Happy 107th birthday, Oma. We love you.

MOMENT OF SILENCE HONORING JON RICHARDS

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

Mr. JODY B. HICE of Georgia. Madam Speaker, I rise today with a heavy heart to celebrate the life of Jon Richards, a Georgia treasure, a brilliant political journalist, a selfless mentor. He passed away this past Sunday after a battle with cancer. Our prayers go out and we grieve for the family and friends of Jon during this difficult time.

Madam Speaker, Jon grew up in Cincinnati, Ohio, and later moved to Lawrenceville, Georgia, where he became active in various Gwinnett County civic, social, and political organizations. He was well respected on both sides of the political aisle, serving with endless passion as editor-in-chief of georgiapol.com. Most notably, however, was his devotion to mentoring high school and college students who were interested in politics, and he left a lasting impression.

Madam Speaker, Jon was known by the Gwinnett community as someone who lived life to its fullest and made the most of every day. His leadership was unmatched and cannot be overstated. I am grateful to know that, through Christ, we will be able to meet again.

Madam Speaker, I would ask my colleagues to stand and join with me for a moment of silence to honor the life and legacy of Jon Richards, who will be sorely missed by many.

INVESTIGATING RUSSIA’S INFUENCE ON OUR ELECTION

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

Ms. VELÁZQUEZ. Madam Speaker, Russia’s efforts to influence our election constitutes a direct assault on our democracy. These alarming events must be thoroughly investigated. In particular, we must determine if any Americans collaborated in these attacks and are legally culpable.

Sadly, the House Intelligence Committee chairman is either unwilling or incapable of conducting a fair investigation. How can Mr. Nunes run this investigation if he is briefing the President before talking with members of his committee? How can he be secretly meeting with so-called sources at the White House?

Madam Speaker, the American people need to know that democracy is intact, and that requires a full, fair, and impartial investigation.

Since December, I have repeatedly called for the Department of Justice to appoint a special counsel. I have also cosponsored legislation to create a bipartisan commission to investigate.

The bottom line is this: Chairman Nunes has lost all credibility. He must recuse himself. We need a real investigation. Appoint a special counsel now.

RECOGNIZING NATIONAL FROZEN FOOD MONTH

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

Mr. NEWHOUSE. Madam Speaker, I rise to recognize March as National Frozen Food Month.

In my district, growers count on our food processors to ensure that their agricultural products make it from farms to kitchen tables. Jobs in agriculture depend on the ability to transport our products to buyers across and around the world. In my district, there are over 6,000 jobs in the frozen food industry, ensuring that families across the U.S. can enjoy Washington’s agricultural products.

As a farmer and a former State director of agriculture, I understand how important frozen foods are to enable timely delivery and freshness, despite seasonal changes. Freezing reduces food waste and increases safety and affordability. Freezing also allows Americans to have access to a diverse array of food products they enjoy every day.

Join me in celebrating National Frozen Food Month and all those who work to ensure that the U.S. has the safest, most reliable, and most affordable food supply in the world.

ENDING GLOBAL HUNGER WITH RISE AGAINST HUNGER

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

Mr. MCGOVERN. Madam Speaker, Rise Against Hunger, under the leadership of Rod Brooks, is a charitable organization committed to ending global hunger by 2030. They partner with other charities, faith-based organizations, and corporations to host meal-packaging events across the country where volunteers assemble nutritious meals that are sent to over 40 countries.

On Tuesday, I had the opportunity to participate in a Rise Against Hunger meal-packaging event sponsored by The Kraft Heinz Company. I joined 100 volunteers to package 7,500 meals that will reach hungry families across the globe.

Last year alone, Rise Against Hunger engaged over 387,000 volunteers at over 3,000 events nationwide to assemble over 65 million meals that reached nearly 1.1 million hungry people. I applaud Kraft Heinz and its CEO, Bernardo Hees, for their commitment to packing 1 billion meals over the next 5 years. I appreciate all that Rise Against Hunger does to address chronic malnutrition and alleviate poverty worldwide.

Working together, we can end hunger now.

RUSSIA’S INTERFERENCE IN OUR DEMOCRATIC PROCESS

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

Mr. CARBAJAL. Madam Speaker, I rise today because the American people have the right to know the truth regarding Russia’s interference in our democratic process.

I am a member of the House Armed Services Committee, and the message I hear from our military leaders is consistent: Russia is a top threat to the United States and our interests.

Russia has not only used its military to destabilize regions around the world, but it has completely undermined and disrupted the democratic values of this country.

This is unacceptable. And yet my colleagues from the other side of the aisle refuse to do their job as an oversight body and establish a bipartisan, independent commission to investigate Russia’s egregious behavior.

We have a responsibility to be transparent with the American people. I strongly urge my Republican colleagues to not only immediately establish an independent investigation into Russia’s interference in our election, but I also call for the release of President Trump’s tax returns.

America’s security and values are on the line. Any treacherous and unlawful relations with Russia cannot be tolerated.

EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2017

Mr. LUCAS. Madam Speaker, pursuant to House Resolution 233, I call up the bill (H.R. 1431) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 233, the bill is considered read.

The text of the bill is as follows: H.R. 1431

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

SECTION 1. SHORT TITLE.
This Act may be cited as the “EPA Science Advisory Board Reform Act of 2017”.

SEC. 2. SCIENCE ADVISORY BOARD.
(a) Independent Advice—Section 8(a) of the Environmental Research, Development, and Demonstration Authorization Act of 1978
(42 U.S.C. 4365(a)) is amended by inserting "independently" after "Advisory Board which shall".

(b) MEMBERSHIP.—Section 8(b) of the Environ-
mental Protection Agency, Development, and the
onstraction Authorization Act of 1978 (42 U.S.C. 4365(b)) is amended to read as follows:

"(b)(1) The Board shall be composed of at least five members who shall be designated Chairman, and shall meet at such times and places as may be designated by the Chairman.

"(2) Each member of the Board shall be qualified by education, training, and experi-
ence to evaluate scientific and technical in-
formation on matters referred to the Board un-
der this section. The Administrator shall ensure that

"(A) the scientific and technical points of view represented on and the functions to be per-
formed by the Board are fairly balanced among the members of the Board;

"(B) at least ten percent of the member-
ship of the Board are from State, local, or tribal governments;

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

"(D) in the case of a Board advisory activity on a particular matter involving, or for which the Board has evidence that it may in-
volve, a specific party, no Board member having an interest in the specific party shall participate in that activity;

"(E) Board members may not participate in advisory activities that directly or indi-
rectly involve review or evaluation of their own work, unless fully disclosed to the pub-
lic and the work has been externally peer-re-
viewed;

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

"(G) no registered lobbyist is appointed to the Board; and

"(H) a Board member shall have no current grants or contracts from the Environmental Protec-
tion Agency, Development, the Interior, and Health and Human Services;

"(c) Solicit nominations from relevant Federal agencies, including the Departments of Agriculture, Defense, Energy, the Interior, and Health and Human Services;

"(d) Solicit nominations from—

"(i) institutions of higher education (as de-

"(ii) scientific and research institutions based in the United States, and relevant to the Board; and

"(iii) make public the list of nominees, includ-

"(iv) require that, upon their provisional nomination, nominees shall file a written re-
port disclosing financial relationships and interests, including Environmental Protec-
tion Agency grants, contracts, cooperative agreements, or other financial assistance, that are relevant to the Board’s advisory ac-

"(v) five-year period prior to the date of their nomination, and relevant pro-
essional activities and public statements for the five-year period prior to the date of their nomination;

"(vi) make such reports public, with the ex-
ception of specific dollar amounts, for each

"(vii) the five-year period prior to the date of their nomination, and relevant pro-
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essional activities and public statements for the five-year period prior to the date of their nomination;
Mr. PETERSON for, yet again, working—helping, I should say—to make this bill a bipartisan effort. I appreciate his willingness to sponsor this bill with me.

I had the opportunity to speak in favor of this legislation when it passed this House with bipartisan support in the 114th Congress. Now, I come to the floor yet again to urge my colleagues to vote in favor of this important reform. The SAB Reform Act was a good bill then and it is a good bill now. This is a policy that is built on the values we should uphold regardless of which side of the political aisle we are on or who happens to be the President.

H.R. 1431, the Science Advisory Board Reform Act, ensures the best experts are free to undertake a balanced and open review of regulatory science. The Board was established to provide scientific advice to the EPA and Congress, and to review the quality and relevance of science for regulations. But in recent years, shortcomings with the process have arisen. Opportunities for public participation have been limited, potential conflicts of interest have gone unchecked, and the ability of the Board to speak independently has been curtailed.

If the administration undermines the Board’s independence or prevents it from providing advice to Congress, the value of the advice these experts can provide is wasted.

Despite the existing requirement that the EPA’s advisory panels be fairly balanced in terms of point of view representations, the Science, Space, and Technology Committee has identified a number of past problems that have undermined the panel’s credibility and work product. These include a number of advisory members who received money from the EPA. At the very least, this could create the appearance of a conflict of interest.

Some of the panelists have taken public and even political positions on issues they are advising about. For example, the head of the Board’s hydraulic fracking study published an anti-fracking article titled, “Regulate, Baby, Regulate.” Now, this clearly is not an objective viewpoint, and should be publicly disclosed.

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

This bill is both pro-science, and pro-sound science. This bill is founded upon recommendations for reform outlined by the National Academy of Sciences, and the EPA’s Peer Review Handbook. This is the clearest indication that the Board’s balanced, transparent, and independent, all of which will help prevent the SAB from being manipulated by any group.

H.R. 1431 makes sound science the driving force of the Board, no matter who is the chief executive officer of our government.

Perhaps most importantly, this bill seeks to increase public participation that benefits all stakeholders. Currently, valuable opportunities for diverse perspectives are limited. The Federal Government does not have a monopoly on the truth. Ask your constituents back home if they know that. The unique and important expertise that can’t afford to be ignored in a democracy. State, local, tribal, and private sectors have a long history of qualified scientific experts. Their contributions should be taken seriously.

Unfortunately, the history of the SAB shows that private sector representation is often lacking or simply nonexistent. Instead, in the past, EPA has picked the Board, ignoring the knowledge, experience, and contributions of those experts. This bill ensures that qualified experts are not excluded simply due to their affiliation. This will add value and credibility to future Board reviews.

Mr. PETERSON and I recognize the important role science should play in our policies debates. Congress is duty-bound to give the public confidence in science. It restores the independent Science Advisory Board as a defender of scientific integrity.

Madam Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield myself such time as I may consume.

I rise in opposition to H.R. 1431, the EPA Science Advisory Board Reform Act of 2017. Like the bill we considered yesterday, the so-called HONEST Act, H.R. 1431 is designed to harm the Environmental Protection Agency’s ability to use science to make informed decisions.

The bill before us today claims to reform the EPA’s Science Advisory Board. And let’s talk about what these reforms would mean.

First, the bill establishes a series of roadblocks to keep independent academic scientists from serving on the Board. It accomplishes this by turning the term “conflict of interest” on its head by excluding scientists who have done the most relevant research on the topic being considered by the Board. The bill also prohibits Science Advisory Board members from obtaining extramural research grants for 3 years after their service on the Board, which would be a major disincentive for scientists to serve.

At the same time that this bill makes it much more difficult for academic researchers to serve on the Science Advisory Board, the bill also makes it much easier for corporate interests to serve. This is accomplished by gutting actual financial conflict-of-interest restrictions against industry representatives. Under this legislation, those industry representatives would simply have to disclose their financial conflicts, and they could serve on panels directly related to their corporate interests.

Finally, H.R. 1431 imposes exhaustive and duplicative notice-and-comment requirements on the Science Advisory Board. I say these requirements are exhaustive because, in addition to being an open-ended process, the Board would also have to respond to writing to any and all significant comments. In fact, I find it hard to believe that an advisory process created by this bill could ever be completed.

Of course, that is the real purpose of this provision. It is designed to throw sand in the gears of the Science Advisory Board process, and prevent board members from ever rendering their expert advice.

These additions are totally unnecessary. The Science Advisory Board already has statutorily mandated notice-and-comment obligations, and the Federal Advisory Committee Act already applies to their activities.

So if this bill passes, what would happen?

As an example, I will turn to a case study from the early 1990s. At that time, the EPA was forming a Scientific Advisory Panel to review evidence of harm from secondhand tobacco smoke. Thanks to internal tobacco industry documents that have gone public, we now know that Big Tobacco made a concerted effort to stack the Scientific Advisory Panel with tobacco industry hacks.

We take it for granted now that tobacco smoke is dangerous, but at that time, in the early nineties, Big Tobacco had succeeded in muddying the scientific waters around this issue by investing tens of millions of dollars in a coordinated attempt to defraud the American people.

If H.R. 1431 had been in effect back then, Big Tobacco likely would have succeeded in co-opting the Science Advisory Board.

What would the effects have been on public health to have had the EPA’s science review body controlled by tobacco interests?

That is why a number of public health and environmental interest groups have come together to support H.R. 1431. In a letter penned by the American Lung Association, the American Public Health Association, and several other health groups, the effects of H.R. 1431 are summed up like this:

“The short, EPA’s Science Advisory Board Reform Act would limit the voice of scientists, restrict the ability of the Board to respond to important questions, and increase the influence of industry in shaping EPA policy. This is not the best interest of the American public.”

I couldn’t agree more. I strongly urge Members to oppose this misguided bill. Madam Speaker, I reserve the balance of my time.

Mr. LUCAS. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SMITH), the chairman of the Science, Space, and Technology Committee, a fellow who has worked very diligently on the committee for many years.

Mr. SMITH of Texas. Madam Speaker, I yield you the balance of my time.
from Oklahoma, Mr. LUCAS, the vice chairman of the Science, Space, and Technology Committee for yielding to me, and I would also like to thank him for his leadership on H.R. 1431, the Environmental Protection Agency Science Advisory Board Reform Act of 2017.

This bill gives much needed transparency, fairness, and balance to the EPA's Science Advisory Board. These reforms will strengthen the public's trust in the science the EPA uses to support its regulations. It also allows more public participation in the EPA science review process, and it requires the SAB to be more responsive to the public and to congressional questions, inquiries, and oversight.

Last Congress, similar legislation passed the House with bipartisan support. I appreciate Mr. LUCAS and the ranking member of the Agriculture Committee, Representative PETERSON, for introducing this legislation.

Madam Speaker, I support this bill, and I recommend it to my colleagues.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Madam Speaker, I rise today in strong opposition to H.R. 1431, the EPA Science Advisory Board Reform Act.

Madam Speaker, H.R. 1431 is a blatantly attempt to cripple the important mission of the EPA by stacking the EPA Science Advisory Board with industry insiders.

When Congress established the Science Advisory Board in 1978 to review the scientific data that informs the EPA's regulatory process, they did that with the requirement that the Board be balanced with representatives from industry and academia. The legislation we are considering today would skew that balance in favor of industry, with the intent of slowing down the EPA's regulatory process.

With a significant respect for the vice chair from Oklahoma, it makes no sense to suggest that the representatives of regulated corporate interests, however expert, can be credibly described as "defenders of scientific integrity."

I am particularly concerned about the double standard mandated by this bill. On the one hand, the bill makes it easier for representatives to serve on the Board by only requiring that they disclose their conflicts of interest. There is no recusal requirement for industry insiders, no matter how deep their financial ties may go or how much their industry is regulated by the EPA. On the other hand, the same scientists and researchers who received EPA research grants or contracts are automatically disqualified from service. Any scientists or researcher would be precluded from accepting an EPA contract for 3 years after their service.

So the scientists who spent their whole career becoming the world's top experts on a given topic must choose between advising our public health or continuing their research. They can bring their knowledge to the EPA and give up that work or continue.

Why oh why would we make it more difficult for the scientists and academic experts to participate in the Science Advisory Board while at the same time making it easier for industry experts to participate? Why would we want less science on the Science Advisory Board?

This proposal does nothing to advance science or protect public health. Instead, it creates senseless hurdles, burdensome red tape for the Science Advisory Board, and makes it more difficult to achieve its mission. We need to let scientists and researchers do their jobs by opposing this legislation.

Mr. LUCAS. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. HIGGINS), a member of the Subcommittee on the Committee on Science, Space, and Technology.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of H.R. 1431, the EPA Science Advisory Board Reform Act, of which I am an original cosponsor.

This bill intends not to deny science, but to deny manipulated science. This is a commonsense, good-government piece of legislation that will discourage ideologically based decisions by the Science Advisory Board and set it back on a path of making objective, science-based conclusions as originally intended by Congress and researchers.

Further, this bill would promote accountability within SAB, while also strengthening public participation, ensuring that there is a diverse makeup on its various boards and panels, reinforcing a strong system of peer-review requirements that is key toward reducing conflicts of interest, providing ample opportunity for dissenting views by panelists, and, most importantly, requiring conclusions and reasons be made available to the public.

Mr. Speaker, this is a crucial piece of legislation. The rules and regulations coming out of the Environmental Protection Agency have real-world implications on families in my State of Louisiana and, indeed, across the Nation.

This bill allows the EPA to set forth ideological, biased, and nonscience-based rules and regulations. The standards set forth by this bill promote the use of good science and a strong and open system of transparency and peer review.

I urge all my colleagues to vote "yes" on H.R. 1431.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 4 minutes to the gentlewoman from Massachusetts (Ms. TSONGAS). Mr. Speaker, since doing so now, though my motivation is less heartening. As a mother of two precocious young kids, I have little time to do much beyond the essentials of daily living, much less writing a letter, so I have one is written out of a feeling of necessity.

She went on to say:

Environmental pollution is real and in our backyards. It contaminates our air, our water, and our land. Cleanup of these pollutants is extremely difficult, if not impossible, and the implications for our health are astounding.

Instead of promoting sound science, this legislation would weaken the scientific expertise of the EPA's Science Advisory Board, the independent body that reviews scientific and technical information used in EPA decisionmaking and provides scientific advice to the EPA Administrator.

If Congress really wants to promote sound science, I would urge consideration of the Scientific Integrity Act, legislation that I introduced along with Ranking Member Eppie BERNICE JOHNSON of Texas and Representatives LOWENTHAL and TONKO. Our bill will protect scientific research at Federal agencies from political interference and special interests. This legislation currently has 93 cosponsors, and it deserves debate in this House.

The majority is trying to claim that the legislation before us today helps us achieve goals similar to those of the Scientific Integrity Act, but my constituents and millions of others around the country who support independent, unbiased, science-based decisionmaking at the EPA, which is essential to protecting public health, clean water, and combating climate change.

I urge my colleagues to vote "no" on H.R. 1431.

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

I include in the Record the following letter from a letter of support from the Chamber of Commerce of the United States, a letter of support from the American Chemistry Council, a letter...
of support from the National Cotton Council of America, another letter of support from the Chamber of Commerce of the United States, a letter of support from the Independent Petroleum Association of America, a letter of support from the U.S. Chamber of Commerce, a letter of support from the carbon sequestration coalition, and a letter of support from the Cato Institute.


TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce supports the “Honest and Open New EPA Science Treatment (HONEST) Act of 2017” and the “EPA Science Advisory Board Reform Act of 2017.” These bills would improve the transparency and reliability of scientific and technical information that Federal agencies rely heavily upon to support new regulatory actions.

The HONEST Act is designed to ensure that the studies and data Federal agencies cite when they write new regulations, standards, guidance, assessments of risk—or take other regulatory action—are clearly identified and available for public review. Additionally, information must be sufficiently transparent to allow study findings to be reproduced and validated. This is a critical safeguard to assure the public that the data Federal agencies rely on is scientifically sound, unbiased, and reliable.

The EPA Science Advisory Board Reform Act of 2017 would help ensure that the Science Advisory Board (SAB), which directly counsels the U.S. Environmental Protection Agency (EPA) on key scientific and technical issues, is unbiased and transparent in performing its duties. The bill would establish requirements that SAB members are qualified experts, that conflicts of interest and sources of bias are disclosed, that the views of members—including dissenting members—are available to the public, and that the public has the opportunity to participate in the advisory activities of the Board and view EPA’s responses. Because EPA relies on SAB reviews and studies to support new regulations, standards, guidance, assessments of risk, and other actions, the actions of the SAB must be transparent and accountable. This is a critical safeguard to assure the public that the data Federal agencies rely on is scientifically sound, unbiased, and reliable.

The HONEST Act and the EPA Science Advisory Board Reform Act of 2017 would improve the transparency and trustworthiness of scientific and technical reviews and information that Federal agencies are required to justify regulatory actions that can significantly affect society. The American public must have confidence that the scientific and technical data driving regulatory action can be trusted. Accordingly, the Chamber supports these important bills.

Sincerely,

NEIL L. BRADLEY,
Senior Vice President & Chief Policy Officer, Government Affairs.


Hon. Frank Lucas,
Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR CHAIRMAN LUCAS: On behalf of the American Chemistry Council (ACC), we want to thank you for introducing H.R. 1431 “EPA Science Advisory Board Reform Act of 2017,” to help improve the science employed by the U.S. Environmental Protection Agency (EPA) in the Agency’s regulatory decision making processes.

The proposed legislation would increase the transparency and public confidence in the EPA’s peer review panels.

The Science Advisory Board Reform Act would improve the peer review process—a critical component of the scientific process used by EPA in their regulatory decisions—of protecting public health or the environment. The Act would make peer reviewers accountable for responding to public comment, whether or not they address conflicts of interest, and ensure engagement of a wide range of perspectives of qualified scientific experts in EPA’s scientific peer review panels which increase transparency in peer review reports.

We commend you for your leadership and commitment to advance this important issue. We look forward to working with you and other cosponsors for quick passage of H.R. 1431.

Sincerely,

CAL DOOLEY,
President and CEO.


Hon. Lamar Smith,
Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: On behalf of the National Cotton Council, thank you and your committee for the work on the EPA Science Advisory Board Reform Act of 2017. We believe these two bills—H.R. 1430 the Science Advisory Board Reform Act of 2017—HONEST Act (H.R. 1430). We support both of these critically important bills in an effort to return sound science and transparency to the regulatory process that affects our members and all of agriculture.

The National Cotton Council, representing the cotton industry, is committed to supporting actions that ensure that the cotton fiber, cottonseed products, cottonseed meal, and cottonseed oil that are grown and harvested in the United States are produced in a sustainable manner. Cotton producers cultivate between 9 and 12 million acres of cotton with production averaging 12 to 18 million 480-lb bales annually.

We look forward to working with you and your committee for the work on the EPA Science Advisory Board Reform Act of 2017. We believe these two bills—H.R. 1430 the Science Advisory Board Reform Act of 2017—HONEST Act (H.R. 1430). We support both of these critically important bills in an effort to return sound science and transparency to the regulatory process that affects our members and all of agriculture.

Sincerely,

NEIL L. BRADLEY,
Senior Vice President & Chief Policy Officer, Government Affairs.

March 8, 2017.

Hon. Lamar Smith,
Chairman, Committee on Science, Space and Technology, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: The American Exploration & Production Council ("AXPC")
and the Independent Petroleum Association of America strongly support the enactment of both the EPA Science Advisory Board Reform Act and the Honest and Open New EPA Science Advisory Board Reform Act. These pieces of legislation are much needed and are most helpful to you and your committee for your efforts in respect of the important objectives set forth in each of these pieces of proposed legislation.

AXPC is a national trade association representing 33 of America's largest and most active independent oil and natural gas and crude oil exploration and production companies, each with considerable experience drilling, operating, and producing oil and natural gas on federal lands. Our members are independent: in that their operations are limited to exploration for and production of oil and natural gas sector. Moreover, its members operate autonomously, unlike their fully integrated counterparts, which operate in additional segments of the energy business, such as downstream refining and marketing. AXPC members are leaders in developing and applying innovative and advanced technologies necessary to explore for and produce oil and natural gas, both offshore and onshore, from non-conventional sources.

IPAA represents the thousands of independent oil and natural gas explorers and producers who would work with the service and supply industries that support their efforts, that will most directly be impacted by the U.S. Environmental Protection Agency (EPA) policy decisions to regulate methane directly from the oil and natural gas sector. Independent producers develop about 95 percent of American oil and natural gas wells, produce 54 percent of American oil, and produce 85 percent of American natural gas. Historically, independent producers have invested a large portion of their cash flow back into America oil and natural gas development to find and produce more American energy. IPAA is dedicated to ensuring a strong domestic oil and natural gas industry, recognizing that an adequate and secure supply of energy is essential to the national economy.

The EPA's Science Advisory Board is a critical link in the EPA's policy making process and must, therefore, be unbiased and motivated only to seek the best possible policy results. It needs to be the best possible, publicly available, verifiable data. Moreover, open, public debate must be encouraged, not discouraged. The goal is that all be to get the best possible result, which is why the EPA Science Advisory Board Reform Act should be enacted.

Science used to support or as a basis for regulations or other policies should be based on publicly available scientific and technical data so as to allow for and even encourage independent fact finding and analysis. Transparency is critical to this process. The Honest and Open New EPA Science Advisory Board Reform Act would accomplish this result.

AXPC and IPAA urge passage of both of these critical pieces of legislation and stand ready to assist in any way you believe we might be useful to you in this regard.

Should you have any questions or require additional information contact AXPC or IPAA. Thank you for your good work on these important issues.

Very truly yours,

V. BRUCE THOMPSON, Chairman, AXPC.
LEE O. FULLER, Executive Vice President, IPAA.


DEAR Representative LAMAR SMITH and the COMMITTEE: The CO2 Coalition supports the purpose and principles of the “Honest and Open New EPA Science Treatment Act of 2017” and the “EPA Science Advisory Board Reform Act of 2017.” We would, in fact, support such principles applied on a government-wide basis.

The scientific method demands that the results of scientific studies be capable of replication. While up to individual scientists, journals and the larger scientific community as to how the replication requirement is satisfied, when it comes to regulations used to set public policy, there can be no doubt that the relevant methods and data must be publicly available for purposes of replication.

We therefore support the federal government obtaining independent science advice from outside advisors, it goes without saying that advisors are not only independently influenced by members hoping to curry government favor or to advance personal agendas. Panels should be truly independent and unbiased. Clear and enforceable standards will help meet this goal.

Sincerely,

WILLIAM HAPPER, President, CO2 Coalition.


DEAR CONGRESSMAN SMITH: Recently, Committee staff sent me copies of two draft pieces of legislation, the “HONEST Act” and the “EPA Science Advisory Board Reform Act of 2017.” The Cato Institute interprets its tax exempt status as precluding any specific support of adoption (or recommendation of rejection) for pending legislation. However, I can comment on substantive aspects of such legislation.

The HONEST Act would require that regulations promulgated by EPA be backed by reproducible and transparent science. In the arena of climate change, this will surely provoke a timely inquiry as to whether the climate models that are used to calculate the Social Cost of Carbon, and the justification of subsequent regulations, are indeed “science”. I would argue that they are not.

A climate model is merely a complicated mathematical statement of multiple hypotheses. These include a prediction of a general warming of surface temperatures, and a general warming of the troposphere. All subsequent changes in weather regimes—such as rainfall, winter snows, and Atlantic hurricanes derive from the warming and its distribution.

As such, a reasonable test of hypothesis would be to examine the performance of these models as carbon dioxide has accumulated in the atmosphere, and during the period in which we have multiple, independent measures of bulk atmospheric global temperatures, which would be from 1979 to the present. As I noted in my February 29 testimony, there is a clear systematic failure of these models, with the central estimate of warming generally twice as large as what is being observed, especially in the troposphere, and as much as seven times larger than what is being observed in the tropical upper troposphere.

This, and other recent refereed publications are finally beginning to detail the subjective fashion by which the equilibrium climate sensitivity is arrived at, and during the period in which these models do not constitute science in the classical sense. It would be more appropriate to call the field “climate studies”. I implore my colleagues, we need to work in the perspective of what is in the long-term interest and that long-term interest is providing scientific review at the SAB that our fellow citizens have confidence in and that will generate good rules and regulations which we have to live with.

Following this course of action advocated in H.R. 1311 will not make my most conservative constituents happy because they want to duplicate what they believe have been generated by this in recent years cause of a lack of verifiable science associated with the work product, if any. They hope that the work product, if any, will judge their studies? What is wrong with the people who have done the studies who take money to do the studies for the side in these perspectives to force the will upon the country. Our responsibility with the SAB is to create a climate which has confidence in the results and where, when appropriate, the end resulting regulations, rules that come from it, will be in the best long-term interest of the Nation and the people. We have recently had a change of administration. We have a change of direction in the leadership of the EPA. That will be reflected in all the appointments and the actions of the EPA.

I implore my colleagues, we need to work in the perspective of what is in the long-term interest; and that long-term interest is providing scientific review at the SAB that our fellow citizens have confidence in and that will generate good rules and regulations which we have to live with.

I know there are requirements in here that, if you have taken money as a scientist to do a research project from the EPA, you have to cool off for 3 years. But what is wrong with allowing a little separation between the people who take money to do the studies and then become the judges of other studies in the knowledge that perhaps the people who have done the studies will judge their studies? What is wrong with letting us be a little independent.

And the public disclosure about allowing people with knowledge and expertise to participate, too, if they have
a conflict through these disclosures, we will know. I would hope that whoever leads the EPA on whatever day would act in a responsible fashion.

I just want, through this bill, to change the system so that the perception of the advisory board scientists and the public of their influence of interest is limited. I think it is a challenging time, but think about that as we continue this well-meaning, good-spirited, very focused debate.

I reserve the balance of my time.

Mr. SMITH. I am going to be very brief.

Ms. KATIE HUFFLING, RN, CNM, Director, Alliance of Nurses for Healthy Environments. Mr. Speaker, I include in the RECORD correspondence in opposition to this bill: a letter from the American Lung Association, the Alliance of Nurses for Healthy Environments, Asthma and Allergy Foundation of America, the American Public Health Association, the National Medical Association, the Health Care Without Harm Association, the Physicians for Social Responsibility, and the American Thoracic Society; along with a letter from the Clean Water Action, Environmental Defense, the League of Conservation Voters, and Natural Resources Defense Council; as well as a letter from the League of Conservation Voters.

DEAR REPRESENTATIVE: The undersigned health and medical organizations are writing to express our opposition to the EPA Science Advisory Board Reform Act of 2017 and the Honest and Open New EPA Science Reform Act of 2017. Our organizations are dedicated to saving lives and improving public health. Science is the bedrock of sound medical and public health decision-making. The best science undergirds everything our organizations do to improve health. Under the Clean Air Act, EPA has long implemented a transparent and open process for seeking advice from the medical and scientific community on standards and measures to meet those standards. Both of these bills would restrict the input of scientific experts in the review of complex issues and add undue industry influence into EPA’s decision-making process.

As written, the EPA Science Advisory Board Reform Act would make unneeded and unproductive changes that would:

- Undermine the ability of independent scientists to speak on issues that include their own expertise;
- Block scientists who receive any EPA grants from serving on the EPA Scientific Advisory Board, despite their having the expertise and conducted relevant research that earned them these highly competitive grants;
- Prevent the EPA Scientific Advisory Board from making policy recommendations, even though EPA administrators have regularly sought their advice in the past;
- Add a notice and comment component to all parts of the EPA Scientific Advisory Board actions, a burdensome and unnecessary requirement since their reviews of major issues already include public notice and comment; and
- Reallocate membership requirements to increase the influence of industry representatives on the scientific advisory panels.

In short, EPA Science Advisory Board Reform Act would limit the kinds of scientific data EPA can use as it develops policy to protect the American public from environmental exposures and permit violations of patient confidentiality. If enacted, the legislation would:

- Allow the EPA administrator to release confidential patient information to third parties, including industry;
- Block industry’s flawed arguments to discredit research that documents the adverse health effects of environmental pollution; and
- Impose new standards for the publication and distribution of scientific research that go beyond the existing requirements of many scientific journals.

Science, developed by the respected men and women scientists and universities across the United States, has always been the foundation of the nation’s environmental policy. EPA’s science-based decision-making process has led to dramatic improvements in the quality of the air we breathe, the water we drink and the earth we share. All Americans have benefited from the research-based scientific advice that scientists have provided to EPA.

Congress should adopt policy that fortifies our scientific advisory panels with the best, most independent scientists on its premises to eliminate or limit financial considerations for industry scientists while imposing unprecedented and unnecessary limitations on government-funded scientific advisory committees.

Disclosure does not eliminate the problems that can occur when someone with a conflict influences policy guidance.

Policies and practices to identify and eliminate conflicts are in place, and the public, and Congress should ensure their scientific advice is credible and independent.

Moreover, EPA already grants exemptions as needed to allow scientists to participate if their expertise is required despite their potential conflicts.

We strongly urge you to oppose these bills.

Sincerely,

KATIE HUFFLING, RN, CNM, Director, Alliance of Nurses for Healthy Environments.

DEAR CHAIRMAN SMITH AND RANKING MEMBER SMITH:

The undersigned organizations are writing to express our opposition to the EPA Science Advisory Board Reform Act of 2017 (H.R. 1431), the bill, which would amend the Environmental Research, Development, and Demonstration Authorization Act of 1978, would hinder the ability of the Environmental Protection Agency’s Science Advisory Board (EPA SAB) to reach independent, objective conclusions that can form the basis of policy. While the bill is not identical to previous versions of this legislation, the bill would still weaken long-standing interest considerations for industry scientists while imposing unprecedented and unnecessary limitations on government-funded scientific advisory committees.

This is not in the best interest of the American public.

We also have concerns with the HONEST Act. This legislation would limit the kinds of scientific data EPA can use as it develops policy to protect the American public from environmental exposures and permit violations of patient confidentiality. If enacted, the legislation would:

- Allow the EPA administrator to release confidential patient information to third parties, including industry;

We strongly urge you to oppose these bills.

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We strongly urge you to oppose these bills.

Sincerely,

KATIE HUFFLING, RN, CNM, Director, Alliance of Nurses for Healthy Environments.
would provide an expanded platform for the new industry-stacked panels envisioned by this bill to challenge proposed actions by EPA, including hazard and risk assessments.

P.75, subsection a Section 8(h)(4) in the underlying Act, ensures endless delay, burden and red tape under the guise of "transparency." This provision would give industry unlimited time to present its arguments to the SAB. Industry representatives already dominate proceedings because of their greater number and resources. In addition, the requirement for the SAB to respond in writing to "significant" public comments is vague (e.g., who defines what is "significant," and how). This would slow down the SAB with needless and burdensome process. It also misconstrues the nature of both the SAB's role and the role of public comment in the SAB process. The role of the SAB is to provide its expert advice to the Agency. The role of the public comments during this phase is to provide informative input to the SAB as it deliberates, but the final product of the SAB deliberation is advice from the panel members, not an agency proposal or decision that requires response to public comment. Members of the public, including stakeholders, have multiple opportunities to provide input directly to the agency.

In short, the "EPA Science Advisory Board Reform Act of 2017" would alter the nature of the SAB, which has been largely successful in providing the EPA expert review of key scientific and technical questions and would empower industry to restrict the Board's scientific review process in the review of scientific materials. It would also pile new and burdensome requirements on the Board while hamstringing its scientific review and effectiveness. The result would be to further stall and undermine important public health, safety and environmental measures.

I urge you to abandon plans to advance this bill. I would be happy to discuss our concerns with you further.

Sincerely,

CLEAN WATER ACTION.

April 4, 2017

Ms. SCHAKOWSKY. I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, less science, more pollution—that is, unbelievably, the Republican plan.

I want to just refer to what my colleague said. This is not long-ball time. This is emergency time where we have to deal with a worldwide environmental crisis, and this bill is just the latest attack on clean air and clean water. And as the threat of climate change becomes increasingly clear, Republicans are trying to reverse the progress that we have made to address this global challenge.

President Trump proposed gutting the Environmental Protection Agency, and this week he signed an executive order to ignore the effects of climate change, increase drilling on Federal lands, and undo efforts to promote renewable energy.

Meanwhile, Republicans in Congress have voted to block environmental protections for public health and safety. They have replaced the Obama Administration's Clean Power Plan with, essentially, a dirty power plan that will destroy our air and contaminate our water and put our children and our grandchildren at risk. Those actions further confirm Republicans' position on the wasting of history.

It is time for America to lead, not to ignore reality. We should be investing in clean, job-producing energy. We should be at the forefront of the fight against climate change. My constituents and most Americans expect to drink clean water and breathe fresh air. They want to protect our planet for future generations. Republicans, today, have it backward. We need more science and less pollution.

I urge my colleagues to oppose the bill and reject those attacks on our environment.

Mr. LUCAS. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. SCHWEIKERT), the former chairman of the Science, Space, and Technology's Subcommittee on Environment.

Mr. SCHWEIKERT. Mr. Speaker, have you ever had that deja vu all over again? Haven't we been doing this one since, what, 2013, 2014?

I accept I have been off the committee now for 4 years; yet we are talking past each other. I hear the gentleman and some of the others say things. It is a 12-page bill. It hasn't changed that much in the last couple Congresses.

How many of us would like to go back to an inspector general report that basically suggested going this direction because of the conflicts in these advisory committees?

Chairman of the Science, Space, and Technology's Subcommittee on Environment, then you really care about the environment, then you really care about the data and the information and sort of the ethics and honesty of those who are both reviewing the data and giving you advice.

So what happens when the inspector general of the EPA hands you a report and says: These committees, these advisory councils are rife with conflicts? People who are on these advisory boards are making money.

Now, accept much of what we do here in Washington, D.C., if not almost all of it, is about the cash, and it is one of the secret places where all the secrets are kept, but we all pretend. It is always about the money.

Let's try something novel. Let's actually—this was an inspector general's report, under the Obama administration. Why wouldn't we step up and respect it? It was very simple.

Hey, we need some more diversity on these advisory boards. And wouldn't it be wonderful if we had people advising us on air quality policy in non-attainment areas, or in regional interests that also weren't selling products, selling reports, making money off data with the EPA?

I mean, if it was reversed, if it was something other agency, if this same set of ethical lapses was reversed, I believe the left would be apoplectic. But the fact of the matter is that so many of these individual organizations that are represented on these advisory boards, they are making millions for the EPA, even though they are advising in their own behalf, happen to be friends of the left. That makes it okay.

The ethical standards are the ethical standards. I have no concept how the least bit can oppose the concept of structured diversity.

Why shouldn't those of us from the Southwest, where substantial portions
of my State are Native American, have a voice? Why should we allow people on these advisory committees who, once again, are selling products, selling data, making a living, making money, one step away from the very work they are advising on?

It is a 12-page bill. It is not that complicated. I will make the argument that it makes our air, our water, the things around us safer, better, healthier, and it makes the way we get there sounder and more ethical, and we remove conflicts that right now taint the very decisions that are coming out of these advisory boards.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Let me thank the other side for their vigorous defense of this bill.

I must say that I am a nurse by profession, and I appreciate the gains we have made for using scientific data to determine what is unhealthy for the people and what does disturb me to see these protections being torn apart.

It is really unfortunate that we have spent so much time putting these protections of the people in place to see that, in this administration, they will probably be torn down. Only the people of this Nation will be the losers, with more healthcare costs when they don’t even want health care; more people not able to get out of dirty areas.

I live in the State of Texas where we have seen the movement of all of the lack of these protections before they came about. Scientists are in science because they believe in the theories that put forth the procedures for us to follow for the safety and protection of human beings.

I regret that we are at a point this time in history where we are willing to throw all that away because of allowing the polluting companies to have more to say about policy. I regret that I have stood and against my colleagues that feel so strongly about getting rid of these protections, but I cannot sit idly by without saying that our Nation will not be in better shape when we take away all the protections for the people and their health.

Everybody wants clean air and clean food and protections from the damage that a bad environment brings, and all this is taking away those protections.

I ask everyone to vote “no” on this bill.

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

Mr. LUCAS. Mr. Speaker, I include in the RECORD the second set of letters which I referred to earlier.


Hon. LAMAR SMITH, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: On behalf of the 140,000 members of the National Association of Home Builders (NAHB), I am writing to express NAHB’s strong support for the Honest and Open New EPA Science Treatment Act of 2017 and the EPA Science Advisory Board Reform Act of 2017. These bills would ensure an open and honest scientific process by allowing the public access to the science that underpins regulations developed by Environmental Protection Agency (EPA) and ensuring that scientists advising the EPA on regulatory decisions are not the same scientists receiving EPA grants.

It is important for the EPA to use sound science in order to support their rulemakings. Far too often, the EPA relies on a science that lacks transparency and reliabilty to buttress their rulemakings. This is a consequence of the EPA conducting their scientific review of rulemakings behind closed doors. The EPA frequently ignores scientific integrity by limiting public participation, excluding state and private sector expertise, and pushing a specific agenda by appointing scientists who are biased.

In some cases, scientists that have been appointed to review proposed regulations have received EPA grants which the EPA disregards as a conflict of interest.

The EPA should not be able to create costly regulations without being transparent, fair and open to public input when considering the science behind a rulemaking. However, the EPA has sacrificed the integrity of the rulemaking process by using biased science. It is important to address these shortcomings so that future rules can be transparent and honest.

For these reasons, NAHB urges the House Science, Space and Technology Committee to support the Honest and Open New EPA Science Treatment Act of 2017 and the EPA Science Advisory Board Reform Act of 2017, in order to bring transparency and integrity to the regulatory process.

Thank you for giving consideration to our views.

Sincerely,

JAMES W. TOBIN III, Executive Vice President & Chief Lobbyist, Government Affairs and Communications Group.


Hon. FRANK LUCAS, House of Representatives, Washington, DC.

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

DEAR CHAIRMAN SMITH AND REPRESENTATIVE LUCAS: On behalf of the Small Business & Entrepreneurship Council (SBE Council) and its more than 100,000 members nationwide, I am pleased to voice our strong support for the Honest and Open New EPA Science Advisory Board Reform Act of 2017.

This important legislation reforms the Environmental Protection Agency’s (EPA’s) Science Advisory Board (SAB) and its subpanels by strengthening public participation, improving the process for selecting expert advisors, expanding transparency requirements by board members, opening the board’s research to public review, and limiting nonscientific policy advice. The reforms proposed to the legislation are especially critical given the growing impact of EPA’s regulations on America’s small business sector, the controversial science used as the basis to develop certain rules, and the need to ensure that sound science is guiding EPA actions.

Balance, independence and transparency are essential to EPA’s scientific advisory process. The bill addresses key concerns with the SAB, such as placing limitations on its members who receive environmental research grants, applying conflict of interest standards, and ensuring balanced representation on the board’s membership.

These reforms are sensible, and by extension EPA’s regulatory process. This bill supports solutions that improve the regulatory system to ensure the voice of small businesses and entrepreneurs is heard and considered, that they operate and compete under rules that are transparent throughout the regulatory process.

The “EPA Science Advisory Board Reform Act of 2017” is an important legislative initiative that brings back transparency and objectivity to the SAB and EPA rulemakings.

Please let SBE Council know how we can further support your efforts to advance this important legislation into law. Thank you for your leadership, and support of America’s small business and entrepreneurial sector.

Sincerely,

KAREN KERRIGAN, President & CEO.

NATIONAL STONE, SAND & GRAVEL ASSOCIATION, Alexandria, VA.

The National Stone Sand and Gravel Association supports both the Honest and Open New Science Treatment Act of 2017 (HONEST Act) and the EPA Science Advisory Board Reform Act of 2017.

Both acts go a long way towards addressing many of the current issues our industry has with Environmental Protection Agency’s rulemaking. It would encourage the House Committee on Science, Space, and Technology to mark up both pieces of legislation.

Our association represents 100,000 jobs across the United States. The regulatory burden on our workforce dramatically impacts our ability to provide cost-effective materials for America’s roads, bridges and ports. Our members pride themselves on their commitment to environmental stewardship and are heavily involved in sustainability and reclamation in their communities.

Federal regulations must balance industry’s voice and environmental and health concerns. Unfortunately, we often see problems in the scientific underpinnings of regulations when agencies select studies that are neither public nor reproducible as the basis of new rules. This practice chips away at the credibility of any regulatory action and makes it difficult for companies to respect the regulatory process. Our members have the right to comment on regulations and it is not reasonable to ask hard working men and women of any industry to trust that an agency has selected good science without if an agency is not being transparent.

Stakeholder input in the regulatory process is required under federal law and valuable for the justification and the implementation of rules.

NSSGA stands ready to work with Congress to ensure that industry, states and the scientific community can work together openly and honestly to create regulations.

Sincerely,

MICHAEL W. JOHNSON, President and CEO, National Stone, Sand & Gravel Association.


Chairman LAMAR SMITH, Ranking Member EDDIE BERNICE JOHNSON, and Ranking Member BERNICE JOHNSON: The Portland Cement Association represents 100,000 jobs across the United States. The regulatory burden on our workforce dramatically impacts our ability to provide cost-effective materials for America’s roads, bridges and ports. Our members pride themselves on their commitment to environmental stewardship and are heavily involved in sustainability and reclamation in their communities.

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JASON LAMAR SMITH AND RANKING MEMBER BERNICE JOHNSON: The Portland Cement Association represents 100,000 jobs across the United States. The regulatory burden on our workforce dramatically impacts our ability to provide cost-effective materials for America’s roads, bridges and ports. Our members pride themselves on their commitment to environmental stewardship and are heavily involved in sustainability and reclamation in their communities.

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Sincerely,

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H2572 CONGRESSIONAL RECORD — HOUSE March 30, 2017
Association (PCA) supports the EPA Science Advisory Board (SAB) Reform Act of 2017 and the Honest and Open New EPA Science Treatment Act (HONEST Act) of 2017. PCA is the research, education, and market intelligence organization serving America’s cement manufacturers. PCA members represent 92 percent of U.S. cement production capacity and have facilities in all 50 states. The Association promotes safety, sustainability, and innovation in all aspects of construction, fosters continuous improvement in cement manufacturing and distribution, and generally promotes economic growth and sound infrastructure investment.

PCAs support these bills because they would improve fairness and transparency in the regulatory process, while promoting use of the best available science. As you know, SAB reform is needed to improve the government’s regulatory process and strengthen the scientific foundation of the U.S. Environmental Protection Agency’s (EPA) regulatory decisions. The SAB Reform Act would improve the Science Advisory Board by ensuring balance among its members and providing better public access to scientific information and data. SAB reform is an important step toward improving EPA’s regulatory process, public access to information, and transparency.

The HONEST Act would similarly improve transparency and access to information. Scientists and agencies studying and rulemaking need a fair chance to evaluate and validate the studies EPA relies on in the rulemaking process. The Honest Act protects the scientific and confidentiality information often covered by confidentiality agreements, while allowing EPA to make critical information available for public comment and access. The Honest Act follows the data access requirements of many scientific journals. This level of transparency and potential for peer review are critical to improving regulatory decisions.

PCAs supports the Committees’ efforts to improve accountability, public access, and better science in the EPA rulemaking process. Please feel free to contact Rachel Derby, PCA’s Vice President of Government Affairs, for further information on this matter.

Sincerely,

A. Todd Johnston, Executive Vice President, Government Affairs.


Hon. Lamar Smith, Chair, House Committee on Science, Space, and Technology, Washington, DC.

Dear Chairman Smith and Ranking Member Johnson: Later this week, the House Science Committee will consider legislation to provide for Scientific Advisory Board (SAB) member qualifications and public participation. The American Farm Bureau strongly supports this legislation and pledges our commitment to work with the committee in pressing for its swift consideration.

This legislation is a priority because it re-forms the SAB process by strengthening public participation, improving the process of selecting expert advisors, and expanding the overall transparency of the SAB. While the SAB should be a critical part of the scientific foundation of the U.S. Environmental Protection Agency’s (EPA) regulatory process, EPA has historically used its authority to silence dissenting scientific experts. Rather than promote fairness, transparency and independence to ensure unbiased scientific advice, EPA has ignored its own Peer Review Handbook and silenced dissenting voices on expert panels.

This legislation seeks to reinforce the SAB process as a tool that can help policymakers with complex issues while preventing EPA from muzzling impartial scientific advice. This bill is needed to provide additional bipartisan support. We applaud your leadership in this effort and will work with you to ensure passage.

Sincerely,

Zippy Duvall, President.

March 9, 2017.

Hon. Lamar Smith,
Chairman, House Science, Space, and Technology Committee, Washington, DC.

Dear Chairman Smith: We are writing to express our strong support for H.R. 1430, the “Honest and Open New EPA Science Treatment Act of 2017” (HONEST Act), and H.R. 1431, the “EPA Science Advisory Board Reform Act of 2017.”

For too long now, the Environmental Protection Agency has used its power to suppress scientific information available for public comment and corrupted its own boards of outside science advisors. This subversion of science and the regulatory process has produced costly, job-killing regulations of dubious-to-no merit to public health and the environment. We welcome these bills in the names of transparency, government, and unbiased and balanced peer review.

Sincerely,

Craig Richardson, President, Energy & Environment Action Team (E&E Action).

Amy Oliver Cooke, Executive Vice President, Independence Institute.

Kathleen Smaa, President, Western Energy Alliance.

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

Mr. Speaker, again, I reiterate to my colleagues that there is a situation where the goal really is not to empower one perspective or one faction over another. The goal, ultimately, of this bill—and, yes, this did come out of the inspector general’s report, the initial work and effort of the bill is to add transparency, accountability. The goal of the bill is to increase the American people’s confidence in the work product that is then used by the EPA to craft the rules and regulations that impact every life in this country on a daily basis.

Whatever your perspective may be, remember, the pendulum in this great Nation, when it comes to the executive branch, in my time, every 8 years, has swung back and forth because at the present moment or the past moment you think you got your perspective’s way, or if perhaps you think with the pendulum swing now you will get your perspective’s way, that is not what the focus should be here. We want to do better, we can enhance the quality of information, we can do it in a way that the American people have more confidence in ultimately what goes on, and we can do it in a way that makes it more difficult for anyone to hijack the process, I say that sincerely.

There is nothing wrong with full disclosure for everyone who can add to the process, who should be available for consideration. There is nothing wrong with the financial community being benefiting from the studies and analyzing someone else’s studies. There is nothing wrong with this.

But if you stay with the status quo, this Board and this Agency are in a financial conflict of interest. Get ready for 8 years of a dramatically different way of doing things.

Now, maybe you are so confident that the pendulum will swing back again that you are willing to accept that. But as for me, I want to stay between the lines. I want to focus in ways that, for the long term, represent the best interests of this great country.

Mr. Speaker, I ask my colleagues to vote for H.R. 1431. I ask my colleagues to think about 10 or 20 years down the road. I ask my colleagues to put the long-term best interests of their constituents first.

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

Mr. Peterson. Mr. Speaker, I am proud to be an original co-sponsor of H.R. 1431, the EPA Science Advisory Board Reform Act of 2017 and urge my colleagues to vote in support.

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

This legislation addresses those concerns and builds on the work done in the 2014 Farm Bill to create an agriculture committee under the Science Advisory Board. This bill is necessary to ensure the EPA takes into account the best information possible with input from independent stakeholders.

H.R. 1431 will ensure a balanced and independent Science Advisory Board and will help alleviate some of the unintended consequences surrounding EPA regulations.

The SPEAKER pro tempore (Mr. Fleischmann). All time for debate has expired.

Pursuant to House Resolution 233, the previous question is ordered on the bill.

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

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

MOTION TO RECOMMIT

Mr. Foster. Mr. Speaker, I have a motion to recommend the bill.

I would also remind my colleagues, in my 23 years, I have served in the minority soon to be for 4½ years. But the other 18½ years, I have served in the majority. I have served in the majority. So when I step up to you and say we can do better, we can enhance the quality of information, we can do it in a way that the American people have more confidence in ultimately what goes on, and we can do it in a way that makes it more difficult for anyone to hijack the process, I say that sincerely.
report the same back to the House forthwith, with the following amendments:

Page 5, line 4, strike “and”.
Page 5, line 9, strike the period and insert “; and”.
Page 5, after line 9, insert the following:
“(1) a Board member, during that member’s term of service on the Board, shall not be employed by any corporate or other entity which has interests before the Board.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois is recognized for 5 minutes in support of his motion.

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

This amendment is a common sense and logical addition to this bill. It will help ensure that members of the EPA’s Science Advisory Board will act in the best interests of the American people and our environment.

I think that we can all agree that, now more than ever, we need integrity in government. And this amendment would prohibit any member of the EPA’s Science Advisory Board from being employed by any entity, corporate or otherwise, which has interests before the Board. This prohibition would be in place during the member’s time on the Board and would extend for 3 years after they leave the Board.

My Republican colleagues have taken this bill with the stated intent of protecting the scientific integrity of the EPA, and this amendment will go a long way to making sure that they keep their word.

The underlying bill also includes a similar prohibition on board members applying for a grant or contract from the EPA during their service or for 3 years following the end of that member’s term of service on the Board and for a period of 3 years following the end of that member’s service on the Board. The underlying bill also includes a provision that prohibits any member of the EPA’s Science Advisory Board from being employed by any entity, corporate or otherwise, which has interests before the Board. This prohibition would be in place during the member’s time on the Board and would extend for 3 years after they leave the Board.

So what this motion to recommit does is something that I think we all should be able to agree is a good thing. We have seen too many people in the President’s Cabinet who appear to have connections too close to the big interests they regulate rather than the interests of the American people.

This amendment would ensure that no one can unduly personally profit from their time at the EPA, and that members represent the interests of the American people and our environment rather than their own self-interests.

Finally, I would like to close by bringing up a more general question of why we seem to be having variations on this repetitive theme of whether or not we can pollute our way out of the structural and economic challenges that our country faces.

Mr. Speaker, you and your party have been very successful at selling yourselves and your supporters on the idea that if we can just, once again, dump unlimited pollutants into our rivers and streams, into our groundwater, into our air, into our bloodstreams and those of our children, then everything will be great again in America.

This week, we saw our President surrounded by earnest and hopeful young coal miners as he gutted environmental regulations and promised them that all their jobs were coming back. And then we have seen interviews on TV with desperate families in Appalachian using up their life savings to pay for frack sand and local jobs that they have been told will be coming back soon that Donald Trump is President.

Then we have seen interviews with coal executives quietly pointing out that those jobs will not come back; that it was machines and fundamental economic forces that took those jobs in coal country.

The story is the same in oil country, where even as oil production has rebounded, the jobs and wages have not come back because of automation, the same way that machines took the jobs in rural America, manufacturing America, and increasingly middle class, white-collar America.

So until we realize that we are all in this together and that a fundamental restructuring of our economy is needed rather than a mindless retraction of the guard of environmental quality on the land that we will pass on to our children, then I am afraid that we are destined to repeat this infinite loop of marginally productive debate. I urge my colleagues to vote “yes” on this motion to recommit.

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

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

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

The motion was adopted; and the bill was ordered reported back to the House with certain perspectives who are trying to force their will—their perspective of what is right and wrong scientifically or economically or socially—on the rest of the country, on the rest of us, and, for that matter, on the rest of the world.

That is why I am the author of this bill. No one entity should have the power by manipulating the bureaucratic process or the rulemaking process to enforce its definitions of everything on the rest of us. We have both the right and the responsibility to judge this information and to make decisions about what is in our enlightened self-interest, as the old economist would say, or in the best interest of the country or of society as a whole.

That is why I want all of us—the great American people—to have access and some certainty about the people and the process that are driving everything in our world.

Reject the motion, pass the bill, create greater transparency, incorporate more input, and when it is necessary to have rules and regulations, generate good rules and regulations so that we all have a chance to prosper and to live to our potential in this country.

Don’t let the tyranny of the idealistic—whatever perspective they may have—drive us all into despair and destruction.

With that, I respectfully ask my colleagues to reject this motion and pass the underlying bill.

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

Mr. FOSTER. Mr. Speaker, on that I will immediately proceed to final passage, as amended.

Mr. Speaker, you and your party have been very successful at selling yourselves and your supporters on the idea that if we can just, once again, dump unlimited pollutants into our rivers and streams, into our groundwater, into our air, into our bloodstreams and those of our children, then everything will be great again in America.

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

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

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

The question was taken; and the previous question is ordered on the motion to recommit.

There was no objection.

Mr. Speaker.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 189, nays 233, not voting 7, as follows:

[Roll No. 207]
Ms. EDDIE BERNICE JOHNSON of Texas. 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—aye’s 229, noes 193, not voting 7, as follows:

[Roll Call No. 208]

AYES—229

Abraham
Aderhold
Allen
Amash
Amodei
Barr
Bartlett
Bartow
Barton
Basa
Beaumier
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blumenauer
Bost
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Budd
Burgess
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Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
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CONGRESSIONAL RECORD—HOUSE

H2575

Ms. BERNICE JOHNSON of Texas. 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—aye’s 229, noes 193, not voting 7, as follows:

[Roll Call No. 208]

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Burgess
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Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)

NAYs—233

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NAYS—233

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Cole
Collins (GA)
Collins (NY)

NAYS—233
On rollcall No. 208 on final passage of H.R. 1431, the EPA Science Advisory Board Reform Act of 2017, I am not recorded. Had I been present, I would have voted “aye.”

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 203, 204, 205, 206, 207, and 208. Had I been present, I would have voted “aye” on votes 205 and 207. I would have voted “nay” on votes 203, 204, 206, and 208.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I rise for the purpose of inquiring of the majority leader the schedule for the week to come.

I yield to the gentleman from California (Mr. McCARTHY), my friend.

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

Mr. McCARTHY. I thank the gentleman for yielding.

As the majority leader knows, after the seven legislative days we have tomorrow, we have two more legislative days before April 28. The Defense Appropriation bill we have not enacted any appropriation bills or CR or omnibus expenditures for the balance of the year and that is pending in the Senate.

We will be gone, as the gentleman knows, for 2 weeks, or a few more days than that, for the Easter break. We have not enacted any appropriation bills except for the MILCON-VA and the Defense Appropriation bill we passed through this House in a bipartisan vote and that is pending in the Senate.

Given the limited number of days in session before April 28, we are going to require relatively quick action if we are to fund the government for the balance of the year past April 28.

Mr. Speaker, can you tell me—because no appropriation bill or CR or omnibus was on the schedule for next week, can the gentleman tell me when he expects some form of continuing to authorize expenditures for the balance of the year between now and September 30 will occur?

Mr. Speaker, I yield to my friend.

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

Discussions are ongoing about the appropriations process and how to ensure the government is funded after April 28.

I thank my good friend from Maryland for being a good faith negotiating partner in this effort.

I do not currently anticipate floor action next week. But as always, I will advise Members as soon as possible when action is scheduled in the House.

Mr. HOYER. Mr. Speaker, I thank the gentleman for those comments.

Does the gentleman contemplate the possibility of a short-term CR being necessary?

Mr. Speaker, I yield to my friend.

Mr. McCARTHY. Mr. Speaker, I thank the gentleman for yielding again.

I was encouraged by the bipartisan agreements we reached on the MILCON-VA bill and the defense appropriations bill. As you know, together, these two bills make up roughly one half of our total discretionary spending.

However, I was disappointed to hear that Democrats have apparently walked away from the negotiating table on further bipartisan agreements like these. Personally, I was disappointed to hear rumors that Democrats are hoping for a government shutdown.

The New York Times is reporting that, "as a minority party struggling to show resistance in the era of President Trump"—Democrats—"are now ready to let the lights of government go out.

I sincerely hope these rumors and reports are not true. I know the gentleman disagrees with ever having a government shutdown.

As I mentioned, discussions are ongoing about how to provide the government is funded after April 28. I want everybody to know that my door is always open, especially to you, my friend from Maryland, and any other House