the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 8. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1426.

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. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time and 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 ayes appeared to have it.

Mr. HASTINGS of Florida. 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.

DOMESTIC PROSPERITY AND GLOBAL FREEDOM ACT

The SPEAKER pro tempore. Pursuant to House Resolution 636 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 6.

Will the gentleman from Texas (Mr. POE) kindly take the chair.

□ 1318

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 further consideration of the bill (H.R. 6) to provide for expedited approval of exportation of natural gas to World Trade Organization countries, and for other purposes, with Mr. POE of Texas (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, June 24, 2014, all time for general debate had expired.

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

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–48. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 6

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 ''Domestic Prosperity and Global Freedom Act''.

SEC. 2. ACTION ON APPLICATIONS.

(a) DECISION DEADLINE.—The Department of Energy shall issue a decision on any application for authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) not later than 90 days after the later of—

(1) the end of the comment period for such decision as set forth in the applicable notice published in the Federal Register; or

(2) the date of enactment of this Act.

(b) JUDICIAL ACTION.—(1) The United States Court of Appeals for the circuit in which the export facility will be located pursuant to an application described in subsection (a) shall have original and exclusive jurisdiction over any civil action for the review of—

(A) an order issued by the Department of Energy with respect to such application; or

(B) the Department of Energy's failure to issue a decision on such application.

(2) If the Court in a civil action described in paragraph (1) finds that the Department of Energy has failed to issue a decision on the application as required under subsection (a), the Court shall order the Department of Energy to issue such decision not later than 30 days after the Court's order.

(3) The Court shall set any civil action brought under this subsection for expedited consideration and shall set the matter on the docket as soon as practical after the filing date of the initial pleading.

SEC. 3. PUBLIC DISCLOSURE OF EXPORT DESTINATIONS.

Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by adding at the end the following:

''(g) PUBLIC DISCLOSURE OF LNG EXPORT DESTINATIONS.—As a condition for approval of any authorization to export LNG, the Secretary of Energy shall require the applicant to publicly disclose the specific destination or destinations of any such authorized LNG exports.''.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of House Report 113–492. Each such amendment may be offered only in the order printed in the report, 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.

AMENDMENT NO. 1 OFFERED BY MR. GARDNER

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 113–492.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Redesignate subsection (b) of section 2 as subsection (c).

Strike subsection (a) of section 2 and insert the following:

(a) DECISION DEADLINE.—For proposals that must also obtain authorization from the Federal Energy Regulatory Commission or the United States Maritime Administration to site, construct, expand, or operate LNG export facilities, the Department of Energy shall issue a final decision on any application for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) not later than 30 days after the later of—

(1) the conclusion of the review to site, construct, expand, or operate the LNG facilities required by the National Environmental Policy Act of 1969 (42 U.S. C. 4321 et seq.); or

(2) the date of enactment of this Act.

(b) CONCLUSION OF REVIEW.—For purposes of subsection (a), review required by the National Environmental Policy Act of 1969 shall be considered concluded—

(1) for a project requiring an Environmental Impact Statement, 30 days after publication of a Final Environmental Impact Statement;

(2) for a project for which an Environmental Assessment has been prepared, 30 days after publication by the Department of Energy of a Finding of No Significant Impact; and

(3) upon a determination by the lead agency that an application is eligible for a categorical exclusion pursuant National Environmental Policy Act of 1969 implementing regulations.

In subsection (c) of section 2, as so redesignated, by inserting ''final'' before ''decision'' each place it appears.

The Acting CHAIR. Pursuant to House Resolution 636, the gentleman from Colorado (Mr. GARDNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. GARDNER. Mr. Chairman, I thank you again for the opportunity to debate H.R. 6, the Domestic Prosperity and Global Freedom Act. It is something that, in this Congress, we don't do that often, a bill to address both job creation here at home and also to provide our trading partners and our allies with energy security abroad.

The amendment before the desk right now is a manager's amendment, brought to this Chamber in a bipartisan fashion with the gentleman from Texas, Representative GENE GREEN, who has been gracious and patient in this effort to work through this process to make sure that we have as broad-based support as possible for this legislation.

It recognizes that, despite some of the concerns our side has with the recent DOE changes to their process, including the expanding scope of DOE's public interest analysis to include elements unrelated to DOE's primary authorities, it is still vitally important to send as strong a message as possible to our allies that the U.S. is prepared to answer their call and enter the market as a major exporting nation.

It is equally important that we send a message that we are bringing certainty to the applicants and the jobs currently waiting in limbo at DOE, and that DOE will, indeed, be held accountable to do its job once FERC finishes their facility review and the NEPA process.

Again, this legislation has the potential to lift 45,000 people off of the unemployment rolls. Daniel Yergin testified before the Energy and Commerce Committee that we could move from 1.7 million jobs in this country to 3 million jobs in this country in energy by 2020. And H.R. 6 and this amendment help advance that job creation.

But because DOE's recent changes did not put a final deadline for the Department to act on applications, this amendment requires that the Department must issue a decision on pending applications within 30 days after FERC completes the NEPA review for the project. We are doing this because some of these applications have been languishing for more than 2 years, and it is time to insert accountability back into the process, especially when DOE's own analysis concludes: Increasing natural gas exports are net positive to our economy.

This issue is too important to domestic job creation and to increasing the United States' role in international energy diplomacy to continue to squander and delay our opportunities.

This amendment also addresses many of the concerns that those on the other side have voiced with previous versions of this legislation, including completing full environmental reviews and maintaining DOE's role in the public interest test. I hope this will help H.R. 6 garner even broader support.

At this time, I yield 1 minute to the gentleman from Texas (Mr. GENE GREEN) and, again, thank him for his support.

Mr. GENE GREEN of Texas. I thank my colleague and fellow committee member for yielding.

Mr. Chairman, I rise in strong support of the manager's amendment. I want to thank the gentleman from Colorado (Mr. GARDNER) and my colleagues on both sides of the aisle for their hard work. The amendment we offer today is the result of hard, bipartisan work.

The original text of H.R. 6 worked to fix a problem at the Department of Energy. The problem was delay. The Department of Energy is responsible for permitting exports to non-free trade agreement countries.

Since 2011, the Department has received approximately 35 permit applications to export liquefied natural gas. Since 2011, only one project has received final approval.

EIA estimates that by 2035, the United States will produce 5 trillion cubic feet more than we can consume of natural gas. But in order to export the gas, rather than flare it and harm the environment, projects need permits.

The process is not working well. Why has only one project received final approval after 3 years? Why did DOE, just this month, propose changing the process? It is because the process is not working.

The manager's amendment that I coauthored with my colleague from Colorado acknowledges that DOE's proposed changes are a step in the right direction.

The Acting CHAIR. The time of the gentleman has expired.

Mr. GARDNER. I yield the gentleman an additional 30 seconds.

Mr. GENE GREEN of Texas. I thank the gentleman.

Unfortunately, after 3 years of delay, we need to ensure DOE issues timely decisions. The manager's amendment places a 30-day timeframe on DOE after the completion of the environmental review process.

This amendment is an example of the cooperation and bipartisanship from our committee. And, again, I urge Members to adopt the manager's amendment.

Principal Deputy Assistant Secretary for Fossil Energy, Chris Smith, told a Senate panel last week that he is ''confident that whatever the law requires, the department will be able to accomplish.''

DOE will issue public interest determinations 12-to-18 months after they receive the application.

I am confident that: after 3 years of delay, 12-to-18 months of environmental review, a 30 day public comment period; and an additional 30 days to review the application that DOE can issue a sound public interest determination.

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

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

Mr. WAXMAN. Mr. Chairman, I appreciate that the gentleman from Colorado, Congressman GARDNER, is proposing some changes in an effort to address some of the problems with his bill.

The base bill would require the Department of Energy to make final decisions on almost all of the pending energy export applications in 90 days, without the benefit of complete environmental reviews. Now they look at their bill, and they appear to understand that this would be bad policy.

The amendment would establish a different deadline. Now DOE must issue a final decision on an application within 30 days of completion of the NEPA environmental review. That is an improvement because it at least ensures that major LNG export projects are not approved without an environmental review. However, if this amendment is adopted, the bill will remain unnecessary and problematic.

The bill is unnecessary because DOE already is approving huge volumes of LNG exports without any legislative action. They have proposed to further streamline their review at DOE so that it prioritizes review of the projects that have completed environmental reviews. That is already happening without this bill.

So if we adopt this amendment, the bill will still be unnecessary because it truncates DOE's public interest review. We should give DOE the time it needs to weigh the pros and cons of granting an application. Instead, the bill sets a 30-day deadline that would rush that process. To me, that doesn't make sense, especially since rushing DOE isn't going to get LNG exported any faster. LNG can't be exported without a terminal, and nothing in this bill gets terminals permitted or built any faster.

I am not going to oppose this amendment because it is probably better than the base bill, but it doesn't solve all of the problems with the bill. It illustrates how this bill, which is being touted as bringing about domestic

prosperity and global freedom, is being worked on the go. I think it hasn't been thought through. This makes it a little better, but I don't see how the bill lives up to its title. I won't oppose the amendment, but I still think the bill is not worthy of passage.

I reserve the balance of my time.

Mr. GARDNER. I thank Ranking Member WAXMAN for his support of the amendment but would remind him that an Ambassador from Hungary, ambassador-at-large for energy security, said it is simply not true that lifting the natural gas export ban today would not have an immediate effect in Europe. It would immediately change the business calculus of infrastructure investment and send an extremely important message of strategic reassurance to the region, which currently feels more threatened than at any time since the cold war.

Passage of this bill would send an immediate signal to our allies and our enemies that the United States is serious about energy security and aiding our friends most in need of energy security.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I know that the Ambassador from Hungary and other countries that are looking at the possible aggression of the Russians are concerned about not having to rely on Russia alone for their natural gas supplies, and they are desperate. And we need to help them as best we can.

But let's not fool anybody. Even if this bill were passed, it will probably not allow for us to get LNG to some of those countries until 2017, 2018. And if we allow the export of LNG, exporters here in the United States are going to send it primarily to those who will pay the highest prices. And they are not in Europe. They are in Asia.

□ 1330

I wouldn't want the people to be under any illusions that this will help them immediately. I think the statement by that Ambassador shows more desperation than anything else and hope that we send a signal that we are going to do the best we can to get LNG to them as soon as possible, maybe they can withstand a possible Russian action.

On the other hand, the Ambassador from Hungary knows that Hungary is part of NATO, and if Hungary is attacked by the Russians, we have an obligation to help them under our NATO agreement, so I think that is their base security, not this legislation.

They have high hopes, especially when they hear that this is a bill that will bring about domestic prosperity to the United States. They would presumably like for us to have prosperity, and so would I, and it is called not only Domestic Prosperity, but Global Freedom, and they certainly are hoping that we will do what we can for global freedom.

I certainly want to do everything we can for global freedom, and voting against this bill does not mean voting against global freedom.

Mr. HOLT. Will the gentleman yield?

Mr. WAXMAN. I would be happy to yield 15 seconds to the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, the gentleman from Colorado says that this would send a signal to European countries, and as my friend from California makes clear, it would not be a signal that help is on the way any time soon. The natural gas would not come soon, but the signal that would be heard loud and clear by manufacturers and homeowners is the price of gas would be going up.

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

Mr. GARDNER. Mr. Chairman, I would just point out that here is an article that states that: ''Centrica buys U.S. LNG in 20-year deal as U.K. output wanes.'' Selling U.S. LNG to Europe, Italy is close to 20-year LNG deal with Cheniere; another article, ''Cheniere and Endesa sign 20-year LNG sale and purchase agreement.''

Mr. Chairman, I urge the adoption of the amendment to H.R. 6.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 113–492.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 5, strike ''The Department'' and insert ''Except as provided in section 3(a)(2)(C) of the Natural Gas Act, as added by section 4 of this Act), the Department''.

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

SEC. 4. AUTHORIZATION FOR THE EXPORTATION OF NATURAL GAS.

Section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)) is amended—

(1) by inserting before ''After six months from the date on which'' the following: ''(1) AUTHORIZATION FOR THE IMPORTATION OF NATURAL GAS.—'';

(2) by striking ''export any natural gas from the United States to a foreign country or'';

(3) by striking ''exportation or''; and

(4) by adding at the end the following new paragraphs:

''(2) AUTHORIZATION FOR THE EXPORTATION OF NATURAL GAS.—

''(A) PROHIBITION.—No person may export any natural gas from the United States to a foreign country without first having secured an order of the Secretary of Energy authorizing such person to do so.

''(B) ISSUANCE OF ORDERS.—The Secretary of Energy may issue an order authorizing a person to export natural gas from the United States to a foreign country, upon application, if the Secretary determines that the proposed exportation will be consistent with the public interest, in accordance with the regulations issued under paragraph (3)(B). The Secretary may by order grant such application, in whole or in part, with such modification and upon such terms and conditions as the Secretary may find necessary or appropriate.

''(C) TIMING.—No order may be issued by the Secretary of Energy under this paragraph prior to the date on which the Secretary issues final regulations under paragraph (3)(B).

''(3) PUBLIC INTEREST DETERMINATION.—

''(A) NEPA REVIEW.—The Secretary of Energy shall issue a detailed statement under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) of the environmental impact of the issuance of orders under paragraph (2), including by conducting an analysis of the impacts of extraction of exported natural gas on the environment in communities where the natural gas is extracted.

''(B) REGULATIONS.—

''(i) DEADLINE.—Not later than 2 years after the date of enactment of this paragraph, the Secretary of Energy shall issue final regulations, after notice and public comment, for determining whether an export of natural gas from the United States to a foreign country is in the public interest for purposes of issuing an order under paragraph (2).

''(ii) CONTENTS.—Regulations issued under this paragraph shall require the Secretary of Energy to determine, with respect to each application for export of natural gas from the United States to a foreign country, whether such export is in the public interest through—

''(I) use of the latest available data on current and projected United States natural gas demands, production, and price;

''(II) consideration of the effects of such natural gas exports on—

''(aa) household and business energy expenditures by electricity and natural gas consumers in the United States;

''(bb) the United States economy, jobs, and manufacturing, including such effects on wages, investment, and energy intensive and trade exposed industries, as determined by the Secretary;

''(cc) the energy security of the United States, including the ability of the United States to reduce its reliance on imported oil;

''(dd) the conservation of domestic natural gas supplies to meet the future energy needs of the United States;

''(ee) the potential for natural gas use in the transportation, industrial, and electricity sectors of the United States;

''(ff) the ability of the United States to reduce greenhouse gas emissions;

''(gg) the volume of natural gas produced on public lands in the United States, and where such natural gas is consumed;

''(hh) domestic natural gas supply and availability, including such effects on pipelines and other infrastructure;

''(ii) the balance of trade of the United States; and

''(jj) other issues determined relevant by the Secretary; and

''(III) consideration of the detailed statement issued under subparagraph (A).

''(4) EXEMPTIONS.—Paragraph (2) does not apply with respect to any order authorizing the exportation of natural gas if the natural gas that would be exported as a result of the order is exported solely to meet a requirement imposed pursuant to section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1702), section 5(b) of the Trading with the Enemy Act (50 U.S.C. App. 5(b)), or part B of title II of the Energy Policy and Conservation Act (42 U.S.C. 6271 et seq.). In such cases, the Secretary of Energy may issue such order upon application without modification or delay.''.

The Acting CHAIR. Pursuant to House Resolution 636, the gentleman from New Jersey (Mr. HOLT) and a

Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise in support of this amendment that I am offering, along with Mr. QUIGLEY of Illinois.

The effects of the natural gas boom have been felt throughout our economy, but before we hurry to ship our energy advantage overseas, we should ensure that we are not exporting our ability to create jobs, keep energy prices low, and to fuel a resurgence in American manufacturing that is so badly needed.

The Holt-Quigley amendment will ensure that the Department of Energy—before approving additional LNG exports—adheres to unambiguous congressional guidance in consideration of how such exports will affect our economy, our communities, and our environment.

H.R. 6 would essentially approve all pending LNG applications, in addition to those that have already been approved. All approved and pending export facilities add up to an ability to export 36 billion cubic feet of liquefied natural gas per day.

Thirty-six billion cubic feet per day is about 40 percent of U.S. peak daily consumption during this past winter—a winter, I should note, with volatility in the domestic natural gas market resulting in shortages in some areas—while, elsewhere, prices spiked, resulting in up to a 250 percent increase in natural gas prices from the previous year.

Now, we know that exporting more LNG will raise prices, but what we don't know is by how much. We know that higher prices will create problems for U.S. manufacturing and homeowner heating, but we don't know how badly.

We should take the time to consider what greater volumes of LNG exports will mean for energy prices, jobs, manufacturing, the environment, and the economy.

As with all the bills on the floor this week, H.R. 6 is about supporting oil and gas interest at the expense of American manufacturing, American families, and the environment.

Our amendment has the support of both America's Energy Advantage and the Industrial Energy Consumers of America.

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

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

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

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

Mr. Chairman, the Holt amendment is a virtual rewrite of the entire Natural Gas Act that has been drafted without the benefit of the full debate of this Chamber or committee in regular order of this process.

The amendment would reverse the rebuttable presumption that proposed exports are consistent with the public interest. The amendment would also require the Department of Energy to undertake a new rulemaking and issue new regulations to determine whether an export of natural gas from the U.S. to a foreign country is in the public interest.

The moratorium on processing applications resulting from the Holt amendment could last years. The DOE has already spent more than 3 years—3 years—establishing the process for reviewing the public interest.

The DOE's public interest analysis is already well informed by numerous economic and environmental studies; and in prior decisions, DOE has looked at a number of factors, including economic impacts, international considerations, U.S. energy security, and environmental considerations, already among other things.

To conduct its reviews, DOE looks to the record of evidence developed in the application proceeding. Applicants and intervenors are free to raise new issues or concerns relevant to the public interest that may not have been addressed in prior cases.

Even though the DOE has repeatedly rejected the same reoccurring arguments lodged by the same Washington, D.C.-based special interest groups, they are delaying decisions on new export applications.

The Department of Energy has continually stated that the public interest generally favors authorizing proposals to export natural gas that have been shown to lead to net benefits on the U.S. economy, and I believe the Holt amendment would disrupt the process that DOE has developed and result in even further delays.

Mr. Chairman, with that, I yield 1 minute to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in opposition to the current amendment to H.R. 6.

The Holt-Quigley amendment requires the Secretary of Energy to consider how proposed natural gas exports will affect the domestic natural gas prices, jobs, and manufacturing when making a public interest determination.

I rise in opposition to the amendment because it codifies requirements that are already existing in the public interest determination. That is what the Department of Energy, under current law, is supposed to do, and we expect them to do their job.

When conducting a public interest determination, the Department of Energy considers economic, geopolitical, national security, and a variety of other issues. The public interest determination is a robust review of all the impacts associated with LNG exports. It would be redundant to require DOE to look at issues they are already considering.

Mr. Chairman, I would ask my colleagues to oppose the amendment. I thank my colleague for the time.

Mr. HOLT. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Illinois (Mr. QUIGLEY), a coproposer and coauthor of this amendment.

Mr. QUIGLEY. Mr. Chairman, the debate about our Nation's energy policy is happening here in Congress and around the country.

We are debating the merits of natural gas extraction, with many of us arguing for much stronger regulations to prevent the contamination of our drinking water and the pollution of our air.

We are debating the building of the Keystone pipeline, with many of us arguing that its approval would harm our environment and jeopardize the health and well-being of our communities. In each of these debates, the argument on each side may be contrary, but both sides are focused on one important question: Is this in the national interest?

It is essential that today's debate about the exportation of natural gas be framed in the same light. The amendment I am offering with my friend from New Jersey is based on a central premise. Before hurrying to export as much as 36 billion cubic feet of LNG per day, we should take time to consider what this will mean for energy prices, jobs, manufacturing, the environment, and our economy.

Current law simply assumes it is always in our natural interest to export natural gas, even though studies confirm that exporting our natural gas would increase the price domestically.

We are providing a rubberstamp review process that expedites LNG exports without considering its potential effects. Our amendment would simply flip this assumption and require, by law, that DOE take into consideration exports' impact on consumers, the economy, and energy security before making its decision.

By passing this amendment, we can ensure that true beneficiaries of the natural gas boom are our consumers and our economy, while protecting our environment at the same time.

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

I would just add that the National Association of Manufacturers, on April 9—which claims to be the largest manufacturing association in the United States, representing manufacturers in every industrial sector and in all 50 States—supports H.R. 6, the Domestic Prosperity and Global Freedom Act.

So the largest organization of manufacturers supports H.R. 6, the Domestic Prosperity and Global Freedom Act.

Mr. Chairman, I would also point out the risks if we do not have an outlet for American energy production.

The result of shut-in wells and less production, indeed, will lead to increased prices for consumers, but the fact is that DOE studies have already stated that exporting natural gas has been shown to lead to net benefits to

the U.S. economy, adding billions of dollars to our GDP, adding tens of thousands of jobs to our Nation's workforce, and removing people from the unemployment rolls.

This is something this Congress ought to adopt today, a way to move forward on energy security, and a way to move forward on jobs that are ready to put people to work. Let's pass this bill today.

I oppose the gentleman's amendment for the simple fact that it is unworkable and rewrites the law without adequate discussion and debate amongst this body.

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

Mr. HOLT. Mr. Chairman, how much time remains?

The Acting CHAIRMAN. The gentleman from New Jersey has 1½ minutes remaining.

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

Groups representing a diverse group of businesses and manufacturers support this amendment—groups that believe we should proceed with caution when making decisions about vast quantities of domestic energy resources.

The Department of Energy has already approved LNG facilities that are capable of exporting 9.3 billion cubic feet per day, and before we irresponsibly and hurriedly expedite the approval of up to 36 billion cubic feet—nearly four times as much of LNG exports per day—I believe we should consider the effect this will have across our economy.

Mr. GARDNER says this amendment of ours might slow exports. Well, it might because the idea is not to do it as quickly as we can, but to do it as wisely as we can. Our responsibility is not just to look after the oil and gas interests. Our responsibility is also to look after American workers, American manufacturers, American consumers, and homeowners.

No one in this Chamber should want our domestic natural gas prices to increase on a par with those in Europe or Asia, and a vote in support of the Holt-Quigley amendment will ensure that that is not the case.

I urge support for this amendment, and I yield back the balance of my time.

Mr. GARDNER. Mr. Chairman, I yield the remaining time to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I thank my colleague for yielding.

Mr. Chairman, I represent an area that is a combination of both the customers of the natural gas boom that we have, but also the export opportunities in the States of Texas and Louisiana.

We are concerned about running up the price of natural gas because I want it to be used more for electricity production. I have a chemical industry that is in the eastern part of my district that I want to make sure we keep adding those jobs like we are doing so much.

I also know that we need to keep those folks drilling in the field, and in south Texas, we are flaring natural gas right now. In North Dakota, we are flaring natural gas. It is not good for the environment, but we need to have consumers for that, and so that is why this legislation is needed, and we will be able to have customers for that.

I know, yesterday, I used it in the bill on pipelines. In Texas, we love Blue Bell ice cream. I know the Chairman does, too. Their ads are saying, ''We eat all we can, and we sell the rest.''

Let's use all our natural gas we can in our country at a reasonable price, but what we can't use, let's not waste it. Let's sell it to someone else, and I thank the colleague for the time.

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

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

The amendment was rejected.

AMENDMENT NO. 3 OFFERED BY MR. DEFAZIO

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 113–492.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 22, insert ''and publically disclose the applicant's intention to use eminent domain for any construction necessary for such authorized LNG exports'' after ''authorized LNG exports''.

The Acting CHAIR. Pursuant to House Resolution 636, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

□ 1345

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

We just had a debate over the potential impact of export of LNG on domestic prices. There is no arguing that the low domestic prices for natural gas have been a boon for our country. Some manufacturers are actually moving operations back from overseas. Others here are being advantaged in the international markets, much to the concern of some of our competitors in Europe and elsewhere. So we can say that is good. We are not going to settle that issue in my amendment. I am going to bring up another issue.

But the reason natural gas companies want to export is to realize higher prices, and some of these terminals will require new pipelines to connect to domestic natural gas supplies, particularly some of the new supplies.

Here is the problem. In 2005, Congress passed the Bush-Cheney energy plan, which gave the Federal Energy Regulatory Commission—a group of nameless, faceless, obscure bureaucrats—the authority to grant eminent domain to pipeline companies. That means companies have eminent domain authority generally reserved for the greater public interest to build pipelines to export natural gas.

Now I had three amendments. This one simply requires disclosure. I just want to bring a bit more focus during the expedited—should this bill become law—application and approval process for persons in the area, whether or not there is a prospect that a natural gas pipeline will exert eminent domain over their property. Now, it is just disclosure, because, as I say, my other amendments weren't allowed, if eminent domain is going to be used to export natural gas to a pipeline terminal.

Now, earlier this year I voted with, as I have every year, every single Republican in favor of H.R. 1944. That is legislation to overturn the Supreme Court's decision in 2005, Kelo v. City of New London, where the city of New London was found to have the authority to use eminent domain on behalf of private development interests. The Republicans, as I mentioned earlier, brought up a bill to overturn that decision, the Private Property Rights Protection Act, which passed with every Republican vote and a number of Democrats on our side of the aisle.

The same principle applies here. I am not challenging—because that is not allowed—the issue of eminent domain for a private pipeline for the export of natural gas, but I am saying that at least persons who are in proximity to that, or actually in line with that proposed pipeline, should have the opportunity when the company applies to know that it may be used so they can address their point of view during the application process.

Now, there are some industry talking points saying wait a minute, wait a minute, this eminent domain isn't in section 3. They are right. I agree with them. They are absolutely right. However, section 7 regulates pipelines, and pipelines in some instances will be required and will be used to access these natural gas terminals, and I am simply saying that persons in those areas should know that eminent domain is intended to be used.

With that, I reserve the balance of my time.

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

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

Mr. GARDNER. Mr. Chairman, I have spent a great deal of my time, both here in this Chamber and actually working in the State legislature as well, to protect people's property rights, particularly private property rights. In the State legislature, I remember the decision coming down from the Supreme Court, making sure that we could do everything we could to prevent any abuse of eminent domain. But it is that State legislative experience that taught me that the

legal process of eminent domain is largely a State and local issue which should have no bearing on the Department of Energy's public interest determination—again, this is about the public interest determination—for the export of LNG to non-free trade countries.

By law, the Secretary of Energy plays no part in approving the construction of LNG export facilities or the pipelines connecting the gas to the facility. By law, the Secretary of Energy plays no part in the pipeline or construction of the facilities.

This bill only addresses the Department of Energy's process, and this amendment would expand the role of DOE into an area where the DOE is not currently involved and has no expertise.

The purpose of H.R. 6 is to expedite liquefied natural gas export applications which have been stuck in limbo awaiting a decision for far too long—in some cases, for more than 2 years. This amendment would unfairly put new requirements on these already pending applications, and I believe we should oppose the amendment because it is something, again, that is left to the States and local determination factors. With that, I would ask for a ''no'' vote.

I reserve the balance of my time.

Mr. DEFAZIO. Well, unfortunately, it isn't left to the States. The gentleman is wrong. The Bush-Cheney energy act preempted the States—preempted the State authority. It gives a faceless, nameless Federal bureaucracy, which on every other day is opposed by the other side of the aisle, the authority to grant eminent domain for a private company, for private profit, for the export of natural gas, which may well drive up the gas prices of the property owners adjacent to or who have been penetrated by that line.

This amendment doesn't delay anything. It doesn't give any significant new authority. It just requires the simple disclosure that if this terminal is built, a new pipeline is going to be required, and that pipeline, under section 3, with the faceless, nameless Federal bureaucrats behind it, is going to be granted eminent domain authority to take people's property. That is the bottom line. You can try and dance around it and say, well, I am against Kelo because that was another kind of development, but no, I am against this amendment because we wouldn't want people to know that they were going to lose their property rights to eminent domain because of faceless, nameless Federal bureaucrats.

I yield back the balance of my time.

Mr. GARDNER. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I thank the gentleman from Colorado for yielding to me again.

That 2005 energy bill may have been called Bush-Cheney, but it came out of our Energy and Commerce Committee, and it had 77 Democratic votes when we passed that bill on the House floor.

Mr. DEFAZIO's amendment, with all due respect, requires an applicant to disclose any intention to use eminent domain on any construction necessary to support the LNG export project. I rise in opposition because it looks like an attempt to unnecessarily complicate LNG exports.

LNG facilities require pipelines. However, pipeline construction and operation is a whole separate issue. Yesterday in the House, we had a pipeline bill. Unfortunately, my colleague submitted LNG amendments to the pipeline bill yesterday. If H.R. 6 were a pipeline bill, then perhaps we could be honest about the debate. The fact of the matter is that we need more pipelines in our country. Right now in North Dakota and south Texas, we are flaring natural gas. But H.R. 6 is not a pipeline bill, and it is not the legislation to address the issue of eminent domain, which is predominantly under State law, and I am proud of our State law in Texas. I ask my colleagues to oppose the amendment.

Mr. GARDNER. Mr. Chairman, I would just add again that there is no eminent domain authority for an LNG facility. That is what H.R. 6 is addressing, the export permits for LNG facilities. There is no eminent domain authority for an LNG facility. Mr. Chairman, I urge opposition to the amendment.

I yield back the balance of my time.

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

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

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

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

The Chair understands that amendment No. 4 will not be offered.

Mr. GARDNER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. JOLLY) having assumed the chair, Mr. POE of Texas, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 6) to provide for expedited approval of exportation of natural gas to World Trade Organization countries, and for other purposes, had come to no resolution thereon.

RECESS

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

Accordingly (at 1 o'clock and 55 minutes p.m.), the House stood in recess.

□ 1530

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 3 o'clock and 30 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 641, and adopting House Resolution 641, if ordered.

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. 4899, LOWERING GASOLINE PRICES TO FUEL AN AMERICA THAT WORKS ACT OF 2014; PROVIDING FOR CONSIDERATION OF H.R. 4923, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2015; AND FOR OTHER PURPOSES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 641) providing for consideration of the bill (H.R. 4899) to lower gasoline prices for the American family by increasing domestic onshore and offshore energy exploration and production, to streamline and improve onshore and offshore energy permitting and administration, and for other purposes; providing for consideration of the bill (H.R. 4923) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2015, and for other purposes; and for other purposes, 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 238, nays 180, not voting 13, as follows:

[Roll No. 355]

YEAS—238

Aderholt	Boustany	Carter
Amash	Brady (TX)	Cassidy
Amodei	Bridenstine	Chabot
Bachmann	Brooks (AL)	Chaffetz
Bachus	Brooks (IN)	Coble
Barletta	Broun (GA)	Coffman
Barr	Buchanan	Cole
Barrow (GA)	Bucshon	Collins (GA)
Barton	Burgess	Collins (NY)
Benishek	Byrne	Conaway
Bentivolio	Calvert	Cook
Bilirakis	Camp	Costa
Bishop (UT)	Campbell	Cotton
Black	Cantor	Cramer
Blackburn	Capito	Crawford