(4) The Administrator and the Board shall encourage public comments, including oral comments and discussion during the proceedings, that shall not be limited by an insufficient or arbitrary time restriction. Public comments shall be provided to the Board when received. The Board's reports shall include written responses to significant comments offered by members of the public to the Board.

''(5) Following Board meetings, the public shall be given 15 calendar days to provide additional comments for consideration by the Board.''.

(f) OPERATIONS.—Section 8 of such Act (42 U.S.C. 4365) is further amended by amending subsection (i) to read as follows:

''(i)(1) In carrying out its advisory activities, the Board shall strive to avoid making policy determinations or recommendations, and, in the event the Board feels compelled to offer policy advice, shall explicitly distinguish between scientific determinations and policy advice.

''(2) The Board shall clearly communicate uncertainties associated with the scientific advice provided to the Administrator or Congress.

''(3) The Board shall ensure that advice and comments reflect the views of the members and shall encourage dissenting members to make their views known to the public, the Administrator, and Congress.

''(4) The Board shall conduct periodic reviews to ensure that its advisory activities are addressing the most important scientific issues affecting the Environmental Protection Agency.

''(5) The Board shall be fully and timely responsive to Congress.''.

SEC. 3. RELATION TO THE FEDERAL ADVISORY COMMITTEE ACT.

Nothing in this Act or the amendments made by this Act shall be construed as supplanting the requirements of the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 4. RELATION TO THE ETHICS IN GOVERNMENT ACT OF 1978.

Nothing in this Act or the amendments made by this Act shall be construed as supplanting the requirements of the Ethics in Government Act of 1978 (5 U.S.C. App.).

The CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in part A of House Report 114–37. Each such amendment shall be considered only in the order printed in the report, may be offered only 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. GRAYSON

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 114–37.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 22, insert ", or for which the Board has evidence that it may involve," after "involving".

The CHAIR. Pursuant to House Resolution 138, the gentleman from Florida (Mr. GRAYSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chair, this amendment seeks to enhance some of the good government language that already exists in this bill. Page 2 of this bill, beginning on line 21, details the instances in which a Board member must recuse himself from an EPA Science Advisory Board advisory activity. As currently written, a Board member must recuse himself only when he has an interest in a specific party that is involved in the matter being addressed by the advisory activity. I feel that this language must be broadened. I thank the chairman for working with me toward this end.

Let's say that the Chemical Assessment Advisory Standing Committee wishes to engage in an advisory activity on a specific chemical compound. Now let's say that only one university in the country, perhaps the University of Florida, performs research on this compound and receives a sizable amount of Federal funds to do so. Under the current language, any representative from that university that serves on the committee should recuse himself from participating in the advisory activity.

The amendment that I am offering would broaden the category of persons who must recuse themselves. My amendment would require persons for whom the Board has received evidence that an advisory activity may involve

them to recuse themselves. Under my proposed amendment language, a drug company like Pfizer, seeking to produce drugs utilizing the chemical compound subject to an advisory committee activity, could be excluded from participating as well.

I think it would be highly unfair that an entity such as the University of Florida could be excluded from an advisory activity and not a corporation like Pfizer if there is reason to believe that it would be directly engaged in activities utilizing the science upon which the Board seeks to advise.

Clearly, we should encourage the most qualified persons in various scientific fields to participate on the committees that compose the EPA's Science Advisory Board. What we should not do, however, is to allow persons to participate in advisory actions that may directly impact their own bottom lines.

Existing language in this bill, I believe, partially addresses our goal of preventing conflicts of interest, but accepting this Grayson amendment would go much further toward accomplishing our common joint goal of preventing conflicts of interest. To that end, I urge support for my amendment.

I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I claim the time in opposition to the amendment, although I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Oklahoma is recognized for 5 minutes.

There was no objection.

Mr. LUCAS. Mr. Chairman, I want to thank the gentleman from Florida for his amendment that would clarify the bill's safeguards against conflicts of interest. I appreciate his attention to detail, continued engagement with this bill, and look forward to his support.

H.R. 1029 seeks balance and transparency in the makeup and composition of the Science Advisory Board. Financial conflicts of interest are specifically prohibited, and that would clarify the intent.

In addition to language already in the bill preventing conflicted individuals from participating, the bill requires disclosure. Although disclosure itself may not prevent all bias, the consumers of the Science Advisory Board's product—the EPA, and the American people—will be better informed if they have all the facts.

I want to thank my colleague from Florida for his constructive amendment to this bipartisan bill.

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

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Mr. GRAYSON. Mr. Chairman, I thank my colleague.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. MCKINLEY

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 114–37.

Mr. MCKINLEY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 7, strike ''and'' at the end of subparagraph (F).

Page 3, line 9, strike the period and insert ''; and''.

Page 3, after line 9, insert the following new subparagraph:

''(H) a Board member shall have no current grants or contracts from the Environmental Protection Agency and shall not apply for a grant or contract for 3 years following the end of that member's service on the Board.''.

The CHAIR. Pursuant to House Resolution 138, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, this amendment is simple. It ensures that members of the Science Advisory Board do not receive grants from the EPA or enter into contracts with the EPA. Additionally, this amendment prohibits Science Advisory Board members from receiving EPA funds for 3 years after the individual is no longer a Board member.

This amendment—and this bill—is about fairness and transparency. Members of the Science Advisory Board should be independent and impartial. They should not be swayed by the possibility of receiving funds from the EPA for their work.

Just as Members of Congress are banned from lobbying for a period of time after leaving office, members of the Science Advisory Board should be barred from receiving grants after they leave the board. Board members should not make a decision based on a promise from the EPA that he or she will benefit financially after they leave the Board.

The role of the Science Advisory Board should be to provide independent scientific advice to the Agency. This amendment will ensure the Board is truly independent. American families who bear the impact of the EPA's regulations deserve to know that the regulations are based on sound science, not on any other agenda.

I encourage all my colleagues to support fairness and transparency by supporting this amendment, and I reserve the balance of my time.

Ms. BONAMICI. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentlewoman from Oregon is recognized for 5 minutes.

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

Mr. Chairman, this amendment would have a negative effect on the participation of the Nation's best scientists, punishing them for providing invaluable expert advice to the EPA.

This amendment would penalize scientists who have received any grant from the EPA by precluding them from serving on the EPA's Science Advisory Board, a Board that is charged with providing the most sound and reliable scientific advice to the EPA; yet it is those very scientists who have received EPA grants who are often the very best in their field.

Why would we pass an amendment that limits our Nation's most qualified experts from reviewing EPA actions?

By precluding these scientists from serving on the Board, it could greatly diminish the pool of eligible, qualified experts who can serve on the Science Advisory Board and, more importantly, serve the Nation. This amendment essentially guarantees that the EPA will not receive the best advice from the best scientists. I can't fathom why we would do that.

Of additional concern is a draconian provision in the amendment that prohibits a Board member from applying for an EPA grant or contract for 3 years after serving on the Board.

I don't understand how or why we can legislate against someone applying for a grant. Three years without the ability to apply for a grant from one of our Federal research agencies can arrest the careers of our Nation's best and brightest minds.

Furthermore, the amendment isn't even clear on how limited people are from applying and where they can apply. Why would we agree to an amendment that is constraining our Nation's ability to develop and foster scientific knowledge?

This kind of ban is punitive, and it would force researchers to choose between public service and their own research. It makes no sense in any other area of government, and it makes no sense here.

We want and need the best and brightest Americans serving our national interests everywhere, and we should never entertain the idea of punishing experts for providing valuable and needed public service.

I cannot support or recommend support for any amendment that has a punitive effect on the best and brightest scientific minds in the country, and I cannot support an amendment that would limit the Environmental Protection Agency from considering the full and complete spectrum of expertise for membership to their Science Advisory Board.

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

Mr. MCKINLEY. Mr. Chairman, I yield the balance of my time to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. I thank the gentleman from West Virginia.

I, too, want the best and brightest. That is why the core principle of the bill is on disclosure, make sure we know where the money goes. Mr. MCKINLEY is taking this to the next point in this focus on following the

money. I appreciate where he is coming from.

I said earlier to my colleague from Oregon that this is a work in progress. We will see, ultimately, what the final version is; but if you believe that the money should be followed, if you believe we should know where the dollars are and if that impacts the science, then, clearly, Mr. MCKINLEY is on the right path.

I am voting with him. It is a work in progress.

Mr. MCKINLEY. I yield back the balance of my time.

Ms. BONAMICI. Mr. Chairman, again, this amendment would cause the EPA to be precluded from getting some of the best science. The amendment says that a Board member shall have no current grants or contracts from the Environmental Protection Agency and shall not apply for a grant or a contract for 3 years following the end of that member's service on the Board.

Mr. Chairman, that would cause serious problems. It is a vaguely worded amendment. I would be concerned about inhibiting people from even applying for grants. We need to do everything we can to support our bright scientists. This would preclude them from serving.

We should vote against this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

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

Ms. BONAMICI. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MR. POLIS

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 114–37.

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 17, through page 4, line 5, redesignate subparagraphs (C) through (E) as subparagraphs (D) through (F), respectively.

Page 3, after line 16, insert the following new subparagraph:

''(C) solicit nominations from—

''(i) institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); and

''(ii) scientific and research institutions based in work relevant to that of the Board;

Page 4, line 9, strike ''paragraph (3)(D)'' and insert ''paragraph (3)(E)''.

The CHAIR. Pursuant to House Resolution 138, 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, I rise today to offer an amendment that I believe really strikes at the heart of the issues that were raised by the EPA Science Advisory Board Reform Act, and that is the need for sound, objective, and transparent decisionmaking by our Federal agencies.

I think we all recognize how important it is to bring in outside experts to inform Agency policies and protocols. Not only does this allow the engagement of Americans who are practicing in their fields into a process that will impact their livelihoods, it also ensures that the Federal Government can reach out to access the very best scientific knowledge, including experts with a depth and variety of knowledge that we wouldn't have access to through our own internal resources.

With the EPA's Science Advisory Board in particular, that means an independent review of technical information that is used to ground Agency proposals and regulations. The efforts of this bill to seek relevant expertise outside the Agency, however, without this amendment, are limited by its failure to include academics, science, and research-based institutions in its solicitations for Board membership.

That is what this amendment corrects. Not to specifically solicit Board membership in these fields, as we do in others, would be a huge mistake on our part.

Institutions within my district alone house some leading global experts in public and environmental health. Joe Ryan—a current member of the EPA's Science Advisory Board and a professor of environment, engineering, and applied sciences at CU Boulder—leads his field in the study of ecological, health, economic, and sociologic impacts of natural gas development on surrounding communities.

Professor Ryan's work is data driven, thorough, strongly objective, and would be of great help to policymakers, as is the work of James White, an institution at CU Boulder since he started the INSTAAR Stable Isotope Lab back in 1989.

Since its opening, Professor White and the INSTAAR Stable Isotope Lab have produced groundbreaking evidence regarding the rapidity of shifts in climate change and their origins in internal planetary adjustments.

Without the work of professors like Joe Ryan and James White, we would be decades behind in our understanding of environmental science and public health priorities, and the work of the EPA would suffer as a result.

In April of last year, Colorado State University professor Diana Wall was elected to the American Academy of Arts and Sciences, a prestigious group of global thinkers. Professor Wall pioneered our understanding of soil biodiversity. As a result, it drew global praise for its unprecedented findings.

Professor George Wittemyer, also at CSU, recently produced the first verifiable estimation of the impacts of the ongoing ivory crisis on Africa's elephant populations. His findings, subsequently distributed and utilized globally, amount to significant breakthroughs in the field.

These professors, like these and many others, are critical to progress not only within the realm of their academic interests, but throughout the daily lives of American families in helping to prevent the eroding of our public health and our global environment. That is what the amendment I offer today is all about.

By soliciting the input of academics and research scientists who base their work on independent and transparent aims, we advance the expertise of the EPA and ensure that a variety of decisionmaking information is available.

I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I claim time in opposition to the amendment, although I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Oklahoma is recognized for 5 minutes.

There was no objection.

Mr. LUCAS. Mr. Chairman, I want to thank the gentleman from Colorado for his amendment that would complement the provisions in the bill ensuring a public nomination process and seeking greater balance. I appreciate the gentleman's efforts to improve this bipartisan bill and look forward to its support as we move forward.

I am proud of our Nation's institutions of higher learning that house some of the greatest minds in the world. Students, professors, and researchers circle the globe to come join our coveted academic community. It is important that the EPA reach out to universities and research institutions to find a balanced and diverse set of experts to serve on the Board.

I want to thank my colleague from Colorado for his constructive amendment to this bipartisan bill.

I yield back the balance of my time.

Mr. POLIS. Mr. Chairman, I appreciate the wealth of support that has been shown for this amendment, and I hope that we are able to accomplish this amendment. I am thrilled to have the support of the gentleman from Oklahoma.

To the extent that it is within our power, it is this body's responsibility to ensure our Federal partners are receiving the very best available objective information. My amendment will allow information that has its repository in our institutions of higher education to be able to serve as advisers for the EPA.

I urge my colleagues to vote ''yes'' on my amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MS. BONAMICI

The CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 114–37.

Ms. BONAMICI. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''EPA Science Advisory Board Improvement Act of 2015''.

SEC. 2. SCIENCE ADVISORY BOARD.

(a) MEMBERSHIP.—Section 8(b) of the Environmental Research, Development, and Demonstration Authorization Act of 1978 (42 U.S.C. 4365(b)) is amended to read as follows:

''(b)(1) The Board, as established in subsection (a), shall be composed of at least 9 members, 1 of whom shall be designated Chair, and shall meet at such times and places as may be designated by the Chair of the Board, in consultation with the Administrator.

''(2) Each member of the Board shall be qualified by education, training, and experience to evaluate scientific and technical information on matters referred to the Board under this section. The Administrator shall ensure that—

''(A) the Board is fairly balanced in its membership in terms of the points of view represented and the functions to be performed;

''(B) no Board member shall participate in an advisory activity of the Board involving a particular matter or specific party which the Board member has a direct or predictable financial interest;

''(C) no Board member is a registered lobbyist, or has served as a registered lobbyist within a 4-year period prior to nomination to the Board; and

''(D) Board members shall be designated as special Government employees.

''(3) The Administrator shall—

''(A) solicit public nominations for the Board by publishing a notification in the Federal Register;

''(B) make public the list of nominees, including—

''(i) the identity of the entities that nominated each nominee; and

''(ii) the professional credentials of each nominee, including relevant expertise and experience, as well as the sources of research funding and professional activities such as representational work, expert testimony, and contract work dating back 2 years;

''(C) solicit public comment on the nominees;

''(D) develop, and make publically available, a formal memorandum describing each advisory activity to be undertaken by the Board which shall include—

''(i) the charge to the Board, including an explanation of the scope of issues to be addressed by the Board and the formal statement of questions posed to the Board;

''(ii) the ethics rules, if applicable, that would apply to Board members; and

''(iii) other information relied on to support the selection of panel members; and

''(E) require that, upon their provisional nomination, nominees shall be required to complete a written form disclosing information related to financial relationships and interests that may, or could be predicted to, be relevant to the Board's advisory activities, and relevant professional activities and public statements, for the 2-year period prior to the date of their nomination, in a manner sufficient for the Administrator to assess the independence and points of view of the candidates.''.

(b) PUBLIC PARTICIPATION AND TRANSPARENCY.—Section 8(h) of such Act (42 U.S.C. 4365(h)) is amended to read as follows:

''(h)(1) The Board shall make every effort, consistent with applicable law, including section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act') and section 552a of title 5, United States Code (commonly known as the 'Privacy Act'), to maximize public participation and transparency, including making the scientific and technical advice of the Board and any committees or investigative panels of the Board publicly available in electronic form on the website of the Environmental Protection Agency.

''(2) The Administrator and the Board shall encourage and solicit public comments on the advisory activities of Board, including written and oral comments, especially comments that provide specific scientific or technical information or analysis for the Board to consider, or comments related to the clarity or accuracy of the recommendations being considered by the Board.

''(3) The Administrator shall specify the areas of expertise being sought and make every effort to solicit candidate recommendations from the public, and solicit public comments on candidates selected.''.

(c) OPERATIONS.—Section 8 of such Act (42 U.S.C. 4365) is further amended by adding at the end the following new subsection:

''(j)(1) In carrying out its advisory activities, the Board shall strive to avoid making policy determinations or recommendations, and, in the event the Board determines that it would be appropriate or useful to offer policy advice, shall explicitly distinguish between scientific determinations and policy advice.

''(2) While recognizing that consensus recommendations and conclusions are the most useful to the Administrator and Congress, the Board shall ensure the views of all Board members, including dissenting views, are adequately incorporated into reports and recommendations from the Board.''.

SEC. 3. RELATION TO THE FEDERAL ADVISORY COMMITTEE ACT.

Nothing in this Act or the amendments made by this Act shall be construed as supplanting the requirements of the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 4. RELATION TO THE ETHICS IN GOVERNMENT ACT OF 1978.

Nothing in this Act or the amendments made by this Act shall be construed as supplanting the requirements of the Ethics in Government Act of 1978 (5 U.S.C. App.).

The CHAIR. Pursuant to House Resolution 138, the gentlewoman from Oregon (Ms. BONAMICI) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from Oregon.

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

As I mentioned during general debate on H.R. 1029, I am not opposed to—in fact, I support legislation that will improve the EPA's Science Advisory Board. It is something I have been committed to since we had hearings in the last Congress, something we haven't had in this Congress. We didn't even have a markup on this bill.

For the most part, I agree with the goals of H.R. 1029 and recognize the need to increase transparency in the selection of Board members and to promote public participation in the Board's review process.

That being said, not all of the provisions included in H.R. 1029 will actually improve the Science Advisory Board. In fact, some of the provisions in the bill distort common practices for eliminating or limiting financial conflicts of interest.

Another provision turns the valuable and necessary process of soliciting public comments into a tool for the endless delay of public health protections.

Over the past week, my staff has worked tirelessly with majority staff in an attempt to find common ground and move forward with a bill that is worthy of broad bipartisan support.

Unfortunately, a compromise could not be reached on some of the key problem areas of this bill. However, because I agree with the goals of H.R. 1029—but not with the execution of those goals in the text of this bill—I am offering an amendment that will truly improve the Science Advisory Board.

This amendment draws on nonpartisan recommendations from the Bipartisan Policy Center, the Keystone Policy Center, and the Government Accountability Office that will lead to greater transparency in the selection of Board members and restore confidence in the scientific advice offered by the Board.

My substitute amendment would require EPA to release a formal memorandum detailing—among other things—the charge to the Board, including the specific questions the Board is tasked with addressing.

It would require the EPA to make available online the professional credentials of each person nominated to the Board, including any source of research funding dating back 2 years. It also outlines the disclosure requirements for every nominee.

Finally, my amendment requires the EPA to solicit public comment on the nominees, the candidates selected, and the advisory activities of the Board, including specific scientific or technical information for the Board to consider.

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These changes encompass the core principles that both Republicans and Democrats have agreed should be followed in EPA's Science Advisory Board.

I urge my colleagues to support this amendment, based on nonpartisan recommendations of experts, and move forward with a bill that makes positive changes to the EPA's Science Advisory Board. My amendment will improve transparency in membership balance, promote public participation without endlessly delaying EPA action or skewing the membership of the board toward conflicted parties.

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

Mr. LUCAS. Mr. Chairman, I claim time in opposition to the amendment.

The CHAIR. The gentleman from Oklahoma is recognized for 10 minutes.

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

I have said it numerous times, and I will repeat once again, this is a work in progress. This is a bill that is so important to the future of the country, so

important to how we address the scientific issues of our day, that this must proceed forward.

In the markup the other day, I think we had something like four amendments. We have had and accepted several amendments today. I would assume that if ultimately our friends in that other body are able to take action, that we will wind up, once again, working on the differences between the two bills. So there are a number of opportunities to refine and improve even this piece of legislation.

But that said, the fundamental principles are still there. We need to pass a bill to continue the process on H.R. 1029 that addresses transparency, that opens the process up to the public, that opens the process up to all individuals who have the scientific knowledge, the ability to contribute to this oversight group.

That is why I prefer the disclosure route. Let us all know who makes what off of what, and then we will base their objectivity on that.

Again, the Science Advisory Board looks over the shoulder of the EPA. They can't stop the EPA from doing anything. But the power of their analysis, which is only as good as the information that EPA shares with them, their ability to review that will determine just how much support there will be across the country, whatever the ultimate rule is.

I know my colleague from Oregon works in good faith, and I respect that greatly. And just as she and her staff have worked with the committee and the committee staff, I suspect we will continue to work together.

Ultimately, can we come up with a document that we can all agree with?

I am a person of great optimism, and I think we should try. But on this day, an amendment that basically, from my perspective, takes away virtually all of the key points that the bill attempts to achieve, on this day, at this moment, I cannot support that, and I have to, respectfully, ask my colleagues to turn down this amendment, to hopefully then advance the bill so that we can ultimately get to that final document.

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

Ms. BONAMICI. Mr. Chairman, I want to first correct a misstatement that I made. I meant to say we did not have a subcommittee markup. We did have a full committee markup. However, we did not have any hearings this Congress on this very important issue.

I want to just add to what my good colleague, Mr. LUCAS, said a couple of times about how this is a work in progress. If it is a work in progress, Mr. Chairman, I submit that we shouldn't be here quite yet today. We should continue to work together on this because there are a lot of goals that we agree on.

If it is a work in progress, why are we on the floor voting today?

Mr. Chairman, I submit that this substitute amendment does more to improve the transparency to get to the goals that everyone agrees we need on the Science Advisory Board. I submit that it is a better approach. However, I would prefer that we continue to work, and then bring the bill up for a vote.

I am an optimist too, Mr. LUCAS, and I could get it done.

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

Mr. LUCAS. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. ROHRABACHER), a very senior and knowledgeable member of the House Science Committee.

Mr. ROHRABACHER. Mr. Chairman, let me just note that there has been some laudable cooperation in the Science Committee this year, which I deeply appreciate. And the gentlelady and I have actually cosponsored some very needed legislation.

I think this particular bill does demonstrate, however, that as much as we can try to work together, that there are some fundamental differences between the two parties here in Congress dealing with scientific issues.

It is much to the chagrin of many of us to see—I have been a Member of Congress now since 1989—that the integrity of America's, and especially our Federal Government's, science programs has been brought into question by what appears to be a very cynical manipulation of the sciences by various elements in our government and within the political system who would like to manipulate science for their own benefit.

Let me just say that we need to take the steps to ensure to the American people that integrity is being restored to the scientific process, especially those scientific processes in which the Federal Government is involved.

This amendment, the reason why I would be opposed to it, it goes in the opposite direction than what this bill was intended to do. The bill was intended to try to create a higher level of trust, that there is an integrity within the science situation here with the EPA Science Advisory Board.

This amendment would allow individuals to peer-review their own work, for example, and without any disclosure requirements. That means an individual could be paid by the EPA to write a chapter for a science project and then also serve as a reviewer for that project.

The amendment does not require, for example, disclosure of conflict of interest waivers and recusal agreements. So we need to make sure that these types of activities are well documented and that we know exactly what needs to be done so the public can feel confident that when you have an advisory board for the EPA which actually passes regulations and controls over our lives, that the science behind those proclamations and those mandates by the EPA are made on solid science, rather than on people who perhaps have conflicts of interest and other such problems in coming to a scientifically-based decision, rather than a decision and a recommendation that serves special interests or serves someone's own personal interests.

So I would ask my colleagues to join me in opposing this amendment. But like the chairman states, this is a work in progress. Maybe we can come up with some language that both sides will appreciate. Thank you very much.

Ms. BONAMICI. Mr. Chairman, I thank my colleague from California for working with me on other legislation.

I do want to point out that if there is something that isn't in the amendment, as my colleague noted, we have to keep in mind that the Science Advisory Boards are already covered by the Federal Advisory Committee Act that governs Federal advisory committees just like the Science Advisory Board and helps provide for balanced panels and subcommittees that include experts with diverse backgrounds who represent wide-ranging perspectives. So we need to look at this policy in conjunction with the Federal Advisory Committee Act.

I do want to point out that the underlying bill, H.R. 1029, makes it harder for qualified scientists to serve but makes it easier for industry representatives to serve, even when they have a financial conflict of interest.

My amendment in the nature of a substitute levels the playing field and is a better approach.

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

Mr. LUCAS. Mr. Chairman, just to mention to the gentlelady, I have no additional speakers, and I believe I have the right to close.

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

Mr. LUCAS. Mr. Chairman, I yield myself such time as I may consume simply to note that I think we have had a very good discussion today. I think we have raised a lot of relevant points. We have covered a lot of ground and some good amendments. We have worked our way through this process. This is a step in the great legislative effort that ultimately leads to good legislation.

Some of my freshman colleagues might not be aware of this, but recently I was involved in a process that took 2½ years to ultimately come up with a bill. I hope that not every piece of legislation requires 2½ years to accomplish, but I would say this: regular order, respecting the input of all Members, both sides of the aisle, both ends of the Chamber, ultimately leads to a better legislative product to the benefit of everyone.

And I think we are once again embarking on that effort, so I respectfully ask my colleagues to reject this amendment and pass the underlying bill.

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

The CHAIR. The question is on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI).

The amendment was rejected.

AMENDMENT NO. 2 OFFERED BY MR. MCKINLEY

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY) 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 CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 242, noes 175, not voting 15, as follows:

[Roll No. 119]

AYES—242

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
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
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Grayson
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lynch
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
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 (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Schrader
Schweikert
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
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
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—175

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
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
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Granger
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Rogers (AL)
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Wilson (FL)
Yarmuth

NOT VOTING—15

Cartwright
Graves (MO)
Hinojosa
Hudson
Lummis
Payne
Roskam
Rush
Sanford
Schock
Scott, Austin
Smith (WA)
Speier
Welch
Young (AK)

□ 1538

Messrs. CAPUANO and ROGERS of Alabama changed their vote from ''aye'' to ''no.''

Messrs. GENE GREEN of Texas and STEWART changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

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

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. REED) having assumed the chair, Mr. YODER, 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. 1029) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes, and, pursuant to House Resolution 138, 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 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. PETERS. Mr. Speaker, I have a motion to recommit at the desk.

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

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

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Peters moves to recommit the bill H.R. 1029 to the Committee on Science, Space, and Technology with instructions to report the same back to the House forthwith, with the following amendment:

Add at the end the following new section:

SEC. 5. PROTECTING TAXPAYERS FROM SCIENCE PROMOTED BY POLLUTING COMPANIES.

No person shall be a member of the Science Advisory Board if—

(1) such person is the CEO of a corporation convicted of major environmental crimes, including the release of toxic pollutants into safe drinking water, refusal to clean up Superfund waste sites, or violations from the release of air pollutants that endanger human health and safety; or

(2) the primary source of research funds for such person comes from corporations or individuals convicted of major environmental crimes, including the release of toxic pollutants into safe drinking water, refusal to clean up Superfund waste sites, or violations from the release of air pollutants that endanger human health and safety.

Mr. PETERS (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

Mr. LUCAS. Mr. Speaker, I reserve a point of order.

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

The gentleman from California is recognized for 5 minutes.

Mr. PETERS. 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, let's make this simple. The fundamental role of the Environmental Protection Agency is to protect our Nation's environment and to ensure that we have healthy communities for children and families across the country. The Science Advisory Board is the body that ensures that EPA uses the best scientific research available to protect the environment and public health. To support this mission, we in Congress should be working together to ensure that the best and brightest scientists are on this Board. Instead, today's bill would muddy the waters when they should be crystal clear.

Mr. Speaker, the underlying bill moves EPA away from scientific integrity and weakens the independence of the Science Advisory Board. First, the bill requires that all scientific and technical points be balanced among members of the Board.

What does the term ''balanced'' mean?

Politicians should not be mandating scientific results. Science should be determined by the experts—scientists and scientific researchers—not by those of us in this Chamber.

Second, the bill imposes a non-science-based hiring quota for Advisory Board members based on employment by a State, local, or tribal government without regard to scientific expertise.

Finally, the open public comment period in the bill would allow regulatory opponents an endless amount of time to halt, derail, discredit, and slow EPA actions that go against their interests.

So instead of limiting review time and providing businesses with more certainty of how EPA regulations will affect their projects, the underlying bill would increase delay and decrease certainty—not what we have been trying to achieve with regulatory reform in this body up until now. Regulatory reform isn't done through obstructing every potential new rule. It is done, in part, by requiring agencies to render their decisions on a schedule so that the market can move forward. This bill would do the opposite.

□ 1545

My amendment will not cure all of these defects in the underlying bill, but it makes two obvious and significant changes to promote scientific integrity. It states simply that anyone working for a corporation that has been convicted of a major environmental crime should be prohibited from serving on the Science Advisory Board.

It secondly states that any person whose primary source of research comes from these criminal corporate actors should be prohibited from serving on the Science Advisory Board.

Mr. Speaker, for too long, we have heard that we have to choose between supporting economic prosperity and a clean environment. The implication is that we can't have both, but that is a false choice and one we can't afford to make. Americans know that we deserve nothing less than both: economic opportunity and clean air and clean water for future generations.

My State of California added 498,000 jobs in the last year while, at the same time, we continue to be a global leader in environmental reforms that have provided cleaner air than at any time in the last 50 years.

I am from San Diego where scientific research, economic growth, and environmental stewardship are not in conflict, but rather are the subject of ongoing, sustained, bipartisan collaboration.

It should be clear to everyone that CEOs from major corporations that are convicted of major environmental crimes have no place serving on the Science Advisory Board and neither should biased scientists.

Vote ''yes'' on the motion, and stand with me to maintain the integrity of the independence of the Science Advisory Board.

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

Mr. LUCAS. 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. LUCAS. I claim the time in opposition to the motion.

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

Mr. LUCAS. Mr. Speaker, at one point today, one of the upperclassman walked by and said, ''You again,'' referencing my working on a piece of legislation on this floor.

For the freshmen, you might not understand the relevance of that, but in the last session and the session before, I and Mr. PETERSON—my colleague on this bill—and the members of the Ag Committee worked for 2½ years to pass a piece of legislation that should have taken 6 months.

Now, why is that relevant in our discussion about H.R. 1029? It is relevant because when I give you my word as the primary author of the bill that I will work with both sides of the Chamber, that I will work with all perspectives, that this is a work in progress, you can take that for exactly what it means.

Now, why H.R. 1029 in the very first place? One of the classic problems that we all face in our town meetings, that we face in our interaction with citizens across this country, is a mistrust of the Federal Government, of Congress, of the other body, of the administration, of the institutions.

Now, how do you overcome mistrust when it is engrained as deeply as it is right now? You increase transparency, you open the process up, you make sure that everyone understands every part of the process.

That is what the Science Advisory Board was all about when it was created in 1978—have someone look over the shoulder of the people who are picking the scientists, who put the science together. That is the justification for all these rules.

The majority floor leader noted in recent times $140 million spent on this research, real money. Some might argue it is done in a closed show; some might argue it is done without the input of everyone.

H.R. 1029 is an effort to open that up. H.R. 1029 is an effort to increase the transparency, to restore confidence to the process. The EPA needs that just as badly as this institution does.

Now, to the motion to recommit, in particular, it is pretty good, pretty impressive, pretty crafty, but remember, the director of the EPA appoints the Board members. Surely, the director, especially with the additional disclosure requirements in the bill, will show the kind of judgment and prudence that is necessary—surely, surely.

That said, my friends, this is a work in progress, but it is an effort to turn around a problem that is greater than just one science board, one agency. It is an effort to address a problem that faces the entire Federal Government.

With that, my friends, I ask you turn down this motion to recommit. You pass the underlying bill, you let us continue to work and try and do something for the benefit of everyone.

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 237, not voting 16, as follows:

[Roll No. 120]

AYES—179

Adams	Bonamici	Cárdenas
Aguilar	Boyle, Brendan F.	Carney
Ashford	Brady (PA)	Carson (IN)
Bass	Brown (FL)	Castor (FL)
Beatty	Brownley (CA)	Castro (TX)
Becerra	Bustos	Chu, Judy
Bera	Butterfield	Cicilline
Beyer	Capps	Clark (MA)
Bishop (GA)	Capuano	Clarke (NY)
Blumenauer		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
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
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
Nadler
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
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Wilson (FL)
Yarmuth

NOES—237

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
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
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
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)
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Schrader
Schweikert
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
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
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—16

Cartwright
Graves (MO)
Hinojosa
Hudson
Lummis
Murphy (FL)
Payne
Ros-Lehtinen
Roskam
Rush
Sanford
Schock
Scott, Austin
Smith (WA)
Welch
Young (AK)

□ 1557

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

MOMENT OF SILENCE IN MEMORY OF THE LOUISIANA NATIONAL GUARD CRASH VICTIMS

Mr. BOUSTANY. Mr. Speaker, I rise with a heavy heart to commemorate the loss of 11 outstanding servicemen, including four members of the Louisiana National Guard, as a result of a helicopter training accident off the coast of Florida.

From the Louisiana National Guard's 1st Assault Helicopter Battalion, 244th Aviation Regiment based in Hammond, Louisiana, we lost Chief Warrant Officer George Wayne Griffin, Jr.; Chief Warrant Officer George David Strother; Staff Sergeant Lance Bergeron; and Staff Sergeant Thomas Florich.

From the United States Marines, based at Camp Lejeune, North Carolina, we lost Captain Stanford Henry Shaw, III; Master Sergeant Thomas Saunders; Staff Sergeant Marcus S. Bawol; Staff Sergeant Trevor P. Blaylock; Staff Sergeant Liam A. Flynn; Staff Sergeant Kerry Michael Kemp; and Staff Sergeant Andrew C. Seif.

Mr. Speaker, I ask our colleagues to join us in a moment of silence on behalf of these servicemen.

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

There was no objection.

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.

RECORDED VOTE

Ms. BONAMICI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 236, noes 181, not voting 15, as follows:

[Roll No. 121]

AYES—236

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
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
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
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
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Schweikert
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
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
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—181

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
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
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
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)
Nadler
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
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Wilson (FL)
Yarmuth

NOT VOTING—15

Cartwright
Duffy
Graves (MO)
Hinojosa
Hudson
Lummis
Payne
Roskam
Rush
Sanford
Schock
Scott, Austin
Smith (WA)
Welch
Young (AK)

□ 1607

Mr. COHEN changed his vote from ''aye'' to ''no.''

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. SANFORD. Mr. Speaker, I was absent for votes on Tuesday, March 17, 2015, due to the attendance of a funeral for a close friend. Had I been present, I would have voted in the following manner: rollcall No. 116: Previous Question on H. Res. 138—Rule providing for consideration of H.R. 1029—EPA Science Advisory Board Reform Act of 2015 and consideration of H.R. 1030—Secret Science Reform Act of 2015: ''yea;'' rollcall No. 117: Rule providing for consideration of H.R. 1029—EPA Science Advisory Board Reform Act of 2015 and consideration of H.R. 1030—Secret Science Reform Act of 2015: ''yea;'' rollcall No. 118: H.R. 1191—Protecting Volunteer Firefighters and Emergency Responders Act: ''yea;'' rollcall No. 119: McKinley Amendment: ''yea;'' rollcall No. 120: Motion to recommit H.R. 1029 with instructions: ''nay;'' rollcall No. 121: H.R. 1029—EPA Science Advisory Board Reform Act of 2015: ''yea.''

PERSONAL EXPLANATION

Mr. HUDSON. Mr. Speaker, on rollcall vote Nos. 116, 117, 118, 119, and 121, I was unavoidably detained. Had I been present, I would have voted 'yes.'' On rollcall vote No. 120, I was unavoidably detained. Had I been present, I would have voted ''no.''

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. RES. 132, PROVIDING FOR THE EXPENSES OF CERTAIN COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN THE 114TH CONGRESS, AND PROVIDING FOR CONSIDERATION OF S.J. RES. 8, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE NATIONAL LABOR RELATIONS BOARD

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 114–45) on the resolution (H. Res. 152) providing for consideration of the resolution (H. Res. 132) providing for the expenses of certain committees of the House of Representatives in the One Hundred Fourteenth Congress, and providing for consideration of the joint resolution (S.J. Res. 8) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to representation case procedures, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 296

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent to remove my name from H.R. 296.

The SPEAKER pro tempore (Mr. HURD of Texas). Is there objection to the request of the gentlewoman from New York?

There was no objection.

BILL BADGER, A HERO

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

Ms. MCSALLY. Mr. Speaker, last week, Arizona and our country lost a hero with the passing of Bill Badger, one of the people responsible for subduing the gunman of the January 8, 2011, shootings in Tucson, Arizona.

Bill served for 37 years in the Army, where he flew helicopters and fixed-wing aircraft. After moving to Arizona in 1985 with his wife, Sallie, Bill established and later served as the first commander of the Western Army National Guard Aviation Training Site in Marana. He retired from the military as a colonel.

After the shooting, Bill was credited with saying, ''Once you're in the military, you never retire. You're always there to help the community and the people who are in danger,'' and that is exactly what he did that day.

Despite being wounded, Bill put himself in the line of fire to take down the gunman, saving many lives through his bravery and his quick actions. Like many others that day, Bill showed us that, even in the darkest of times, courage and compassion can shine forth.

He was a hero in the truest sense of the word—one of southern Arizona's own—and he will be deeply missed by our community.

CYBER ABUSE

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

Ms. CLARK of Massachusetts. Mr. Speaker, right now, millions of American women and girls are online, navigating their personal and professional lives. Sadly, many will be threatened online or will be subjected to terrifying harassment.

Journalists, academics, and other professionals who dare to express an opinion, especially a feminist one, are routinely attacked with graphic threats of rape and murder. Women are targeted with sexually explicit messages and threats 27 times more than men, and for women of color and LGBT women, the rate is even higher. As a result, young women are deciding not to pursue certain jobs in order to avoid the crosshairs of men who think they don't belong. Others are being driven offline, sacrificing their freedom of expression for personal safety.

A decade ago, Congress made online threats of death or serious injury illegal, but these cases are rarely prosecuted. That is why I am asking my colleagues to join me in calling on the Department of Justice to intensify the investigation and prosecution of the most extreme cases of online threats.

Ensuring the stronger enforcement of laws that protect women from violent online threats is one commonsense thing Congress can do to ensure that the Internet and the 21st century economy is open to everyone.

CELEBRATING BRAIN SCIENCE AWARENESS WEEK AND NATIONAL BRAIN INJURY AWARENESS MONTH

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

Ms. ROS-LEHTINEN. Mr. Speaker, March is National Brain Injury Awareness Month, and this week also marks Brain Science Awareness Week, and I