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## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
March 15, 2016.

I hereby appoint the Honorable CRESENT HARDY to act as Speaker pro tempore on this day.

PAUL D. RYAN,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

### NEW MEXICO'S BEHAVIORAL HEALTH CRISIS

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

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, 3 years ago in my home State of New Mexico, our behavioral health system was thrown into crisis when the State froze payments to 15 New Mexico behavioral health providers, resulting in the eventual closure of some and replacement by 5 Arizona providers.

This transition and turmoil caused many New Mexicans to fall through the

cracks. As a result, too many families are hurting, too many people are suffering, and too many New Mexicans have been unable to access the care they need.

To date, 13 behavioral health providers have been exonerated of fraud, the charges leveled by the State of New Mexico as the reason to cut off funding. But the damage has been done. That is why, along with my colleagues, Ms. MICHELLE LUJAN GRISHAM in the House and Senators TOM UDALL and MARTIN HEINRICH, I have called for a Federal investigation into this unwarranted and reckless disruption of services to some of our most vulnerable citizens.

I am also working with the delegation on legislation to prevent something like this from ever happening again. I am working to strengthen a behavioral health system that is currently in shambles through legislation that will provide enhanced funding to States that prioritize behavioral health infrastructure, data, and access. If we want States to build and maintain strong behavioral health systems, then we must provide States with the necessary support.

During our many conversations with CMS on the crisis and its impact on New Mexicans, it has been clear there is a lack of meaningful data that is needed to hold policymakers accountable. It is unacceptable that after months and months of requesting State-provided data on the behavioral health system in New Mexico, CMS would simply determine this data to have "significant limitations."

A report from New Mexico's Legislative Finance Committee identified similar concerns. The report stated that the amount and quality of utilization data collected by the State of New Mexico had "deteriorated, leaving the question of whether enrollees are receiving more or less care."

Without access to meaningful data, we cannot determine how best to in-

vest to strengthen our behavioral health system, and we cannot possibly know if we are doing enough to ensure that the most vulnerable are being protected. What we do know is New Mexico's behavioral health system has been needlessly broken and that a full accounting is necessary to rebuild it and ensure that this will never happen again.

### AMERICA MUST LEARN FROM VENEZUELA

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

Mr. BROOKS of Alabama. Mr. Speaker, America has led the world culturally, scientifically, militarily, in freedom, and in many other ways, but if America does not stop its overspending and binge borrowing, then we are doomed to follow the footsteps of countries that chose to be financially irresponsible and are condemned to suffer the same dire consequences.

America need not speculate on our fate. Rather, America must learn from bad example countries, such as Venezuela, a socialist country that has already walked the financially irresponsible path America, unfortunately, is on.

Venezuela suffered the world's highest inflation rate, at 275 percent, in 2015. According to the International Monetary Fund, Venezuela's 2016 inflation rate will be 720 percent. Compare that to America, where 3 to 5 percent inflation causes concern.

To put Venezuela's inflation rate in everyday terms, let's apply it to things we buy. If a gallon of milk costs you \$3 today, it will cost you \$21 a year from now. If a pound of ground beef costs you \$4 today, it will cost you \$28 a year from now. A new car that costs you \$25,000 today will cost you \$175,000 a year from now.

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

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



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But the damage and danger does not end with hyperinflation. The International Monetary Fund reports Venezuela is experiencing “widespread shortages of essential goods, including food, exacting a tragic toll.” Grocery stores have rows and rows of empty shelves. Venezuelans can’t find food to feed their families and form long lines outside of stores, hoping to buy whatever is in stock, from sugar to shampoo.

In response, Socialist President Maduro has ordered police to limit consumers to two shopping days per week at government-owned food stores. One frustrated Venezuelan shopper noted: “It is exasperating, but it is the only way to get food in Venezuela.”

Inflation and food shortages are only the tip of the iceberg. When supplies run out, when jobs can’t be found, violence erupts. In just 1 month in 2014, violent street riots killed 43 Venezuelans, blocking citizens from accessing food, transportation, and medical services. Occupied buildings were torched, injuring hundreds.

Venezuela is now one of the most violent countries in the world, with a chilling 82 homicides per 100,000 population, roughly 20 times worse than America’s homicide rate. Caracas, Venezuela’s capital, is the world’s most violent city, with a war-zone-like 120 murders per 100,000 citizens.

Venezuela’s insolvency has forced it to slash defense spending by 34 percent, putting Venezuelan citizens at even more heightened risk of loss of life.

Venezuela’s tragedy is not because it is a resource-poor country. To the contrary, Venezuela has more proven oil reserves than any country on Earth, even more than the entire oil-rich North American continent.

Venezuela’s collapse is because of two things. First, Venezuela decided to experiment with socialism, an economic model that has failed every country that has tried it. Second, Venezuela’s politicians were seduced by the lure of out-of-control spending financed by more borrowing and higher debt, the same temptation Washington politicians have succumbed to for decades.

America must learn from Venezuela and every other country that has been financially irresponsible. Mr. Speaker, time is running out. Washington must balance the budget before America’s debt burden spirals out of control. America cannot wait until our financial crisis is lost and it is too late to prevent the debilitating insolvency and bankruptcy that awaits us.

I pray the American people will be good stewards of our Republic in 2016 and elect Washington officials who both understand the threat posed by deficits and debt and have the backbone to fix it. Mr. Speaker, America’s future depends on it.

#### BEHAVIORAL HEALTH CRISIS HURTS REAL PEOPLE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) for 5 minutes.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise to speak about a crisis in my home State of New Mexico, a crisis that has hurt real people who rely on the Medicaid program for lifesaving care.

Mr. Speaker, almost 3 years ago, the New Mexico Human Services Department, with the support of Governor Susana Martinez, claimed that it had credible allegations of fraud and suspended Medicaid payments to 15 behavioral health providers. This move wiped out the behavioral health system in a State where there are already significant provider shortages.

I want to take a minute to talk about what that really means. That means if you are a person who struggles with schizophrenia but manages it effectively with regular treatment, that regular treatment stops and you go back to square one. That means that if you are someone who has been diagnosed as bipolar, who has finally found a trusted provider, someone who has brought some stability and comfort to your care plan, you no longer have access to that person.

The loss of services is devastating, and I have seen it firsthand. There is a constituent who typically calls my office every day, multiple times a day. He calls my office. He calls other members of the delegation, the mayor’s office, and the chief of police. But from time to time the calls stop. They stop because this individual, who can be the most warm-hearted person I know, is in jail. He has a mental illness and a substance abuse problem and can be belligerent when he feels threatened, so he sometimes has run-ins with local law enforcement, and he ends up in jail because the system is failing him. He is not receiving the services he needs.

Our jails and sometimes our emergency rooms have become the de facto behavioral health system in our State because, when you don’t have the infrastructure to care for individuals with behavioral health issues, that is where people end up.

Mr. Speaker, I am, frankly, appalled that people in my home State are being treated in this way, but if you can believe it, it gets worse.

Last month, the New Mexico attorney general completed his review of the allegations and found that there did not appear to be a pattern of fraud. Thirteen of the 15 providers accused of fraud have now been cleared, and the people of New Mexico are left to wonder why, why a whole State’s behavioral health system was wiped out and a large population of vulnerable individuals left to fend for themselves. I think they deserve answers.

I have been working with my colleagues in the New Mexico delegation, pushing the Centers for Medicare and

Medicaid Services to exercise Federal oversight and ensure accountability since the payment suspension was announced. We have sent multiple letters, made phone calls, held in-person meetings with officials at every level at CMS and HHS, and I have to say I am extremely disappointed by their lack of engagement.

We sent another letter to CMS in February sharing the attorney general’s report and asking that they conduct a Federal investigation, and we are going to continue pushing for accountability and working to make sure this never happens again.

I plan to introduce legislation that would ensure network adequacy and continuity of care in a State’s Medicaid program, and I know my colleagues have legislation in the works as well.

Mr. Speaker, I have spent my entire career fighting for vulnerable New Mexicans, people who are voiceless in the political process. It would be easy to ignore them, as so many have done, because they are too busy struggling to survive to engage in the political process. It would be easy, but it would be wrong.

This is the most egregious abuse of power I have seen in my decades of government service, and I will not sit idly by while the most vulnerable among us suffer. We must have action. We must have accountability.

Mr. Speaker, I ask my colleagues to join me in calling for a long overdue Federal investigation of the behavioral health provider suspension in New Mexico.

#### NEGOTIATIONS BETWEEN COLOMBIA AND THE FARC

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to speak against the ongoing negotiations in Havana between the Government of Colombia and the terrorist group known as the FARC.

This draft agreement contains alarming provisions that could empower the ringleaders of the world’s largest cocaine cartel and undermine America’s security interests in the region.

It would also make American taxpayers foot the bill, through their tax dollars, in support of this bad agreement that effectively whitewashes human rights abuses while the administration of President Obama seeks more than \$70 million to help implement this proposal.

This agreement diminishes the FARC’s responsibility for its role in drug trafficking as well as the thousands of murders and kidnappings and other innumerable crimes that the FARC has perpetrated against the Colombian people by allowing the soldiers and the leaders of the FARC to avoid any jail time for all of those crimes.

To make matters worse, this agreement creates an equivalency between

the FARC and innocent civilians, categorizing both as actors in the conflict, when it has been civilians who have been the victims of the FARC's narco-terrorism and the FARC's brutality.

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As if that were not awful enough, Mr. Speaker, to equate innocent victims with the FARC in the courts of law, the draft agreement goes even further by allowing those very same violent drug dealers and insurgent leaders to not only stand for election to public office, but also to use the proceeds of the drug trade, the kidnappings, and all of the other illicit sources to fund their campaigns. This is incredible.

But the flaws in this deal don't end there, Mr. Speaker. This agreement will prevent the United States from extraditing any FARC members who have been accused of crimes against American citizens. This is especially troubling when we consider that many of the FARC members may receive immunity.

It would not surprise me if the Obama administration uses this deal as an excuse to drop the FARC from our list that designates the FARC as a foreign terrorist organization.

The Obama administration has never met a bad deal that it did not want to say yes to, especially if the deal empowers tyrants or acquiesces to terrorist demands. This puts our credibility and our national security at risk.

But what is really driving these requests is the Obama administration's continued quest to appease the Castro regime. This is the same Castro regime whose weapons systems from China to Cuba was intercepted by the Colombian Government just last March and which were suspected of being intended for the FARC.

While negotiations were taking place, they were doing this illicit arms shipment. Incredible. It is the same Castro regime that, for decades, has supported the FARC and trained many of its leaders in the terror camps.

Mr. Speaker, Cuba has no interest in a peaceful resolution to the conflict in Colombia. The Castro regime is only interested in leveraging a strengthened and legitimized FARC as a dominant player in Colombia.

The proposed deal as well as those requests by Colombia of the U.S. Government are not only dangerous to our Colombian partners, but they are also dangerous to our national security and our interests in the region.

I urge my fellow Members of Congress to speak out against this terrorist group, the FARC, as well as to block any attempts by our administration to go soft in these negotiations because this weak position could threaten our safety and block American citizens from receiving their rightful justice.

I urge my colleagues to block attempts by the Obama administration to use U.S. taxpayer dollars for this

agreement between the Colombian Government and the FARC.

A reinforced FARC with established political legitimacy sets a dangerous precedent for other organizations with similar dangerous aspirations and anti-American objectives in the region.

Let's not force our constituents to pay for this flawed and dangerous deal with terrorist groups.

#### GUN CONTROL

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

Ms. SPEIER. Mr. Speaker, on February 25, in Hesston, Kansas, a disgruntled coworker killed Renee Benjamin, 30; Josh Higbee, 31; and Brian Sadowsky, 44, with an imported Serbian AK-47-type assault weapon.

ATF has the power to ban these weapons. President George H.W. Bush demanded a ban in 1989. Ironically, his son, President George W. Bush, was pressured by the NRA when he took office to repeal the importation of the assault weapon ban.

Today I am introducing the Imported Assault Weapons Ban, a bill that would ban the importation of these assault weapons once and for all. This continued bloodshed must stop. But, somehow, my colleagues continue to accept outrageous violence as part of everyday life.

In February 2016—just last month—there were 35 mass shootings, which is to say 35 acts of violence where four or more people were wounded or killed. That is more than one per day.

Here are the real people who died because of gun violence in February. Sadly, I don't have time on the floor today to name those who were injured, but those who died include the following:

Marvin Douglass Lancaster, III, age 21, was killed while in an adult club on February 6 in Tampa, Florida. Christopher Houston, 20, was also shot there and died later.

Carlos Doroteo, 49, was killed while walking in his neighborhood on February 6 in Los Angeles, California.

Jennifer Jacques, 42; Arthur Norton, 58; and Phinny Norton, 60, were killed by Jennifer's 19-year-old son Dylan in their home on February 6 in Uvalde, Texas.

Ernesto Ayber, 29, was killed on February 7 in Rochester, New York.

Joseph Villalobos, 22, and Jonathan Avila Rojas, 33, were killed inside a nightclub on February 7 in Orlando, Florida.

Carlos Bates, 29, and Isaiah Major, III, 43, were killed at a Mardi Gras parade on February 7 in Pass Christian, Mississippi.

Dwight Hughes, Jr., 21, was killed on February 7 in Chicago, Illinois.

Trisha Nelson, 28, was killed by her fiancé, who was angry about parking, as she fled their car on February 12 in Plymouth, Minnesota. Her fiancé was later killed in a shootout with police.

Armando Curiel, 17; Raul Lopez, 19; and his brother Angel Lopez, 20, were killed in an SUV on February 18 in Salt Lake City, Utah.

Michael Broadnax, 41, was killed in a driveway on February 19 in Vallejo, California. His son, Bomani Broadnax, 22, died later of his injuries.

Officer James Lee Tartt, 44, was killed in a shootout on February 20 in Iuka, Mississippi. His family had just moved into their new home just a month earlier.

Manual Ortiz, 28, was killed at a bar on February 20 in Tampa, Florida. He had a month-old son.

Mary Lou Nye, 62; Mary Jo Nye, 60; Dorothy Brown, 74; and Barbara Hawthorne, 68, were killed in a parking lot on February 21 in Kalamazoo, Michigan. The gunman then killed Rich Smith, 53, and son Tyler Smith, 17.

Emma Wallace, 37, was killed in a car on February 21 in Hazelwood, Missouri.

The Buckner family, including mother Kimberly, father Vic, 18-year-old daughter Kaitlin, and 6-year-old daughter Emma, were killed at their family home on February 23 in Phoenix, Arizona. Their son, the shooter, was killed by police.

A deputy sheriff, Corporal Nate Carrigan, 35, was killed while serving an eviction notice on February 24 in Bailey, Colorado.

Lana Carlson, 49, and her sons Quinn, 16, and Tory, 18, as well as their neighbor, Donna Reed, 68, were killed at their home by Lana's husband on February 25 in Belfair, Washington.

Crystal Hamilton, 29, was killed by her husband on February 27 in Woodbridge, Virginia. Officer Ashley Guindon, also 29, was killed while responding to the scene. It was her first shift as a police officer.

An unidentified man was killed in a parking lot on February 28 in Riverside, California.

May the dead rest in peace, the wounded recover quickly and completely, and the bereaved receive comfort. These are the faces of Americans gunned down because we lack the guts to do anything about gun violence.

#### WASTE, FRAUD, AND ABUSE IN AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, yesterday I came back to Washington, as my colleagues did, and I saw the headlines in Politico that said: Hill GOP on the Hot Seat Ahead of Recess. It was a piece about the leadership's effort to pass a \$1.7 trillion budget.

Mr. Speaker, we are headed off a fiscal cliff, with over \$19 trillion in debt. Yet, Congress keeps driving toward that cliff.

Like most Members of Congress, I go home every weekend. I live in eastern North Carolina. I am very active in my district. I talk to many people, from

the grocery store to church. Many times the conversation is: Why can't you in Congress wake up before it is too late?

We just heard Congressman BROOKS from Alabama talk about Venezuela. We are headed right there just as quick as we can.

The waste, fraud, and abuse in Afghanistan is a prime example of Congress not doing its job. When I tell people back home that it was reported recently by John Sopko, Inspector General of Afghanistan Reconstruction, that the Pentagon spent \$6 million to buy nine goats from Italy, some laugh and some are just disgusted.

How in the world could we keep funding the Pentagon when they waste money buying goats for \$6 million? The waste of American taxpayer dollars in Afghanistan never ends.

The Wall Street Journal recently ran a story titled: "Afghan Police Force Struggling to Maintain Membership," by Jessica Donati, in which she reports that more than 36,000 Afghanistan policemen left the force last year because of Taliban attacks and poor leadership.

We have spent \$18 billion on training the Afghan police force and, here again, we lost 36,000. The poor taxpayer. We keep funding this waste in Afghanistan like we have got plenty of money. What we are doing in the Congress is absolute madness.

Mr. Speaker, I will include in the RECORD a NBC News report titled: "12 Ways Your Tax Dollars Were Squandered in Afghanistan."

[From www.nbcnews.com, March 5, 2016]

#### 12 WAYS YOUR TAX DOLLARS WERE SQUANDERED IN AFGHANISTAN

(By Alexander Smith)

The United States has now spent more money reconstructing Afghanistan than it did rebuilding Europe at the end of World War II, according to a government watchdog.

The Special Inspector General for Afghanistan Reconstruction (SIGAR) said in a statement to Congress last week that when adjusted for inflation the \$113.1 billion plowed into the chaos-riven country outstripped the post-WWII spend by at least \$10 billion.

Billions have been squandered on projects that were either useless or sub-standard, or lost to waste, corruption, and systemic abuse, according to SIGAR's reports.

NBC News spoke to SIGAR's Special Inspector General John F. Sopko about 12 of the most bizarre and baffling cases highlighted by his team's investigations.

Paraphrasing Albert Einstein, Sopko said the U.S.'s profligate spending in Afghanistan is "the definition of insanity—doing the same things over and over again, expecting a different result."

#### 1. \$486 MILLION FOR 'DEATHTRAP' AIRCRAFT THAT WERE LATER SOLD FOR \$32,000

Two of the G222 aircraft in a corner of Kabul International Airport in November 2013. SIGAR

The Pentagon spent close to half a billion dollars on 20 Italian-made cargo planes that it eventually scrapped and sold for just \$32,000, according to SIGAR.

"These planes were the wrong planes for Afghanistan," Sopko told NBC News. "The U.S. had difficulty getting the Afghans to fly them, and our pilots called them deathtraps. One pilot said parts started falling off while he was coming into land."

After being taken out of use in March 2013, the G222 aircraft, which are also referred to as the C-27A Spartan, were towed to a corner of Kabul International Airport where they were visible from the civilian terminal. They had "trees and bushes growing around them," the inspector general said.

Sixteen of the planes were scrapped and sold to a local construction company for 6 cents a pound, SIGAR said. The other four remained unused at a U.S. base in Germany.

Sopko called the planes "one of the biggest single programs in Afghanistan that was a total failure."

#### 2. \$335 MILLION ON A POWER PLANT THAT USED JUST 1 PERCENT OF ITS CAPACITY

Tarakhil Power Plant pictured in October 2009. SIGAR

The Tarakhil Power Plant was fired up in 2009 to "provide more reliable power" to blackout-plagued Kabul, according to the United States Agency for International Development, which built the facility.

However, the "modern" diesel plant exported just 8,846 megawatt hours of power between February 2014 and April 2015, SIGAR said in a letter to USAID last August. This output was less than 1 percent of the plant's capacity and provided just 0.35 percent of power to Kabul, a city of 4.6 million people.

Furthermore, the plants "frequent starts and stops . . . place greater wear and tear on the engines and electrical components," which could result in its "catastrophic failure," the watchdog said.

USAID responded to SIGAR's report in June 2015, saying: "We have no indication that [Afghan state-run utility company] Da Afghanistan Breshna Sherkat (DABS), failed to operate Tarakhil as was alleged in your letter."

#### 3. ALMOST \$500,000 ON BUILDINGS THAT 'MELTED' IN THE RAIN

The dry-fire range in Wardak is pictured in February 2013. SIGAR

U.S. officials directed and oversaw the construction of an Afghan police training facility in 2012 that was so poorly built that its walls actually fell apart in the rain. The \$456,669 dry-fire range in Wardak province was "not only an embarrassment, but, more significantly, a waste of U.S. taxpayers' money," SIGAR's report said in January 2015.

It was overseen by the U.S. Central Command's Joint Theater Support Contracting Command and contracted out to an Afghan firm, the Qesmatullah Nasrat Construction Company.

SIGAR said this "melting" started just four months after the building was finished in October 2012. It blamed U.S. officials' bad planning and failure to hold to account the Afghan construction firm, which used poor-quality materials. The U.S. subsequently contracted another firm to rebuild the facility.

Sopko called the incident "baffling."

#### 4. \$34.4 MILLION ON A SOYBEAN PROGRAM FOR A COUNTRY THAT DOESN'T EAT SOYBEANS

Some of the remaining soybean inventory in March 2014 after it was imported from the U.S. to Afghanistan. SIGAR

"Afghans apparently have never grown or eaten soybeans before," SIGAR said in its June 2014 report. This did not stop the U.S. Department of Agriculture funding a \$34.4 million program by the American Soybean Association to try to introduce the foodstuff into the country in 2010.

The project "did not meet expectations," the USDA confirmed to SIGAR, largely owing to inappropriate farming conditions in Afghanistan and the fact no one wanted to buy a product they had never eaten.

"They didn't grow them, they didn't eat them, there was no market for them, and yet

we thought it was a good idea," Sopko told NBC News.

"What is troubling about this particular project is that it appears that many of these problems could reasonably have been foreseen and, therefore, possibly avoided," the inspector general wrote in a letter to Agriculture Secretary Tom Vilsack in June 2014.

#### 5. ONE GENERAL'S EXPLANATION WHY 1,600 FIRE-PRONE BUILDINGS WEREN'T A PROBLEM

Fire breaks out at an arch-span building at the Afghan National Army's Camp Sayer in October 2012. SIGAR

The U.S. Army Corps of Engineers built some 2,000 buildings to be used as barracks, medical clinics and fire stations by the Afghan National Army as part of a \$1.57-billion program. When two fires in October and December 2012 revealed that around 80 percent of these structures did not meet international building regulations for fire safety, Sopko said he was "troubled" by the "arrogant" response from a senior USACE chief.

Major General Michael R. Eyre, commanding general of USACE's Transatlantic Division, said the risk of fire was acceptable because "the typical occupant populations for these facilities are young, fit Afghan soldiers." Writing in a January 2014 memo published by SIGAR, Eyre said these recruits "have the physical ability to make a hasty retreat during a developing situation."

Sopko told NBC News that Eyre's comments "showed a really poor attitude toward our allies." He added: "It was an unbelievable arrogance, and I'm sorry to say that about a senior officer."

#### 6. A \$600,000 HOSPITAL WHERE INFANTS WERE WASHED IN DIRTY RIVER WATER

A room in Salang hospital in January 2004. SIGAR

Despite the Department of Defense spending \$597,929 on Salang Hospital in Afghanistan's Parwan province, the 20-bed facility has been forced to resort to startling medical practices.

"Because there was no clean water, staff at the hospital were washing newborns with untreated river water," SIGAR's report said in January 2014. It added that the "poorly constructed" building was also at increased "risk of structural collapse during an earthquake."

NBC News visited the hospital in January 2014 and witnessed some disturbing practices: a doctor poking around a dental patient's mouth with a pair of unsterilized scissors before yanking out another's tooth with a pair of pliers.

The United States Forces-Afghanistan responded to SIGAR's report in January 2014 saying it would investigate why the building was not constructed to standard.

In a separate report, SIGAR said that USAID reimbursed the International Organization for Migration for spiraling costs while building Gardez Hospital, in Paktia province.

The IOM's "weak internal controls" meant it paid \$300,000 for just 600 gallons of diesel fuel—a price of \$500 per gallon when market prices should not have exceeded \$5, SIGAR said.

#### 7. \$36 MILLION ON A MILITARY FACILITY THAT SEVERAL GENERALS DIDN'T WANT

An unused room at the so-called "64K" facility. SIGAR

The so-called "64K" command-and-control facility at Afghanistan's Camp Leatherneck cost \$36 million and was "a total waste of U.S. taxpayer funds," SIGAR's report said in May 2015.

The facility in Helmand province—named because it measured 64,000 square feet—was intended to support the U.S. troop surge of 2010.

However, a year before its construction, the very general in charge of the surge asked

that it not be built because the existing facilities were “more than sufficient,” the watchdog said. But another general denied this cancellation request, according to SIGAR, because he said it would not be “prudent” to quit a project for which funds had already been appropriated by Congress.

Ultimately, construction did not begin until May 2011, two months before the draw-down of the troops involved in surge. Sopko found the “well-built and newly furnished” building totally untouched in June 2013, with plastic sheets still covering the furniture.

“Again, nobody was held to account,” Sopko told NBC News, adding it was a “gross . . . really wasteful, extremely wasteful amount of money.”

He added: “We have thrown too much money at the country. We pour in money not really thinking about it.”

8. \$39.6 MILLION THAT CREATED AN AWKWARD CONVERSATION FOR THE U.S. AMBASSADOR

A now-defunct Pentagon task force spent almost \$40 million on Afghanistan’s oil, mining and gas industry—but no one remembered to tell America’s diplomats in Kabul, according to SIGAR, citing a senior official at the U.S. embassy in the city.

In fact, the first the U.S. ambassador knew about the multi-billion-dollar spend was when Afghan government officials thanked him for his country’s support, SIGAR said.

The project, administered by the Task Force for Business and Stability Operations (TFBSO), was part of a wider \$488 million investment that also included the State Department and USAID. These organizations “failed to coordinate and prioritize” their work, which created “poor working relationships, and . . . potential sustainability problems,” according to SIGAR.

It was, according to Sopko, “a real disaster.”

One USAID official told the watchdog it would take the U.S. “100 years” to complete the necessary infrastructure and training Afghanistan needs to completely develop these industries.

9. \$3 MILLION FOR THE PURCHASE—AND THEN MYSTERY CANCELLATION—OF EIGHT BOATS

One of the eight boats sitting in a Virginia warehouse in June 2014. SIGAR

SIGAR said the U.S. military has been unable to provide records answering “the most basic questions” surrounding the mystery purchase and cancellation of eight patrol boats for landlocked Afghanistan.

The scant facts SIGAR were able to find indicated the boats were bought in 2010 to be used by the Afghan National Police, and that they were intended to be deployed along the country’s northern river border with Uzbekistan.

“The order was cancelled—without explanation—nine months later,” SIGAR said. The boats were still sitting unused at a Navy warehouse in Yorktown, Virginia, as of 2014.

“We bought in a navy for a landlocked country,” Sopko said.

10. \$7.8 BILLION FIGHTING DRUGS—WHILE AFGHANS GROW MORE OPIUM THAN EVER

Afghan farmers harvest opium sap from a poppy field in Nangarhar province in May 2015. NOORULLAH SHIRZADA/AFP—Getty Images, file

Despite the U.S. plowing some \$7.8 billion into stopping Afghanistan’s drug trade, “Afghan farmers are growing more opium than ever before,” SIGAR reported in December 2014.

“Poppy-growing provinces that were once declared ‘poppy free’ have seen a resurgence in cultivation,” it said, noting that internationally funded irrigation projects may have actually increased poppy growth in recent years.

The “fragile gains” the U.S. has made on Afghan health, education and rule of law were being put in “jeopardy or wiped out by the narcotics trade, which not only supports the insurgency, but also feeds organized crime and corruption,” Sopko told U.S. lawmakers in January 2014.

Afghanistan is the world’s leader in the production of opium. In 2013, the value of Afghan opium was \$3 billion—equivalent to 15 percent of the country’s GDP—according to the United Nations Office of Drugs and Crime.

Sopko told NBC News the picture is no more optimistic today. “No matter which metric you use, this effort has been a real failure,” he said.

11. \$7.8 MILLION ON A NEARLY-EMPTY BUSINESS PARK

The entrance to Shorandam Industrial Park in June 2014. SIGAR

The USAID-funded Shorandam industrial Park in Kandahar province was transferred to the Afghan government in September 2010 with the intention of accommodating 48 business and hundreds of local employees. Four years later, SIGAR inspectors found just one active company operating there.

This was due to the U.S. military building a power plant on one-third of the industrial park to provide electricity to nearby Kandahar City, causing “entrepreneurs to shy away from setting up businesses” at the site, SIGAR said in its report of April 2015.

After the military withdrew in mid-2014, the investigators were told that at least four Afghan businesses had moved into the industrial park. However, SIGAR said that it could not complete a thorough inspection because USAID’s contract files were “missing important documentation.”

12. \$81.9 MILLION ON INCINERATORS THAT EITHER WEREN’T USED OR HARMED TROOPS

The DOD spent nearly \$82 million on nine incineration facilities in Afghanistan—yet four of them never fired their furnaces, SIGAR said in February 2015. These four dormant facilities had eight incinerators between them and the wastage cost \$20.1 million.

In addition, SIGAR inspectors said it was “disturbing” that “prohibited items,” such as tires and batteries, continued to be burned in Afghanistan’s 251 burn pits. U.S. military personnel were also exposed to emissions from these pits “that could have lasting negative health consequences,” the watchdog said.

The Department of Defense said it was “vital” interested in exploring all possible ways to save taxpayer dollars and ensure we are good stewards of government resources.”

A spokesman added: “We’ll continue to work with SIGAR, and other agencies, to help get to the bottom of any reported issues or concerns.”

A spokesman for Afghanistan’s President Ashraf Ghani declined to comment on this story.

Mr. JONES. Some of the most egregious examples of waste in this list are the \$486 million the Pentagon paid for deathtrap aircraft that were scrapped and sold for \$32,000. You spend \$486 million and what you get back is scrap. It costs \$32,000. Also, \$500,000 on training facilities for Afghan police that melted in the rain. The poor American taxpayer.

John Sopko, the Inspector General for Afghanistan Reconstruction, has told Congress on many occasions to look at the waste, fraud, and abuse in Afghanistan. Yet, every year we will pass appropriations bills on the floor of

the House to continue to spend billions of dollars in Afghanistan. I do not understand it.

It is time for America to wake up. It is time for the Congress to wake up and bring our troops home from Afghanistan. It is time to say to Afghanistan: Fight it out, if you want to. It is your country.

Afghanistan is the graveyard of empires. There is a headstone in that graveyard that says: America, I am waiting for you. You are headed for this graveyard.

ZIKA VIRUS

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

Mr. RUIZ. Mr. Speaker, I rise to address a serious public health issue facing our country.

As a physician, I am very concerned over the recent spread of the Zika virus in the Americas, particularly given the potential long-term effects that are now being linked to the virus.

Zika was first discovered in 1948 in Uganda. Until recently, little research or attention was paid to the virus. It was not thought to have any lasting effects until recently. Because of this, there is no vaccine, no drug treatment, and testing is not readily available.

It is important to note that four out of five individuals who contract Zika are unaware that they have it because they do not ever show any symptoms. For those that do, symptoms are generally mild.

However, as the virus continues to spread, researchers are identifying a link between Zika and infants being born with congenital microcephaly as well as a link between Zika and Guillain-Barre syndrome.

There are still many questions, and scientists are searching for answers. For example, can Zika be transmitted sexually? If so, for how long is it transmittable? What are the long-term health and economic effects of this infection?

While at this time there have been no reported cases of mosquito transmission within the U.S., there have been over 150 travel-related cases reported. Most recently a Zika case was found in Orange County, not too far from my district.

□ 1030

The CDC is currently advising pregnant women to postpone travel to Zika-affected areas, and if they must travel, to first consult with their physician and take all necessary precautions to avoid mosquitos.

Last month, the administration submitted a supplemental appropriations request for emergency funding to help fight the Zika virus. And my physician-scientist colleagues at the CDC and NIH have echoed the need for funding.

As we enter mosquito season and families start to travel for summer vacation, it is important that we do not

delay this funding and work to ensure that we contain the damage the virus could cause if left unchecked. Timing is of the essence and emergency funding needs to be appropriated immediately to mitigate any potentially destructive effects.

This is why I sent a bipartisan letter, along with 61 of my colleagues, urging Speaker RYAN to bring to the floor legislation that would appropriate emergency funding to help fight the Zika virus.

This is not a Democratic issue. This is not a Republican issue. It is a public health and health security issue. The cost of not acting is just too high.

**SHENANDOAH AREA COUNCIL BOY SCOUTS OF AMERICA'S 2016 DISTINGUISHED CITIZEN OF THE YEAR**

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today in recognition of an outstanding member of my community in the Eastern Panhandle of West Virginia's Second Congressional District, Ed Wilson.

This afternoon in Martinsburg, Ed Wilson is being named the Shenandoah Area Council of the Boy Scouts of America's 2016 Distinguished Citizen of the Year. This award is given to exceptional members of the community who have "noteworthy and extraordinary leadership."

Past honorees include Senators Robert Byrd, Jay Rockefeller, SHELLEY MOORE CAPITO, and JOE MANCHIN, as well as Brigadier General V. Wayne Lloyd, the former head of the 167th Airlift Wing in Martinsburg.

My friend, Ed Wilson, also truly personifies all that this award embodies. Born in Woodbridge, New Jersey, Ed's journey of faith and service included a very early milestone.

At the age of 10, he joined the St. Vincent de Paul Society. This Catholic charitable organization, whose local chapter was founded by his wife, Midge, offers not a handout, but a hand up. This same ethic lies behind the mission of the Boy Scouts, who Ed has worked with for so many years.

Ed served in the Navy for 3 years before earning a position with the intelligence community as a linguist and analyst. Ed worked for the CIA for 31 years, 24 of which were overseas. He was stationed around the globe, in Europe, the Middle East, Central America, and Asia.

Finally, in 1977, Ed and his wife, Midge, moved to Falling Waters, in Berkeley County, West Virginia, where they have been committed to serving our community and its needs ever since.

Ed's work for our community has been called legendary by some, and I couldn't agree more. He has served with 16 agencies, charitable organiza-

tions, and community projects, including Big Brothers and Big Sisters of the Eastern Panhandle, Catholic Charities, March of Dimes, Martinsburg-Berkeley County Chamber of Commerce, Mountain State Apple Harvest Festival, and the United Way of the Eastern Panhandle.

Ed likes to say that life is too important to be taken seriously. I do agree, but I must add this. One of the serious reasons why the Boy Scouts honors Ed is the importance of his lifetime of service.

Ed provides an important role model for young men about the importance of commitment, virtue, culture, and just basic decency. With that in mind, I not only congratulate, but also thank my friend, Ed Wilson, for all he has done for our country and community.

**WE NEED AN ALL-OF-THE-ABOVE ENERGY POLICY.**

Mr. Speaker, I rise today to comment on a recent statement made by the leading Democrat candidate for President and former Secretary of State, Hillary Clinton, who just on Sunday night on CNN was asked about her policies.

She said, "I am the only candidate which has a policy about bringing economic opportunity, using clean, renewable energy as the key into coal country because we are going to put a lot of coal miners and coal companies out of business."

Mr. Speaker, we need a President who has an all-of-the-above energy policy, not one who so blatantly discriminates against coal. This attack and war on coal that Hillary Clinton plans to continue, just like our current President, has devastated our State. We are in a recession in West Virginia. We need a President who will fight for our coal miners, promote the all-of-the-above energy policy, and utilize our country's natural resources, including coal.

This is important to West Virginia and everyone in the country, so I call upon all of us to look at the importance of this upcoming discussion on this issue.

**PENN STATE STUDENTS COMMITTED TO ADDRESSING THE NATIONAL DEBT**

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to laud the efforts of a student organization at Penn State University, located in the Pennsylvania Fifth Congressional District.

These students are participating, Mr. Speaker, in a nationwide competition called Up to Us. The goal is raising awareness of the national debt and the impact it will have on the leaders of tomorrow and generations to come, especially in terms of their future economic opportunities. The winning team

will be recognized later this year and will receive \$10,000.

The national debt isn't something you often hear much about from men and women in their late teens and early twenties, which is why I was so impressed by this.

These are signatures of more than 1,500 students seeking to raise awareness among the men and women who represent them in such places as the United States House of Representatives and the Senate.

I was happy to share some of the work we have done over the past few years in lowering the debt and pledge to continue that effort.

Spending has been reduced to historic levels under the Republican-led Congress. These fiscally responsible reductions are greater than those achieved under President Reagan and greater than those under former Speaker of the House Newt Gingrich.

This has been a challenge, given that before Republicans took charge of the House, total spending to gross domestic production had skyrocketed from 21 to 24 percent. Discretionary spending alone went from 7 percent to 10 percent. We were drowning in debt.

One of the first measures in restoring financial common sense advanced by Republicans was the Budget Control Act that decreased government spending by more than \$2 trillion over 10 years. By flexing the power of the purse, the Republican-led House reduced spending from 9.1 to 6.5 percent of gross domestic product.

The second significant and successful debt reduction measure came in the form of the Ryan-Murray deal. This extended the Budget Control Act savings an additional 2 years.

Newly hired Federal employees are now required to contribute more to pension plans, and taxpayers contribute less. The spending reductions that were impacting mandatory spending for the first time resulted in faster and greater debt reduction.

The very first meaningful entitlement reform that provided even greater debt reduction came from the Republican-led Medicare reform legislation that has been enacted, known as the doc fix.

Now, while this legislation provided a permanent patch of the Medicare outpatient payment system, securing access to care, health care for America's older adults, the reforms are estimated to save \$2.9 trillion over 10 years in Medicare's unfunded liabilities. This leadership reduced the debt and supported the Medicare program's sustainability.

While the Republican-led Congress has taken action on debt reduction, much work remains. Raising awareness of the threats that debt creates for fiscal health, individual opportunity, upward mobility, and national security is a critical step.

I want to say thank you to the students at Penn State University who are involved in leading the Up to Us

project for their work in this effort. I wish them the best of luck as they continue to work to bring attention to this very important issue.

I look forward to working with them as we continue to work at eliminating the debt that threatens their future and the future of our Nation.

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#### RECESS

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

Accordingly (at 10 o'clock and 39 minutes a.m.), the House stood in recess.

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□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. EMMER of Minnesota) at noon.

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#### PRAYER

Reverend Tyrone M. Thomas, Charity Church, Baltimore, Maryland, offered the following prayer:

O Lord, our Lord, how excellent is Your name on all the Earth. We come before You today, first thanking You for another day You have allowed us to see and partake in.

We thank You for Your grace, mercy, and loving kindness you have extended to us on this day. God, we thank You for allowing us to arrive at destinations free from hurt, harm, or danger.

We ask You now, God, that You would allow our day to be a productive, purposeful, and peaceful day. Creator and God, we ask that You allow us to remain focused and on task as we go about our day-to-day responsibilities.

We ask Your continued blessings upon every Member of the House of Representatives who are represented here today. We ask that You would lead, guide, and strengthen their ability to make sound decisions for Your people.

God, as we conclude our day, we want to hear You say: Well done, thy good and faithful servant. We ask all these things in the name of the God who created all and who made all things.

Amen.

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#### THE JOURNAL

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

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

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#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Ohio (Mrs. BEATTY) come forward and lead the House in the Pledge of Allegiance.

Mrs. BEATTY led the Pledge of Allegiance as follows:

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

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#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

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#### NATIONAL AGRICULTURE DAY

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

Ms. FOXX. Mr. Speaker, today is National Agriculture Day, where we recognize and celebrate the important role that agriculture plays in the United States.

As a lifelong farmer—on a small scale at times—and a longtime Christmas tree grower, I am committed to actively engaging in the creation of responsible farm policies that honor taxpayers while protecting the way of life of North Carolina's farming families.

The Fifth District of North Carolina has a rich agricultural tradition, and it is a privilege to work with local farmers to ensure they have the tools they need to continue producing their outstanding commodities.

I will keep looking for legislative innovations that ensure North Carolina's farmers are free to compete, adapt, and seize opportunities to safely maximize production and meet the needs of America and the world.

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#### RECOGNIZING THE GIRL SCOUTS

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I rise today to recognize the young women of Girl Scout Daisy Troop 1944, ages 6 to almost 8 years of age, who recently visited my office.

After meeting with them, I was truly inspired. Mr. Speaker, they alerted me to all their great work, from volunteering in a local animal shelter to hosting a birthday party for homeless children. We also discussed the importance of civic engagement and honoring our Nation's veterans.

The members of this impressive troop are Roxanne Dion, Kirsten Wilson, Harley Craig, Cecelia Rodriguez, Aubree Meyerin, Kileigh Solberg, Brooklyn Cress, DeLana Windnagel, Lily Denovo, Georgia Woodward, Allison Helsler, Kaylea Thompson, and Isabelle Jones.

During Women's History Month, let us pay tribute to the next generation of women leaders, like the young women of Daisy Troop 1944.

Mr. Speaker, please join me in recognizing the works of the 1.9 million girl members of the Girl Scouts as well as the individuals who volunteer to help

them as troop leaders, their parents, and Girl Scouts CEO Anna Maria Chavez, all who strive to make the world a much better place.

I say to you, Daisy troops: Job well done.

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#### MINNESOTA'S FIRST FEMALE BRIGADIER GENERAL

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

Mr. EMMER of Minnesota. Madam Speaker, in honor of Women's History Month, I rise today to celebrate an inspiring woman who now has a permanent spot in Minnesota's history books. Last week Sandra Best became the first female Brigadier General in the Minnesota National Guard.

General Best was a 20-year-old college student when she joined the Air National Guard in 1984. During her 32 years of service, Best has proven her dedication to this Nation and to Minnesota through a variety of leadership positions.

In her new position as Brigadier General, Best will serve as the chief of staff for the Minnesota National Guard and will be in charge of the 133rd Airlift Wing and the 148th Fighter Wing.

General Best is a true trailblazer. She has broken down barriers and forged a path that other women are sure to follow. It is with great respect and great pride that I recognize her today.

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#### HONORING DR. JUAN FRANCISCO LARA

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

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to honor the life of Dr. Juan Francisco Lara.

Dr. Lara passionately advocated for access to the University of California system for all students. For over 35 years, he was involved at UCLA and the University of California, Irvine, in many roles, including dean, professor, and assistant vice chancellor.

At UCI, Dr. Lara played a pivotal role in the Santa Ana Partnership, an educational partnership between UCI, Cal State Fullerton, Santa Ana College, and the Santa Ana Unified School District, which is now a national model in collaborative education.

Dr. Lara was a devoted husband, father, and grandfather known for his commitment to community and love for his family. I counted him as my friend. He believed that, with the power of knowledge, kindness, and education, we could change the world.

On behalf of the people of California's 46th Congressional District, I am proud to honor this inspiring and incredible man.

## RETIREMENT OF MIKE BROWN

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

Mr. McCLINTOCK. Mr. Speaker, I rise to express the heartfelt gratitude of the people of the Tahoe Basin for Chief Mike Brown of the North Lake Tahoe Fire Department.

On March 18, Chief Brown will close a distinguished career of 26 years with that department, including 9 years as its chief, and a total of 37 years as a firefighter.

The greatest environmental threat to the Tahoe Basin is catastrophic wildfire. Chief Brown has led the fight to develop community wildfire protection plans, promote best practices for fire management, and educate the public on maintaining defensible space.

His success is measured not only in the fires he has extinguished but, far more important and far less appreciated, the fires he has prevented.

Chief Brown has been a tireless advocate for restoring sound management to our public lands to protect our communities, and Tahoe has been most fortunate to have had him.

## HONORING THE LIFE OF RODERICK "ROD" DURHAM

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

Ms. GRAHAM. Mr. Speaker, today I rise to mourn the loss of Roderick "Rod" Durham, a Tallahassee teacher, actor, community leader, role model, and dear friend.

Rod was born in Maryland in 1964 and moved to Tallahassee in his teens. He graduated from Leon High School in 1982 with my sister, Cissy, and then returned to teach there in 1997.

However, Rod was far, far more than a teacher. He was a role model. His students knew they could trust to confide in him or look to him for inspiration in difficult times.

His personality was larger than life. He embodied joy and happiness. His positive energy would fill any room with smiles, love, and laughter.

His loss is heartbreaking for so many in north Florida, but I am blessed to have called him my friend. Our community will be forever grateful for his service and spirit.

Rest in peace, dear friend. Rest in peace.

## PENN HIGH SCHOOL GIRLS BASKETBALL TEAM

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

Mrs. WALORSKI. Mr. Speaker, I rise today to congratulate the Penn High School girls basketball team for winning the Class 4A Girls Basketball State Championship on Saturday, February 27. This impressive achievement is the program's first State title.

The Kingsmen team entered the game ranked fourth in the division, but didn't let that deter them. They took a 31-30 lead at the beginning of the third quarter. The momentum continued when, after a pair of big runs, the team opened a 19-point lead early in the fourth quarter.

The Kingsmen rolled past the defending champs, the Columbus North Bulldogs, to win the championship 68-48. They finished the night shooting 52 percent from the floor and, after getting out-rebounded in the first half, topped the Bulldogs over the final 16 minutes.

This is truly an exciting victory, and it is because of the dedication of Coach Kristi Ulrich and the hard work of these student athletes that this honor has been earned.

Mr. Speaker, the names of the student athletes are: Kaitlyn Marenyi, Amber Smith, Makenzie Kilmer, Sara Doi, Chloe Foley, Delaney Jarrett, Tia Chambers, Claire Carlton, Camryn Buhr, Lindsay Chrise, Lindsay Kline, Kamra Solomon, and Janessa Chesnic. Also, Coach Kristi Kaniewski Ulrich.

On behalf of the people of Indiana's Second Congressional District, I applaud Kristi for building this team, thank the student athletes for their determination, and congratulate them all on an amazing season.

## HONORING SOON-TO-BE BRIGADIER GENERAL JEANNIE LEAVITT

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

Mr. HARDY. Mr. Speaker, every day is a good day to honor the achievements of strong women in our lives, but March is a special time of year to highlight the stories of trailblazing women who serve as leaders in our communities and around the Nation.

This Women's History Month, I would like to recognize Colonel and soon-to-be Brigadier General Jeannie Leavitt, a woman who knows a thing or two about breaking through glass ceilings. In fact, as the Air Force's first female fighter pilot, the sky has always been her limit.

Colonel Leavitt will soon take command of the 57th Wing at Nellis Air Force Base back in my district, becoming the first woman to ever do so. This will make her the highest ranking female officer ever at Nellis and will place her in charge of our military's most important air combat testing and training assets.

While Colonel Leavitt's distinguished career in the United States Air Force has been filled with many firsts for women, it is important to remember that her achievements are a result of her being the best officer and commander for the job, man or woman.

## FIX THE IMMIGRATION SYSTEM

(Mr. POLIS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, the time to fix our broken immigration system is now. This is the time to make sure that families are unified and children aren't taken from their parents, the time to make sure we secure our southern border to prevent the illegal flow of people and drugs, the time to make sure that we know who is in our country and to make sure that they don't represent a security threat to American citizens.

The time is long overdue. I hope that my colleagues on both sides of the aisle appreciate that we need to work together to restore the rule of law, secure our border, and make sure there is a path to legalization for the 11 million people who work hard every day and contribute to make our country even greater.

In doing immigration reform, we can reduce our deficit by over \$200 billion. That is an estimate of the nonpartisan Congressional Budget Office. Part of those savings go to securing our southern border and enforcing our laws, which remain completely unenforced because they are unenforceable.

I urge my colleagues on both sides of the aisle to work together to finally fix our broken immigration system with one that works, restore the rule of law, and recognize that we are a Nation of laws and a Nation of immigrants.

□ 1215

## ANTI-TRUMP DEMONSTRATORS

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

Mr. DUNCAN of Tennessee. Mr. Speaker, WMAL Radio in Washington reported yesterday that a group affiliated with Senator BERNIE SANDERS tweeted out a congratulations to those who forced the cancellation of the Trump rally in Chicago this past Friday, calling it a great victory.

This morning, Willie Geist, a co-host of the Morning Joe television program, said that one poll showed that 88 percent said Mr. Trump had actually been helped by the extremism of the anti-Trump demonstrators in Chicago.

Then Joe Scarborough reported that Mr. Trump had gone up 6 points in one poll in Florida since the Chicago protests, despite having \$25 million in negative ads against him.

It was sad to see such hateful intolerance on public display this past Friday, and I am pleased that no conservatives are doing things like this to Clinton or Sanders rallies.

I have not endorsed anyone in this Presidential campaign, but these anti-free speech thugs and their leftist supporters should realize that all they did was make Donald Trump more popular.

## RECOGNIZING RUNNING START

(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, as the first Hispanic woman elected to serve in Congress and as the 2016 Republican co-chair of Running Start, I am proud to recognize the great work that Running Start does to empower young women to become engaged in elective office.

Since its inception almost 10 years ago, Running Start has trained over 10,000 young ladies, many of whom are currently assisting in our congressional offices throughout the Star Fellowship program.

I have seen firsthand the level of commitment and professionalism that these young women possess. My office was introduced to Whitney Holliday, our first Start fellow, in 2009. Since then we have hosted a number of remarkable young women, including Lucinda Borque, Alexandra Curtis, Sarah Pink, and Shannon Carney. One of my staffers, Taylor Johnson, is also a proud alumna of this wonderful Running Start program.

They have all proven to be resilient young women with the skills necessary to thrive and become the leaders of tomorrow.

RECOGNIZING STATE SENATOR  
TOMMIE WILLIAMS

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Senator Tommie Williams and his retirement from the Georgia State Senate.

Since first being elected to office in 1998, Senator Williams has spent the last 18 years representing his South Georgia constituents in extraordinary fashion.

Through the years, Senator Williams' hard work and passion has flourished as he has moved through the ranks from majority leader to President pro tempore, always working to keep Georgia's economy growing.

As a true conservative from Lyons, Georgia, a great friend, and a passionate lawmaker, Senator Williams' service to the State of Georgia will be missed. I wish my friend the best of luck in his future endeavors.

NATIONAL AGRICULTURE DAY

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

Mr. BENISHEK. Mr. Speaker, I rise today in celebration of National Agriculture Day. Today we celebrate the farmers and ranchers who literally work to put the food on our dinner tables.

Last week I was in Posen, Michigan, and met the Styma family. They are growing hundreds of thousands of potatoes each year that families across the country will enjoy.

The next time you put a cherry on your ice cream sundae, think of Glen and Ben LaCross, who not only work full time raising cherries in northern Michigan, but also manage a fruit processing business to make delicious products, like maraschino cherries and pie fillings, available in Michigan and around the country.

Farmers, ranchers, and agribusiness owners and workers don't just provide food and fiber for the Nation; they are an important part of our economy.

In Michigan alone, the agriculture industry contributes over \$100 billion annually to the economy, accounting for a quarter of Michigan's workforce.

As a member of the House Committee on Agriculture, I want to thank the farmers, producers, and agribusiness workers who feed and clothe America's families.

COMMUNICATION FROM THE  
CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. EMMER of Minnesota) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 15, 2016.

Hon. PAUL D. RYAN,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 15, 2016 at 9:29 a.m.:

Appointment:  
United States Commission on International Religious Freedom.

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION  
OF H.R. 4596, SMALL BUSINESS  
BROADBAND DEPLOYMENT ACT,  
AND PROVIDING FOR CONSIDERATION  
OF H.R. 3797, SATISFYING  
ENERGY NEEDS AND SAVING  
THE ENVIRONMENT ACT

Mr. STIVERS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 640 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 640

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4596) to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be con-

sidered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; (2) the further amendment printed in part A of the report of the Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3797) to establish the bases by which the Administrator of the Environmental Protection Agency shall issue, implement, and enforce certain emission limitations and allocations for existing electric utility steam generating units that convert coal refuse into energy. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

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

GENERAL LEAVE

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

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

There was no objection.

Mr. STIVERS. Mr. Speaker, on Monday, the Committee on Rules met and reported out a rule for H.R. 4596, the Small Business Broadband Deployment Act, and H.R. 3797, the Satisfying Energy Needs and Saving the Environment Act. House Resolution 640 provides a structured rule for consideration of H.R. 4596 and H.R. 3797.

The resolution provides each bill 1 hour of debate equally divided between the chair and ranking member of the Committee on Energy and Commerce.

Additionally, the resolution provides for the consideration of five amendments offered to H.R. 3797, as well as one amendment offered to H.R. 4596.

Finally, Mr. Speaker, the resolution provides for a motion to recommit for each bill.

Mr. Speaker, I rise today to support the resolution and the underlying legislation. The SENSE Act would modify the EPA's Cross-State Air Pollution Rule and Mercury and Air Toxics Standards as they apply to coal refuse-to-energy power plants, while still requiring those facilities to reduce their emissions.

There are only 19 coal refuse-to-energy facilities in the United States, but they provide an estimated 1,200 direct and 4,000 indirect jobs, many of them in economically depressed areas.

In addition to providing well-paying jobs and generating affordable energy, these power plants also address issues presented by coal refuse at no cost to the taxpayer.

Coal refuse is a waste product of coal mining found near many abandoned coal mines, and they present environmental and safety hazards to communities around the country.

They are a source of major fires. They pollute waters. They are eyesores that threaten economic development in the surrounding areas. In Pennsylvania alone, the cost of addressing coal refuse is estimated to be \$2 billion.

Coal refuse-to-energy plants use coal refuse as an energy to generate affordable and reliable electricity, and it is estimated that these facilities have removed 214 million tons of coal refuse from the environment, again, at no cost to the taxpayer, and they also generate electricity, in addition to removing this coal refuse.

However, only a few of the most recently built coal refuse-to-energy plants can comply with the EPA's Cross-State Air Pollution Rule and their Mercury and Air Toxics Standards, neither of which took the unique characteristics of these facilities into account.

Because coal refuse is a waste product containing varying levels of sulfur and other regulated contaminants, the plants using it need rules that reflect this variability. The EPA refused to provide any flexibility, placing the continued operation of these coal refuse-to-energy plants in doubt.

One way the SENSE Act would correct this is by making adjustments to

sulfur dioxide allowances for these plants, without lowering the overall cap on emissions.

Forcing these plants to close would harm our communities, it would actually hurt jobs, it would make our environmental problems worse, not better, and it would cost our taxpayers more money.

The other bill under consideration is the Small Business Broadband Deployment Act, and it would exempt Internet service providers with 250,000 subscribers or fewer from having to implement the FCC's enhanced transparency requirements under the 2015 Open Internet Order.

Under this legislation, the exemption would remain in effect for 5 years, enabling these small Internet service providers to focus on expanding their networks and improving connectivity.

This is a major issue for my congressional district, which includes a lot of rural communities, and they are in need of faster Internet. Many of the communities I serve in rural southeast and southwest Ohio do not have a 4G-like connection.

I know that this is an issue that is shared by many districts across the country, many Members across the country, from both sides of the aisle. So I am hopeful that this measure will pass with strong bipartisan support.

It is also important to note that the Small Business Broadband Deployment Act does not prevent consumers from accessing information, as the disclosure requirements from the 2010 Open Internet Order remain in effect.

I look forward to debating these bills with my colleagues. I urge support for the rule and the underlying pieces of legislation.

I reserve the balance of my time.

□ 1230

Mr. POLIS. I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to this rule and the first of the two underlying bills. The second one is largely uncontroversial. The first, the Satisfying Energy Needs and Saving the Environment bill—so-called Saving the Environment bill—the SENSE Act, actually leads to greater risks and more contaminations I will discuss; and then the second, the noncontroversial bill, is called the Small Business Broadband Deployment Act.

I'm a little curious as to why we are going through this particular rule process. This could be scheduled for a suspension vote. We could have possibly even done it with unanimous consent and probably finished it yesterday. But apparently the Republicans don't find that there is anything important that America wants Congress to address, so they have us debating bills that are largely not controversial that we could get done in a matter of minutes and, instead, are spending several hours debating these bills, one of

which will go nowhere, the other of which we could have done very quickly to avoid this Congress having the real discussions that I believe the American people want us to undertake.

When I go back home and have town-halls and hear from constituents, I hear people crying out for a Congress that will do something about our Federal budget deficit and that will actually pass a budget. You will see later in my remarks I will mention that our previous question motion will be one that would require Congress to stay in session until we pass a budget, because there has been discussion—I hope it is not true—that the Republicans are thinking of giving up on passing a budget in the House and simply sending all of Congress home for a vacation.

I think, already, Congress is scheduled to finish Wednesday of next week. Most Americans have to work Thursday and Friday of next week. I don't know why Congress only has to work 2½ days. But that is what they are telling us. If we can't even accomplish a budget during those 2½ days, I don't know what we expect the American people to think we are doing.

So we should be talking about the tough decisions we need to make: How do we reduce the deficit and make the necessary investments in growth? How do we pass a budget? How do we fix our broken immigration system with one that works, one that secures our borders, unites families, and has a pathway to citizenship for those who work hard and contribute to our country? How do we make sure that we can improve and build upon the successes of the Affordable Care Act, recognize its shortcomings, and make the improvements necessary to move it forward?

But, no, instead, we are not doing that. We are taking up a controversial bill, the SENSE Act, that won't become law. It has a misleading title. It won't do anything to satisfy American energy needs and certainly will not help the environment, which is why it is opposed by many environmental groups. The SENSE Act makes anything but sense.

What would make sense, of course, is discussing and voting on a budget. What would make sense is passing immigration reform. What would make sense is making progress towards balancing our budget. What would make sense is investing in research to cure cancer. What would make sense is doing our best to make America secure.

But, no, instead, we are discussing something that the Republicans have given the title the SENSE bill to, perhaps to overcompensate for the fact that it simply doesn't make sense.

Now, Republicans know the SENSE Act won't become law. Instead, we are spending, I don't know, half a day, three-quarters of a day bringing up yet another partisan attack on the Environmental Protection Agency, whose job it is to protect our air. We all breathe the air. Democrats, Republicans, Independents, animals, and

plants all breathe the air. What we need is common sense to improve our air quality and move forward. What we need are solutions to break through congressional gridlock.

Again, this set of rules in this bill—which I call upon my colleagues to vote down—is clear that the Republicans are not serious. They are either unable or unwilling to bring forward fresh ideas or address the issues that our constituents are crying out that we need to deal with. This bill is simply another form of pandering when we should be taking advantage of the few remaining weeks we have of session to address the real problems of our Nation.

Now, these two bills under one rule are completely unrelated. When the Speaker came into office, he promised we would move bills with regular order. I don't understand why we can't pass the noncontroversial one. I would have gotten it done already and then had more of an open process. We did an amendment in Rules Committee to allow for an open amendment process on the SENSE Act, but it was voted down on a partisan vote. Unfortunately, the two were combined under one rule, and I am very disappointed it is not an open rule.

We need to move forward on FAA reform, making sure that we reauthorize the Federal Aviation Administration to keep our skies that we rely on for commerce and tourism safe and open. We face an imminent expiration of that. We need to reauthorize the Child Nutrition Act, the Higher Education Act, find a solution to the affordable housing crisis. And, yes, we need to pass a budget. All of those things should be done before Congress gives itself another vacation. I think that is common sense.

We wonder why, in poll after poll, Congress has an approval rating of 12 percent or 14 percent. I sometimes wonder who those 12 percent are. I wonder who those 12 percent are, because I haven't met any of my constituents that have said: "Congress is doing great. Keep on doing what you are doing." I think they misunderstand the question and they are probably answering in the negative, because I don't understand how any American could be satisfied with a United States Congress that punts and punts and punts on issue after issue and instead spends its entire days and weeks, on the rare occasion when it is in session, debating bills that won't go anywhere and won't be signed into law and then promptly give themselves additional vacation time as an extra bonus while patting themselves on the back. That is not the Congress that the American people want.

First, let me talk about the Small Business Broadband Deployment Act. Again, it is a bipartisan bill. I think we could have done it on suspension or unanimous consent on Monday. We could have finished it.

I come from the private sector. I operated several businesses, grew them

over time and played various roles. Do you know what? In the private sector, when you can get something done quickly, the last thing you want to do is draw it out, to spend a couple of days on it. So if we have something that Congress could have finished Monday evening so that we could get moving and discussing and debating the important issues that the American people are crying out for Congress to address, why didn't we do it then? Why didn't we do it then? If they are drawing out something and having us spend half a day on something, then I think, because of the hard work of many Members who collaborated on this, we could probably complete it in 10 or 15 minutes.

This legislation is important, of course. I think we can pass it. The bill would make the temporary exemption that the FCC granted to ISPs with 100,000 or fewer subscribers and extend and expand the cap to ISPs with 250,000 or fewer subscribers that addresses bipartisan concerns about speeds and costs and gives regulatory certainty to Internet service providers, keeps the exemption level at a level that protects consumers, keeps the Internet free and open, doesn't allow large Internet service providers to act as gatekeepers that favor some content over others; and Congress should take notice of the administration's statement on this legislation, which cautions about bills that move towards threatening the open Internet. But on this exemption, specifically, I don't think we have enough information to know whether it needs to be made permanent, so I support the efforts of this bill to spur the FCC to provide needed information.

Again, I think there are a lot of Democrats and Republicans who have worked hard on this bill. We probably could have dispensed with it on Monday. But, hey, here we are. We are dealing with it under this rule. I thought, if we are going through the rulemaking process, we should at least offer an open rule. Every piece of legislation, even if it is passable, ought to encourage ideas from Democrats and Republicans in amendments to make it better. But, no, under this rule, the Rules Committee shut down the open amendment process and is not allowing Democrats or Republicans to offer germane, relevant amendments on the floor to the Small Business Broadband Deployment Act.

Now, moving on to the SENSE Act—or the non-SENSE act, as I like to call it—it won't become law. We spend a lot of time debating bills that won't become law. In fact, this House, apparently for lack of anything more important to do, has voted to repeal the Affordable Care Act over 60 times. The good news is we are not doing that again today. I thank the Speaker for not having us repeal the Affordable Care Act for the 65th time this week. That would have been a waste of time.

Instead, the Republicans are being creative about how we are going to

waste our time. This is a new way to waste our time. Rather than discussing the budget or the FAA reauthorization or childhood nutrition or balancing our budget or fixing our broken immigration system, rather than doing any of those important things, we found a new and clever way to waste the time of the United States Congress in debate of a bill that will not become law.

Now, thank goodness it won't become law because the non-SENSE act is bad for Americans and poor for our health. It is a convoluted, senseless manner going after the Environmental Protection Agency's Cross-State Air Pollution Rule, which is called CSAPR, and going after the Mercury and Air Toxics Standards, which is called MATS. Specifically, this bill would change the requirements for plants that use coal refuse.

Now, there are about 20 of these coal refuse plants in the entire country. What this bill would do is it would abandon the market-based approach for sulfur dioxide emission allowances in favor of a one-size-fits-all Federal Government approach. So this bill is effectively a Federal takeover of the regulatory structure around our coal refuse plants.

Again, it is a particularly creative way to waste Congress' time, and it is ironic because the Republicans often attack efforts to take away control from the States. They say: How dare you Democrats suggest that anything can be done better at the national level. How dare you suggest that. How dare you suggest something that contravenes the 10th Amendment.

Do you know what? In this bill, the Republicans are proposing taking away State authority and a Federal takeover, because currently States have control over the incentives and work with coal refuse plants, but this simply says the Federal Government should override that work.

Now, that seems hypocritical. It seems against the philosophy that many Republicans have come here arguing, and it leads me to believe that many proponents of this bill seem to value their special interest pork over their philosophical integrity.

Now, this bill would create a system that the government picks winners and losers rather than markets. CSAPR has a trading program that allows plants to conform to emissions standards in different ways, like trading emission allowances; and that program, that market-based program, would be thrown out of the window with this legislation and the keys would be handed over to the Federal Government. Even more astonishing is allowing coal refuse plants to slip through loopholes in order to balance our credits actually makes it harder for regular coal plants to meet their pollution reduction goals.

I honestly don't know if the Republicans have thought about the impact of this bill or what it would do.

Now, again, knowing that it won't become law is simply a creative way

for Congress to waste its time as congressional approval sinks even lower. I know that the Republicans have often accused some Democrats of engaging in a war on coal, but with this particular bill, they are the ones attacking the coal industry.

The Republicans claim that this legislation is needed to allow coal refuse plants to be able to meet various air quality standards under the MATS rule, yet throughout the entire rule-making process there hasn't been any evidence that they can't meet the standards that are already in place. That was recently confirmed by the D.C. circuit court.

Now, it is apparent that both CSAPR and MATS are workable, smart rules that approximately 20 coal refuse plants in our country can abide by in flexible, market-oriented ways. I want to be clear. Leaving coal refuse to spontaneously combust or seep into the ground via acid rain is simply unacceptable, and we need to be cleaning it up; but allowing the plants that are processing it to do so with a weak compliance system is harmful to our health, our homes, our communities, and the environment.

Simply put, this bill is an unnecessary, imprudent bill that does nothing to help our environment or put our country on the right track. I oppose the rule, in addition to H.R. 3797.

Today we could have shown the American people that Congress can come together and do something to solve important issues in a bipartisan manner, to keep our skies safe and open, protecting commerce, by reauthorizing the FAA to pass a bipartisan budget which balances our budget and deals with our deficit; to improve the Child Nutrition Act, the Higher Education Act, any of the myriad challenges that I hear about and, frankly, I believe my Republicans hear about in their townhalls.

I don't think when we are home and hearing from our constituents—by the way, I haven't received a single letter about this coal refuse bill. I haven't heard it in any of my townhalls or gotten calls from any of my constituents. They want us dealing with the pressing issues facing the American people.

We have 84 days of session left in this Congress. By the way, Congress works 84 days. Most Americans have at least 145 days that they go to work. As an example of that, Congress is scheduled to leave town next Wednesday, will have 2 days off that week, then 2 weeks off, then another day off. So that is the type of schedule we are running here.

People wonder what Congress is doing. The answer is we are not doing anything. When we are here, we are spending more time than necessary on uncontroversial bills and we are debating bills that won't become law, and then we all go home and take a vacation. That is the Republican Congress. That is the image of what the Republican Congress is and how they are running this institution. It spends a lot of

time debating something that you don't even need to. It spends other time debating things that aren't going to become law, like repealing the Affordable Care Act over 60 times and like this non-SENSE Act, and then gives Congress much greater vacation time than the American people enjoy because, apparently, Republicans think this Congress is doing so well that we all deserve a lot of vacation.

Democrats want to stay here and work on the budget. That is going to be our previous question. We believe we should get a budget done. We would like it to be a bipartisan budget. It certainly is a governing majority. We encourage Republicans to pass a budget, but if they don't have the votes, then, by all means, let's do a bipartisan budget that makes sense for our country.

□ 1245

You will find us willing to roll up our sleeves and get to work, stay here this weekend, stay here next Thursday and Friday, stay here the following week. Let's get this done. This is the work the American people want to see done.

They want to see a budget. They want to see competence. We need to show people that Congress and competence are not mutually exclusive; yet, we continue to do the exact opposite by this course under this rule of debating a bill—and wasting a day—that won't even become law.

Now, look, we have an opportunity here. A vote on this rule is an important vote for that reason. If we defeat this rule—and I call upon my colleagues on both sides of the aisle to do so—we can truly send the message that we want to spend time debating the issues that the American people care about.

We want to fix the budget, the deficit, immigration, health care. Let's roll up our sleeves and get to work rather than continue to blame the President for this or that or blame the Democrats for this or that.

I am honestly curious. If we can't blame the President because he was on time with his budget and you can't blame the Democrats because we are willing to roll up our sleeves and work with you on a budget deal, who are the Republicans going to blame if they can't deliver a budget?

I remember the Republicans assailing the Democrats for not delivering budgets. I am sure my colleague will remind me of that yet again. But, again, that is something that you criticized us on.

If you can't deliver a budget yourself, what is the use of the American people even having the Republicans here? What use was that criticism of the Democrats for not delivering budgets on time if the Republicans themselves don't have the ability to deliver a budget?

Now, look, we can deliver a budget with you. If the Republicans are unable to because there is freedom this or liberty that or all these different

buzzwords out there for people who don't want to vote for a budget, we are happy to work with the Republicans on a budget.

Ultimately, what comes out of this process between the House and the Senate is usually some bipartisan buy-in into the budget, anyway.

We are happy to start here with you. The perfect time to do that is now. The perfect time to do that is next Thursday and Friday and the following week. I think we owe the American people a budget rather than an enormous vacation, a paid vacation, for Members of Congress.

Look, we can do better by voting down this rule. I promise you we will do better.

I reserve the balance of my time.

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

I would like to clear up some misconceptions about the calendar, the budget, the rule, and the SENSE Act.

With regard to the calendar, Mr. Speaker, I don't know how the gentleman from Colorado manages his calendar. But when I go home to my district—and I won't speak for every Member of Congress—it is certainly not a vacation.

I am home meeting with constituents, touring businesses, and letting my constituents talk to me so that I know what they think so that I can do my job of representing them. That is how most of the 435 Members of this Chamber treat the district workweeks.

To assume that we are only working when we are in Washington, the other side of the aisle might love Washington, but I prefer to be home in my district working with people and then come back to Washington to represent them.

With regard to things we have done, the gentleman talked about the Affordable Care Act, but he ignored the fact that I believe—and I may get this wrong, but I am close—seven of the changes to the Affordable Care Act were signed into law.

The gentleman talked about a budget. He did finally acknowledge that, when the Democrats were in charge, Mr. Speaker, they didn't pass a budget.

I have been here since 2011, when we took over the majority, and we have passed a budget every year and have passed a budget that balances.

I believe we are going to pass a budget this year. I hope not to be proved wrong, Mr. Speaker, but we are working hard at it.

With regard to the rule, the gentleman seems to want to have it both ways. He says that the Small Business Broadband Deployment Act should have been done on suspension, on the one hand, and then he wants an open rule that would eat up even more time, on the other hand. I am not sure which it is he wants here, but let's have it one way or the other.

And then, finally, on the SENSE Act, the gentleman from Colorado ignores the fact that this bill does not change

the overall emissions cap. He wants to talk about how it loosens the overall emissions cap. It does not.

Let's be clear. It does not change the overall emissions cap. It provides flexibility for only 19 refuse-to-power plants across this country, and it saves money because it would cost \$2 billion in Pennsylvania alone just to clean up that refuse around these coal mines.

It is dangerous and it is bad for the environment. Providing this flexibility does not change our overall emissions, but it does help get those reclamation sites cleaned up cheaper, not as a cost to the taxpayer, and provides an additional benefit of jobs in energy. That sounds pretty American to me.

I think it is time to end this war on coal that some people in this administration and the other side of the aisle have. That is what the SENSE Act would do.

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

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

The gentleman from Ohio talked about what we do when we are back home. Of course we tour businesses, meet with people, and do all of those wonderful things. What I hear from them is: Why aren't you back in Washington solving problems?

Look, I represent one of the most beautiful districts in the entire country: Winter Park, Vail, the beautiful Flatirons near Boulder, Rocky Mountain National Park, Estes Park, the great Arts Center in Loveland, and Fort Collins. I love nothing more than going home.

But when we got elected to this position, Mr. Speaker, we promised our constituents that we will make a sacrifice. Part of that sacrifice is saying: You know what. We are going to take some time away, leave our friends and family, to work for the good of the country, to roll up our sleeves and actually solve problems.

As much as I would like to be back in Colorado, in my beautiful district, right now and I would rather personally be hiking in the hills above our home in north Boulder than I would be debating the finer points of coal refuse policy with the gentleman from Ohio, that is what I signed up for.

I know, Mr. Speaker, that that is what he signed up for, too. We signed up to do work. We owe the American people a budget. We should stay here until we complete that budget, even if it means canceling the vacation that we have scheduled.

And, yes, that vacation—when we are back home, we can't do legislative work. Sure, we can put on an apron and visit a local kitchen. We do, and I do. And you know what, it is part of the job. I am happy to do it.

But we can't pass a single law while we are back home. It is impossible, Mr. Speaker, to pass a budget while we are all back home and Congress is not in session. It is not possible if Congress is not in session.

The gentleman asked: What is a better way to proceed with this non-controversial bill and the controversial bill? Look, either way is fine if we had an open rulemaking process, an open rule.

At least there would be some point to these discussions on the floor. There would be Republicans and Democrats who might have ideas to make these bills better that would be bringing them forward. At least there would be some point to it.

But, no, there is no point to it. Because we are debating it, we know the outcome, and Republicans and Democrats can't even offer their bills to enhance it.

We are prohibited during all of this time debating one bill that is largely noncontroversial and one bill that isn't going anywhere and won't become law.

We are spending the entire week debating these bills—or most of the week. I know we will be back to discuss another court case relating to immigration later this week.

But the bulk of the week is debating this rather than the budget, securing our border, keeping the American people safe, growing the economy, creating jobs, investing in infrastructure, FAA authorization, any of those issues.

But when I am back home and visiting businesses, I hear about it from my constituents. You would think that, with all the time we spend back home that the gentleman from Ohio calls nonvacation time because we are always listening to people, we would listen more and actually do what the American people say.

Are the American people saying to address the miniscule aspects of the coal refuse plant and CSAPR and MATS?

Let me be honest, Mr. Speaker. Until this debate, I thought CSAPR was just a friendly ghost, because the American people back in my district are not really about CSAPR and MATS.

In fact, once I understood them, I thought they sounded good. They are market-based approaches. I don't think this Federal takeover that the Republicans are proposing is a good idea.

Instead, if we are spending all this time listening back home, which we certainly are because Congress is hardly working here, then at least let's listen to what the American people say.

I believe they are speaking strongly with one voice, whether they are Republican or Democratic. I hear the same things from my constituents, the unaffiliated constituents, the Republicans, the Democrats, the Greens, the Libertarians. What they all tend to say, what they all say, is: Go do your job. Pass a budget. Pass a budget.

Democrats believe that. Republicans believe that. Unaffiliated voters believe that. Greens, Libertarians, and the American Constitution Party believe that. If I have left out any other parties, I am pretty sure in saying that they also think that Americans should have a budget.

We have budgets for our households. I have a budget for my household. We have budgets for our States. Doesn't the American Congress owe the American people a budget?

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to prohibit the House from going on recess next week until we do our job and pass a budget.

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

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

There was no objection.

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

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

I would just like to remind the gentleman from Colorado that, when the Democrats were in charge of Congress, they went on—I will use his word—vacation 4 years in a row without passing a single budget, not a single budget.

We have passed a budget every year, and I believe we are going to pass a budget this year, just as a reminder to the gentleman of what happened. I think he wants to have it both ways again, and I would just like to remind him, Mr. Speaker.

I yield 5 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS), who listened to his constituents to deal with an issue that is very important to him. I will let him address it.

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

In addition to listening to my constituents, I have been listening to my good friend from Colorado about wanting to come here to solve problems. Well, the SENSE Act is about solving a problem.

I, too, have a beautiful district. I consider it the most beautiful district in the country. You get on top of some of those mountain vistas and it is breathtaking.

But unlike the gentleman from Colorado, there are some scars when you look up at some of those vistas. The scars are a vestige of ages-ago mining.

That is why the SENSE Act, Mr. Speaker, is a smart and important legislative fix to ensure that the coal refuse-to-energy facilities can be held to strict, but achievable, standards.

Coal refuse, as some of you may know—and perhaps this is an educational moment for people in this country to learn more about what we have up there in Pennsylvania—is a by-product of historic coal-mining operations. Anyone who has driven through coal country has seen the towering black mounds of this material that loom beside cities and towns and countryside.

These mounds catch fire, burning uncontrollably and sending hazardous smoke into the air. Rainwater leaches terrible chemicals from those mounds, polluting nearby rivers and streams.

The coal refuse-to-energy industry turns this material into energy and uses the profits and beneficial residual material to remediate these formerly polluted sites at no cost to the taxpayer. It is really the only feasible solution to this massive environmental problem.

I have seen the tremendous work done by the hardworking men and women in this industry firsthand. I have stood on coal refuse piles in the process of remediation. I have walked on the restored sites. Parks and meadows now are regarded as community assets rather than liabilities.

Despite all the good that this industry does for Pennsylvania, coal refuse-to-energy facilities are under attack from the EPA. The people of my State and other coal States expect us to stand up for them as their environment and livelihoods come under threat from Washington.

As we debate the rule for this legislation and prepare for general and amendment debate, I want to share a few stories from the people in this industry. These are people who are proud of the great work they have done for their communities. Unfortunately, their way of life is currently endangered.

Bill Turner is a shift supervisor at the A/C Colver coal refuse facility in Cambria County. Bill has served at Colver for 22 years. He is a long-term resident of western Pennsylvania and has lived alongside coal refuse piles for many years.

Bill and his colleagues are proud of the reclamation work that his plant and others in the area have been able to complete over the years.

He was able to put three kids through college, thanks to his job at Colver, and I should mention that these kids grew up playing soccer on a field reclaimed from a coal refuse site.

□ 1300

When I asked him about the prospect that his industry might be destroyed by the EPA, he remarked, "To see it disappear would be a travesty."

Tim is an operations shift supervisor—a younger man, in his early thirties, with a wife and two small kids. Wages at his plant are well above the area average, and he is planning on building a new house near the plant for his young family.

Again, Mr. Speaker, these plants are in economically challenged areas. These jobs that these individuals have are not replaceable. Allowing inflexible EPA orthodoxy to shutter his plant, a plant that supports family-sustaining jobs and that repairs the local environment, would be a disaster for Tim and his family.

At least 5,200 jobs are at stake, and each one of those jobs is more than just a number. Each job lost is a Tim or a Bill. Each job lost represents a major hardship for an American family.

As we debate the SENSE Act, please keep in mind what the bill's supporters

are fighting for. The SENSE Act is about protecting family-sustaining jobs and is about ensuring the continuation of the environmental success story of the coal refuse-to-energy industry.

I urge all Members to support this rule and the SENSE Act today so that we can begin to solve problems.

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

I would, of course, like to remind the gentleman from Pennsylvania that my mountains are higher than his mountains. I also want to let the gentleman know that my district is no stranger to coal mining as well. Coal mines in northern Colorado existed throughout my district and near my district in Marshall, Superior, Louisville, Lafayette, Erie, Dacono, Frederick, and Firestone. The mines employ thousands of people.

Just 2 years ago, we observed the 100th anniversary of the Ludlow Massacre, which was an attack by the Colorado National Guard and the Colorado Fuel and Iron Company guards on a tent colony of 1,200 striking coal miners and their families in Ludlow, Colorado, on April 20, 1914.

Unfortunately, in that tragedy, two-dozen people were killed in that black mark on our Nation's labor history. I would like to think how far the United Mine Workers have come and how far we have come in protecting workers' rights.

Certainly we understand the legacy of not just coal mining in my district. The gentleman mentioned abandoned mines in the mountain territory of our district. We have many abandoned silver and gold mines. We have an active molybdenum mine right near my district. Many workers live in my district and, of course, mining remains an important part of the West and, of course, of the East as well.

Again, I would certainly advance the argument that even coming from a mining district, Congress spending an entire week, basically, debating these two bills is not something that justifies our time here.

The gentleman from Ohio rightly mentioned that Democrats did not produce a budget, and yes, that might have been one of the reasons the American people said, "Okay. Republicans, we will give you a chance. You guys produce a budget."

Do you know what?

If you guys don't produce a budget, you guys are blowing that opportunity, Mr. Speaker. If the Republicans can't deliver a budget, I think the Democrats have learned from experience.

I certainly will go out and campaign on—and I think many of my colleagues will say—"Look. The Republicans could not deliver a budget."

Most Democrats have learned our lesson. We are going to get back in the majority and we are going to deliver a budget to the American people. I certainly will work very hard to do that.

I am proud to be one of about 16 Democrats and a similar number of Re-

publicans who voted for a bipartisan budget in the last Congress. It didn't pass. It was the only budget that had Democrats and Republicans supporting it. Of course, it also had Democrats and Republicans opposing it in greater numbers, unfortunately; but that is at least the spark—the kind of idea we need to pursue—to be able to work together to govern this country.

Rather than spinning our wheels and spending a lot of time debating a bill that isn't controversial and a lot of time debating a bill that isn't going anywhere, we should take up important legislation. We should address comprehensive immigration reform; securing our borders, making sure that workers who are important to our country have a way out of the shadows; uniting families; and protecting the security of the American people rather than wasting time in trying to change commonsense rules for 20 coal refuse plants—rules that are working and that have been affirmed by the district court.

We could be addressing the Nation's pressing issues like climate change and carbon emissions and out-of-control student debt or how we can improve opportunities for the struggling middle class.

Rather than wasting the American people's time and taxpayer dollars on debating a special interest provision, we could take up the Email Privacy Act, which would protect the American people's privacy and which has 312 cosponsors—more than any other bill in this Congress and which has a solid veto-proof majority.

We could take up criminal justice reform, which I know many people on both sides of the aisle feel very strongly about and which I strongly support, which could improve our economy, reduce crime, reduce costs, and is a moral imperative; or as I mentioned, we could take up our budget, as is the duty and responsibility of Congress, rather than all go back to our districts and put on aprons and serve lattes and meet people in our local diners.

I urge the House majority to take up these important pieces of legislation, which are supported by a majority of Americans, that are critical to our economy and align with our values rather than to debate stale, unnecessary miner bills that won't even become law.

I reserve the balance of my time.

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

I would just like to remind the gentleman from Colorado that it is not a "minor" bill for the 5,200 people whose jobs are on the line every day right now.

Mr. POLIS. Will the gentleman yield?

Mr. STIVERS. I yield to the gentleman from Colorado.

Mr. POLIS. It is a "miner" bill. I was spelling "miner" a different way than you.

Mr. STIVERS. Okay. That kind of "miner" I am good with. I thank the gentleman.

Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. WOODALL), an esteemed member of both the Rules and Budget Committees.

Mr. WOODALL. I thank my friend from Ohio for yielding the time to me.

Mr. Speaker, I had not planned on coming down here. I know we are on a clock and we are trying to get some things done, but I heard the passionate words of my friend from Colorado—and he is my friend from Colorado.

I think about what is, sadly, the sometimes short list of folks who are on the other side of the aisle with whom you can grapple with the really difficult issues of the day in this institution.

Mr. POLIS is one of those folks to whom you can always go and have a very candid and serious conversation about things, even those things on which you disagree, which I think is why it has so distressed me to hear some of the words that he had to share today.

Now, I confess that this is sometimes part of the show down here on Rules Committee day, and sometimes folks have the talking points, and they are obligated to go through those talking points. Yet, as a member of the Budget Committee and as a relatively young Member in this institution, I would say to my friend from Colorado that the reason approval ratings in this institution are so low is that you and I stand up here and we tell our constituents that they are supposed to be so low.

Instead of telling our constituents that we have been working on a budget the way we are supposed to work on a budget—line by line, word by word because it is a serious challenge that deserves a serious solution—we tell folks we have just thrown up our hands and quit. Not true.

I sit on the Budget Committee. Tomorrow, from dawn until dusk, we will be in that hearing room doing nothing but budgeting. We will hear every single idea, every single alternative. Every choice that can be made, we are going to make tomorrow. Now, that is not just one day of budgeting; that is the culmination of days, weeks, and months of working together, trying to get this budget done.

My friend is right. When I hear constructive criticism about how Republicans ought to work to pass budgets, I know that doesn't come from this decade, because Democrats have not passed a budget this decade. This House has. Together we have, and I am very proud of that.

Every year since I have come to this institution—5 years ago—we have come together and we have passed a budget. Last year, we came together and we passed a budget for the entire United States of America. For the first time in a long time, we got the Senate to move.

This is a cooperative exercise, and I am proud to be in it; but we can't tell people that we are letting them down when, in fact, we are delivering.

I look at my friend from Pennsylvania who is delivering on the SENSE Act. I think the non-SENSE Act is a clever term, but the truth is the “non-sense” is suggesting that he is doing anything except the job his constituents sent him to do. He has facilities in his district that are closing down. He has families in his district who are losing their jobs. He has people who are depending on him, his bosses back home in the district depending on him to come and make a difference for them.

I get it. Folks over here might not like it, folks over there might not like it, but it is what he gets paid to do. To suggest that bringing his ideas down here is a waste of time is something I reject in the most forceful terms. He is doing what he is supposed to do.

I would tell you that, if we all spent less time being focused on being good Republicans and less time on being good Democrats and more on being good servants to the people who sent us here, those approval ratings would take care of themselves.

These campaign seasons drive me crazy. Folks spend 18 months not doing their jobs and 6 months raising money, trying to convince people they were. I believe if we do our jobs, we are going to get rewarded for it; and if we don't do our jobs, we are going to be punished for it; but we have got to be clear about what our job is.

KEITH ROTHFUS' job is not to make anybody in the great State of Georgia happy or anybody in the great State of Colorado happy. His job is to stand up for families who can't stand up for themselves in Pennsylvania, and I applaud him for it. His job is to do the things that nobody else in this institution is going to do, because he works for them.

This is not a waste of time today. This is exactly what we are supposed to be doing. Don't you worry about that budget. Your Budget Committee is going to deliver for you, and you are going to be proud of the work product that we do; but we have got to tell folks that representative government still works. We have got to tell folks that Congress still works. We have got to tell folks that they are still the boss of the United States of America.

You look at this Bernie Sanders phenomenon and this Donald Trump phenomenon. Folks think they are no longer the boss. I look at KEITH ROTHFUS' State, and I know of the good men and women of Pennsylvania who sent him here to stand up in the face of attacks from all sides. He is delivering for his people back home. Vote “yes” or vote “no.” It is your voting card—do what you want to with it—but let's never impugn one of our colleagues for doing exactly what he was sent here to do, and that is to stand up for the men and women we represent back home.

Again, I say to my friend from Colorado, when it comes to the really hard issues of the day, there is no one who I

am more comfortable working with. There is no one who is more willing to reach across the aisle, and I admire that vote on the bipartisan budget that he took. That was the very first year that I arrived here. Yet we can't let these political seasons turn into telling each other why everybody up here is a scoundrel and a cheat. There are some good men and women up here. The gentleman from Colorado is one, the gentleman from Ohio is one, and the gentleman who brings the SENSE Act here before us today is absolutely one. I am proud to serve with each of you.

Mr. POLIS. Does the gentleman from Ohio have any remaining speakers?

Mr. STIVERS. I am prepared to close.

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

I thank the gentleman from Georgia for his thoughtful remarks. Certainly there is no one in this debate who has called anybody a scoundrel or anything of the sort.

The specific concerns of Mr. ROTHFUS would best be addressed in Harrisburg. For the Republicans, that is the capital of Pennsylvania. Don't worry. I had to ask as well. That is where this could best be addressed. The Republicans have talked a lot about empowering the States to solve problems rather than always coming to Washington to solve our problems for us.

Guess what?

Harrisburg is empowered to deal with this issue today, and the gentleman from Pennsylvania would be best served in spending time with his Governor, the State regulators, and the State legislature to address the very issues for which he is trying to do this end run in coming to Congress to spend our time here, debating.

The gentleman from Georgia also mentioned that they are hard at work on the Budget Committee. I hope so. I mean, I trust the gentleman. I am sure they are. They are working. I hope that this Congress will stay in session long enough to see the results of that and to pass a budget. That is what our “previous question” motion would do. It would simply say that we prohibit the House from going into recess until we do our job and pass a budget. It is entirely consistent with the work that the Budget Committee is doing that will ultimately have to then be reflected in the rank-and-file membership on both sides being a part of that process as well, and we owe it to the American people to let that process be completed and to pass a budget.

I urge the Republicans to take up these important pieces of legislation that I have talked about—a budget, the FAA reauthorization, the Child Nutrition Act, securing our border and fixing our broken immigration system, balancing our budget, investing in infrastructure, tax reform. These are actions that I hear about back home every day I am back, and I think it is important that we act on them. They are important to our economy and they

are important to our values as Americans—rather than debating bills that might feel good but won't become law and ultimately are not the right way to solve our problems.

Mr. Speaker, I urge my colleagues to vote “no” and defeat the previous question. I urge a “no” vote on the rule.

I yield back the balance of my time. Mr. STIVERS. Mr. Speaker, before I close, I would like to urge my colleague from Colorado to use his 5 legislative days to ensure the CONGRESSIONAL RECORD does appropriately say it is a minor act—M-I-N-E-R instead of M-I-N-O-R act—where he said it was a minor act. I think that is a very important distinction, and it is a distinction with a difference. He made the statement earlier, so I hope he does use his 5 legislative days to correct the RECORD on that.

Mr. Speaker, I urge my colleagues to support the rule and the underlying bill.

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

AN AMENDMENT TO H. RES. 640 OFFERED BY  
MR. POLIS

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

SEC. 3. It shall not be in order to consider a motion that the House adjourn on the legislative day of March 23, 2016, unless the House has adopted a concurrent resolution establishing the budget for the United States government for fiscal year 2017.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

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

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

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous

question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

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

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

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

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

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

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

The yeas and nays were ordered.

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

#### RECESS

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

Accordingly (at 1 o'clock and 15 minutes p.m.), the House stood in recess.

□ 1331

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. JODY B. HICE of Georgia) at 1 o'clock and 31 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 640;

Adopting House Resolution 640, if ordered;

Suspending the rules and passing H.R. 2081; and

Suspending the rules and passing H.R. 3447.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### PROVIDING FOR CONSIDERATION OF H.R. 4596, SMALL BUSINESS BROADBAND DEPLOYMENT ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 3797, SATISFYING ENERGY NEEDS AND SAVING THE ENVIRONMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 640) providing for consideration of the bill (H.R. 4596) to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements, and providing for consideration of the bill (H.R. 3797) to establish the bases by which the Administrator of the Environmental Protection Agency shall issue, implement, and enforce certain emission limitations and allocations for existing electric utility steam generating units that convert coal refuse into energy, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 235, nays 177, not voting 21, as follows:

[Roll No. 114]

YEAS—235

Abraham	Comstock	Gohmert
Aderholt	Conaway	Goodlatte
Allen	Cook	Gosar
Amash	Costello (PA)	Gowdy
Amodei	Cramer	Granger
Barletta	Crawford	Graves (GA)
Barr	Crenshaw	Graves (LA)
Barton	Culberson	Griffith
Benishek	Curbelo (FL)	Grothman
Bilirakis	Davis, Rodney	Guinta
Bishop (MI)	Denham	Guthrie
Bishop (UT)	Dent	Hanna
Black	DeSantis	Hardy
Blum	DesJarlais	Harper
Bost	Diaz-Balart	Harris
Boustany	Dold	Hartzler
Brady (TX)	Donovan	Heck (NV)
Brat	Duffy	Hensarling
Bridenstine	Duncan (SC)	Hice, Jody B.
Brooks (AL)	Duncan (TN)	Hill
Brooks (IN)	Emmer (MN)	Holding
Buchanan	Farenthold	Hudson
Buck	Fincher	Huelskamp
Bucshon	Fitzpatrick	Huizenga (MI)
Burgess	Fleischmann	Hultgren
Byrne	Fleming	Hunter
Calvert	Flores	Hurd (TX)
Carter (GA)	Forbes	Hurt (VA)
Chabot	Fortenberry	Issa
Chaffetz	Fox	Jenkins (KS)
Clawson (FL)	Franks (AZ)	Jenkins (WV)
Coffman	Frelinghuysen	Johnson (OH)
Cole	Garrett	Johnson, Sam
Collins (GA)	Gibbs	Jolly
Collins (NY)	Gibson	Jones

Jordan  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney

Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratchliffe  
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  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin

NAYS—177

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Bera  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan F.  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clever  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Edwards  
Ellison  
Engel

Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Graham  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Conyers  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Loeback  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham (NM)

Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Tiberi  
Tipton  
Trotter  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

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  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Roybal-Allard  
Ruiz  
Ruppersberger  
Ryan (OH)  
Sánchez, Linda T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schradler  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman

Sinema  
Sires  
Slaughter  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Babin  
Becerra  
Beyer  
Blackburn  
Brady (PA)  
Capuano  
Carter (TX)

□ 1353

Messrs. TED LIEU of California, GRAYSON, and ASHFORD changed their vote from “yea” to “nay.”

Mr. MURPHY of Pennsylvania changed his vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 235, noes 176, not voting 22, as follows:

[Roll No. 115]

AYES—235

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Donovan  
Barletta  
Barr  
Barton  
Benishek  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
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  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Crenshaw  
Culberson  
Curbelo (FL)  
Hill  
Holding  
Davis, Rodney  
Denham  
Dent

DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Emmer (MN)  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
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  
Hice, Jody B.  
Hill  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)

Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Lipinski  
Roskam  
Rush  
Smith (WA)  
Takai  
Thornberry  
Wenstrup

Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan F.  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clever  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)

Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan

Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Pitts  
Poe (TX)  
Poliquin  
Pompeo  
Posey  
Price, Tom  
Ratchliffe  
Reed  
Reichert  
Renacci  
Ribble

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan F.  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clever  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)

Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers

NOES—176

Fudge  
Gabbard  
Gallego  
Garamendi  
Graham  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
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  
Loeback  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham (NM)  
Luján, Ben Ray (NM)  
Deutch  
Lynch  
Maloney, Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton

NOT VOTING—22

Blackburn  
Brady (PA)

Stutzman  
Thompson (PA)  
Tiberi  
Tipton  
Trotter  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Ryan (OH)  
Sánchez, Linda T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schradler  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Sires  
Slaughter  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
McDermott  
Wasserman  
Schultz  
Waters, Maxine  
Welch  
Wilson (FL)  
Yarmuth

Duckworth  
Ellmers (NC)  
Graves (MO)  
Gutiérrez  
Herrera Beutler  
Joyce

Lipinski  
Rogers (AL)  
Roskam  
Rush  
Smith (WA)  
Takai

Thompson (MS)  
Thornberry  
Watson Coleman  
Wenstrup

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  
Hahn  
Hanna  
Harper  
Harris  
Hartzler  
Hastings  
Heck (NV)  
Heck (WA)  
Hensarling  
Hice, Jody B.  
Higgins  
Hill  
Himes  
Hinojosa  
Holding  
Honda  
Hoyer  
Hudson  
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  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)  
Kennedy  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Knight  
Kuster  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
LoBiondo  
Loeb  
Loeb  
Lofgren  
Long

Loudermilk  
Love  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham (NM)  
Luján, Ben Ray (NM)  
Lummis  
Lynch  
MacArthur  
Maloney  
Maloney, Carolyn  
Maloney, Sean  
Marchant  
Marino  
Massie  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McDermott  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeke  
Meng  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Nadler  
Napolitano  
Neal  
Neugebauer  
Newhouse  
Noem  
Nolan  
Norcross  
Nugent  
Nunes  
O'Rourke  
Olson  
Palazzo  
Pallone  
Palmer  
Pascrell  
Paulsen  
Payne  
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)  
Salmon  
Sánchez, Linda T.  
Sanchez, Loretta  
Sanford  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schrader  
Schweikert  
Scott (VA)  
Scott, Austin  
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)  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Tiberi  
Tipton  
Titus  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz  
Wasserman  
Schultz  
Weber (TX)  
Webster (FL)  
Welch  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

NAYS—2  
Watson Coleman

NOT VOTING—21  
Graves (MO)  
Gutiérrez  
Hardy  
Herrera Beutler  
Joyce  
Lipinski  
Roskam  
Rush  
Smith (WA)  
Takai  
Thornberry  
Waters, Maxine  
Wenstrup  
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1400

Ms. CLARKE of New York changed her vote from “aye” to “no.”  
So the resolution was agreed to.  
The result of the vote was announced as above recorded.  
A motion to reconsider was laid on the table.

EXTENDING DEADLINE FOR CONSTRUCTION OF HYDROELECTRIC PROJECT INVOLVING GIBSON DAM

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2081) to extend the deadline for commencement of construction of a hydroelectric project involving the Gibson Dam, on which the yeas and nays were ordered.

The Clerk read the title of the bill.  
The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill.

This is a 5-minute vote.  
The vote was taken by electronic device, and there were—yeas 410, nays 2, not voting 21, as follows:

[Roll No. 116]  
YEAS—410

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Amodei  
Ashford  
Barletta  
Barr  
Barton  
Bass  
Beatty  
Benishkek  
Bera  
Beyer  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blum  
Blumenauer  
Bonamici  
Bost  
Boustany  
Boyle, Brendan F.  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Buck  
Bucshon  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert

Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chabot  
Chaffetz  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clawson (FL)  
Clay  
Cleaver  
Clyburn  
Coffman  
Cohen  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Connolly  
Conyers  
Cook  
Cooper  
Costa  
Costello (PA)  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crosby  
Cuellar  
Culberson  
Cummings  
Curbelo (FL)

Davis (CA)  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Denham  
Dent  
DeSantis  
DeSaulnier  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Dold  
Donovan  
Doyle, Michael F.  
Duffy  
Duncan (SC)  
Duncan (TN)  
Edwards  
Ellison  
Emmer (MN)  
Engel  
Eshoo  
Esty  
Farenthold  
Farr  
Fattah  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foster  
Foxy  
Frankel (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (Mr. FLEISCHMANN) (during the vote). There are 2 minutes remaining.

□ 1408

Mr. RANGEL changed his vote from “nay” to “yea.”  
So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.  
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENDING DEADLINE FOR CONSTRUCTION OF HYDROELECTRIC PROJECT NUMBERED 12642

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3447) to extend the deadline for commencement of construction of a hydroelectric project, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.  
The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.  
The vote was taken by electronic device, and there were—yeas 406, nays 3, not voting 24, as follows:

[Roll No. 117]  
YEAS—406

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Amodei  
Ashford  
Barletta  
Barr  
Barton  
Bass  
Beatty  
Benishkek  
Bera  
Beyer  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blum  
Blumenauer  
Bonamici  
Bost  
Boustany  
Boyle, Brendan F.  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Buck

Bucshon  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Capps  
Capuano  
Cárdenas  
Chabot  
Chaffetz  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clawson (FL)  
Clay  
Cleaver  
Clyburn  
Coffman  
Cohen  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Connolly  
Conyers  
Cook

Cooper  
Costa  
Costello (PA)  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Curbelo (FL)  
Davis (CA)  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Denham  
Dent  
DeSantis  
DeSaulnier  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Dold  
Donovan  
Doyle, Michael F.  
Duffy  
Duncan (SC)  
Duncan (TN)  
Edwards

Ellison LaMalfa Rangel Woodall Young (AK) Zeldin  
 Emmer (MN) Lamborn Ratcliffe Yoder Young (IA) Zinke  
 Engel Lance Reed Young (IN)  
 Eshoo Langevin Reichert  
 Esty Larsen (WA) Renacci  
 Farenthold Larson (CT) Ribble  
 Farr Latta Rice (NY)  
 Fattah Lawrence Rice (SC)  
 Fincher Lee Richmond  
 Fitzpatrick Levin Rigell  
 Fleischmann Lewis Roby  
 Fleming Lieu, Ted Roe (TN)  
 Flores LoBiondo Rogers (AL)  
 Forbes Loeb sack Rogers (KY)  
 Fortenberry Lofgren Rohrabacher  
 Foster Long Rokita  
 Foxx Loudermilk Rooney (FL)  
 Frankel (FL) Love Ros-Lehtinen  
 Franks (AZ) Lowenthal Ross  
 Frelinghuysen Lowey Rothfus  
 Fudge Lucas Rouzer  
 Gabbard Luetkemeyer Roybal-Allard  
 Gallego Lujan Grisham Royce  
 Garamendi (NM) Ruiz  
 Garrett Luján, Ben Ray Ruppertsberger  
 Gibson (NM) Russell  
 Gohmert Lummis Ryan (OH)  
 Goodlatte Lynch Sánchez, Linda  
 Gosar MacArthur T.  
 Gowdy Maloney, Sanchez, Loretta  
 Graham Carolyn Sanford  
 Granger Maloney, Sean Sarbanes  
 Graves (LA) Marchant Scalise  
 Grayson Marino Schakowsky  
 Green, Al Massie Schiff  
 Green, Gene Matsui Schrader  
 Griffith McCarthy Schweikert  
 Grijalva McCaul Scott (VA)  
 Grothman McClintock Scott, Austin  
 Guinta McCollum Scott, David  
 Guthrie McDermott Sensenbrenner  
 Hahn McGovern Serrano  
 Hanna McHenry Sessions  
 Hardy McKinley Sewell (AL)  
 Harper McMorris Sherman  
 Harris Rodgers Shimkus  
 Hartzler McNerney Shuster  
 Hastings McSally Simpson  
 Heck (NV) Meadows Sinema  
 Heck (WA) Meehan Sires  
 Hensarling Meeks Slaughter  
 Hice, Jody B. Meng Smith (MO)  
 Higgins Messer Smith (NE)  
 Hill Mica Smith (NJ)  
 Himes Miller (FL) Smith (TX)  
 Hinojosa Miller (MI) Speier  
 Holding Moolenaar Stefanik  
 Honda Mooney (WV) Stewart  
 Hoyer Moore Stivers  
 Hudson Moulton Stutzman  
 Huelskamp Mullin Swallow (CA)  
 Huffman Mulvaney Takano  
 Huizenga (MI) Murphy (FL) Thompson (CA)  
 Hultgren Murphy (PA) Thompson (MS)  
 Hunter Nadler Thompson (PA)  
 Hurd (TX) Napolitano Tiberi  
 Hurt (VA) Neal Tipton  
 Israel Neugebauer Titus  
 Issa Newhouse Tonko  
 Jackson Lee Noem Torres  
 Jeffries Nolan Trott  
 Jenkins (KS) Norcross Tsongas  
 Jenkins (WV) Nugent Upton  
 Johnson (GA) Nunes Valadao  
 Johnson (OH) O'Rourke Van Hollen  
 Johnson, E. B. Olson Vargas  
 Johnson, Sam Palazzo Veasey  
 Jolly Pallone Vela  
 Jones Palmer Velázquez  
 Jordan Pascrell Vislosky  
 Kaptur Paulsen Wagner  
 Katko Payne Walberg  
 Keating Pearce Walden  
 Kelly (IL) Pelosi Walker  
 Kelly (MS) Perlmutter Walorski  
 Kelly (PA) Perry Walters, Mimi  
 Kennedy Peters Walz  
 Kildee Peterson Waters, Maxine  
 Kilmer Pingree Weber (TX)  
 Kind Pittenger Webster (FL)  
 King (IA) Pitts Welch  
 King (NY) Pocan Westerman  
 Kinzinger (IL) Poe (TX) Westmoreland  
 Kirkpatrick Polis Whitfield  
 Kline Pompeo Williams  
 Kline Posey Wilson (FL)  
 Knight Price (NC) Wilson (SC)  
 Kuster Price, Tom Wittman  
 Labrador Price, Tom Wittman  
 LaHood Quigley Womack

Amash Wasserman Watson Coleman  
 Schultz  
 Babin Graves (GA) Rush  
 Becerra Graves (MO) Salmon  
 Blackburn Gutiérrez Smith (WA)  
 Brady (PA) Herrera Beutler Takai  
 Davis, Danny Joyce Thornberry  
 Duckworth Lipinski Turner  
 Ellmers (NC) Poliquin Wenstrup  
 Gibbs Roskam Yarmuth

NAYS—3

NOT VOTING—24

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1415

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. POLIQUIN. Mr. Speaker, on rollcall No. 117, I was unavoidably detained. Had I been present, I would have voted “yes.”

SATISFYING ENERGY NEEDS AND SAVING THE ENVIRONMENT ACT

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 3797.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 640 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. 3797.

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

□ 1417

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. 3797) to establish the bases by which the Administrator of the Environmental Protection Agency shall issue, implement, and enforce certain emission limitations and allocations for existing electric utility steam generating units that convert coal refuse into energy, with Mr. WESTMORELAND in the chair.

The Clerk read the title of the bill.

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

The gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from

New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

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

It is not often that Congress has the opportunity to help an industry that creates both jobs and energy while also improving the environment, and it is especially rare when we can do that at no cost to the taxpayer. H.R. 3797, the SENSE Act, accomplishes all this. That is why we are here today, and that is why I urge my colleagues to vote “yes” on this legislation.

Mr. Chairman, I yield 5 minutes the gentleman from Pennsylvania (Mr. ROTHFUS), the author of the legislation.

Mr. ROTHFUS. I thank the chairman for yielding, and I thank him for the support that he and the Energy and Commerce Committee have expressed for H.R. 3797, the Satisfying Energy Needs and Saving the Environment Act, also known as the SENSE Act.

Mr. Chair, the SENSE Act is a vitally important effort that I have championed in various forms for my nearly 3 years in Congress. This bill recognizes the overwhelming success of the endangered coal refuse-to-energy industry in making my district in western Pennsylvania and others across coal country healthier and cleaner places to work and live.

Without the SENSE Act, coal refuse-to-energy facilities will close, and their environmental mediation efforts will end. Contrary to the claims of this legislation’s supposedly environmentalist opponents, the SENSE Act is a pro-environment bill.

As many of you know, the coal industry has been an important part of the economy in Pennsylvania for many generations. Historic mining activity unfortunately left behind large piles of coal refuse. These piles consist of lower quality coal mixed with rock and dirt. For a long time, we did not have the technology to use this material, so it accumulated in large piles in cities and towns, close to schools and neighborhoods, and in fields across the countryside. This has led to a number of environmental problems that diminish the quality of life for many people in the surrounding areas. Vegetation and wildlife have been harmed, the air has been polluted, and acid mine drainage has impaired nearby rivers and streams.

I have been to many of these sites and seen firsthand the environmental danger they pose. Coal refuse piles can catch fire, causing dangerous and uncontrolled air pollution. Runoff from these sites can turn rivers orange and leave them devoid of life.

The cost to clean all this up is astronomical. Pennsylvania’s environmental regulator estimates that fixing abandoned mine lands could take over \$16 billion, \$2 billion of which would be needed for coal refuse piles alone.

We needed an innovative solution to this tough challenge. A commonsense compromise was necessary to get the job done and protect the environment. That is where the coal refuse-to-energy industry comes in. Using advanced technology, this industry has been able to use this previously worthless material to generate electricity. This activity powers remediation efforts that have so far been successful in removing over 200 million tons of coal refuse and repairing formerly polluted sites across the Commonwealth and other historic coal regions.

Thanks to the hard work of the dedicated people in this industry, landscapes have been restored, rivers and streams have been brought back to life, and towns across coal country have been relieved of unsafe and unsightly waste coal piles.

They do say that a picture paints a thousand words, and that is what I have here. In the foreground you have a waste coal pile that is under the process of remediation. In the background, the green hillside used to look just like the black foreground that you see here. This has been reclaimed. This is what is happening across Pennsylvania as we restore these hillsides.

It is important to note that private sector leadership on this issue has saved taxpayers millions of dollars in cleanup costs. That is why Pennsylvania's abandoned mine reclamation groups have endorsed my bill, and that is why we have also earned the support of clean water advocates.

Unfortunately, intensifying and inflexible EPA regulations threaten to bring much of the coal refuse industry's activity to a halt. This would leave billions of dollars of vital cleanup unfinished, lead to thousands of job losses, and endanger our energy security.

The SENSE Act addresses challenges arising from the implementation of two existing rules: MATS, the Mercury and Air Toxics Standards, and CSAPR, known as the Cross-State Air Pollution Rule.

Though all coal refuse-fired power generators can meet—can meet—the mercury standard under MATS, many facilities will be unable to meet the rule's new hydrogen chloride or sulfur dioxide standards. Contrary to what critics allege, the SENSE Act simply provides operators with alternative MATS compliance standards that are strict but achievable.

Similarly, although coal refuse-fired power generators were provided sufficient sulfur dioxide allocations in phase 1 of CSAPR's implementation, these facilities were allocated insufficient credits in phase 2, which is set to begin in 2017. The SENSE Act seeks to provide coal refuse-fired power generators with the same allocations levels in phase 2 as in phase 1.

My bill also contains provisions to ensure that this change does not simply create a profit center for the industry. Credits allocated as a result of the

SENSE Act's implementation must go to covered plants, specifically those that use bituminous coal refuse, and they cannot be sold off to other operators.

The CHAIR. The time of the gentleman has expired.

Mr. WHITFIELD. Mr. Chairman, I yield the gentleman from Pennsylvania an additional 1 minute.

Mr. ROTHFUS. In the last Congress, I merely attempted to exempt these facilities from MATS compliance with SO<sub>2</sub> and HCl. Building upon my efforts, Senators TOOMEY and CASEY from the Commonwealth of Pennsylvania offered a bipartisan amendment providing similar treatment for these plants within the context of both MATS and CSAPR. While this proposal was supported by a bipartisan majority of Senators, it failed to achieve the supermajority necessary to pass.

What we are looking to achieve today is much narrower and far more limited than our effort in the last Congress, which received bipartisan support. This should not be a controversial or bipartisan issue. We want to hold this industry to high standards, but standards they can actually achieve.

My bill will help keep the coal refuse industry in business so that the local community, economy, and environment will continue to reap the benefits. The people who live near coal refuse piles and all of the communities downstream of these hazards expect us to find a solution.

I thank the chairman for his time and cooperation with this vital piece of legislation.

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

Mr. Chairman, I rise in opposition to H.R. 3797. Once again, this House is using valuable time to consider a bill that has no chance of becoming law.

H.R. 3797, the Satisfying Energy Needs and Saving the Environment Act, or the SENSE Act, is an unnecessary bill that undermines public health and the environment. Unfortunately, this is no surprise. Throughout this Congress and the previous one, House Republicans have brought many bills to the floor that undermine the Clean Air Act, which also undermines public health and environmental protection. But this bill deserves special recognition because it also undermines States' authorities and picks winners and losers in the emission reduction effort.

H.R. 3797 denies a State's right to decide which tradeoffs to make in allocating emission credits among different facilities in its jurisdiction. It allows waste coal-burning facilities to generate more pollution, forcing other facilities, including traditional coal-fired utilities, to find greater emission reductions.

The legislation undermines two important public health rules issued under the Clean Air Act. The first is the Cross-State Air Pollution Rule, or CSAPR, and the second is the Mercury and Air Toxics Standards, or MATS,

rule. These rules will help reduce toxic air emissions, including sulfur dioxide, hydrochloric acid, and mercury, which makes the air cleaner and safer to breathe for all of us.

CSAPR uses an emissions trading mechanism to incentivize utilities and other facilities to reduce harmful air pollutants. These market-based mechanisms have been very successful at reducing pollution at the lowest cost. Facilities that become cleaner, either by becoming more efficient, installing pollution control equipment, or by switching to another fuel, generate valuable pollution credits, and they can use these credits or sell them to other facilities.

Unfortunately, this legislation undermines the proven market mechanism used in CSAPR. If the SENSE Act were to become law, there would be far less incentive to reduce pollution because the bill effectively reduces the value of making emission control investments.

With respect to the second rule, the MATS rule, the bill's advocates claim that waste coal plants deserve special consideration due to the nature of the fuel that they burn. They argue that these plants are being used to clean up waste coal piles, the coal refuse and other materials that were left over from past coal mining operations. This waste causes land and water pollution problems in many former coal mining areas.

While there may be benefits to burning waste coal to generate electricity, it can and should be done in a manner that avoids undue air pollution. Otherwise, the problems that now exist on land and in the water will simply be transferred to the air and spread out over a larger area. Mercury, in particular, is a highly toxic substance that does not break down. It is associated with serious health impacts, including neurotoxicity and cancer.

The operators of waste coal facilities asked EPA to consider their facilities separately from other coal plants, but EPA found these facilities are able to comply with these rules and there is no justification for treating waste coal facilities differently from other coal-fired generation facilities—and the courts agreed. These are coal-burning utilities, and they can use existing pollution control technologies to reduce their emissions.

So, Mr. Chairman, under the conditions of CSAPR, States have the authority to design their own emission allocation. Today, a State can allow waste coal facilities to emit higher levels of pollution and impose stricter pollution limits on other facilities if they choose to do so, but this legislation eliminates the State's flexibility and imposes a one-size-fits-all solution on the States. This legislation is essentially coming to the floor to benefit fewer than 20 facilities that exist in a handful of States, with most of the facilities located in Pennsylvania.

The States already have the ability to provide waste coal facilities with additional emission credits or other assistance if they choose to do so. So the SENSE Act creates more problems than it solves. It is unnecessary. It undermines the incentive to produce cleaner air, which is essential to improving public health and the environment, and it undermines State authority.

The White House strongly opposes the bill and has issued a veto threat saying that it would threaten the health of Americans. I agree, and I urge my colleagues to join me in voting against this bill.

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

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of H.R. 3797, the Satisfying Energy Needs and Saving the Environment Act, or the SENSE Act.

Mr. Chairman, coal refuse is an aboveground waste product of coal mining that can pose a number of environmental and safety threats to our country. To address these threats, specialized power plants, known as coal refuse-to-energy plants, were developed to recycle their waste product while generating affordable, reliable electricity to the American people.

□ 1430

Yet, the EPA has continually written rules and regulations that will ultimately shut down these specialized plants.

The Agency's Cross-State Air Pollution Rule and their Mercury and Air Toxics Standards include certain emission limits that are just not achievable for coal refuse-to-energy plants.

These EPA regulations will cost and result in billions of dollars in environmental cleanup. This could all be prevented by refuse-to-energy plants.

That is why H.R. 3797 is so important. It will provide targeted modifications to the EPA rules as they apply to coal refuse-to-energy plants.

There are no major initiatives. There are no new laws being created. We are only making target modifications to EPA's Cross-State Air Pollution Rule and their Mercury and Air Toxics Standards so Americans can receive safe, affordable energy, keep their jobs, and have a cleaner environment.

I urge my colleagues to support H.R. 3797 so that we can make sure that we continue to create more jobs while making our environment cleaner.

Mr. PALLONE. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. DOYLE), my colleague.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chairman, I want to thank my ranking member, Mr. PALLONE, for the time.

I rise in opposition to the SENSE Act.

This bill, introduced by Congressman ROTHFUS from my home State, is an effort to help coal refuse plants, most of which are located in the State of Pennsylvania.

Industry estimates that coal waste piles cover approximately 170,000 acres of Pennsylvania, left over from coal-mining operations that stopped decades ago.

Coal refuse plants then turn this coal waste into a small portion of Pennsylvania's energy portfolio and play an important part in remediating and rehabilitating the environment.

Left alone, these waste coal fields can pollute the groundwater and contaminate other water sources. They can also, if sparked by an ATV, lightning, or other occurrences, burn unabated and release dangerous pollutants at eye level.

For years, these waste coal plants have provided an important service, turning environmental hazards into energy. Accordingly, they have enjoyed many years of bipartisan support in my home State.

I want to say at the outset I appreciate what Mr. ROTHFUS is trying to do. This is an important issue in our State, and it needs to be addressed. The problem is it is his solution that I can't support.

This bill seeks to make it easier for these plants to comply with two regulations, CSAPR and MATS. It does this not by funding new technology to make plants cleaner or more efficient, reducing costs of operation, or changing electricity contracts.

Instead, what the SENSE Act does is two things. It fundamentally changes CSAPR by playing favorites with power sources and then rolls back important standards under MATS.

By extending phase 1 implementation standards for SO<sub>2</sub> for only these plants, but not increasing the overall cap, the SENSE Act prioritizes coal refuse plants over all other sources of electricity.

All other sources in my home State have to make up for the extra credits coal refuse plants get to keep. This is bad policy and bad practice. You can't rob Peter to pay Paul in complying with regulations.

The SENSE Act would significantly increase the proportion of SO<sub>2</sub> credits allocated to coal refuse plants. I have seen estimates that the percentage of SO<sub>2</sub> credits allocated to these plants would actually double. Again, all other plants in my State would then have to make up the difference.

The SENSE Act also removes an important option provided to States under CSAPR: the ability to draft and submit their own compliance plan.

At this point, our State has chosen not to take this option, but we shouldn't remove Pennsylvania's and other States' abilities to craft their own implementation plans. The SENSE Act just creates alternative implemen-

tation standards for coal refuse plants under MATS that are weaker on protecting our air.

What comes next? I know we have implementation dates for NO<sub>x</sub> standards that could be tough across the coal industry in my own State. Are coal refuse plants going to come back and say they need another carveout, another exception? This just sets a bad precedent.

But it is not just a bad precedent. It is a dangerous precedent. CSAPR and MATS protect the air we breath and help mitigate the impact that we have on our climate. If every single source of power was allowed to make exceptions to rules and regulations, we would be in deep trouble.

There are coal refuse plants that burn both bituminous and anthracite waste coal that have said they will be able to comply with CSAPR and MATS. There are only 19 of these facilities in the entire country.

Fourteen of them are in Pennsylvania, and five of those plants say they can comply with CSAPR and MATS as currently written. They may need to add some new technology and improve their processes, but that is the nature of the power industry in the 21st century.

It is changing. We have to adapt. Bills that roll back or modify these regulations I just don't believe are the right way forward. I think there may be alternative ways forward on this tough issue.

Like I said earlier, these plants provide an important environmental benefit to my home State, and I would like to see it continue.

We should look at all available options, whether it is States drafting their own implementation plants, whether it is providing a tax credit for the processing of this coal based on its environmental benefit, incentivizing other plants to co-fire with waste coal, or adding new fuel sources at existing waste coal plants.

I want to work with my colleagues on both sides of the aisle to take a hard look at this and try to come up with a solution that we can all agree to because this is a critical issue.

I want to thank my colleague from Pennsylvania for bringing much-needed attention to waste coal. I hope that we are able to work together on this issue in the future. But, for now, the SENSE Act is not the right solution to the problem, and I must oppose it.

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

Mr. Chairman, I want to commend Mr. ROTHFUS once again for introducing this important legislation.

We find ourselves here today because the EPA in the Obama administration has been more aggressive than any EPA in history.

I might say that the Supreme Court recently issued a stay on the clean energy plan because it was so extreme, so unprecedented, that even legal scholars

like Professor Larry Tribe at Harvard University said that the clean energy plan was like tearing up the Constitution of the U.S., that what they are doing under that plan is so extreme.

What we are talking about here is we are talking about 19 coal refuse-to-energy facilities operating in America. They employ about 1,200 people directly, about 4,000 people indirectly, and they have a payroll of about \$84 million a year. Each one of these plants, on average, is less than 100 megawatts.

The amount of emissions is very small. But the fact that they are able to use coal refuse that has been accumulating for years and years and years as America burned coal to produce electricity—we have a lot of waste refuse out there. These plants are cleaning it up. We know that, without this kind of cleanup, taxpayer dollars would be used to do it.

It is true that they have some emissions. It is also true that there is a tremendous environmental benefit by cleaning it up, not to mention the jobs that are created.

Now, people always say: Well, if you change this rule at all, if you adjust what EPA has done at all, you are going to make it more harmful to Americans who are breathing the air.

In our hearings about this particular issue, the Mercury and Air Toxics rule, I want to point out that the EPA admitted that its own Mercury and Air Toxics rule would not generate significant mercury reduction benefits and, in fact, attributes nearly all of that rule's benefits to the indirect reductions in fine particulate matter that is regulated in another part of the Clean Air Act.

EPA itself has admitted that allowing these plants to operate and the adjustments to be made is not a significant issue.

If you consider the fact that—actually, the U.S. Court of Appeals rendered a decision because a lawsuit was brought about EPA not forming a special subcategory for these coal refuse plants and they said it was not a violation of the Clean Air Act, that a subcategory was not set up by EPA.

But if you read the opinion, EPA certainly could have set up a special category for these coal refuse plants and decided not to do it.

The reason we are here today is because we have a job. We are the party, we are the body, that wrote the Clean Air Act, and we disagree with the EPA on this particular issue.

We are saying 19 plants, 14 in one State, 1,200 jobs directly, 4,000 jobs indirectly, \$84 million in a payroll, and EPA itself says this is not a major environmental issue.

We make the argument that the benefits of cleaning up these abandoned sites would offset the minute lack of reduction in the MATS rule and the SO<sub>x</sub> rule.

For those reasons, I respectfully would say that I think, overall, the

benefits are much greater by adopting the SENSE Act as authored by Mr. ROTHFUS.

I reserve the balance of my time.

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

Mr. Chairman, I wanted to respond to some of the Republican claims regarding the MATS rule.

The Energy and Commerce Committee held a legislative hearing on the SENSE Act on February 3 of this year. At that hearing, we heard testimony regarding the ability of waste coal units to meet the requirements of the MATS rule.

As Mr. Walke testified, when waste coal plants owners filed lawsuits challenging the MATS rule, claiming it was “virtually impossible to meet the acid gas and sulfur dioxide limits,” the court had little trouble rejecting these arguments unanimously.

The judge pointed to the evidence and data submitted to EPA showing that many of the waste coal units could already meet the rule's acid gas standard or alternative sulfur dioxide standard.

The court also noted that some of these already-compliant plants are among the best performers in reducing hydrogen chloride emissions among all coal-burning power plants around the country.

If the majority, along with the bill's proponents, are trying to say that the bill is needed because all of the currently operating waste coal units can't meet the MATS standards, that is not how the Clean Air Act works.

The Clean Air Act's use of maximum achievable control technology for setting air pollution standards takes a reasonable approach.

It says that EPA should set emission limits based on the emission levels already being achieved by similar facilities in the real world.

For existing sources, EPA bases the emission standards for each pollutant on the average emissions achieved by the best performing 12 percent of facilities.

Congress, in setting up its program, did not want to merely maintain the status quo. They wanted all facilities within an industrial sector to make the necessary upgrades to reduce their emissions in line with the best performing units.

The advocates of this bill claim that coal refuse facilities should be treated differently from other coal fuel-generation facilities and that the technology and fuel used would prevent these facilities from meeting the MATS standards for acid gases and sulfur dioxide, but that is simply not true.

First, under the MATS rule, facilities have a choice of meeting either the acid gas standard or the sulfur dioxide standard. They don't have to meet both.

But, second, there is emission control technology available today that can bring these waste coal facilities into compliance with the rule.

I see no justification for allowing these facilities to emit more pollutants than other similar facilities.

I reserve the balance of my time.

□ 1445

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

I want to point out, once again, that we are here because Congress wants to make the decision that the EPA should set up subcategories in this particular instance. Both the Clean Air Act and the EPA regulations promulgated under it, on a routine basis, divide regulated entities into separate categories, but the EPA was unwilling to do it in this case primarily because coal was involved. It is no secret that when the President was running, in an editorial interview in San Francisco, he made the comment publicly that he would bankrupt the coal industry; and that actually is happening.

Mr. Chairman, I yield an additional 3 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS), the author of this bill.

Mr. ROTHFUS. I thank the chairman.

Mr. Chairman, there are only 19 plants we are talking about here and four States that are involved. There are some plants out there that can comply—there is not a question about that—but there are only a few of them, and we are looking at a number of plants that do not have the capacity to comply with these one-size-fits-all standards.

While the State should be looking at this, the SENSE Act does what the EPA should have done in creating these categories. It could take up to 2 years, Mr. Chairman, for the EPA to get back as to any kind of modification. The State could propose a change, but then it has to wait and wait and wait, and while it waits, we will see power plants close that do not have this technology.

There is something called a “margin” in business, Mr. Chairman. You take a look at the expense of doing things, you look at the cost of things, and you look at the income. Once the expense or the cost exceeds the income, plants' businesses go out of business. People lose jobs. That is what we are talking about. In this case, not only do people lose jobs, but the tremendous environmental cleanup stops that is taking place.

Pennsylvania estimates it would take \$2 billion to clean up these waste coal sites. I have walked the fields where they have been cleaned up in Allegheny County and in Cambria County. I have seen hillsides on which deer now graze where it used to be just a martian landscape, and I have seen rivers that used to be orange that now have fish in them. This is an industry that has been cleaning up these sites without the taxpayers picking up the tabs.

Every State in this country is having budget issues and is trying to find resources to address critical things like

environmental cleanup. This is something that is working. When you have one size fits all, where the EPA refuses to make an accommodation because it does not recognize the tremendous benefit that these facilities are bringing to Pennsylvania, that is what this legislation seeks to change.

There is no free pass here for these plants. They will still be measured and they will still have to comply, but this is a customization to something that is achievable, and it is a customization that I would argue is what the EPA should have been doing all along.

Mr. PALLONE. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE).

Mr. MICHAEL F. DOYLE of Pennsylvania. I thank the gentleman.

Mr. Chairman, I just want to say to my friend from Pennsylvania that I agree with a lot of what he said as far as the value of these coal refuse sites. No one is debating that. Certainly I am not. This is almost a Pennsylvania exclusive piece of legislation given the fact that 14 of the 19 sites are in our State, and I believe about five of those can comply at this point.

The problem I have with the gentleman's proposal is that when one takes emission credits and gives them to the coal refuse plants in excess of what they get, it is coming out of somebody else's allocation. In western Pennsylvania, where we are both from, most of our electricity is from coal-fired utilities. What one is doing, in effect, is taking those emission credits from other coal-fired utilities to give them to this small number of coal refuse plants, and that is going to cost others' margins on those utility sites. It will affect their margins because now they have to work harder to clean up their emissions because they don't have these credits because they have gone to the coal refuse plants. That is a big problem I see, especially in a State like ours that still has a lot of coal-fired electricity generation.

I think there are better ways forward. I think we would be better served in our State to push our State legislature and the Governor's office, too, to come up with a State implementation plan that allows for some flexibility and takes into account what goes on at these plants, because this is primarily a Pennsylvania issue. As I said in my remarks before, there are other ways, I think, to solve this problem.

Look, the President has issued a SAP. He is going to veto this bill. So this piece of legislation isn't going to become law. Yet I am not standing here to say that I think we should stop our efforts to do something to keep this resource, because it is cleaning up a lot of sites in Pennsylvania, and there is a benefit to the environment. There is a lot of water pollution potential for leaving these sites as they are.

I want to work with the gentleman, and I say to him that, while this piece of legislation may not ever become

law, I extend my offer to work with the gentleman in constructive ways, both with our Governor and State legislature, and in alternative ways to attack this problem that doesn't take emission credits from other coal-fired utilities in our State.

Mr. WHITFIELD. Mr. Chairman, I yield an additional 2 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS), the author of the legislation.

Mr. ROTHFUS. Mr. Chairman, it would be great for Pennsylvania to come up with a customization on its own, but that would take a couple of years for approval from the EPA. In the meantime, these plants will be closed.

Few, if any, conventional coal plant owners have expressed concerns about the SENSE Act. Bear in mind, we are talking about an overall allocation for SO<sub>2</sub> and a reconfiguring within that overall allocation. So there is not going to be an increase in SO<sub>2</sub>; it will be a mere customization and allocation, and it should have been done and should have been allowed by the EPA.

While the President may have issued a veto threat, my hope is, before the President would follow through on such a veto threat, that he would come to western Pennsylvania, that he would walk the hills with me, that he would see the streams that have come back to life, that he would talk to Tim and talk to Bill and talk to the men and women at these plants who are taking care of their families, so they can say, "Mr. President, we need some help here. Our communities have been economically distressed. We are sustaining our communities with these jobs. We are raising our kids with these jobs. What we don't like, Mr. President, are these one-size-fits-all edicts coming out of Washington, D.C., that give our States and communities the burden of complying—totally excluding the benefits that have been happening on the ground."

Again, to see these places that have been reclaimed is remarkable. It is my hope that the President would visit those places before he follows through on any kind of veto threat.

Mr. PALLONE. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE).

Mr. MICHAEL F. DOYLE of Pennsylvania. I will not consume any more time after this. I don't want to play Chip and Dale with the gentleman all day.

Mr. Chairman, let me just say that our President has been to Pittsburgh probably more than to any city in the country, and I have been with him many times when he has been there. I have walked on these sites, too. I have one up in Harmar Township. I have seen them. I know what the gentleman is talking about, and I think it is a problem we need to address. The SENSE Act is really a one-size-fits-all kind of solution, not current law. Cur-

rent law gives States flexibility, and I think that is what is important.

I would just say to my friend that this is a real problem and a real concern in our home State, and I reiterate my willingness to work with him on a solution.

Mr. WHITFIELD. Mr. Chairman, there are no additional speakers on my side of the aisle.

I reserve the balance of my time to close.

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

Mr. Chairman, in closing, I include in the RECORD the Statement of Administration Policy.

#### STATEMENT OF ADMINISTRATION POLICY

H.R. 3797—SATISFYING ENERGY NEEDS AND SAVING THE ENVIRONMENT (SENSE) ACT—REP. ROTHFUS, R-PA, AND SIX COSPONSORS

The Administration strongly opposes H.R. 3797, which would threaten the health of Americans by requiring changes to the Environmental Protection Agency's (EPA) Cross-State Air Pollution Rule (CSAPR) and the Mercury and Air Toxics Standards (MATS) for electric generating units (EGUs) that use coal refuse as their main fuel source. Specifically, H.R. 3797 would restrict the market-based approach currently used to allocate sulfur dioxide emission allowances issued under the CSAPR, thereby raising the costs of achieving the pollution reduction required by the rule. The bill also would undermine the emissions limits for hazardous acid gases from those established under the MATS, leading to increased health and environmental impacts from increased emissions of hydrogen chloride, hydrogen fluoride, other harmful acid gases, and sulfur dioxide.

CSAPR and MATS protect the health of millions of Americans by requiring the reduction of harmful power plant emissions, including air toxics and emissions that contribute to smog and fine particle pollution. The pollution reductions from CSAPR and MATS will prevent thousands of premature deaths, asthma attacks, and heart attacks. An important feature of the CSAPR is its trading program which allows power plants to meet emission budgets in different ways, including by trading emissions allowances between emission sources within a State and some trading across States. This market-based approach reduces the cost of compliance while ensuring reductions in air pollution for citizens across the CSAPR region.

H.R. 3797 would create an uneven playing field by picking winners and losers in CSAPR compliance. The bill establishes a special market of CSAPR allowances for EGUs that burn coal refuse and prohibits the trading of allowances allocated to coal refuse EGUs, which would interfere with and manipulate market conditions. By doing so, H.R. 3797 would: (1) economically advantage coal refuse EGUs over other EGUs by giving them allowances that would otherwise have been allocated to others; (2) reduce compliance choices for other State units; and (3) distort the economic incentives of coal refuse EGUs to reduce emissions. Further, the allowances allocated to coal refuse EGUs would be unavailable for use by any other sources, resulting, in the aggregate, in less efficient and more costly CSAPR compliance. Additionally, H.R. 3797 would interfere with existing opportunities under the CSAPR for each State to control the allocation of allowances among its EGUs.

If the President were presented with H.R. 3797, his senior advisors would recommend that he veto the bill.

Mr. PALLONE. The sponsor of the legislation mentioned the President's

coming to visit, but I think if you look at the Statement of Administration Policy, it is quite clear that what the President is essentially saying is that he doesn't want the Congress to pick the winners and the losers. He wants the States—in this case, Pennsylvania—to have the flexibility to make their own decisions.

It is not a question of what the President decides. It is clear that he is vetoing this legislation or would veto this legislation because he thinks that the flexibility is already there under the law and that the States should make those decisions rather than having Congress pick the winners and losers.

I am not going to read the whole thing, Mr. Chairman, but I did want to just read the section that relates to that, if I could, from the Statement of Administration Policy.

It reads:

“H.R. 3797 would create an uneven playing field by picking winners and losers in CSAPR compliance. The bill establishes a special market of CSAPR allowances for EGUs that burn coal refuse and prohibits the trading of allowances allocated to coal refuse EGUs, which would interfere with and manipulate market conditions. By doing so, H.R. 3797 would: (1) economically advantage coal refuse EGUs over other EGUs by giving them allowances that would otherwise have been allocated to others; (2) reduce compliance choices for other State units; and (3) distort the economic incentives of coal refuse EGUs to reduce emissions. Further, the allowances allocated to coal refuse EGUs would be unavailable for use by any other sources, resulting, in the aggregate, in less efficient and more costly CSAPR compliance. Additionally, H.R. 3797 would interfere with existing opportunities under the CSAPR for each State to control the allocation of allowances among its EGUs.”

Again, I think the Statement of Administration Policy is based on the idea that there is flexibility under the law and that States are in the best positions to make these decisions. I think it is quite clear, and I agree with everything that is in this veto message as being the basis for why we oppose the legislation; so I urge my colleagues to oppose the bill.

I yield back the balance of my time.

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

I would just reiterate, once again, far from undercutting States, the SENSE Act offers the best solution for States. The EPA, in these two regulations, is dictating to the States what can and cannot be done. Even if the States wanted to take additional action, they would have to meet the requirements of those regulations. The SENSE Act makes minor modifications to the Cross-State Air Pollution Rule and to the Mercury and Air Toxics Standards, and it does not raise the cap of the emissions.

I have a great deal of respect for both of the gentlemen on the other side of the aisle who have different views on this subject; but I can tell you the generating plants that are burning coal to produce electricity have not talked to us at all about being concerned about the SENSE Act. They are overwhelmingly concerned about the clean energy plan, which is basically going to change every aspect of the way they do business if the courts do not rule it in violation of the Clean Air Act.

In closing, as a Member of Congress and as Congresspeople, we do have the responsibility to step in and change some parts of the Clean Air Act if we view it as being in the best interest of the American people. Because these coal refuse plants have already cleaned up, recycled, over 200 million tons of coal refuse by combusting it to produce electricity and because the overall caps are not going to be raised, there are going to be minor modifications, we are going to continue to clean up these refuse piles. We are going to continue to protect 1,200 direct jobs, 4,000 indirect jobs, \$84 million in payroll.

It seems to me that the benefits far outweigh the negative aspects of this legislation. For that reason, I would respectfully request my colleagues to support H.R. 3797 and pass this legislation.

I yield back the balance of my time.

Mr. BARLETTA. Mr. Chair, I rise in support of legislation that's important to my part of Pennsylvania, and to all of the coal-producing regions of this country.

The SENSE Act, offered by my colleague from western Pennsylvania, Mr. ROTHFUS.

This bill is a long time coming.

In my part of the country, we are familiar with “coal refuse”—a mixture of low-quality coal, rock, and dirt, which is left behind after mining.

This coal refuse has a much lower energy content, and for years it could not be processed efficiently or economically.

As a result, piles of it were left behind, which led to a variety of detrimental results: loss of vegetation and wildlife, and concentrated levels of acid drainage into local streams and ponds.

But the technology has advanced, and we can now reclaim that waste—the private sector can use the coal waste product to burn and generate electricity.

What's left over after that can be used to restore the natural landscape, or refill abandoned mines.

But, once again, the Environmental Protection Agency couldn't stand this type of progress.

They came up with the MATS Rule—the Mercury and Air Toxics Standards rule.

This sets certain unattainable levels for the industry.

The SENSE Act provides relief from these unrealistic limits.

It seeks to establish an alternative compliance standard for coal refuse facilities based upon the removal and control of Sulfur Dioxide.

Now, in some parts of the country, and in some speeches on the campaign trail, it has become fashionable to attack the coal indus-

try, and make its people out to be the bad guys.

As a candidate, our current president promised to bankrupt the coal industry.

And he has made a tremendous effort to do just that—including this MATS Rule from his EPA.

Just in the last few days, the frontrunner on the Democratic side promised that as president, she would put coal mines and coal miners out of work.

Now, all of that might sound pretty good in certain focus groups, or around the cocktail party circuit, but let me tell you . . . where I come from, it sounds pretty devastating.

The coal industry—in no small part—helped build this country and make it a world leader.

It generates cheap electricity for millions of people.

And for many tens of thousands of people back home in Pennsylvania, it still provides a good living, and it puts food on the table.

This bill makes sense—common sense.

It provides a use for coal refuse, generates electricity, and protects jobs.

And it will allow us to reclaim land previously mined, which means it has a positive impact on the environment.

And when that land is reclaimed, it can again be put to use, and placed back on the tax rolls, making it good for local government.

I urge support for the SENSE Act.

Mr. UPTON. Mr. Chair, today we have another opportunity to say yes to energy and protect jobs with H.R. 3797, the SENSE Act. This sensible bill will help coal refuse-to-energy facilities continue their work producing energy while addressing the nation's coal refuse problem.

Vast mounds of coal refuse sit near many abandoned coal mines throughout coal country, and they pose a serious threat to air and water quality as well as to public safety. But through American ingenuity, coal refuse-to-energy plants have been developed that actually use this harmful waste product to generate electricity. The end product is ash, which is environmentally safe and used to reclaim the land.

There are 19 such plants in operation today that are producing energy and jobs while providing a practical solution to the coal refuse problem that would otherwise cost billions of dollars to address.

Unfortunately, there are two EPA rules targeting all coal-fired power plants that are causing some problems. Coal refuse-to-electricity plants are very different than conventional coal-fired plants and may not be able to meet these EPA rules which are geared toward the conventional plants. As a result, the future of these facilities and their environmental and economic benefits is now in danger.

Thankfully, Mr. ROTHFUS of Pennsylvania has spearheaded a solution. The SENSE Act still requires coal refuse-energy-plants to reduce their emissions, but creates new compliance methods more appropriate for this technology. This would allow these plants to continue operating, to the great benefit to the communities where these facilities are located.

The SENSE Act is about as commonsense as they get. I urge all my colleagues to support this pro-energy, pro-jobs, and strongly pro-environment bill.

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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. The bill shall be considered as read.

The text of the bill is as follows:

H.R. 3797

*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 “Satisfying Energy Needs and Saving the Environment Act” or the “SENSE Act”.

#### SEC. 2. STANDARDS FOR COAL REFUSE POWER PLANTS.

(a) DEFINITIONS.—In this Act:

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

(2) BOILER OPERATING DAY.—The term “boiler operating day” has the meaning given such term in section 63.10042 of title 40, Code of Federal Regulations, or any successor regulation.

(3) COAL REFUSE.—The term “coal refuse” means any byproduct of coal mining, physical coal cleaning, or coal preparation operation that contains coal, matrix material, clay, and other organic and inorganic material.

(4) COAL REFUSE ELECTRIC UTILITY STEAM GENERATING UNIT.—The term “coal refuse electric utility steam generating unit” means an electric utility steam generating unit that—

(A) is in operation as of the date of enactment of this Act;

(B) uses fluidized bed combustion technology to convert coal refuse into energy; and

(C) uses coal refuse as at least 75 percent of the annual fuel consumed, by heat input, of the unit.

(5) COAL REFUSE-FIRED FACILITY.—The term “coal refuse-fired facility” means all coal refuse electric utility steam generating units that are—

(A) located on one or more contiguous or adjacent properties;

(B) specified within the same Major Group (2-digit code), as described in the Standard Industrial Classification Manual (1987); and

(C) under common control of the same person (or persons under common control).

(6) CROSS-STATE AIR POLLUTION RULE.—The terms “Cross-State Air Pollution Rule” and “CSAPR” mean the regulatory program promulgated by the Administrator to address the interstate transport of air pollution in parts 51, 52, and 97 of title 40, Code of Federal Regulations, including any subsequent or successor regulation.

(7) ELECTRIC UTILITY STEAM GENERATING UNIT.—The term “electric utility steam generating unit” means either or both—

(A) an electric utility steam generating unit, as such term is defined in section 63.10042 of title 40, Code of Federal Regulations, or any successor regulation; or

(B) an electricity generating unit or electric generating unit, as such terms are used in CSAPR.

(8) PHASE I.—The term “Phase I” means, with respect to CSAPR, the initial compliance period under CSAPR, identified for the 2015 and 2016 annual compliance periods.

(b) APPLICATION OF CSAPR TO CERTAIN COAL REFUSE ELECTRIC UTILITY STEAM GENERATING UNITS.—

(1) COAL REFUSE ELECTRIC UTILITY STEAM GENERATING UNITS COMBUSTING BITUMINOUS COAL REFUSE.—

(A) APPLICABILITY.—This paragraph applies with respect to any coal refuse electric utility steam generating unit that—

(i) combusts coal refuse derived from the mining and processing of bituminous coal; and

(ii) is subject to sulfur dioxide allowance surrender provisions pursuant to CSAPR.

(B) CONTINUED APPLICABILITY OF PHASE I ALLOWANCE ALLOCATIONS.—In carrying out CSAPR, the Administrator shall provide that, for any compliance period, the allocation (whether through a Federal implementation plan or State implementation plan) of sulfur dioxide allowances for a coal refuse electric utility steam generating unit described in subparagraph (A) is equivalent to the allocation of the unit-specific sulfur dioxide allowance allocation identified for such unit for Phase I, as referenced in the notice entitled “Availability of Data on Allocations of Cross-State Air Pollution Rule Allowances to Existing Electricity Generating Units” (79 Fed. Reg. 71674 (December 3, 2014)).

(C) RULES FOR ALLOWANCE ALLOCATIONS.—For any compliance period under CSAPR that commences on or after January 1, 2017, any sulfur dioxide allowance allocation provided by the Administrator to a coal refuse electric utility steam generating unit described in subparagraph (A)—

(i) shall not be transferable for use by any other source not located at the same coal refuse-fired facility as the relevant coal refuse electric utility steam generating unit;

(ii) may be transferable for use by another source located at the same coal refuse-fired facility as the relevant coal refuse electric utility steam generating unit;

(iii) may be banked for application to compliance obligations in future compliance periods under CSAPR; and

(iv) shall be surrendered upon the permanent cessation of operation of such coal refuse electric utility steam generating unit.

(2) OTHER SOURCES.—

(A) NO INCREASE IN OVERALL STATE BUDGET OF SULFUR DIOXIDE ALLOWANCE ALLOCATIONS.—For purposes of paragraph (1), the Administrator may not, for any compliance period under CSAPR, increase the total budget of sulfur dioxide allowance allocations for a State in which a unit described in paragraph (1)(A) is located.

(B) COMPLIANCE PERIODS 2017 THROUGH 2020.—For any compliance period under CSAPR that commences on or after January 1, 2017, but before December 31, 2020, the Administrator shall carry out subparagraph (A) by proportionally reducing, as necessary, the unit-specific sulfur dioxide allowance allocations from each source that—

(i) is located in a State in which a unit described in paragraph (1)(A) is located;

(ii) permanently ceases operation, or converts its primary fuel source from coal to natural gas, prior to the relevant compliance period; and

(iii) otherwise receives an allocation of sulfur dioxide allowances under CSAPR for such period.

(c) EMISSION LIMITATIONS TO ADDRESS HYDROGEN CHLORIDE AND SULFUR DIOXIDE AS HAZARDOUS AIR POLLUTANTS.—

(1) APPLICABILITY.—For purposes of regulating emissions of hydrogen chloride or sulfur dioxide from a coal refuse electric utility steam generating unit under section 112 of the Clean Air Act (42 U.S.C. 7412), the Administrator—

(A) shall authorize the operator of such unit to elect that such unit comply with either—

(i) an emissions standard for emissions of hydrogen chloride that meets the requirements of paragraph (2); or

(ii) an emission standard for emissions of sulfur dioxide that meets the requirements of paragraph (2); and

(B) may not require that such unit comply with both an emission standard for emissions of hydrogen chloride and an emission standard for emissions of sulfur dioxide.

(2) RULES FOR EMISSION LIMITATIONS.—

(A) IN GENERAL.—The Administrator shall require an operator of a coal refuse electric utility steam generating unit to comply, at the election of the operator, with no more than one of the following emission standards:

(i) An emission standard for emissions of hydrogen chloride from such unit that is no more stringent than an emission rate of 0.002 pounds per million British thermal units of heat input.

(ii) An emission standard for emissions of hydrogen chloride from such unit that is no more stringent than an emission rate of 0.02 pounds per megawatt-hour.

(iii) An emission standard for emissions of sulfur dioxide from such unit that is no more stringent than an emission rate of 0.20 pounds per million British thermal units of heat input.

(iv) An emission standard for emissions of sulfur dioxide from such unit that is no more stringent than an emission rate of 1.5 pounds per megawatt-hour.

(v) An emission standard for emissions of sulfur dioxide from such unit that is no more stringent than capture and control of 93 percent of sulfur dioxide across the generating unit or group of generating units, as determined by comparing—

(I) the expected sulfur dioxide generated from combustion of fuels emissions calculated based upon as-fired fuel samples; to

(II) the actual sulfur dioxide emissions as measured by a sulfur dioxide continuous emission monitoring system.

(B) MEASUREMENT.—An emission standard described in subparagraph (A) shall be measured as a 30 boiler operating day rolling average per coal refuse electric utility steam generating unit or group of coal refuse electric utility steam generating units located at a single coal refuse-fired facility.

The CHAIR. No amendment to the bill shall be in order except those printed in part B of House Report 114-453. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. PALLONE

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 114-453.

Mr. PALLONE. Mr. Chairman, I offer my amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 2(a)(6), 2(a)(8), and 2(b) and redesignate accordingly.

Amend section 2(a)(7) to read as follows:

(7) ELECTRIC UTILITY STEAM GENERATING UNIT.—The term “electric utility steam generating unit” means an electric utility steam generating unit, as such term is defined in section 63.10042 of title 40, Code of Federal Regulations, or any successor regulation.

The CHAIR. Pursuant to House Resolution 640, the gentleman from New

Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume in support of my amendment.

This is a targeted amendment that strikes section 2(b) from the bill. This section deals with EPA's Cross-State Air Pollution Rule, also known as CSAPR. This is one of the most important Clean Air Act rules in recent years. It protects the health of millions of Americans by requiring upwind States in the eastern and central United States to reduce power plant emissions that cause air quality problems in downward States.

As I have mentioned before during general debate, an important feature of CSAPR is the trading program that allows sources in each State to meet emission budgets in many different ways, including trading of emission allowances. This approach reduces the overall cost of compliance, while ensuring reduction in air pollution.

I mentioned previously during general debate that the Committee on Energy and Commerce held a legislative hearing on this bill on February 3. At that hearing, the EPA and John Walke from the Natural Resources Defense Council provided testimony that described a number of policy and technical issues with this section of the bill, and I just want to touch on a few of them now.

First, by allocating emission allowances to waste coal units that cannot be traded, the SENSE Act would eliminate economic incentives to reduce toxic air pollution at these waste coal units.

Second, by reallocating allowances from other sources within the State to waste coal units and then limiting the ability to transfer or trade these additional allowances to other facilities, the bill would choose winners—that is, the waste coal plants—and losers—that is, all other coal plants in a given State.

Third, by interfering with the conditions of the CSAPR market, compliance costs would increase for covered facilities.

Now, the SENSE Act would also remove a State's right to determine the appropriate method of compliance with CSAPR. To be more specific, currently, under the Clean Air Act, an individual State may choose to reduce emissions from power plants based on EPA's CSAPR framework, or they can choose to comply with the rule by reducing emissions based on a framework the State develops and the EPA approves.

One of the most egregious aspects of the bill's CSAPR provision—and it is one that I am surprised my Republican colleagues would support—is that, if the bill were to become law, it would actually take this power away from the States and give it to the EPA. Or, to put it another way, the SENSE Act would wrest control away from States

to make these basic decisions for the first time in the 39-year history of the Clean Air Act's interstate air pollution program.

EPA also pointed out that the SENSE Act would deny States control over allocations of allowances by rendering any submitted State plan with a different allocation to these units unapprovable. So why supporters of this bill would want to change a successful EPA program to make it less flexible and more costly is beyond me. The CSAPR provisions of the bill make unnecessary changes to the rule since States already have the power to help out waste coal plants if they want to.

So, again, I urge my colleagues to join me in supporting this amendment to strike the CSAPR portion of this SENSE Act.

I reserve the balance of my time.

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

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

Mr. WHITFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, this amendment is not warranted because any change in a State's compliance cost will be very low. There are only 19 coal refuse-to-energy facilities in the United States, mostly small, under 100 megawatts, and only a subset will avail themselves of the bill's provisions. We are only talking about four States: West Virginia, Pennsylvania, Utah, and Montana.

The bill merely reallocates emission allowances under the Cross-State Air Pollution Rule from other plants to coal refuse-to-energy facilities. This will help ensure the continued operation of these plants but is unlikely to have much of a cost impact.

As was stated in an earlier debate, this bill does what the EPA should have done. It creates provisions that are realistic and achievable for coal refuse-to-energy facilities. Both the Clean Air Act and the EPA regulations promulgated under it routinely divide regulated entities into separate categories that are treated differently based on their unique characteristics.

Coal refuse-to-energy facilities have many such unique characteristics and should have been treated as a separate category in EPA rulemakings. It was discretionary for them not to, the Court held, but that doesn't mean they should not have. And it is the policy-making branch of this government, this Congress, this Article I branch, where the people should have a say in how they are governed. They were not accommodated in the EPA rulemakings, and the SENSE Act addresses that omission.

Any modest costs, Mr. Chairman, are more than offset by the jobs, energy, and especially the environmental benefits of keeping the coal refuse-to-energy fleet in operation. States' environmental regulators estimate the cost of addressing coal refuse to be approxi-

mately \$2 billion in Pennsylvania alone, and that is just for cleanup.

When one of these coal piles catch fire and the damage that is done—and when they are on fire, there is no control, Mr. Chairman. There is no control. Nothing is being eliminated as these waste coal piles burn. When the waste coal is being used by the energy industry in these plants, there are controls in place.

Finally, with respect to giving States flexibility, everything has to be approved by the EPA, Mr. Chairman. That is illusory. It could take 2 years for the EPA to approve a State plan. In the meantime, the plants close, the progress stops, and the people lose their jobs.

I would urge a vote “no” on this amendment.

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

Mr. PALLONE. Mr. Chairman, I urge support for the amendment.

I yield back the balance of my time.

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

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

Mr. PALLONE. 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 New Jersey will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. PALLONE

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 114-453.

Mr. PALLONE. Mr. Chairman, as the designee of the gentleman from New York (Mr. ENGEL), I offer amendment No. 2.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, after line 23, insert the following new paragraph:

(3) APPLICABILITY.—This subsection shall not apply with respect to a State if the Governor of the State, or the head of the authority that implements CSAPR for the State, makes a determination, and notifies the Administrator, that implementation of this subsection will increase the State's overall compliance costs for CSAPR.

The CHAIR. Pursuant to House Resolution 640, the gentleman from New Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

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

Last month, the Energy and Power Subcommittee held a hearing that identified numerous flaws in the SENSE Act, and this amendment is designed to correct two of them.

If the SENSE Act were to become law, waste coal facilities would be able to emit more than their fair share of pollution under the Cross-State Air Pollution Rule, known as CSAPR. Specifically, section 2(b) of the SENSE Act

would reserve emission credits for waste coal plants, thereby prohibiting them from being traded under the CSAPR trading system.

According to Janet McCabe, the Acting Assistant Administrator for the Office of Air and Radiation at EPA, this would remove the economic incentives to reduce emissions and ultimately increase the cost of compliance. Section 2(b) would also interfere with the State's right to determine how to best comply with the rule, instead putting those decisions in the hands of the EPA Administrator. Not only are these changes harmful, but they are also unnecessary because the State that wishes to give a break to waste coal units can already do so under the rule.

So this bill, as written, would take longstanding State authority, transfer it to the Federal Government, and then use that authority to pick winners and losers; and it does all of this while increasing the cost of compliance. This amendment would allow a State to opt out of section 2(b) of the SENSE Act if it determines that implementation of the subsection would increase the State's overall compliance cost.

I urge my colleagues to protect the integrity of the CSAPR rule and support this amendment.

I reserve the balance of my time.

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

The CHAIR. The gentleman from Kentucky (Mr. WHITFIELD) is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, I would just point out that what we are looking at here is that the SENSE Act seeks to accomplish what the EPA should have done in creating special categories.

Again, if you are looking at compliance costs, any costs are going to be low. And then when you combine that with the requirement to seek EPA approval and the delays that that would incur, these plants will be closed, the environmental progress will stop, and challenged communities will be further challenged.

These are solid, good-paying, family-sustaining jobs in these plants. We know that while some plants are in compliance, others are not.

So, again, this SENSE Act seeks to do what the EPA should have done from the very beginning and create appropriate categorization.

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

Mr. PALLONE. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman from New Jersey has 3½ minutes remaining.

Mr. PALLONE. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I rise in opposition to the underlying bill but in support of the Engel amendment. It is perfect, good sense giving

the Governor of a State the ability to opt out of the section of the bill that modifies the Cross-State Air Pollution Rule if the Governor determines that implementing those provisions would increase the overall cost of complying with the rule.

There goes, if you will, the underlying problem of this bill. There has been no determination as to the burden of this particular bill, and I oppose it.

I oppose it in particular because the bill would undermine the emissions limits for hazardous acid gases from those established under the MATS, leading to increased health and environmental impacts from increased emissions of hydrogen chloride, hydrogen fluoride, and other harmful acid gasses and sulfur dioxide.

Specifically, the CSAPR and MATS protect the health of millions of Americans by requiring the reduction of harmful power plant emissions, including the air toxics and emissions that contribute to smog and fine particle pollution. The pollution reduction from CSAPR and MATS have real-life impacts: prevention of thousands of premature deaths, asthmatic attacks, and heart attacks.

I would offer to say, as a member of the Homeland Security Committee, we are always dealing with toxics as it relates to chemical plants and protecting the homeland in the area of security, but we also need to protect them in the area of good quality health care.

I would argue that this bill would economically advantage coal refuse EGUs over other EGUs, reduce compliance choices for other State units, and distort the economic incentives of coal refuse EGUs to reduce emissions. Also, the allowances allocated to coal refuse EGUs would be unavailable for use by any other sources.

I ask my colleagues to oppose this legislation. I don't believe that this bill will be considered in the Senate. I don't believe that it will be considered for signature by the White House.

I would offer to say that, besides the budget and the appropriations process that is ongoing, we in this Congress need to deal with the restoration of the Voting Rights Act and provide for section 5. Let's get to work on things impacting the American people, creating more jobs, as opposed to providing poor quality of life, poor quality of air for our citizens throughout this Nation.

Once again, I support the Engel amendment.

Mr. Chair, I rise in strong opposition to H.R. 3797—Satisfying Energy Needs and Saving the Environment (SENSE) Act.

I oppose this unwise and unnecessary legislation for several reasons.

H.R. 3797, would threaten the health of Americans by requiring changes to the Environmental Protection Agency's (EPA) Cross-State Air Pollution Rule (CSAPR) and the Mercury and Air Toxics Standards (MATS) for electric generating units (EGUs) that use coal refuse as their main fuel source.

In doing this, H.R. 3797 would restrict the market-based approach currently used to allo-

cate sulfur dioxide emission allowances issued under the CSAPR, thereby raising the costs of achieving the pollution reduction required by the rule.

This bill also would undermine the emissions limits for hazardous acid gases from those established under the MATS, leading to increased health and environmental impacts from increased emissions of hydrogen chloride, hydrogen fluoride, other harmful acid gases, and sulfur dioxide.

Specifically, CSAPR and MATS protect the health of millions of Americans by requiring the reduction of harmful power plant emissions, including air toxics and emissions that contribute to smog and fine particle pollution.

The pollution reductions from CSAPR and MATS have real life impacts: prevention of thousands of premature deaths, asthma attacks, and heart attacks.

Let me also underscore that an important feature of the CSAPR is its trading program which allows power plants to meet emission budgets in different ways, including by trading emissions allowances between emission sources within a State and some trading across States.

This market-based approach reduces the cost of compliance while ensuring reductions in air pollution for citizens across the CSAPR region.

I oppose H.R. 3797 because it would create an uneven playing field by picking winners and losers in CSAPR compliance.

Indeed, this bill establishes a special market of CSAPR allowances for EGUs that burn coal refuse and prohibits the trading of allowances allocated to coal refuse EGUs, which would interfere with and manipulate market conditions.

Specifically, H.R. 3797 would: economically advantage coal refuse EGUs over other EGUs by giving them allowances that would otherwise have been allocated to others; reduce compliance choices for other State units; and distort the economic incentives of coal refuse EGUs to reduce emissions.

Also, the allowances allocated to coal refuse EGUs would be unavailable for use by any other sources.

This will result in the aggregate, in less efficient and more costly CSAPR compliance.

Finally, I oppose H.R. 3797 because it would interfere with existing opportunities under the CSAPR for each State to control the allocation of allowances among its EGUs.

Instead of wasting time supporting this bill, I urge my colleagues to join me in focusing on more important issues affecting our nation: more jobs for Americans in the energy and other sectors, energy security and independence and utilization of innovation in energy to solve some of the contemporary issues we face in our country.

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Mr. WHITFIELD. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, I would just respond to the gentlewoman from Texas. She mentioned the word "burdensome." What is really burdensome is the way that these rules are being applied. When the EPA had a chance to do a customized approach, they chose not to.

Why is it burdensome? It is burdensome because there are plants that will not be able to comply, which means the environmental progress that we have seen will stop, which means that their jobs will be lost.

I do note that there is bipartisan support for this initiative. Both Senators CASEY and TOOMEY, on the other side of this Capitol, from the Commonwealth of Pennsylvania—one a Republican, one a Democrat—recognize the practicality of this approach. They recognize that the legislation makes sense.

For that reason, Mr. Chairman, I urge a “no” vote on the amendment.

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

Mr. PALLONE. I yield myself the balance of my time.

Mr. Chairman, I would urge a “yes” vote on this amendment.

The underlying bill is another unnecessary special interest bill that undermines Clean Air Act regulations. The bill, if it were to reach the President's desk, will be vetoed.

We should be using our time to move forward with the many other issues that need to be addressed in this Congress. Our water infrastructure is in dire need of repair and maintenance. We have Superfund and brownfield sites that need to be cleaned up and returned to productive use. States need support for modernizing and hardening the electricity grid, and there are still many Americans who are unemployed or underpaid for the work that they are doing. All of these things, especially the infrastructure issues, must be addressed by Congress. They impact every person, every State, and every industry in the country.

Instead of wasting time on bills like the SENSE Act, we should get to work on these important issues that will support economic growth and job creation throughout the country.

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

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

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

Mr. PALLONE. 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 New Jersey will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. BERA

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 114-453.

Mr. BERA. 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 11, after line 17, insert the following new section:

**SEC. 3. GAO REPORT.**

Not later than 90 days after the date of enactment of this Act, the Comptroller General

of the United States shall issue a report detailing the increase in emissions of sulfur dioxide and other air pollutants that will result from implementation of this Act and the effect of such emissions on public health.

The CHAIR. Pursuant to House Resolution 640, the gentleman from California (Mr. BERA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. BERA. Mr. Chairman, my amendment is simple. It would require the Government Accountability Office, a nonpartisan government watchdog, to complete a report on the impact this legislation would have on public health.

I look at this from the perspective of a doctor and public health expert, and one of my guiding principles as a doctor is to make sure we protect the public health.

Coal refuse plants not only increase the amount of pollution in our air, they also use a power source which is less efficient than normal coal and contains higher levels of mercury. Exposure to sulfur dioxide and other pollutants such as mercury have been known to increase risks of cardiovascular disease and respiratory illnesses, including aggravated asthma, bronchitis, and heart attacks.

My amendment would require the GAO to investigate whether this legislation would increase emissions of sulfur dioxide and other pollutants.

I strongly believe the EPA plays an important role in protecting the health of our families and our environment from dangerous pollutants. While we should be mindful about the impact of regulations on our economy, we have a responsibility to address urgent threats to the planet, such as climate change, and we have a responsibility to make sure legislation that is being passed protects our public health.

This legislation before us today would hamper the EPA's ability to limit dangerous pollution and protect public health, and it will also slow down our transition to clean energy. That is why I introduced my amendment today, to ensure that we know the true impact this bill would have on public health and on our environment.

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

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

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

Mr. WHITFIELD. Mr. Chairman, I do rise in opposition to this amendment. This amendment would require a GAO report detailing an increase, if any, in sulfur dioxide and other emissions and the effect of implementing the legislation on public health.

Now, this legislation has come about because of two EPA rules—the Cross-State Air Pollution Rule and the Mercury and Air Toxics Standards rule—and I might say that the SENSE Act does not change in any way the caps on

the sulfur dioxide. That would basically remain the same. Coal refuse-to-energy plants are negligible emitters of mercury. In fact, EPA testified that by closing down the coal refuse plants, there would not be any significant benefit on the mercury side. All of the benefits come from the reduction in fine particulate matter, and we are not addressing that.

I would point out once again that 214 million tons of this refuse have already been cleaned up. If we allow these regulations to go into effect and these plants close down, those refuse piles will not be cleaned up, 1,200 people will lose their jobs, 4,000 indirect people will lose their jobs, and \$84 million in payroll will be lost.

EPA has admitted that there is no significant environmental benefit, and they had the opportunity to set up a special category for these coal refuse plants, all of which are less than 100-megawatt plants. They are very small. There are only 19 in the country, 14 in one State.

The gentleman from Pennsylvania and others from Pennsylvania have asked Congress to intervene to help them on this matter. For that reason, I would respectfully oppose the gentleman's amendment and ask that the amendment be defeated.

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

Mr. BERA. Mr. Chairman, I urge my colleagues to support this amendment. It is a no-nonsense amendment that will allow us to know the impact on public health.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. BERA).

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

Mr. BERA. 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 California will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. PETERS

The CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 114-453.

Mr. PETERS. 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 11, after line 17, insert the following new section:

**SEC. 3. PUBLIC NOTICE.**

Not later than 90 days after the date of enactment of this Act, the Administrator shall give notice of the anticipated effects of this Act on air quality to all States, municipalities, towns, tribal governments, or other governmental entities in areas that—

(1) include or are adjacent to a coal refuse electric utility steam generating unit to which this Act applies; or

(2) are likely to be affected by air emissions from such a unit.

The CHAIR. Pursuant to House Resolution 640, the gentleman from California (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. PETERS. Mr. Chairman, the existing Cross-State Air Pollution Rule set new standards for the emission of sulfur dioxide based on public health risks.

Under this rule, States can choose to comply by adapting new technologies or employing cleaner energy sources. Today's bill would raise the acceptable levels threshold for sulfur dioxide emissions from one source, coal waste plants, allowing them to pour more of these pollutants into our air.

It props up coal waste plants, thereby undermining flexibility for States to meet public health targets. It also distorts the ability of the market to determine which energy sources are most sustainable, cost effective, and meet the public's need.

The underlying bill would pick winners and losers by favoring waste coal-burning power plants at the expense of other power sources. If coal waste plants can adapt and reduce their emissions to help States meet these targets, then they should do so; but short of that, the market is determining that there are more efficient ways to produce energy.

Congress should not subsidize any energy source that does not compete with innovative and cleaner options that also better protect our children's health; but if this bill is going to raise these limits and allow more pollutants to be emitted, we should be honest with the communities that will be affected. My amendment requires the EPA to inform the general public and municipalities adjacent to waste coal plants about the anticipated effects of this bill on air quality not later than 90 days after its enactment.

According to the American Lung Association, sulfur dioxide can cause breathing problems, exacerbate asthma symptoms, and reduce lung function. Exposure to sulfur dioxide has been connected to an increased risk of hospital admissions, especially among children, seniors, and people with asthma. This puts families' health at risk in the communities downwind and nearby.

Last month I visited Flint, Michigan, with my colleagues, where we saw the devastating effects of keeping the public in the dark.

Americans have a right to know how this legislation is going to affect the quality of the air they breathe.

I urge my colleagues to support my amendment.

I yield back the balance of my time.

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

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. ROTHFUS. Mr. Chairman, if we could take a look at this amendment,

this amendment would require the EPA Administrator to notify affected States and localities of any anticipated effects of the legislation on air quality.

The issue is the SENSE Act prohibits any increase in covered emissions, so any impact on air quality will be very limited. The SENSE Act mandates that sulfur dioxide emissions stay within the EPA-approved caps so there can be no increase above approved levels.

Coal refuse-to-energy plants are negligible emitters of mercury, and the bill requires emissions reductions of hydrogen chloride and other compounds only at a rate achievable for this type of facility.

The proposed amendment is one-sided, as it ignores the air and water quality benefits from reducing the coal refuse problem, including reducing the risk of heavily polluting coal refuse fires that can affect many State and local governments. For example, this amendment would not require the EPA Administrator to notify affected communities of what happens when a coal refuse pile catches on fire and there is an uncontrolled release of pollutants into the environment.

We should be focused on ensuring that these innovative refuse-to-energy facilities can continue to operate and reduce the serious water and air quality problems posed by coal refuse.

I urge a "no" vote on this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. PETERS).

The amendment was rejected.

AMENDMENT NO. 5 OFFERED BY MR. VEASEY

The CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 114-453.

Mr. VEASEY. 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:

At the end, add the following new section:  
**SEC. 3. EFFECTIVE DATE.**

This Act may not go into effect until the Administrator certifies that implementation of this Act will not cause or result in an increase of emissions of air pollutants that adversely affect public health, including by increasing incidents of respiratory and cardiovascular illnesses and deaths, such as cases of heart attacks, asthma attacks, and bronchitis.

The CHAIR. Pursuant to House Resolution 640, the gentleman from Texas (Mr. VEASEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. VEASEY. Mr. Chairman, I rise today in support of my amendment to H.R. 3797, the so-called Satisfying Energy Needs and Saving the Environment Act. This bill is anything but that.

What this bill does do is that it gives special breaks under two very important Clean Air Act rules and allows

certain power plants to spew out as much nasty pollution as they wish to. These power plants, which use waste coal, still emit all the toxic substances a regular coal plant does, and they absolutely should not get a pass.

If the SENSE Act passes, it will significantly affect air quality. This is not some radical assertion, and it has stood up to the scrutiny of the courts. These rules, the Cross-State Air Pollution Rule and the Mercury and Air Toxics Standards rule, are two important rules for protecting public health from toxic air pollutants like mercury and sulfur dioxide.

If this bill were to become law, waste coal facilities would be able to pollute at a higher rate than any other power plants. There are many pieces of particulate matter emitted by coal plants, such as sulfur dioxide, mercury, and others, and science has clearly shown that air pollutants such as these cause severity when it comes to asthma, bronchitis, and even can contribute to heart attack risk. My amendment protects the most vulnerable from these adverse health effects.

□ 1530

My amendment today would ensure that public health is front and center in this conversation, which it needs to be. Air quality is an issue that affects the most vulnerable among us.

When you think about it, children, pregnant women, and the elderly are some of the members of our society that are most at risk when it comes to respiratory diseases from toxic emissions, such as sulfur dioxide. My amendment ensures that the effects of air quality are taken into account before enactment of the SENSE Act.

Mr. Chairman, I know a thing or two about this. I don't know how often you get to Dallas-Fort Worth, but when you come to our area, despite all the jobs and prosperity that we have, we have some of the absolute worst smog in the entire country.

This amendment would serve to protect vulnerable populations by ensuring their health is not in danger if this bill becomes law.

Also, only after their health has been deemed safe may the Administrator of the Environmental Protection Agency allow this law to go into effect.

There are so many different economic costs when it comes to asthma, Mr. Chairman. The Centers for Disease Control and Prevention alone estimates that asthma costs the United States \$56 billion each year when it comes to treating people for asthma, particularly our young children with asthma.

So at the end of the day, what I want to do, Mr. Chairman, is make sure that the least that we do in this House is to make sure that everybody can breathe clean air. I don't think that that is asking for too much.

If my Republican colleagues truly believe the public health of our Nation will not be affected by this bill, they

will have no problem voting for my amendment.

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

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

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

Mr. WHITFIELD. Mr. Chairman, I do rise in opposition to the gentleman's amendment.

I would remind everyone that we are talking about 19 coal refuse plants around the country. They have already cleaned up 214 million tons of coal refuse that are creating significant environmental problems.

The SENSE Act does not change or increase in any way the sulfur dioxide emission caps. So it does not have any impact on that.

The EPA itself said that the only benefit from their Cross-State Air Pollution Rule and their sulfur dioxide emission rule would be the reduction in particulate matter, which is regulated in another aspect of the Clean Air Act, and the SENSE Act does not affect or have any impacts on that.

So even the EPA has said that this is not really an issue of polluting or endangering the clean air. They simply made a decision that they were not going to have a subcategory to deal with these plans.

The gentleman's amendment would require the EPA Administrator to certify that the act would not result in the increase in emission of air pollutants. They have already basically said that.

One thing that he does not look at in his amendment is the tremendous benefits that the public is receiving by the cleaning up of these coal refuse piles around the country.

So, for those reasons, we respectfully oppose the gentleman's amendment. I would remind everyone once again that the SENSE Act is designed to clean up these environmental problems, protect 1,200 direct jobs and 4,000 indirect jobs and an \$84 million payroll, all doing so without increasing any emissions toxics to the American people.

For that reason, I would respectfully oppose the gentleman's amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. VEASEY).

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

Mr. VEASEY. 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 Texas will be postponed.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114-453 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. PALLONE of New Jersey.

Amendment No. 2 by Mr. PALLONE of New Jersey.

Amendment No. 3 by Mr. BERA of California.

Amendment No. 5 by Mr. VEASEY of Texas.

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

AMENDMENT NO. 1 OFFERED BY MR. PALLONE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 166, noes 224, not voting 43, as follows:

[Roll No. 118]

AYES—166

Adams	Fattah	Meeks
Aguilar	Fincher	Meng
Amash	Poster	Moore
Ashford	Fudge	Moulton
Bass	Gabbard	Murphy (FL)
Beatty	Gallego	Nadler
Bera	Graham	Napolitano
Beyer	Grayson	Neal
Bonamici	Green, Al	Nolan
Boyle, Brendan	Grijalva	Norcross
F.	Hahn	O'Rourke
Brown (FL)	Hastings	Pallone
Brownley (CA)	Heck (WA)	Pascrell
Bustos	Higgins	Pelosi
Capps	Himes	Perlmutter
Capuano	Hinojosa	Peters
Cárdenas	Honda	Pingree
Carney	Hoyer	Pocan
Carson (IN)	Huffman	Poliquin
Cartwright	Israel	Price (NC)
Castor (FL)	Jackson Lee	Quigley
Castro (TX)	Jeffries	Rangel
Chu, Judy	Johnson, E. B.	Rice (NY)
Cicilline	Kaptur	Richmond
Clark (MA)	Keating	Ros-Lehtinen
Clarke (NY)	Kelly (IL)	Roybal-Allard
Clay	Kennedy	Ruiz
Cleaver	Kildee	Ruppersberger
Clyburn	Kilmer	Ryan (OH)
Cohen	Kind	Sánchez, Linda
Connolly	Kirkpatrick	T.
Conyers	Kuster	Sanchez, Loretta
Cooper	Langevin	Sarbanes
Courtney	Larsen (WA)	Schakowsky
Crowley	Larson (CT)	Schiff
Cuellar	Lawrence	Schrader
Cummings	Lee	Scott (VA)
Curbelo (FL)	Levin	Serrano
Davis (CA)	Lewis	Sewell (AL)
DeFazio	Lieu, Ted	Sherman
DeGette	Loeb sack	Sires
Delaney	Lofgren	Slaughter
DeLauro	Lowenthal	Speier
DelBene	Lowe y	Swalwell (CA)
DeSaulnier	Lujan Grisham	Takano
Deutch	(NM)	Thompson (CA)
Dingell	Luján, Ben Ray	Titus
Doggett	(NM)	Tonko
Dold	Lynch	Torres
Doyle, Michael	Maloney,	Tsongas
F.	Carolyn	Van Hollen
Ellison	Maloney, Sean	Vargas
Engel	McCollum	Veasey
Eshoo	McDermott	Vela
Esty	McGovern	Velázquez
Farr	McNerney	

Walz  
Wasserman  
Schultz

Watson Coleman  
Wilson (FL)  
Yarmuth

NOES—224

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

NOT VOTING—43

Babin	Granger	Scott, David
Becerra	Graves (MO)	Sessions
Blackburn	Gutiérrez	Sinema
Blumenaue r	Hartzler	Smith (NJ)
Boustany	Herrera Beutler	Smith (WA)
Brady (PA)	Johnson (GA)	Takai
Butterfield	Joyce	Thompson (MS)
Costa	King (IA)	Turner
Davis, Danny	Lipinski	Visclosky
Duckworth	Marino	Waters, Maxine
Edwards	Matsui	Welch
Ellmers (NC)	Payne	Wenstrup
Frankel (FL)	Polis	Zinke
Garamendi	Roskam	
Goodlatte	Rush	

□ 1555

Messrs. MESSER, WESTERMAN, Mrs. BLACK, Messrs. HUELSKAMP, HANNA, PEARCE, JORDAN, FITZPATRICK, and GENE GREEN of Texas changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. SINEMA. Mr. Chair, during rollcall vote No. 118 on H.R. 3797, I was unavoidably detained. Had I been present, I would have voted "yes."

Ms. EDWARDS. Mr. Chair, during rollcall vote No. 118 on H.R. 3797, I was unavoidably detained. Had I been present, I would have voted "yes."

Stated against:

Mr. GOODLATTE. Mr. Chair, on rollcall No. 118, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 2 OFFERED BY MR. PALLONE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 175, noes 233, not voting 25, as follows:

[Roll No. 119]

AYES—175

Adams Cummings Hoyer
Aguilar Davis (CA) Huffman
Amash DeFazio Israel
Ashford DeGette Jackson Lee
Bass Delaney Jeffries
Beatty DeLauro Johnson (GA)
Bera DelBene Johnson, E. B.
Beyer DeSaulnier Kaptur
Bonamici Deutch Keating
Boyle, Brendan Dingell Kelly (IL)
F. Doggett Kennedy
Brown (FL) Dold Kildee
Brownley (CA) Doyle, Michael Kilmer
Bustos F. Kind
Butterfield Edwards Kirkpatrick
Capps Ellison Kuster
Capuano Engel Langevin
Cárdenas Eshoo Larsen (WA)
Carney Esty Larson (CT)
Carson (IN) Farr Lawrence
Cartwright Fattah Lee
Castor (FL) Foster Levin
Castro (TX) Frankel (FL) Lewis
Chu, Judy Fudge Lieu, Ted
Cicilline Gabbard Loeb sack
Clark (MA) Gallego Lofgren
Clarke (NY) Gibson Lowenthal
Clay Graham Lowey
Clever Grayson Lujan Grisham
Clyburn Green, Al (NM)
Cohen Grijalva Lujan, Ben Ray
Connolly Hahn (NM)
Conyers Hastings Lynch
Cooper Heck (WA) Maloney, Carolyn
Costa Higgins Carolyn
Courtney Himes Maloney, Sean
Crowley Hinojosa Matsui
Cuellar Honda McCollum

McDermott McGovern Meeks Meng Moore Moulton Murphy (FL) Nadler Napolitano Neal Nolan Norcross O'Rourke Pallone Pascarell Payne Pelosi Perlmutter Peters Pingree Pocan Poliquin Price (NC)
Rangel Rice (NY) Richmond Roybal-Allard Ruiz Ruppertsberger Ryan (OH) Sánchez, Linda T. Sanchez, Loretta Sarbanes Schakowsky Schiff Schrader Scott (VA) Scott, David Serrano Sewell (AL) Sherman Sinema Sires Slaughter
Quigley
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—233

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

Whitfield Williams Wilson (SC) Wittman
Womack Woodall Yoder
Young (AK) Young (IA) Young (IN) Zeldin

NOT VOTING—25

Babin Graves (MO) Roskam
Becerra Gutiérrez Rush
Blackburn Herrera Beutler Smith (WA)
Blumenauer Joyce Takai
Brady (PA) Lipinski Velázquez
Davis, Danny McNerney Wenstrup
Duckworth Meadows Zinke
Eillers (NC) Polis
Garamendi Ribble

ANNOUNCEMENT BY THE CHAIR

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

□ 1559

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. BERA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 179, noes 235, not voting 19, as follows:

[Roll No. 120]

AYES—179

Adams Delaney Keating
Aguilar DeLauro Kelly (IL)
Ashford DelBene Kennedy
Bass DeSaulnier Kildee
Beatty Deutch Kilmer
Bera Dingell Kind
Beyer Doggett Kirkpatrick
Bishop (GA) Doyle, Michael Kuster
Bonamici F. Langevin
Boyle, Brendan Edwards Larsen (WA)
F. Ellison Larson (CT)
Brown (FL) Engel Lawrence
Brownley (CA) Eshoo Lee
Bustos Esty Levin
Butterfield Farr Lewis
Capps Fattah Lieu, Ted
Capuano Foster Loeb sack
Cárdenas Frankel (FL) Lofgren
Carney Fudge Lowenthal
Carson (IN) Gabbard Lowey
Cartwright Gallego Lujan Grisham
Castor (FL) Garamendi (NM)
Castro (TX) Gibson Lujan, Ben Ray
Chu, Judy Graham (NM)
Cicilline Grayson Lynch
Clark (MA) Green, Al Maloney, Carolyn
Clarke (NY) Green, Gene Carolyn
Clay Grijalva Maloney, Sean
Clever Hahn Matsui
Clyburn Hastings McCollum
Cohen Heck (WA) McDermott
Connolly Higgins McGovern
Conyers Himes McNerney
Cooper Hinojosa Meeks
Costa Honda Meng
Courtney Hoyer Moore
Crowley Huffman Moulton
Cuellar Israel Murphy (FL)
Cummings Jackson Lee Nadler
Curbelo (FL) Jeffries Napolitano
Davis (CA) Johnson (GA) Neal
DeFazio Johnson, E. B. Nolan
DeGette Kaptur Norcross

O'Rourke  
Pallone  
Pascrell  
Payne  
Pelosi  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Ros-Lehtinen  
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)  
Takano

Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

NOT VOTING—19  
Babin  
Ellmers (NC)  
Rush  
Becerra  
Graves (MO)  
Smith (WA)  
Blackburn  
Gutiérrez  
Takai  
Blumenauer  
Herrera Beutler  
Waters, Maxine  
Brady (PA)  
Joyce  
Wenstrup  
Vela  
Lipinski  
Roskam

Pascrell  
Payne  
Pelosi  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Ros-Lehtinen  
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)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

NOES—235

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arletta  
Barr  
Barton  
Benishek  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
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  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Emmer (MN)  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
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  
Hice, Jody B.  
Hill  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder

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  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
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)  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder

ANNOUNCEMENT BY THE CHAIR  
The CHAIR (during the vote). There is 1 minute remaining.

□ 1604

Mr. HIMES changed his vote from “no” to “aye.”  
So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. VEASEY  
The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. VEASEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 182, noes 234, not voting 17, as follows:

[Roll No. 121]

AYES—182

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan  
F.  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Ciilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Honda  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Curbelo (FL)  
Davis (CA)  
DeFazio  
DeGette

Delaney  
DeLauro  
DeBene  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gibson  
Graham  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Hooper  
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  
Loebsock  
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

NOES—234

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arletta  
Barr  
Barton  
Benishek  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
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  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Emmer (MN)  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
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  
Hice, Jody B.  
Hill  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder

Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Pitts  
Poe (TX)  
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  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
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)  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder

Yoho	Young (IA)	Zeldin
Young (AK)	Young (IN)	Zinke
NOT VOTING—17		
Babin	Ellmers (NC)	Roskam
Becerra	Graves (MO)	Rush
Blackburn	Gutiérrez	Smith (WA)
Brady (PA)	Herrera Beutler	Takai
Davis, Danny	Joyce	Wenstrup
Duckworth	Lipinski	

ANNOUNCEMENT BY THE CHAIR

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

□ 1608

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. WESTMORELAND, 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. 3797) to establish the bases by which the Administrator of the Environmental Protection Agency shall issue, implement, and enforce certain emission limitations and allocations for existing electric utility steam generating units that convert coal refuse into energy, pursuant to House Resolution 640, reported the bill back to the House.

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

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

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

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

Ms. ADAMS. Mr. Speaker, I am opposed to the bill in its current form.

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

The Clerk read as follows:

Ms. Adams moves to recommit the bill H.R. 3797 to the Committee on Energy and Commerce, with instructions to report the same back to the House forthwith, with the following amendment:

At the end, add the following new section: **SEC. 3. EFFECTIVE DATE.**

This Act shall not take effect until the Administrator certifies that implementation of this Act will not result in an increase in air emissions that—

(1) harms brain development or causes learning disabilities in infants or children; or

(2) increases mercury deposition to lakes, rivers, streams, and other bodies of water, that are used as a source of public drinking water.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. ADAMS. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to com-

mittee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, my amendment is a critical improvement that would help protect American children in our most vulnerable communities.

This unnecessary bill would weaken both the Cross-State Air Pollution Rule and the Mercury and Air Toxics Standards by allowing waste coal plants to emit more sulfur dioxide. Health risks from exposure to sulfur dioxide can cause breathing problems, reduced lung function, and asthma exacerbations.

I think about the children in Mecklenburg County that I represent who are already suffering from high asthma rates. This bill would further put their health at risk as well as the communities both near waste coal plants and downwind.

Communities with limited resources and political clout are often low-income communities and communities of color. We must ensure, together, that these communities and their unique needs have a voice when it comes to environmental health policy so that we bolster their resilience and reduce the impacts of future disasters.

As representatives of the people, only negligence and apathy could lead us to ignore the risks that this bill poses to human health and the environment.

If my amendment passes, it would make sure that an increase in emissions will not harm brain development or cause learning disabilities in infants or children and will protect our Nation's sources of public drinking water from mercury pollution.

Research shows that babies and children who are exposed to mercury may suffer damage to their developing nervous systems, hurting their ability to think, to learn, and to speak.

Have we not been paying attention?

Just look at North Carolina. It took a disastrous spill of coal ash into the Dan River to make it clear that we were not doing a good enough job to protect our communities and our waterways.

Look at the children and the families in Flint who will never be the same because we failed to protect their basic human right of access to clean water.

How could this be a 21st century issue in America? And what has this body done to help?

Not much.

When will it stop?

Republicans and Democrats, alike, voted in 1990 to strengthen the Clean Air Act to require dozens of industry sectors to install modern pollution controls on their facilities. Since then, EPA has set emissions standards that simply require facilities to use pollution controls that others in their industry are already using. But a few major industrial sources so far have escaped regulation, and the Republicans appear to be on a mission to help them continue to evade emissions limits on toxic air pollution.

This bill is just another Republican handout: weakening the rule and allowing more toxic air pollution and more of these types of health hazards. It favors polluting industries at the expense of Americans and air quality.

Moreover, the bill sets a very dangerous precedent that could open the floodgates to other special treatment bills, creating loopholes and lax treatment that may cause additional health hazards that the Mercury and Air Toxics Standards now prevent. This bill is toxic, and it will be the knife in our children's back.

My amendment will improve the bill by putting the health and safety of our Nation's children first instead of allowing Republicans to continue their assault on the health of our Nation. I urge my colleagues to support it.

□ 1615

Mr. ROTHFUS. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. ROTHFUS. Mr. Speaker, as the father of six children, I, too, am very concerned about environmental risk to our kids, and I am very concerned about the ending of the environmental progress of what we have seen in the refuse-to-energy industry to date.

Let me be clear. There is no change because of the SENSE Act in overall changes on SO<sub>2</sub>, and there is no issue with mercury because these plants already comply with the mercury requirements.

We need to consider the health of our communities if these facilities close. This is a reasonable, balanced, and commonsense approach. Let's not circle the wagons and say no to continued cleanup on the hillsides of Pennsylvania. Let's not say no to restoring streams. Let's not say no to the jobs that these plants represent.

Mr. Speaker, my district is in danger and my constituents are at risk unless this bill passes. Coal refuse piles that have persisted for generations catch fire and burn uncontrollably, spewing toxic pollutants into the air.

Acid mine drainage leaches into rivers and streams, turning them orange and destroying wildlife. Great mountains of coal refuse reminiscent of moonscapes feature prominently in the countryside, looming over towns, school yards, and farms.

Without the hard work of the men and women of the coal refuse-to-energy industry, work that includes painstaking remediation, this problem would be far worse. Yet, EPA regulations that are blind to this industry's unique circumstances threaten to bring their work to an end.

You would think our environmental regulatory agencies and conservation-minded Members of Congress would be eager to find a viable solution to addressing this environmental problem and protecting vulnerable communities across coal country.

Some Members of this body, it seems, choose not to acknowledge the challenges faced by the coal refuse-to-energy industry. They look past the overwhelming good done by these plants as they seek to impose their environmental orthodoxy.

It would seem, based on this afternoon's debate, that preventing uncontrolled coal refuse fires, ruined waterways, and environmental degradation is outweighed by an unflinching attachment to inflexible and unfair Washington environmentalist dogma.

Contrary to what the SENSE Act's opponents claim, these facilities will be forced to close if we fail to provide them with reasonable and achievable emissions limits.

It may interest some in this Chamber that the SENSE Act has typically been a bipartisan proposal. In fact, both of Pennsylvania's Senators—Republican PAT TOOMEY and Democrat BOB CASEY—previously introduced an amendment that was much broader than the conservative and restrained bill on the House floor today. Despite it being a far more aggressive proposal, the Casey-Toomey amendment earned the support of a majority of Senators.

Back home, organizations that work to actually address Pennsylvania's environmental issues have rallied to the SENSE Act. Both the Western and Eastern Pennsylvania Coalition for Abandoned Mine Reclamation have endorsed my bill. Watershed groups have also issued letters of support.

Some today have wrongly argued that the SENSE Act picks winners and losers, that it somehow advantages small, endangered coal refuse-to-energy facilities.

Somehow, in the minds of the bill's opponents, David became Goliath. They fail to see that the issue at hand concerns a small socially beneficial industry unfairly battered by an all-powerful regulatory giant and fighting for survival.

What is most striking about the opposition's mischaracterization is that the EPA has created winners and losers through its inflexible implementation of these rules in which they refuse to treat these plants as a separate category.

The SENSE Act merely recognizes what the EPA should have acknowledged a long time ago, that coal refuse facilities are different from traditional coal-fired power plants.

This bill eliminates the EPA's unfairness by giving these facilities a realistic chance of complying with air quality rules.

Some today have suggested that the States could simply address this issue on their own, that my bill gets in the way of State autonomy. In fact, States have little to no autonomy in administering CSAPR, since any requested change must be approved by the EPA.

According to the SENSE Act's opponents, the EPA, which has thus far refused to provide flexibility for these plants, would somehow have a change

of heart and decide to approve State-requested policy changes. I find that hard to imagine.

Some have also charged that the SENSE Act would threaten air quality, forgetting that this legislation specifically avoids causing any increase in State SO<sub>2</sub> allocations.

More importantly, without the remediation work fueled by this industry, the uncontrolled and environmentally catastrophic coal refuse pile fires that are far too common will only continue. The unregulated emissions from these fires are a greater concern to public health.

It is unfair that some in Washington have pursued an unfair and uncompromising orthodoxy on this issue and have derided in their zeal an overwhelmingly successful private sector solution to a pressing environmental challenge.

The SENSE Act is about protecting vulnerable coal country communities from pollution and environmental degradation. It is about standing up for over 5,200 family-sustaining jobs, many of which are in areas that have experienced economic hardship. These jobs come with names: Robert, John, Tim, James, Pat.

I urge approval of this legislation.

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

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 173, noes 236, not voting 24, as follows:

[Roll No. 122]

AYES—173

Adams	Clark (MA)	Doyle, Michael
Aguilar	Clarke (NY)	F.
Ashford	Clay	Edwards
Beatty	Cleaver	Ellison
Bera	Clyburn	Eshoo
Beyer	Cohen	Esty
Bishop (GA)	Connolly	Farr
Blumenauer	Conyers	Fattah
Bonamici	Cooper	Foster
Boyle, Brendan	Costa	Frankel (FL)
F.	Courtney	Fudge
Brown (FL)	Crowley	Gabbard
Brownley (CA)	Cuellar	Galleo
Bustos	Cummings	Garamendi
Butterfield	Davis (CA)	Graham
Capps	DeFazio	Grayson
Capuano	DeGette	Green, Al
Cárdenas	Delaney	Green, Gene
Carney	DeLauro	Grijalva
Carson (IN)	DelBene	Hahn
Cartwright	DeSaulnier	Hastings
Castor (FL)	Deutch	Heck (WA)
Castro (TX)	Dingell	Higgins
Chu, Judy	Doggett	Himes
Ciulline		Hinojosa

Honda	Maloney, Sean	Sarbanes
Huffman	Matsui	Schakowsky
Israel	McCollum	Schiff
Jackson Lee	McDermott	Schrader
Jeffries	McGovern	Scott (VA)
Johnson (GA)	McNerney	Scott, David
Johnson, E. B.	Meeks	Serrano
Jones	Meng	Sewell (AL)
Kaptur	Moore	Sherman
Keating	Moulton	Sinema
Kelly (IL)	Murphy (FL)	Sinema
Kennedy	Nadler	Sires
Kildee	Napolitano	Slaughter
Kilmer	Neal	Speier
Kind	Nolan	Swalwell (CA)
Kirkpatrick	Norcross	Takano
Kuster	O'Rourke	Thompson (CA)
Langevin	Pallone	Thompson (MS)
Larsen (WA)	Pascrell	Titus
Larson (CT)	Payne	Tonko
Lawrence	Perlmutter	Torres
Lee	Peters	Tsongas
Levin	Pingree	Van Hollen
Lewis	Pocan	Vargas
Lieu, Ted	Polis	Veasey
Loeb sack	Price (NC)	Vela
Lofgren	Quigley	Velázquez
Lowenthal	Rangel	Visclosky
Lowe y	Richmond	Walz
Lujan Grisham	Roybal-Allard	Wasserman
(NM)	Ruiz	Schultz
Luján, Ben Ray	Ruppersberger	
(NM)	Ryan (OH)	Waters, Maxine
Lynch	Sánchez, Linda	Watson Coleman
Maloney,	T.	Wilson (FL)
Carolyn	Sanchez, Loretta	Yarmuth

NOES—236

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

Ros-Lehtinen	Smith (NJ)	Walters, Mimi	King (IA)	Noem	Shuster	Slaughter	Torres	Wasserman
Ross	Smith (TX)	Weber (TX)	King (NY)	Nugent	Simpson	Smith (NJ)	Tsongas	Schultz
Rothfus	Stefanik	Webster (FL)	Kinzinger (IL)	Nunes	Smith (MO)	Speier	Van Hollen	Waters, Maxine
Rouzer	Stewart	Westerman	Kline	Olson	Smith (NE)	Swalwell (CA)	Vargas	Watson Coleman
Royce	Stutzman	Westmoreland	Knight	Palazzo	Smith (TX)	Takano	Veasey	Welch
Russell	Thompson (PA)	Whitfield	Labrador	Palmer	Stefanik	Thompson (CA)	Vela	Wilson (FL)
Salmon	Thornberry	Williams	LaHood	Pausen	Stewart	Thompson (MS)	Velázquez	Yarmuth
Sanford	Tiberi	Wilson (SC)	LaMalfa	Pearce	Stivers	Titus	Visclosky	
Scalise	Tipton	Wittman	Lamborn	Perry	Stutzman	Tonko	Walz	
Schweikert	Trott	Womack	Lance	Peterson	Thompson (PA)			
Scott, Austin	Turner	Woodall	Latta	Pittenger	Thornberry			
Sensenbrenner	Upton	Yoder	Long	Pitts	Tiberi	Babin	Graves (MO)	Rush
Sessions	Valadao	Yoho	Loudermilk	Poe (TX)	Tipton	Becerra	Gutiérrez	Sanford
Shimkus	Wagner	Young (AK)	Love	Pompeo	Trott	Blackburn	Herrera Beutler	Smith (WA)
Shuster	Walberg	Young (IA)	Lucas	Posay	Turner	Brady (PA)	Joyce	Takai
Simpson	Walden	Young (IN)	Luetkemeyer	Price, Tom	Upton	Davis, Danny	Lipinski	Wenstrup
Smith (MO)	Walker	Zeldin	Lummis	Ratcliffe	Valadao	Duckworth	Rice (NY)	
Smith (NE)	Walorski	Zinke	MacArthur	Reed	Wagner	Ellmers (NC)	Roskam	

NOT VOTING—24

Babin	Engel	Rice (NY)
Bass	Graves (MO)	Roskam
Becerra	Gutiérrez	Rush
Blackburn	Herrera Beutler	Smith (WA)
Brady (PA)	Hoyer	Stivers
Davis, Danny	Joyce	Takai
Duckworth	Lipinski	Welch
Ellmers (NC)	Pelosi	Wenstrup

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1626

So the motion to recommit was rejected.  
The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. PALLONE. 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 231, noes 183, not voting 19, as follows:

[Roll No. 123]

AYES—231

Abraham	Comstock	Rowley
Aderholt	Conaway	Granger
Allen	Cook	Graves (GA)
Amodi	Costello (PA)	Graves (LA)
Barletta	Cramer	Griffith
Barr	Crawford	Grothman
Barton	Crenshaw	Guinta
Benishek	Cuellar	Guthrie
Bilirakis	Culberson	Hanna
Bishop (GA)	Davis, Rodney	Hardy
Bishop (MI)	Denham	Harper
Bishop (UT)	Dent	Harris
Black	DeSantis	Hartzler
Blum	DesJarlais	Heck (NV)
Bost	Diaz-Balart	Hensarling
Boustany	Donovan	Hice, Jody B.
Brady (TX)	Duffy	Hill
Brat	Duncan (SC)	Holding
Bridenstine	Duncan (TN)	Hudson
Brooks (AL)	Emmer (MN)	Huelskamp
Brooks (IN)	Farenthold	Huizenga (MI)
Buchanan	Fincher	Lultgren
Buck	Fitzpatrick	Hunter
Buohon	Fleischmann	Hurd (TX)
Burgess	Fleming	Hurt (VA)
Byrne	Flores	Issa
Calvert	Forbes	Jenkins (KS)
Carter (GA)	Fortenberry	Jenkins (WV)
Carter (TX)	Fox	Johnson (OH)
Chabot	Franks (AZ)	Johnson, Sam
Chaffetz	Frelinghuysen	Jolly
Clawson (FL)	Garrett	Jones
Coffman	Gibbs	Jordan
Cole	Gohmert	Katko
Collins (GA)	Goodlatte	Kelly (MS)
Collins (NY)	Gosar	Kelly (PA)

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

NOES—183

Adams	Engel	Luján, Ben Ray
Agullar	Eshoo	(NM)
Amash	Esty	Lynch
Ashford	Farr	Maloney,
Bass	Fattah	Carolyn
Beatty	Foster	Maloney, Sean
Bera	Frankel (FL)	Matsui
Beyer	Fudge	McCollum
Blumenauer	Gabbard	McDermott
Bonamici	Gallego	McGovern
Boyle, Brendan	Garamendi	McNerney
F.	Gibson	Meeks
Brown (FL)	Graham	Meng
Brownley (CA)	Grayson	Moore
Bustos	Green, Al	Moulton
Butterfield	Green, Gene	Murphy (FL)
Capps	Grijalva	Nadler
Capuano	Hahn	Napolitano
Cárdenas	Hastings	Neal
Carney	Heck (WA)	Nolan
Carson (IN)	Higgins	Norcross
Cartwright	Himes	O'Rourke
Castor (FL)	Hinojosa	Pallone
Castro (TX)	Honda	Pascarell
Chu, Judy	Hoyer	Payne
Ciциlline	Huffman	Pelosi
Clark (MA)	Israel	Perlmutter
Clarke (NY)	Jackson Lee	Peters
Clay	Jeffries	Pingree
Cleaver	Johnson (GA)	Pocan
Clyburn	Johnson, E. B.	Poliquin
Cohen	Kaptur	Polis
Connolly	Keating	Price (NC)
Conyers	Kelly (IL)	Quigley
Cooper	Kennedy	Rangel
Costa	Kildee	Richmond
Courtney	Kilmer	Ros-Lehtinen
Crowley	Kind	Roybal-Allard
Cummings	Kirkpatrick	Ruiz
Curbelo (FL)	Kuster	Ruppersberger
Davis (CA)	Langevin	Ryan (OH)
DeFazio	Larsen (WA)	Sánchez, Linda
DeGette	Larson (CT)	T.
Delaney	Lawrence	Sanchez, Loretta
DeLauro	Lee	Sarbanes
DelBene	Levin	Schakowsky
DeSaulnier	Lewis	Schiff
Deutsch	Lieu, Ted	Schrader
Dingell	LoBiondo	Scott (VA)
Doggett	Loeb sack	Scott, David
Dold	Loftgren	Serrano
Doyle, Michael	Lowenthal	Sewell (AL)
F.	Lowe	Sherman
Edwards	Lujan Grisham	Sinema
Ellison	(NM)	Sires

NOT VOTING—19

Babin	Graves (MO)	Rush
Becerra	Gutiérrez	Sanford
Blackburn	Herrera Beutler	Smith (WA)
Brady (PA)	Joyce	Takai
Davis, Danny	Lipinski	Wenstrup
Duckworth	Rice (NY)	
Ellmers (NC)	Roskam	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1631

So the bill was passed.  
The result of the vote was announced as above recorded.  
A motion to reconsider was laid on the table.

RECOGNIZING PENN STATE UNIVERSITY'S BIG TEN WRESTLING TITLE

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to congratulate the Penn State Nittany Lion wrestling team on earning its fifth Big Ten wrestling title in the past 6 years.

The Lions scored 150.5 points to win the title over Iowa earlier this month, which was just one-half point shy of its school record. Beyond the title itself, Penn State wrestler Zain Retherford was named Big Ten Wrestler of the Year, and Jason Nolf won the conference's Freshman of the Year award. Penn State coach Cael Sanderson was also named Coach of the Year.

With a Big Ten title on the books, the focus shifts this week to the NCAA National Championships in New York City. Nine members of the team will compete for the university's fifth national title in 6 years, mirroring their Big Ten success.

I wish these young men the best of luck as they compete in New York City this week, and I congratulate them on their achievement in securing the Big Ten title.

VICTIMS OF GUN VIOLENCE

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

Mr. PETERS. Mr. Speaker, Mountain, Alabama, November 16, 2015: Pamela Oshel, 49 years old.

Tyrone, Missouri, November 18, 2015: Darrell Dean Shriver, 68 years old; Garold Dee Aldridge, 52; Harold Wayne Aldridge, 50; Janell Arlisa Aldridge, 48; Julie Ann Aldridge, 47; Carey Dean Shriver, 46; Valirea Love Shriver, 44.

Manchester, Connecticut, December 8, 2013: Artara Benson, 46 years old;

Brittany Mills, 28; Kamesha Mills, 23 years old.

Manson, Washington, March 10, 2015: Jose Rodriguez, 58 years old; Maria Sedano, 50; Edgar Costumbre, 24.

Glade Spring, Virginia, February 25, 2014: Terry Griffin, 75 years old; Nancy Griffin, 74; Kristin Palmer, 46; Kevin Palmer, 44; Griffin Palmer, 17.

Fontana, California, December 31, 2013: Silvia Miranda, 34 years old; Rayna Miranda, 10; Ramon Miranda, Jr., 12 years old.

#### GOVERNMENT SPIES ON CITIZENS

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

Mr. POE of Texas. Mr. Speaker, in a secret court, the FBI quietly revised its privacy policy for searching through data that is collected on Americans by the NSA. The NSA, which I call the National Surveillance Agency, gives the FBI access to not only the data it collects but to the content of personal communications, like emails, texts, and phone calls.

What the intelligence agencies have been doing is lawfully collecting information on foreign terrorists but, at the same time, creating large databases of information that also contains information on American citizens. This identifying information is then used for what the FBI calls routine searches that are unrelated to national security.

Mr. Speaker, the FBI does not obtain a court-approved Fourth Amendment warrant for these searches. This leeway by the NSA and the FBI allows for a backdoor to spy on Americans. Thus, the FBI is ignoring the U.S. Constitution.

The NSA and the FBI will continue to violate the constitutional protections that are guaranteed to all Americans unless Congress intervenes and protects and upholds the right of privacy of all Americans.

And that is just the way it is.

#### WOMEN'S HISTORY MONTH

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise to commemorate Women's History Month.

As one of the 108 women in Congress today, I am thankful to follow the trail blazed by so many American women who demanded the right to vote and participate in our democracy.

I am inspired by recent historic milestones, for example, of the first women ever who are graduating from the Army's elite Ranger school and of the Department of Defense, which is finally expanding all combat roles to qualified servicewomen. These achievements are further proof that women can break any barrier if they are given the chance, if they are willing to, and if

they are given the support and opportunity to do so.

Unfortunately, today's widespread social and economic inequalities disproportionately hurt American women. In 2016, a typical woman in America earns only 79 cents to the dollar that a man earns. Over a lifetime, that is \$400,000 of wages lost, and she risks losing her job if she needs to care for her children or sick family members.

So we take this month to thank America's women, but there is a lot more to do.

#### CONGRATULATING DUNBAR HIGH SCHOOL

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

Mr. VEASEY. Mr. Speaker, I rise to congratulate Dunbar High School for its recent advancement to the UIL 5A Texas State basketball tournament.

Dunbar High School has been recognized throughout the years for both its academic and athletic achievements, with the fine Wildcats' basketball success being the latest. The Wildcats were led by Coach Robert Hughes, Jr., and they fought their way all the way to the State tournament in San Antonio, Texas. The team entered unranked and as one of only two qualifiers that were unranked.

Dunbar, a three-time champion, is no stranger to big games, with their last trip being in 2007. They won the UIL State Basketball Championship in 1963, 1965, 1967, 1993, 2003, and 2006. Back in the sixties and early nineties, they were under the leadership of Coach Robert Hughes, Sr.

Today I am proud to recognize the success of Dunbar High School's basketball team and their outstanding 23-12 record. They have made Fort Worth very proud, and I wish the program continued success.

#### VETERANS WHO RETURN HOME WITH THE MENTAL WOUNDS OF WAR

The SPEAKER pro tempore (Mr. BUCK). Under the Speaker's announced policy of January 6, 2015, the gentleman from New York (Mr. ZELDIN) is recognized for 60 minutes as the designee of the majority leader.

#### GENERAL LEAVE

Mr. ZELDIN. 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 materials on the topic of this Special Order.

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

There was no objection.

Mr. ZELDIN. Mr. Speaker, tonight I rise on behalf of our veterans who return home with the mental wounds of war.

For generations, we have sent our sons and daughters into harm's way.

For generations, they have served this country honorably. They don't come home in the same way they left. There were generations who came back to the United States who didn't even receive a "thank you." There was not even a handshake or a hug waiting for them.

For our Vietnam veterans who are watching at home, we say to this day, "welcome home," because when they first came home, they were spat on. Fortunately, we have learned a lesson from that generation. For me and my generation, as we return from Iraq and Afghanistan, there is a "thank you," but there is so much more that needs to be done.

That is why we are here tonight for this Special Order. It is on behalf of our veterans who return home with the mental wounds of war.

Each and every one of our congressional districts is home to these veterans. For me, I represent Suffolk County, New York, on the east end of Long Island. We are proud of not only having the highest veterans' population of any county in New York, but of having the second highest veterans' population of any county in the country.

We have veterans who come home to family, to friends, and to people with whom they work who don't understand what it is their loved one or colleague is going through. Isolated and alone, too many of our veterans are losing their struggles with posttraumatic stress disorder and traumatic brain injury, and there is so much more that each and every one of us can do on their behalf.

Tonight is a bipartisan Special Order. We are joined by my colleague from Arizona, who has led the fight on a national level on behalf of men and women from all corners of this country who are struggling with recoveries from suicide attempts, and who has led in the effort to prevent that attempt in the first place.

I yield to the gentlewoman from Arizona (Ms. SINEMA).

□ 1645

Ms. SINEMA. Mr. Speaker, I thank Congressman ZELDIN for organizing this Special Order hour and for bringing attention to this important issue.

An estimated 22 American veterans die by suicide every day. These men and women are our neighbors and our friends, our sons and our daughters, our mothers and our fathers.

Veteran suicide is too important an issue to be overshadowed by bipartisan politics. It is why we have come together tonight to show our commitment to veterans who have given so much to keep America safe.

We must do more—Congress, the VA, the American public—to end the epidemic of veteran suicide and to ensure veterans and their families have access to the best possible mental health care. This is a responsibility we all share.

That is why I support Congressman ZELDIN's legislation, the PFC Joseph P.

Dwyer Veterans Peer Support program, to expand access to peer-to-peer counseling for veterans.

A battle buddy can open the door to the care and support a veteran needs, and we must support efforts to expand the availability and accessibility of mental health care. No one who returns home from serving our country should ever feel like he or she has nowhere to turn.

I have often shared this story of a young veteran in my district, Sergeant Daniel Somers. Sergeant Somers was an Army veteran with two tours in Iraq.

Diagnosed with a traumatic brain injury and post-traumatic stress disorder, Sergeant Somers ultimately took his own life after struggling with the VA bureaucracy and not getting the help he needed in time.

Together with the Somers family, we have worked to develop legislation to ensure that all veterans, including those with classified experiences, get immediate access to mental health services in the appropriate care setting.

The Daniel Somers Act was combined with Congresswoman JULIA BROWNLEY's Female Veteran Suicide Prevention Act and passed unanimously by the House of Representatives.

Senator JON TESTER introduced companion legislation in the Senate, and we continue to work to get this bill signed into law.

I pledge to continue working with my colleagues to ensure that no veteran feels trapped like Sergeant Somers did and that all of our veterans have access to appropriate mental health care.

Mr. Speaker, I thank Congressman ZELDIN for his work on behalf of our veterans and for hosting this bipartisan Special Order on veterans mental health care.

Mr. ZELDIN. Mr. Speaker, I commend Representative SINEMA for her efforts on behalf of the Somers family.

We lose a lot of our sons and daughters in harm's way, and there is reflection for that family as to what that sacrifice accomplished. I guess it depends on the year, the place, the circumstances.

But the Somers family knows that they have a champion here fighting on their behalf so that the sacrifice was not for naught. A legacy is left behind that those who struggle moving forward might have a helping hand.

I thank Ms. SINEMA for her advocacy not just on behalf of the Somers family in her district, but for all of our veterans who need more help all across America.

At this time, I would like to recognize the gentleman from Pennsylvania (Mr. ROTHFUS) and thank him for his efforts in his home State and for joining this cause tonight on behalf of our veterans who not only are going to benefit from the immediate effort of this Chamber with all the different ideas that are before it now, but really

for the decades and generations still to serve ahead.

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

Mr. ROTHFUS. Mr. Speaker, I thank the gentleman from New York for his service to this country, having himself put on the uniform prior to his coming to this Congress.

He is one of the greatest assets we have in this Chamber. It is just a real pleasure to have gotten to know him over the last year and a half and to call him a friend.

When this country makes a decision to send people to war, we need to understand that the people own that decision. What does that mean?

It means, when we put people out in harm's way, our servicemen and servicewomen, we better be there when they come home. It is the principle of solidarity. They stand for us. We have to stand for them.

I am joining this Special Order today because I want to again bring attention to this serious issue that should trouble everyone's conscience.

We have been made painfully aware in the past several years that the VA has failed in a number of ways to adequately serve our Nation's veterans. As I understand it, while most Americans are patriotic, too few have taken the time to develop empathy for what our veterans go through, especially in combat.

Mr. Speaker, everyone in America needs to be engaging our veterans. This is all hands on deck. We all know veterans. It is good to ask them about their service and to walk with them.

As I have talked to veterans across my district, I asked for some emails from them because I knew I was going to be coming to have this Special Order.

"The United States isn't united in purpose," one veteran explained to me. "We're divided, fighting a global war with a peacetime mindset. Americans have never been farther away from our Nation's veterans . . . from what it takes to defend our Nation's freedom. The true cost of war is lost on most."

The failure to understand what veterans have gone through is not just characteristic of the broader population, but it is also a problem at the VA, an agency that should strive to fully understand the experience of our servicemen and -women so that they can better serve them.

Many veterans suffering with mental health issues as a result of traumas experienced during their service have too often been left to fend for themselves.

In fact, the VA has come up short so often it has risen to the level of a scandal, with an estimated 22 veteran deaths per day, or over 8,000 annually, as a result of mental health issues.

One young veteran told me about the condescending and patronizing language used by some—let me emphasize some—VA staff.

There are VA staff on the front lines who are very dedicated and very com-

mitted to serving our veterans. It is disturbing that we would have some who don't see it that way.

He told me that one staff stooped so low as to call veterans bums when they were seeking financial assistance during hard times.

It is outrageous and painful to think that men and women who are willing to die for this country are not being treated with the utmost dignity and respect. But that is the tragic reality, and it is unacceptable.

The good news is that we can and must do better. I have heard directly from veterans in my district about what they believe can be done to improve this startling trend.

I have been working to reform the VA throughout my time in Congress to improve its standards and ensure quality service for our veterans by increasing accountability within the agency. Beyond this, however, there are commonsense and innovative ways we can help veterans.

One of them is to facilitate veteran peer support programs. Veterans want to help each other. Because while many VA employees may have never served in the military, the men and women of our Armed Forces have experiences in common that civilians do not share.

Less than 1 percent of Americans serve in the military and fewer still see combat. They truly understand each other. They speak each other's language, so to speak. The VA should not be an obstacle to veterans coming to each others' aid.

Another veteran told me this: "Peer-to-peer counseling for combat veterans is a critical aspect of a multifaceted approach to healing an invisible wound that lacks a universal fix.

"The universal nature of recognizing that the veteran is not alone: acknowledgement other veterans have faced the same problems and situations, and hope from their stories of triumph over their demons, enables the combat veteran to take the critical steps of admitting to themselves they have a problem."

It helps them take the "seemingly hardest step of admitting they are not in a hopeless situation," this veteran told me.

He also told me, "Peer-to-peer counseling helps the counselor as much as the counseled via preservation of camaraderie and the fulfillment of helping their own."

Far too many veterans experience hopelessness and isolation even though they do not have to. This needs to change, and I am sure that we can do better for the men and women who risked everything to protect our way of life.

Mr. Speaker, the VA's inadequacies are unacceptable, and the agency should embrace commonsense solutions to provide veterans with higher quality, effective treatment and opportunities for healing.

I laud my colleague, Representative ZELDIN, for his PFC Joseph Dwyer Veterans Peer Support program. As I

looked at this legislation, inevitably, you go look at who Joseph Dwyer was.

I would encourage this country to look at that and to look for the other Joseph Dwyers, to look and reach out to those who have served empathetically.

To our veterans who may be watching today, you are not alone. Thank you for your service.

Mr. Speaker, I thank Representative ZELDIN for his service and for his work on this important piece of legislation. I look forward to further consideration by this House.

Mr. ZELDIN. Mr. Speaker, I thank the gentleman literally for every single word and for his passion and advocacy on behalf of all the veterans not only in his district, but in mine and elsewhere.

It is so incredibly important for the words that we just heard to be echoed throughout this Chamber and inspiration to be found for some of what are great ideas to actually come into effect.

Because while there is one Joseph Dwyer who served our country, as the gentleman just pointed out, there are numerous Joseph Dwyers all around America who have not yet lost their struggles.

Now, it is interesting because we so often call those who lose their bouts with the mental wounds of war—we call it suicide. Joseph Dwyer's last words were, "I don't want to die." He was huffing, trying to get temporary relief from his pain.

The struggles with post-traumatic stress disorder led to him losing his life, and he left behind a young widow and a 2-year-old daughter.

There are Joseph Dwyers all around America who have not yet left behind young children and young widows. It is our duty in this House to fight for them with whatever energy and inspiration that we can find within us to ensure that what starts as a good idea becomes law.

The PFC Joseph Dwyer Veterans Peer Support program is not a new idea. It may be a new idea for this Chamber. We created it in New York State back in 2012. At that time, I was in the New York State Senate, and we created it as part of the 2012-2013 State budget.

As we just heard from the gentleman from Pennsylvania, veteran-to-veteran peer support, veterans helping veterans, is the key.

We started the program in four counties in New York: Suffolk County, which is my home county; Jefferson County, home of the 10th Mountain Division, Fort Drum; Rensselaer County; and Saratoga County.

The program was so successful in these four counties and, by the way, operating at just \$200,000 per county. Here in Washington, we talk about programs in the billions, the trillions, and the hundreds of millions.

In my home county, we helped hundreds of veterans in just that first

year. Hundreds of veterans were helped, over 400, and \$200,000.

We know firsthand how many lives were saved as a result. It was so successful. It started in four counties and expanded to over a dozen. In New York State, we are so proud of the Dwyer program.

I just came to Congress. This is my first term. I was sworn in January of 2015. There may be no other mission during my time here in this Chamber that will be more satisfying for me personally than to do my part to hopefully save at least one veteran's life. But there are so many more that can be saved if this Chamber takes up this bill and makes it law.

It doesn't matter whether you live in one of the most populated counties in America of veterans, like Suffolk, or if you live in a county that might not be that well populated overall anywhere else in this country.

If you raised your hand and you are willing to lay down your life in protection of our freedoms and liberties for that flag, for everything that makes our country great, to protect it and defend it, when you come home, you should have shoes on your feet.

□ 1700

There should be food on your table. There should be a roof over your head. Some come home with the physical wounds of war; others come home with the mental wounds of war.

Our veterans are fighting for us, all of us—not just for their family or friends, but for strangers, too. Isn't it our duty while we are here, as elected representatives, to be fighting for not just those veterans with the mental wounds of war whom we know, but the countless others who are under the radar right now? They are under the radar because they don't know where to go for help.

Within our communities, we have veterans. We have veterans service organizations—you know, like the VFW, the American Legion, the Vietnam Veterans of America, the list goes on—and we have mental health professionals who want to offer their services. We have others who may want to provide a venue for a meeting, others who may want to provide food.

The setting is not that hard to put into place. For someone from our community who may live around the block from any Member of this Chamber, the setting is not that hard to put together for that veteran to go to that room and be with maybe 8, 10 veterans, understanding the struggles that they are going through so that they can share each other's stories and help each other cope with what are the mental wounds of war. It is our duty; it is our opportunity to be able to bring these veterans together and to save lives.

As was noted earlier, the statistics are staggering: an estimated 22 veteran deaths per day—22. That is 8,000 in a year. It was just about a month ago when the Department of Veterans Af-

fairs indicated that 17 of these 22 individuals weren't even in the VA system.

Some don't go for help because they don't know where to go; others might fear the consequences. What is so important is, with the Dwyer program, maintaining confidentiality so our veterans won't fear that they might lose their job because they are going for help. That is incredibly important as well.

A recent New York University Medical Center report indicated over 270,000 Vietnam-era veterans still suffer from post-traumatic stress disorder. These figures are alarming. They are disturbing. The VA doesn't currently offer what we are talking about. This is different.

We are hearing about how some of our veterans are being helped because of pets—dogs, horses—fishing, other activities. Let's think outside the box. Let's not think of just the same way of doing things that have not worked inside the Department of Veterans Affairs. Let's do something different. We are not starting from scratch.

I would encourage any Member of this House to look at what we are doing in my home county of Suffolk. I am proud to say that we are leading the way in America, and there is a model there that works and should be replicated everywhere.

Staffing shortages, untrained support staff, lacking family support services and access to services during nonbusiness hours are just some of the problems that have been reported at the Department of Veterans Affairs.

I recently introduced legislation, H.R. 4513, which would expand nationally the PFC Joseph P. Dwyer Veterans Peer Support program. PFC Joseph Dwyer was from my district. His home was Mount Sinai, New York.

A lot of people know Joseph Dwyer because of an iconic photo from the start of the Iraq war. This picture was on national news. It was on the front cover of magazines. It was that iconic picture of that American soldier post-9/11 at the start of the war holding a wounded Iraqi boy as his unit was fighting its way up to Baghdad.

It looked like Joseph came home in one piece, a hero. While it may have seemed that he came home in one piece because he didn't have some of the physical wounds of war that we unfortunately see from other heroes, he came back with post-traumatic stress disorder.

PFC Dwyer died in 2008. Matina, his young widow, was left behind. Meaghan, his 2-year-old daughter, was left behind.

This was an effort that was launched in his honor, the PFC Joseph P. Dwyer Veterans Peer Support program. It is for our veterans with post-traumatic stress disorder and traumatic brain injury. It provides a safe, confidential, and educational platform where all veterans are welcome to meet with other veterans to build vet-to-vet relationships in support of one another's

successful transition from military life to post-service life.

We were able to conduct 148 group sessions, serving 450 veterans in my home county of Suffolk, just in the first year. Since 2013, the program has helped, now, into the thousands, as we count veterans from across New York with PTSD and TBI.

Through my bill, the Secretary of Veterans Affairs would be authorized to make grants to State and local entities to carry out peer-to-peer mental health programs. The bill would secure \$25 million over a 3-year period to establish a grant program at the VA that will provide up to \$250,000 in funding for all selected entities, such as non-profits, congressionally chartered VSOs, or State or local agencies to implement the peer-to-peer program.

Let's think about that—\$250,000. The Denver VA Hospital construction project, originally budgeted for just over \$600 million, is operating \$800 million to \$900 million over budget—\$800 million to \$900 million over budget.

The Department of Veterans Affairs came to a Committee on Veterans' Affairs hearing, which I am proud to serve on that committee, and they said that they are operating off what they referred to as an artificial budget. Has anyone ever heard of an artificial budget?

I had one colleague who was asking for when she was going to get a timeline of when we would have an actual budget. Unable to get an answer, she asked the follow-up question, not trying to embarrass the Department. She ended up asking the follow-up question of when she was going to get a timeline of when she was going to get a timeline of when we were going to have an actual budget.

When \$800 million to \$900 million ends up getting spent over budget, think of the hundreds of veterans in one county alone who could be helped for just \$200,000. The money is there.

When the Secretary of the VA, when the Department of Veterans Affairs signs off on a relocation and incentive bonus for one of their own, whose position is in Washington, D.C., and she wants to go to Philadelphia, where her family is, and take over a position in charge of their Veterans Affairs hospital, she arranges a move to get the person, the gentleman in charge of the Philly VA hospital moved to Los Angeles. So now she gets the job she wanted. She is closer to family, and she gets herself a relocation and incentive bonus over \$200,000.

The Office of Inspector General was outraged. They made a report recommending that this gets referred to the Department of Justice. The Department of Veterans Affairs was so outraged at this report from the inspector general that they ended up turning on their own inspector general, not referring anything to the Department of Justice.

One of the responsibilities of this House is oversight. You look at our

Constitution. Article I is long, all the powers granted to Congress. Look at the powers of the President and the executive. It is short. Within that article, it talks about the oversight of this body, oversight to make sure that money is being spent appropriately, wisely, efficiently, and that people are held accountable when they are not doing the right thing on behalf of our veterans.

My bill would effectively and efficiently, as it has proven, provide 24/7 peer-to-peer mental health services by trained peer specialists for veterans, Reservists, and National Guardsmen wherever and whenever they are needed.

In addition, the Dwyer program will provide group and individual meetings to help foster a greater sense of inclusion and community amongst our veterans and, as I mentioned earlier, the program also addresses the many privacy concerns that veterans and other servicemembers have, as the Dwyer program representatives themselves will be veterans and would not be responsible to the Department of Veterans Affairs, therefore easing reporting concerns.

This is a bill that I have been working on since I took office in January 2015, working closely with the House Committee on Veterans' Affairs that I serve on, the American Legion, other VSOs, the National Disability Rights Network, various healthcare providers on Long Island, as well as my Veterans Advisory Panel, which is made up of representatives from veterans groups and veterans themselves.

I want to thank the Dwyer family for all the inspiration the sacrifice of Joseph has provided to so many in our community and our country, and for me included. There would not be a Dwyer program in the State of New York without the sacrifice of Joseph Dwyer.

I want to thank the county of Suffolk and specifically Tom Ronayne, who runs the Veterans Service Office, for the countless hours and the love that he and his team have put into this effort that we talk about here tonight on the House floor; to Chris Delaney, Joseph's friend, who has served our country as well as Tom has and has done so much through his work with 9-1-1 Veterans and also serving on my Veterans Advisory Panel.

I think of so many individuals who have given so much of their personal time to make this work. It is an honor to be here on behalf of that team advocating for this cause.

I unapologetically love my country. I believe that we live in the greatest Nation in the world. I will say that the highlight of my day during my time in Iraq was going back to my tent at the end of the day. There would be care packages waiting for us from strangers—8-year-olds, 9-year-olds from other corners of the country—with pictures of tanks and flags and soldiers, cards saying, "Thank you for your service."

The generation that came before me didn't get that treatment.

Just think. Right now we have servicemembers in Iraq, Afghanistan, and elsewhere who were 4 years old on 9/11. Their entire generation, it is all they know. They went through their entire life, from 4 years old to today, knowing exactly what they were signing up for; and actually knowing what they were signing up for gave them all the motivation and inspiration in the world they needed to put on that uniform.

It is a great feeling the first time you get to put on our Nation's uniform. For me, it wasn't a feeling that I had about myself when I looked in the mirror and I saw myself wearing a uniform. It was thinking of those generations who came before us, like our Nation's Greatest Generation. It is a challenge for our generation to earn the title of our Nation's next Greatest Generation. Maybe that generation is now serving here in this Chamber where 31 Members of the House are under the age of 40, including new Members who have come in who served in Iraq and Afghanistan.

□ 1715

As I think about that 8-year-old and 9-year-old who wrote that card to that stranger they did not know and as we stand here today enjoying our freedoms, we think of those who are in harm's way—strangers—we don't know them—they are going to come back after seeing things none of us would ever want to see in our lives. And will we be there for them?

Mr. Speaker, there is one other bill that was filed in this Chamber called the Fairness for Veterans Act. An Iraq veteran from Long Island, Kristofer Goldsmith, received a general discharge, which is a less-than-honorable discharge.

As a result, he doesn't have the same veterans benefits that someone who is separated with an honorable discharge would receive. He came back with post-traumatic stress disorder. He attempted to take his own life.

When your post-traumatic stress disorder ends up leading to a discharge with a less-than-honorable discharge, isn't it our responsibility to ensure that they have the ability to diagnose and treat their post-traumatic stress disorder?

What if they are applying for an upgrade of their discharge status? Should we put the burden on that veteran to prove that the circumstances that led to their discharge is connected to their post-traumatic stress disorder? No.

This bill addresses that by putting the burden on the government to show that the circumstances weren't connected to what led to that discharge.

We must fight for all our veterans who are willing to fight for us. My bills will bring much-needed support—the Dwyer Program and the Fairness for Veterans Act—to millions of veterans, if you think of all those not only serving now, but in the future, and their families.

Passing these bills and others to address veterans' mental health is of the highest priority for many of us in this Chamber. I will work every day in Congress to spread awareness of these two bills and gather cosponsors and the support of veterans groups and mental health organizations from all across the country so that we pass this bill as soon as possible.

One last word about our families. We often say thank you to our veterans, as we should. We say thank you to our first responders, our law enforcement, our volunteer firefighters, our EMTs.

There are so many people who try to give back and who believe in service because they love their community, their State, their country. They want to give back. They want to leave this place better than they found it.

When I was in Iraq this past Christmas, I met the Command Sergeant Major for the 82nd Airborne Division. He is on his 11th deployment. I spoke earlier about that veteran who was 4 years old on 9/11. We also have that Command Sergeant Major of the 82nd Airborne Division who was on his 11th deployment.

My daughters were born 14½ weeks early. They were less than a pound and a half when they were born. They spent their first 3½ months in the hospital. After they came out of the hospital—I was stationed at Fort Bragg, North Carolina, at the time—I came across this woman who had three sets of triplets. She lost one from each set. All six of her kids had special needs.

Her shopping cart was full. Her husband was on another deployment to Iraq. With a smile on her face, with a very positive attitude, she is telling my wife and I all the resources that were available to us on Fort Bragg so that we could be better parents.

That was the last time my wife or I would ever have the nerve to feel sorry for ourselves for what we were going through with our daughters. They came home with about a dozen medications and heart monitors. They were going through a hard time.

But this woman, with her husband on another deployment, her shopping cart full, with six special needs kids with her as she is walking through the Fort Bragg commissary, with that positive attitude and a smile on her face, helping us be better parents, I realized that, when she was going to go home, no one was going to be waiting with an outstretched hand and a hug and say: Thank you for your service.

These bills and this effort tonight are for our veterans and their families in need, and it is the way that we give back. This is how to say a proper thank you.

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

## PUBLICATION OF BUDGETARY MATERIALS

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, March 15, 2016.

Re Communication from the Chairman of the Committee on the Budget.

DEAR MR. SPEAKER: Section 3(h) of House Resolution 5 requires the concurrent resolution on the budget to include a section related to means-tested and non-means-tested direct spending programs. It also requires the Chair of the Committee on the Budget to submit a statement in the Congressional Record defining those terms prior to the consideration of such concurrent resolution on the budget.

Enclosed please find two tables prepared in order to fulfill this requirement. I have also included a communication and associated tables from the Director of the Congressional Budget Office, with whom I have consulted in the preparation of this material. While the non-means-tested list is not exhaustive, all programs not considered means-tested can be considered non-means-tested direct spending.

Sincerely,

TOM PRICE, M.D.,  
Chairman,  
Committee on the Budget.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, February 16, 2016.

Re Spending for Means-Tested Programs in CBO's Baseline, 2016–2026.

Hon. TOM PRICE, M.D.,  
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR CHAIRMAN: As you requested, enclosed are two tables that show federal spending for the government's major mandatory spending programs and tax credits that are primarily means-tested (that is, spending programs and tax credits that provide cash payments or other forms of assistance to people with relatively low income or few assets):

Table 1 shows CBO's January 2016 baseline projections for the 2016–2026 period.

Table 2 shows historical spending data from 2006 through 2015 along with CBO's estimates for 2016.

Each table also includes a line showing total spending for mandatory programs that are not primarily means-tested. (Some of those programs—the student loan programs, for example—have means-tested components, however.) The tables exclude means-tested programs that are discretionary (such as the Section 8 housing assistance programs and the Low Income Home Energy Assistance Program). However, each table shows discretionary spending for the Federal Pell Grant Program as a memorandum item because that program has discretionary and mandatory components and because the amount of the mandatory component depends in part on the amount of discretionary funding.

In The Budget and Economic Outlook: 2016 to 2026, which CBO published in January 2016, mandatory outlays for means-tested programs are projected to grow over the next decade at an average annual rate of 4.3 percent, compared with an average rate of 5.5 percent for non-means-tested programs, such as Social Security, most of Medicare, and civilian and military retirement programs (see Table 1). Mandatory outlays in 2016 will be boosted by an estimated shift of \$39 billion in payments from fiscal year 2017 to 2016 (because October 1, 2016, falls on a weekend). If not for that shift, mandatory outlays for means-tested programs would grow over the next decade at an average annual rate of 4.4

percent, compared with 5.7 percent for non-means-tested programs. Compared with growth from 2007 through 2016, projected growth from 2017 to 2026 (adjusted for shifts in the timing of payments) is much lower for means-tested programs (which will have grown at an average rate of 7.2 percent from 2007 to 2016, by CBO's estimate). In contrast, projected growth for non-means-tested programs (which will have grown at an average rate of 4.8 percent from 2007 to 2016, CBO estimates) is almost one percentage point higher per year, in part because of the aging of the population (see Table 2).

Overall, the growth rates projected for total mandatory spending over the coming decade are slower than those of the past 10 years—by about one-half of a percentage point per year, on average. However, most of that difference results from the shift of some payments from 2017 to 2016. If not for that shift, the average growth rate projected for total mandatory spending over the coming decade would be 5.4 percent, equal to the rate recorded for the past 10 years.

A number of programs shown in Tables 1 and 2 have been or are scheduled to be significantly affected by changes in law. The most recent recession and the continuing recovery also exert an influence. As a result, important aspects of the programs in the future may differ significantly from experience over the past decade, and those differences may be the source of some of the variation between the growth rates in the past 10 years and those in the coming decade. For example, spending for several programs—Medicaid, the Children's Health Insurance Program (CHIP), subsidies for health insurance purchased through an exchange, the Supplemental Nutrition Assistance Program (SNAP), and the refundable portions of the earned income and child tax credits—has been or will be significantly affected by program changes that unfold over time:

Medicaid spending shot up by 35 percent from 2008 to 2010, during the most recent recession, both because of enrollment growth and as a result of a temporary increase in the federal matching rate. After dropping off a bit subsequently, that spending has been boosted by the expansion of Medicaid coverage under the Affordable Care Act. As that expansion has been phased in, spending for the program increased by 32 percent from 2013 to 2015 and is projected to rise by 9 percent in 2016. Under current law, the rate of growth in Medicaid spending would decline through 2019, CBO projects, after which it would largely level off at a rate of roughly 5 percent per year through the end of the projection period.

Under current law, spending authority for CHIP will expire at the end of fiscal year 2017. Consistent with statutory guidelines, CBO assumes in its baseline spending projections that annual funding for the program after 2017 will continue at \$5.7 billion.<sup>1</sup> As a result, in CBO's baseline, spending for CHIP is projected to drop to \$11 billion in 2018 and to about \$6 billion in subsequent years; it had grown from \$5 billion to \$13 billion from 2006 to 2016.

Payments of subsidies for health insurance purchased through an exchange began in January 2014 and totaled \$27 billion in fiscal year 2015. They are projected to continue to grow rapidly between 2016 and 2018, largely as a result of significant growth in enrollment. CBO and the staff of the Joint Committee on Taxation project annual growth averaging about 4 percent between 2019 and 2026.

SNAP spending increased markedly during the most recent recession—roughly doubling between 2008 and 2011—as more people became eligible for those benefits. In addition,

the American Recovery and Reinvestment Act of 2009 (ARRA) temporarily raised the maximum benefit under that program. The combination of higher enrollment and an increased benefit caused outlays to peak at \$83 billion in 2013. Spending has fallen since then because subsequent legislation eliminated the increase in the maximum benefit (as of October 31, 2013) and because the program's caseload (which peaked in 2014) has declined. CBO expects that enrollment will continue to fall in each year of the projection period as the economy continues to improve. As a result, spending for SNAP is projected to decline slightly over the next several years, after growing by an average of 8 percent per year over the 2007–2016 period.

Outlays for the earned income and child tax credits rose by almost 40 percent from 2007 to 2008 and have grown slowly since then. Provisions expanding the refundability of those credits originally enacted in ARRA (and subsequently extended) recently were made permanent.<sup>2</sup> As a result, those outlays are projected to continue to grow slowly—by an average of about 2 percent per year—over the projection period.

Finally, because of the unusual budgetary treatment of the Pell grant program—which

has mandatory and discretionary components—the growth rates for the mandatory portions of that program give incomplete information. The bulk of the funding is provided annually in appropriation acts and thus is discretionary. In recent years, spending for the program also has included two mandatory components that have allowed the discretionary budget authority provided by the regular appropriation acts to remain well below the full cost of the program.

In keeping with procedures that govern CBO's baseline, the projection for the discretionary portion of the Pell grant program is based on the budget authority appropriated for fiscal year 2016, adjusted for inflation. (That projection of discretionary spending is shown as a memorandum item in both tables.) Thus, the baseline projection for both discretionary and mandatory spending for Pell grants does not represent an estimate of the expected future costs of the program; such a projection also would account for such factors as award amounts, eligibility, and enrollment.

I hope that you find this information helpful. If you have any further questions, please

contact me or my staff. The primary staff contact is Barry Blom.

Sincerely,

KEITH HALL,  
Director.

Enclosures.

ENDNOTES

1. Under current law, funding for the program in 2017 consists of two semiannual allotments of \$2.85 billion—amounts that are much smaller than the allotments made in the past. (The first semiannual allotment in 2017 will be supplemented by \$14.7 billion in one-time funding for the program.) Following the rules prescribed by the Balanced Budget and Emergency Deficit Control Act of 1985, CBO extrapolates the \$2.85 billion provided for the second half of the year to arrive at projected annual funding of \$5.7 billion.

2. Refundable tax credits reduce a filer's overall income tax liability; if the credit exceeds the rest of the filer's income tax liability, the government pays all or some portion of that excess to the taxpayer. Those tax credits also affect the budget, to a lesser extent, by reducing tax revenues; those revenue effects are not shown in the tables.

TABLE 1—MANDATORY OUTLAYS IN CBO'S 2016 BASELINE  
(Outlays by fiscal year, billions of dollars)

	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	Average Annual Growth (Percent) 2017–2026
<b>Means-Tested Programs:</b>												
<b>Health Care Programs:</b>												
Medicaid	381	401	420	439	460	484	509	536	564	593	642	5.4
Medicare Part D Low-Income Subsidies	28	28	27	32	34	37	44	44	45	53	57	7.4
Health insurance subsidies <sup>a, b</sup>	39	57	67	70	71	74	79	82	86	89	93	9.1
Children's Health Insurance Program	13	13	11	6	6	6	6	6	6	6	6	-7.6
Subtotal	460	499	525	546	571	601	637	668	700	740	798	5.7
<b>Income Security:</b>												
Earned income and child tax credits <sup>b, c</sup>	83	82	82	84	86	88	91	93	95	97	99	1.8
SNAP	75	74	73	73	72	72	72	72	72	73	74	-0.1
Supplemental Security Income	59	56	53	60	61	63	70	67	64	71	74	2.2
Family support and foster care <sup>d</sup>	31	32	32	33	33	33	34	34	34	35	35	1.1
Child nutrition	23	24	25	26	27	28	29	30	32	33	34	4.2
Subtotal	271	267	265	274	280	285	296	296	297	309	317	1.6
Veterans' pensions	6	6	6	7	7	7	8	7	7	8	8	2.9
Pell Grants <sup>e</sup>	7	6	8	8	8	8	8	8	8	8	8	2.3
Subtotal, Means-Tested Programs	744	778	804	835	865	901	948	979	1,012	1,065	1,130	4.3
<b>Non-Means-Tested Programs<sup>f</sup></b>												
Total Mandatory Outlays <sup>g</sup>	1,959	2,018	2,076	2,238	2,377	2,519	2,720	2,829	2,933	3,156	3,362	5.5
Memorandum:												
Pell Grants (Discretionary) <sup>h</sup>	23	25	28	23	24	24	25	25	26	26	27	1.8
Means-Tested Programs Adjusted for Timing Shifts	737	778	811	835	865	901	939	979	1,021	1,065	1,130	4.4
Non-Means-Tested Programs Adjusted for Timing Shifts	1,927	2,015	2,111	2,238	2,377	2,519	2,669	2,825	2,988	3,156	3,362	5.7

Source: Congressional Budget Office; staff of the Joint Committee on Taxation.  
 The projections shown here are the same as those reported in Congressional Budget Office, *The Budget and Economic Outlook: Fiscal Years 2016 to 2026* (January 2016).  
 The average annual growth rate over the 2017–2026 period encompasses growth in outlays from the amount projected for 2016 through the amount projected for 2026.  
 Projections of spending for benefit programs in this table exclude administrative costs that are classified as discretionary but generally include administrative costs that are classified as mandatory.  
 SNAP = Supplemental Nutrition Assistance Program.  
 Because October 1 will fall on a weekend in 2016, 2017, 2022, and 2023, certain federal payments that are due on those dates will instead be made at the end of the preceding September and thus be shifted into the previous fiscal year. Those shifts primarily affect outlays for Supplemental Security Income, veterans' compensation benefits and pensions, and Medicare.  
<sup>a</sup> Differs from the amounts reported in Table 3–2 in *The Budget and Economic Outlook: Fiscal Years 2016 to 2026* in that it does not include payments to health insurance plans for risk adjustment (amounts paid to plans that attract less healthy enrollees) and reinsurance (amounts paid to plans that enroll people with high health care costs). Spending for grants to states to establish exchanges is also excluded.  
<sup>b</sup> Does not include amounts that reduce tax receipts.  
<sup>c</sup> Differs from the amounts reported in Table 3–2 in *The Budget and Economic Outlook: Fiscal Years 2016 to 2026* in that it does not include other tax credits that were included in that table.  
<sup>d</sup> Includes the Temporary Assistance for Needy Families program, the Child Support Enforcement program, the Child Care Entitlement program, and other programs that benefit children.  
<sup>e</sup> Includes mandatory spending designed to reduce the discretionary budget authority needed to support the maximum award amount set in the appropriation act plus mandatory spending that, by formula, increases the total maximum award above the amount set in the appropriation act.  
<sup>f</sup> Does not include offsetting receipts.  
<sup>g</sup> Does not include outlays associated with federal interest payments.  
<sup>h</sup> The discretionary baseline does not represent a projection of expected costs for the discretionary portion of the Federal Pell Grant Program. As with all other discretionary programs, the budget authority is calculated by inflating the budget authority appropriated for fiscal year 2016. Outlays for future years are based on those amounts of budget authority and also reflect a temporary surplus of budget authority provided in 2016.

TABLE 2—MANDATORY OUTLAYS SINCE 2006  
(Outlays by fiscal year, billions of dollars)

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Est., 2016	Annual Growth (Percent) 2007–2016
<b>Means-Tested Programs:</b>												
<b>Health Care Programs:</b>												
Medicaid	181	191	201	251	273	275	251	265	301	350	381	7.7
Medicare Part D Low-Income Subsidies	11	17	17	19	21	24	20	22	22	24	28	9.6
Health insurance subsidies <sup>a, b</sup>	0	0	0	0	0	0	0	0	13	27	39	n.a.
Children's Health Insurance Program	5	6	7	8	8	9	9	9	9	9	13	8.7
Subtotal	197	213	225	277	302	308	279	297	346	411	460	8.8
<b>Income Security:</b>												
Earned income and child tax credits <sup>b</sup>	52	54	75	67	77	78	77	79	82	81	83	4.8
SNAP	35	35	39	56	70	77	80	83	76	76	75	8.1
Supplemental Security Income	37	36	41	45	47	53	47	53	54	55	59	4.8
Family support and foster care <sup>c</sup>	30	31	32	33	35	33	30	32	31	31	31	0.3

TABLE 2—MANDATORY OUTLAYS SINCE 2006—Continued

[Outlays by fiscal year, billions of dollars]

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Est., 2016	Annual Growth (Percent) 2007–2016
Child nutrition .....	14	14	15	16	17	18	19	20	20	22	23	5.1
Subtotal .....	168	170	202	217	247	260	254	266	263	264	271	4.9
Veterans Pensions .....	4	3	4	4	4	5	5	5	6	5	6	5.5
Pell Grants <sup>d</sup> .....	0	0	1	2	4	14	12	16	8	10	7	n.a.
Subtotal, Means-Tested Programs .....	369	386	431	501	557	587	550	584	623	690	744	7.3
Non-Means-Tested Programs <sup>e</sup> .....	1,188	1,242	1,349	1,787	1,553	1,648	1,710	1,752	1,753	1,865	1,959	5.1
Total Mandatory Outlays <sup>f</sup> .....	1,556	1,628	1,780	2,288	2,110	2,236	2,260	2,336	2,376	2,555	2,703	5.7
Memorandum:												
Pell Grants (Discretionary) .....	13	13	15	13	20	21	21	17	23	20	23	5.8
Means-Tested Programs Adjusted for Timing Shifts .....	368	389	431	501	557	581	556	584	623	690	737	7.2
Non-Means-Tested Programs Adjusted for Timing Shifts .....	1,202	1,241	1,349	1,787	1,553	1,627	1,731	1,752	1,753	1,865	1,927	4.8

Source: Congressional Budget Office; staff of the Joint Committee on Taxation.  
 The average annual growth rate over the 2007–2016 period encompasses growth in outlays from the amount recorded in 2006 through the amount projected for 2016.  
 Data on spending for benefit programs in this table exclude administrative costs that are classified as discretionary but generally include administrative costs that are classified as mandatory.  
 SNAP = Supplemental Nutrition Assistance Program; n.a. = not applicable.  
 Because October 1 fell on a weekend in 2006, 2007, and 2012, certain federal payments that were due on those dates were instead made at the end of the preceding September and thus shifted into the previous fiscal year.  
<sup>a</sup> Differs from the amounts reported in Table 3–2 in The Budget and Economic Outlook: Fiscal Years 2016 to 2026 in that it does not include payments to health insurance plans for risk adjustment (amounts paid to plans that attract less healthy enrollees) and reinsurance (amounts paid to plans that enroll people with high health care costs). Spending for grants to states to establish exchanges is also excluded.  
<sup>b</sup> Does not include amounts that reduce tax receipts.  
<sup>c</sup> Includes the Temporary Assistance for Needy Families program, the Child Support Enforcement program, the Child Care Entitlement program, and other programs that benefit children.  
<sup>d</sup> Includes mandatory spending designed to reduce the discretionary budget authority needed to support the maximum award amount set in the appropriation act plus mandatory spending that, by formula, increases the total maximum award above the amount set in the appropriation act.  
<sup>e</sup> Does not include offsetting receipts.  
<sup>f</sup> Does not include outlays associated with federal interest payments.

ADJOURNMENT

Mr. ZELDIN. Mr. Speaker, I move that the House do now adjourn.  
 The motion was agreed to; accordingly (at 5 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 16, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4648. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting the Department's Chemical Demilitarization Program Semi-Annual Report to Congress for March 2016, pursuant to 50 U.S.C. 1521(j); to the Committee on Armed Services.

4649. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled "Community First Choice: Final Report to Congress", pursuant to 42 U.S.C. 1396n(k)(5)(C)(ii); Public Law 111-148, Sec. 2401; (124 Stat. 300); to the Committee on Energy and Commerce.

4650. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's delegation of authority — Announcement of the Delegation of Partial Administrative Authority for Implementation of Federal Implementation Plan for the Confederated Tribes of the Colville Reservation [EPA-R10-OAR-2015-0847; FRL-9943-54-Region 10] received March 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4651. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled "Office of Refugee Resettlement Annual Report to Congress FY 2014", pursuant to Sec. 413(a) of the Immigration and Nationality Act; to the Committee on the Judiciary.

4652. A letter from the Executive Director, National Mining Hall of Fame and Museum, transmitting the Museum's 2014 Report and Audit, pursuant to 36 U.S.C. 152112; Public Law 105-225, 152112; (112 Stat. 1412) and 36 U.S.C. 10101(b)(1); Public Law 105-225, 10101(b)(1); (112 Stat. 1283); to the Committee on the Judiciary.

4653. A letter from the Director, National Legislative Division, American Legion, transmitting a financial statement and independent audit of The American Legion, and proceedings of the 97th Annual National Convention of the American Legion, held in Baltimore, Maryland from September 1-3, 2015, and a report on the organization's activities for the year preceding the convention, pursuant to 36 U.S.C. 10101(b)(1); Public Law 105-225, 10101(b)(1); (112 Stat. 1283) (H. Doc. No. 114-116); to the Committee on Veterans' Affairs and ordered to be printed.

4654. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled "Temporary Assistance for Needy Families (TANF) Program Eleventh Report to Congress", pursuant to 42 U.S.C. 611(b); Aug. 14, 1935, ch. 531, title IV, Sec. 411 (as added by Public Law 104-193, Sec. 103 (a)(1)); (110 Stat. 2148); to the Committee on Ways and Means.

4655. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Work Opportunity Tax Credit (WOTC) Guidance and Transition Relief [Notice 2016-22] received March 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4656. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Evaluation of the Medicare Patient Intravenous Immunoglobulin Demonstration Project: Interim Report to Congress, pursuant to 42 U.S.C. 1395l note; Public Law 112-242, Sec. 101(f)(1); (126 Stat. 2375); jointly to the Committees on Energy and Commerce and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BISHOP of Utah (for himself, Mr. SIMPSON, Mrs. LUMMIS, Mr. AMODEI, Mr. BRIDENSTINE, Mr. WEBER of Texas, Mr. GOSAR, Mr. DUNCAN of South Carolina, Mr. LAMBORN, Mr. STEWART, Mr. HARDY, Mr. ZINKE, Mr. HURD of Texas, Mr. COOK, and Mr. CHAFFETZ):

H.R. 4739. A bill to provide for the conservation and preservation of the greater sage grouse by facilitating State recovery plans; to the Committee on Natural Resources.

By Ms. CLARK of Massachusetts:

H.R. 4740. A bill to direct the Attorney General to make grants to States and units of local government for the prevention, enforcement, and prosecution of cybercrimes against individuals, and for other purposes; to the Committee on the Judiciary.

By Mr. THORNBERRY:

H.R. 4741. A bill to amend title 10, United States Code, to provide for modular open system architecture in major defense acquisition programs, and for other purposes; to the Committee on Armed Services.

By Ms. ESTY (for herself, Mrs. COMSTOCK, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. SMITH of Texas):

H.R. 4742. A bill to authorize the National Science Foundation to support entrepreneurial programs for women; to the Committee on Science, Space, and Technology.

By Mr. CASTRO of Texas (for himself, Mr. RICHMOND, Mr. HURD of Texas, Mr. DOGGETT, Mr. CUELLAR, Mr. SMITH of Texas, and Mr. WELCH):

H.R. 4743. A bill to authorize the Secretary of Homeland Security to establish a National Cybersecurity Preparedness Consortium, and for other purposes; to the Committee on Homeland Security.

By Mrs. KIRKPATRICK:

H.R. 4744. A bill to require the Secretary of the Interior to carry out a 5-year demonstration program to provide grants to eligible Indian tribes for the construction of tribal schools, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Financial Services, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MULVANEY:

H.R. 4745. A bill to amend the Nuclear Waste Policy Act of 1982 to authorize the Secretary of Energy to enter into contracts for the storage of certain high-level radioactive waste and spent nuclear fuel and take title to certain high-level radioactive waste and spent nuclear fuel; to the Committee on Energy and Commerce.

By Mr. RUSSELL:

H.R. 4746. A bill to provide that no additional Federal funds may be made available for National Heritage Areas, and for other

purposes; to the Committee on Natural Resources.

By Mr. DAVID SCOTT of Georgia (for himself, Mr. TOM PRICE of Georgia, Mr. WESTMORELAND, Mr. LEWIS, Mr. WOODALL, Mr. GRAVES of Georgia, Mr. JOHNSON of Georgia, Mr. AUSTIN SCOTT of Georgia, Mr. BISHOP of Georgia, Mr. COLLINS of Georgia, and Mr. ALLEN):

H.R. 4747. A bill to designate the facility of the United States Postal Service located at 6691 Church Street in Riverdale, Georgia, as the "Major Gregory E. Barney Post Office Building"; to the Committee on Oversight and Government Reform.

By Ms. SPEIER (for herself, Ms. ADAMS, Mr. BEYER, Mr. BLUMENAUER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CÁRDENAS, Ms. CLARKE of New York, Ms. CLARK of Massachusetts, Mr. COHEN, Mr. CONYERS, Mr. DESAULNIER, Mr. GUTIÉRREZ, Mr. HASTINGS, Mr. HONDA, Ms. JACKSON LEE, Ms. LEE, Mr. LYNCH, Ms. MCCOLLUM, Mr. MEEKS, Mr. NADLER, Ms. NORTON, Mr. PALLONE, Mr. QUIGLEY, Mr. RANGEL, Mr. RUSH, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SIRES, Mr. SWALWELL of California, Mr. TAKANO, Mr. VAN HOLLEN, Mrs. WATSON COLEMAN, and Mr. MCGOVERN):

H.R. 4748. A bill to ban the importation of semiautomatic assault weapons, and for other purposes; to the Committee on the Judiciary.

By Ms. LORETTA SANCHEZ of California:

H. Res. 643. A resolution honoring women who have served, and who are currently serving, as members of the Armed Forces and recognizing the recently expanded service opportunities available to female members of the Armed Forces; to the Committee on Armed Services.

By Mr. PEARCE (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. JONES, Mr. ASHFORD, and Mr. SAM JOHNSON of Texas):

H. Res. 644. A resolution recognizing the 100th anniversary of the First Aero Squadron's participation as the first aviation unit to take part in military operations, and the group's contribution to the Nation's air-power heritage; to the Committee on Armed Services.

By Mrs. WALORSKI (for herself, Mr. BYRNE, Mr. COFFMAN, Mr. FRANKS of Arizona, Mr. FLEMING, Mr. LAMBORN, Mr. AUSTIN SCOTT of Georgia, Mr. WILSON of South Carolina, and Mr. ZINKE):

H. Res. 645. A resolution expressing the sense of House that individuals captured by the United States for supporting the Islamic State of Iraq and the Levant should be detained at United States Naval Station, Guantanamo Bay, Cuba; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII,

178. The SPEAKER presented a memorial of the Legislature of the State of New Mexico, relative to Senate Joint Memorial 15, stating that the State of New Mexico stands in support of the passage of the Dine College Act of 2015 and urges the New Mexico Congressional Delegation to work to ensure its passage into Federal Law; which was referred to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BISHOP of Utah:

H.R. 4739.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 provides authority to Congress to provide for the common Defense and general Welfare of the United States; as well as to make provisions and regulations for the military forces of the United States. Since proposed Sage Grouse habitat negatively impacts several military installations and training facilities, the Congress has authority under Section 8 to act to mitigate those impacts in order to preserve national defense readiness, while at the same time, empowering the States which have conservation plans for preservation and recovery of the Sage Grouse species.

By Ms. CLARK of Massachusetts:

H.R. 4740.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. THORNBERRY:

H.R. 4741.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress "to provide for the common Defence", "to raise and support Armies", "to provide and maintain a Navy" and "to make Rules for the Government and Regulation of the land and naval Forces" as enumerated in Article I, section 8 of the United States Constitution.

By Ms. ESTY:

H.R. 4742.

Congress has the power to enact this legislation pursuant to the following:

article 1, section 8, clause 18 of the Constitution.

By Mr. CASTRO of Texas:

H.R. 4743.

Congress has the power to enact this legislation pursuant to the following:

Constitutional Authority—Necessary and Proper Clause (Art. I, Sec. 8, Clause 18) THE U.S. CONSTITUTION ARTICLE I, SECTION 8: POWERS OF CONGRESS CLAUSE 18

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mrs. KIRKPATRICK:

H.R. 4744.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 (18) To make all Laws which shall be necessary and power for carrying into Execution the foregoing Powers, and all other Powers vest by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MULVANEY:

H.R. 4745.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To . . . provide for the . . . general Welfare of the United States . . ."

Article I, Section 8, Clause 3. "To regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

Article I, Section 8, Clause 18. "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. RUSSELL:

H.R. 4746.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. DAVID SCOTT of Georgia:

H.R. 4747.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 7 of the Constitution, giving Congress the power to "Establish Post Offices and Post Roads".

By Ms. SPEIER:

H.R. 4748.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

- H.R. 153: Mr. WEBSTER of Florida.
- H.R. 242: Mr. QUIGLEY, Mr. PASCRELL, and Mr. BEYER.
- H.R. 244: Mr. NEWHOUSE.
- H.R. 303: Mr. PETERSON and Mr. DESAULNIER.
- H.R. 465: Mr. FRANKS of Arizona and Mr. BRAT.
- H.R. 494: Mr. TROTT.
- H.R. 546: Mr. CALVERT and Mr. FRANKS of Arizona.
- H.R. 556: Mrs. ELLMERS of North Carolina.
- H.R. 619: Ms. EDWARDS.
- H.R. 649: Mr. PASCRELL.
- H.R. 711: Mr. MESSER, Mr. THOMPSON of California, Mr. LATTA, and Mr. GIBBS.
- H.R. 748: Mr. GRUJALVA and Ms. SINEMA.
- H.R. 759: Mr. VARGAS.
- H.R. 845: Mr. GIBSON.
- H.R. 913: Mrs. LAWRENCE.
- H.R. 953: Mr. GRAYSON, Mr. COHEN, Mr. POLIS, and Ms. BONAMICI.
- H.R. 986: Mr. ZELDIN and Mr. PITTS.
- H.R. 1116: Mr. RUSH and Mrs. ELLMERS of North Carolina.
- H.R. 1130: Mrs. COMSTOCK.
- H.R. 1185: Mr. TROTT, Mr. GUINTA, Mr. HASTINGS, Mr. SHUSTER, Mr. HUIZENGA of Michigan, and Mr. FORTENBERRY.
- H.R. 1193: Mr. RUPPERSBERGER.
- H.R. 1220: Mr. LEWIS, Mrs. ROBY, Mr. HULTGREN, and Mrs. LAWRENCE.
- H.R. 1221: Mr. TED LIEU of California.
- H.R. 1336: Mr. BOUSTANY.
- H.R. 1397: Mr. GOODLATTE.
- H.R. 1427: Mr. REICHERT and Mr. SMITH of Washington.
- H.R. 1515: Mr. GRAYSON.
- H.R. 1631: Mrs. ELLMERS of North Carolina.
- H.R. 1655: Mr. JOLLY and Mr. SARBANES.
- H.R. 1671: Mr. THORNBERRY.
- H.R. 1707: Mr. GALLEGRO.
- H.R. 1797: Mr. CICILLINE.
- H.R. 1996: Mr. DUNCAN of South Carolina.
- H.R. 2170: Mr. RENACCI and Ms. CLARK of Massachusetts.
- H.R. 2205: Mrs. MILLER of Michigan, Mr. MCCLINTOCK, Mr. RANGEL, and Mr. ASHFORD.
- H.R. 2237: Mr. DESAULNIER.
- H.R. 2254: Mr. GALLEGRO.
- H.R. 2260: Mr. TED LIEU of California.
- H.R. 2264: Mr. GOODLATTE, Mr. COLLINS of New York, Mr. KELLY of Pennsylvania, and Mr. DESAULNIER.

- H.R. 2293: Mr. TROTT and Mrs. BUSTOS.  
H.R. 2313: Mrs. MILLER of Michigan.  
H.R. 2404: Mr. NOLAN.  
H.R. 2483: Mr. EMMER of Minnesota.  
H.R. 2567: Mr. WALKER and Mr. MOOLENAAR.  
H.R. 2711: Mr. GOSAR, Mr. EMMER of Minnesota, and Mr. BRAT.  
H.R. 2712: Mr. CRAMER.  
H.R. 2726: Mr. JOHNSON of Ohio.  
H.R. 2775: Mr. CICILLINE.  
H.R. 2802: Mr. HUIZENGA of Michigan.  
H.R. 2826: Mr. RENACCI.  
H.R. 2844: Mr. LANGEVIN and Ms. EDDIE BERNICE JOHNSON of Texas.  
H.R. 2874: Mr. BOUSTANY.  
H.R. 2896: Mr. JENKINS of West Virginia.  
H.R. 2902: Mr. SCHRADER.  
H.R. 3048: Mr. PEARCE.  
H.R. 3084: Mr. MURPHY of Florida.  
H.R. 3099: Mr. BISHOP of Michigan, Mr. HUNTER, and Mr. SMITH of Washington.  
H.R. 3180: Mr. MOOLENAAR and Mr. POLIS.  
H.R. 3209: Mr. RANGEL and Mr. NUNES.  
H.R. 3235: Mr. TAKANO.  
H.R. 3326: Ms. ESTY.  
H.R. 3399: Ms. SCHAKOWSKY.  
H.R. 3411: Ms. ADAMS and Mr. MICHAEL F. DOYLE of Pennsylvania.  
H.R. 3546: Mr. DAVID SCOTT of Georgia, Mr. DENHAM, Mr. LYNCH, and Ms. SCHAKOWSKY.  
H.R. 3648: Mr. DEFazio.  
H.R. 3713: Mr. LEWIS.  
H.R. 3747: Mr. COHEN and Ms. FRANKEL of Florida.  
H.R. 3765: Mr. GRAVES of Missouri, Mr. ASHFORD, Mr. CARTER of Georgia, and Mr. RUSSELL.  
H.R. 3779: Mr. PETERS.  
H.R. 3799: Ms. JENKINS of Kansas.  
H.R. 3804: Mr. RENACCI.  
H.R. 3808: Mrs. ELLMERS of North Carolina and Mr. KLINE.  
H.R. 3817: Mr. RANGEL, Mr. AMODEI, Mr. ASHFORD, Mr. HASTINGS, Mrs. KIRKPATRICK, Ms. SLAUGHTER, and Ms. NORTON.  
H.R. 3849: Ms. LORETTA SANCHEZ of California.  
H.R. 3851: Mr. GRAYSON.  
H.R. 3974: Mr. FOSTER, Mr. CÁRDENAS, and Mrs. KIRKPATRICK.  
H.R. 3982: Mr. MACARTHUR.  
H.R. 4016: Mrs. WAGNER.
- H.R. 4043: Ms. JUDY CHU of California.  
H.R. 4062: Mr. FITZPATRICK.  
H.R. 4073: Mrs. KIRKPATRICK, Mr. ROSS, and Mr. CARNEY.  
H.R. 4126: Mr. GROTHMAN and Mr. CARTER of Georgia.  
H.R. 4133: Mr. BROOKS of Alabama and Mrs. ROBY.  
H.R. 4144: Mrs. CAROLYN B. MALONEY of New York and Mr. RUSH.  
H.R. 4177: Mr. HARDY and Mr. FLEMING.  
H.R. 4197: Mr. BOUSTANY.  
H.R. 4229: Mr. CHABOT, Mr. BISHOP of Michigan, and Mr. ASHFORD.  
H.R. 4247: Mr. POLIS.  
H.R. 4249: Ms. MAXINE WATERS of California.  
H.R. 4262: Mr. TROTT and Mr. MOONEY of West Virginia.  
H.R. 4277: Mr. TED LIEU of California.  
H.R. 4293: Mr. OLSON, Mr. CRAMER, and Mr. LATTA.  
H.R. 4301: Mr. MCCAUL.  
H.R. 4336: Mrs. MCMORRIS RODGERS, Mr. HARDY, Mr. JOLLY, and Ms. DELAURO.  
H.R. 4352: Ms. ESHOO and Mr. BEN RAY LUJÁN of New Mexico.  
H.R. 4375: Mr. EMMER of Minnesota.  
H.R. 4400: Mrs. ELLMERS of North Carolina.  
H.R. 4420: Mr. MILLER of Florida.  
H.R. 4428: Mr. ABRAHAM and Mr. GOODLATTE.  
H.R. 4442: Mrs. BEATTY.  
H.R. 4447: Mr. WELCH, Mr. TONKO, and Mr. KEATING.  
H.R. 4469: Mr. GIBBS.  
H.R. 4472: Mr. REICHERT, Mr. NUNES, Mr. BOUSTANY, Mr. KELLY of Pennsylvania, and Mr. RENACCI.  
H.R. 4481: Mr. MCGOVERN, Mr. ROSS, and Mr. MCCAUL.  
H.R. 4490: Mr. BEYER.  
H.R. 4511: Mr. OLSON.  
H.R. 4514: Mr. SCHIFF, Mr. KINZINGER of Illinois, Mr. FLEMING, Mr. COLE, and Mr. SHERMAN.  
H.R. 4553: Mr. CRAMER.  
H.R. 4570: Ms. TSONGAS and Mr. O'ROURKE.  
H.R. 4622: Mr. ALLEN.  
H.R. 4626: Mrs. COMSTOCK.  
H.R. 4651: Mr. LOUDERMILK, Ms. MCSALLY, Mr. ROGERS of Alabama, and Mr. DUNCAN of South Carolina.
- H.R. 4653: Mr. VAN HOLLEN and Ms. SCHAKOWSKY.  
H.R. 4662: Mr. CROWLEY, Ms. NORTON, Mr. HASTINGS, Ms. BROWN of Florida, Ms. PLASKETT, Mr. COSTELLO of Pennsylvania, and Mr. DUNCAN of Tennessee.  
H.R. 4664: Mr. CICILLINE.  
H.R. 4668: Mr. CICILLINE, Mrs. CAROLYN B. MALONEY of New York, Mr. TED LIEU of California, Mr. KEATING, and Mr. BEYER.  
H.R. 4678: Mr. COOK and Mrs. WALORSKI.  
H.R. 4681: Mr. DESAULNIER.  
H.R. 4690: Mr. HILL.  
H.R. 4700: Mr. TAKAI and Ms. ESHOO.  
H.R. 4712: Ms. LEE, Mr. CARSON of Indiana, and Mr. VEASEY.  
H.R. 4720: Mr. SESSIONS.  
H.R. 4723: Mr. MEEHAN and Mr. RENACCI.  
H.R. 4730: Mr. FLORES.  
H.R. 4731: Mr. SENSENBRENNER, Mr. SESSIONS, and Mr. CHAFFETZ.  
H.J. Res. 12: Mr. RIBBLE.  
H.J. Res. 55: Mr. RENACCI.  
H.J. Res. 85: Mr. CARTER of Georgia.  
H. Con. Res. 19: Mr. COSTA.  
H. Con. Res. 40: Ms. SLAUGHTER and Mr. O'ROURKE.  
H. Con. Res. 56: Mr. DESANTIS.  
H. Con. Res. 89: Mr. WALBERG.  
H. Con. Res. 122: Mr. BEN RAY LUJÁN of New Mexico and Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H. Res. 12: Mr. LATTA.  
H. Res. 28: Mr. LATTA.  
H. Res. 207: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. BENISHEK.  
H. Res. 220: Ms. MATSUI and Ms. VELÁZQUEZ.  
H. Res. 294: Mr. BRADY of Pennsylvania.  
H. Res. 343: Mr. SMITH of New Jersey.  
H. Res. 374: Mr. KILMER.  
H. Res. 419: Mr. REICHERT and Mr. MCCAUL.  
H. Res. 432: Mr. HUFFMAN.  
H. Res. 541: Mr. DESAULNIER and Miss RICE of New York.  
H. Res. 631: Mr. TAKAI.  
H. Res. 641: Mrs. CAROLYN B. MALONEY of New York.  
H. Res. 642: Mr. POCAN.