PROVIDING FOR CONSIDERATION OF H.R. 1422, EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2013; PROVIDING FOR CONSIDERATION OF H.R. 4012, SECRET SCIENCE REFORM ACT OF 2014; PROVIDING FOR CONSIDERATION OF H.R. 4795, PROMOTING NEW MANUFACTURING ACT; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM NOVEMBER 21, 2014, THROUGH NOVEMBER 28, 2014

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 756 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 756

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1422) 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. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Science, Space, and Technology now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology; (2) the further amendment printed in part A of the report of the Committee on Rules accompanying this resolution, if offered by Representative Stewart of Utah or his designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4012) to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-57. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4795) to promote new manufacturing in the United States by providing for greater transparency and timeliness in obtaining necessary permits, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part C of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 4. On any legislative day during the period from November 21, 2014, through November 28, 2014—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

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

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

GENERAL LEAVE

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

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

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 756 provides for the consideration of three important pieces of legislation to create a more transparent and accountable Environmental Protection Agency, one that works in an open manner for all of America. The rule provides for 1 hour of debate for each of the three bills contained within the rule. Further, amendments were made in order for each of the three bills for a total of five amendments from Members of both parties.

Mr. Speaker, the first bill contained in this rule, H.R. 1422, the EPA Science Advisory Board Reform Act of 2013, brings greater accountability and greater oversight to the board of appointed advisors which the EPA uses to review the scientific bases for its official actions. Created in the late 1970s, the Science Advisory Board was intended to be a check on the EPA in order to ensure that the Agency's math and the Agency's statistics were all in order before it promulgated rules or regulations.

In fact, the original authorization for the board made clear that the Science Advisory Board was to report both to the EPA and to Congress on its findings. However, over the course of the past several decades since its inception, the Science Advisory Board has become little more than a rubberstamp for whatever the EPA Administrator wishes to accomplish, with the board members being handpicked by the Administrator, likely being chosen primarily on the basis that they hold the same environmental worldview as whoever the head of the EPA happens to be at any given point in time.

The bill before us would provide for a more balanced representation on the Science Advisory Board, setting out parameters regarding whom the Administrator can choose and ensuring that State and local governments have representation on the board so that they are not simply relegated to environmental activists, which, unfortunately, has been the case for some time now.

□ 1230

Indeed, current regulations exclude industry experts from serving on the

Science Advisory Board, but not officials from environmental advocacy groups. The new regulations are necessary to ensure against any appearance of impropriety on the board.

This legislation becomes even more critical when one considers the numerous regulations that the Environmental Protection Agency is currently contemplating, which could have significant impacts upon the Nation's economy.

From proposed carbon regulations to ratcheting down ozone regulations, the Science Advisory Board has been tasked with reviewing the science that will back up some of the most expensive rules in the Environmental Protection Agency's history.

It is critical the American people have confidence in what their Federal Government is doing and confidence that it is justified. I fear that, absent any significant reform to the EPA's process, that is currently not the case.

The second bill contained in this rule, H.R. 4012, the Secret Science Reform Act, is also intended to make the Environmental Protection Agency's rulemaking process more transparent, a goal that at one time was supposedly shared by the President.

The legislation states that the Environmental Protection Agency may take official action on an environmental regulation only if it has identified all scientific and technical information upon which the Agency has relied for that particular action, and further, it must use only publicly available studies and can thus be independently peer reviewed. This would bring the EPA's process in line with how many scientific journals operate when they publish peer-reviewed studies.

Further, the bill is prospective and will not interfere with any previously-enacted rules or regulations by the EPA. To address concerns expressed during the Science Committee's consideration of the bill, the legislation spells out that nothing in these requirements would jeopardize any privacy concerns with scientific studies.

The CDC has successfully made its studies available without exposing any of its test subjects' personal information, and the EPA should have no problem similarly complying with these requirements.

Finally, H.R. 4795, the Promoting New Manufacturing Act, the third bill included in the rule before us today, provides for greater transparency and would cut much of the red tape surrounding the permitting process for manufacturers attempting to comply with the Clean Air Act's requirements.

It would require the EPA to publish guidance on how companies may more efficiently obtain construction permits and navigate what is often a lengthy and arduous process.

Mr. Speaker, Americans are waking up to how much of the United States economy is subject to the EPA and its regulations, from carbon dioxide to ozone, and people are rightly anxious over how these new and, in some cases, unprecedented rules will affect consumers' wallets.

It is reasonable and expeditious to ensure that the science upon which the EPA is relying to craft its regulations will be transparent and available to all and not just a select few who the EPA deems worthy to see its work products.

Even the congressional committees who are charged with legitimate oversight over EPA's actions have had difficulty in obtaining basic scientific justifications for its actions over the past few years. The bills before us today will begin the process of making the EPA accountable to the very constituency the Agency claims to be protecting, the American people.

I encourage all of my colleagues to vote ''yes'' on the rule and ''yes'' on the underlying bills, and I will reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Texas (Mr. BURGESS) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. Mr. Speaker, I thought one of the lessons of this last election was that the American people wanted Washington to work, that they wanted us to work toward passing legislation, sensible legislation, that could be passed in both Chambers, that could go to the White House and be signed into law, and we could move this country forward, but I guess that lesson somehow escaped my Republican colleagues because what we are doing here today is another colossal waste of time.

Now, I rise in opposition to this rule, and I rise in opposition to the underlying legislation. The points of the bills that we are considering today seek to prevent the EPA from protecting public health and the environment. It is that simple.

The White House has already issued three veto threats against these bills. The other body is not going to take these bills up, so here we are in this lameduck session with a lot of work that we should be doing, and instead, we are doing this.

On December 11, this government will run out of money. Maybe we should be spending some time trying to figure out how to avoid another government shutdown or to do the appropriations process in a more thoughtful way, but instead, my colleagues are going to wait until the last minute and bring a bill to the floor that most Members will not have time to read, and then that will be that.

Maybe we should be talking about passing an increase in the minimum wage. We are reading story after story about how income inequality in this country is getting bigger and bigger and bigger. Maybe we ought to make sure that work actually pays a livable wage in this country, or maybe we could pass a pay equity bill so that women can earn equal pay for equal work—we are not doing any of that—and that surely would be signed by the White House.

What about an immigration bill? The United States Senate passed in a bipartisan way a comprehensive immigration bill, dealing with a very important problem in this country. It is supported by labor unions, and it is supported by the U.S. Chamber of Commerce, and again, it had a bipartisan vote in the United States Senate.

Are we doing that here today? No. We can't even bring that to the floor to have a debate because the leadership in this House runs such a closed process.

We have wasted time in this Chamber debating Republican messaging bills to repeal the Affordable Care Act, to undermine the Dodd-Frank financial reform law, and weaken public health and environmental regulations while failing to consider legislation to help people, to create jobs, to boost the economy and help vulnerable Americans rise out of poverty, so instead of kind of doing the people's business, we are back into Republican messaging bills again.

The three bills that we are talking about here today—H.R. 4795, H.R. 4012, and H.R. 1422—will allow industry to have a greater influence over the policies developed at the EPA, will weaken our air quality, and prevent the EPA from using critical high-quality and peer-reviewed data in their policy development.

Why in the world would we want to do this? Well, because the Republicans' corporate constituency demand it, so this may be a nice way to thank big Republican donors for their support in the last election, but quite frankly, it is lousy policy.

H.R. 4795, the cleverly named Promoting New Manufacturing Act, does nothing to boost manufacturing and does nothing to help improve the permitting process or create jobs. The bill requires the EPA to issue both regulations and guidance concurrently when issuing national ambient air quality standards. If this requirement is not met, a new or expanding facility must only show it complies with the old insufficient standard.

Not only will this legislation create several new avenues for litigation, but it will also weaken air quality protections and threaten public health. Why in the world would we even contemplate doing that? H.R. 4012, the Secret Science Reform Act, will prevent the EPA from using the best available scientific data, harm future research, and delay the implementation of public health protections.

Far from protecting transparency and accountability, this bill will limit the body of high-quality scientific research that can be used and will undermine the EPA's ability to function.

The EPA relies on peer-reviewed scientific research that often contains information scientists are legally required to keep confidential, like an individual's health records. How is the EPA supposed to determine the effects of a pollutant on our health if they are not allowed to look at health data?

Individual health records should be highly protected, and I would like to point out that the peer-reviewed studies that form the basis of EPA's actions are already available.

The purpose of this bill is not to create transparency but to create bureaucracy, to make it impossible for the EPA to develop policies to protect our health and our environment. There is no secret science, just science that my Republican colleagues do not like.

I am pleased to see that the amendment to H.R. 4012, submitted by my good friend from Massachusetts, JOE KENNEDY, was made in order. I strongly support this amendment, which would allow the EPA to continue to rely upon peer-reviewed scientific data, even if that data is legally required to be kept private. The EPA must be allowed to continue to use this critical data in their policy development.

Lastly, H.R. 1422, the EPA Science Advisory Board Reform Act, will slow down the EPA's ability to develop regulations and effectively force the EPA to include individuals with financial conflicts on the Science Advisory Board, so long as the conflicts are disclosed.

It isn't logical to include an individual on a decisionmaking board if that individual would be financially affected by its decision.

I should note that the legislation limits the participation of academic scientists with relevant subject matter expertise from providing their advice to EPA, which will lead to panels with disproportionately high amounts of industry representation.

This bill would allow the Republicans' corporate constituency a direct route to disrupting the EPA's ability to create regulations designed to protect our health.

I would say to my colleagues on the other side of the aisle, ''I get it. You don't like science, and you don't like science that interferes with some of the interests of your corporate clients.''

But we need to rely on science so we can protect the public health and we can protect our environment. One of the main jobs that we are tasked with is to protect our constituencies. So why we would be trying to move ourselves back in a direction that would endanger public health is beyond me.

Mr. Speaker, today, we are considering three bills to undermine public health, hurt the environment, and tie up the EPA in red tape. I would, again, say to my colleagues, ''We are going to have this debate here today. These bills aren't going anywhere. We are wasting our time by doing this today.''

I am just going to close with one other issue that we ought to be talking about. In July, a majority in this House supported an amendment that I had offered, saying that if in fact we had sustained combat operations in Iraq, that Congress would vote to authorize, or not, such action.

Well, clearly, we have sustained combat operations going on in Iraq. We are getting sucked deeper and deeper and deeper into war while this Congress sits and twiddles its thumbs and does everything possible to avoid a debate on whether or not we should be involved in another war.

You know what, there are thousands of Americans that have been put in harm's way, and we are not living up to our constitutional responsibility. Surely, we should be spending some time talking about that, whether or not the United States ought to get sucked into another war halfway around the world, a war that will cost American lives and that will continue to cost a great deal in terms of our national treasure, but instead of debating that and other things that really matter to people, we are doing it on a messaging bill.

I regret the fact that here we are in these few days that we have left in this lameduck session, doing this kind of stuff, when we ought to be doing the people's business.

Mr. Speaker, I urge my colleagues to vote against this restrictive rule, vote against all of the underlying legislation, and I plead to the Republican leadership: let's bring something to the floor that will help the American people.

With that, I reserve the balance of my time.

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

Mr. MCGOVERN. Mr. Speaker, at this point, I am delighted to yield 3 minutes to the gentlewoman from New York (Ms. SLAUGHTER), the distinguished ranking member of the Committee on Rules.

Ms. SLAUGHTER. I thank the gentleman from Massachusetts (Mr. MCGOVERN), and I really appreciated his statement on this rule today.

Mr. Speaker, once again, you would think that we would almost expect that nothing good would happen here, and I am rising with a very heavy heart today because nothing good is happening in my office as well because, today, we are seeing the last rule worked on by my friend Don Sisson, who has been with us here for over 10 years, works extraordinarily well in the Rules Committee, has provided us with outstanding service, and really has an integral part that he is going to be playing over at the White House. This means a significant loss for us.

□ 1245

He has accepted a new job as the Special Assistant to the President for Legislative Affairs. And while I really want to wish him well, to be perfectly honest with you, it is breaking my heart to see him go.

Don is not only an expert on the rules and a computer genius, and when anything electrical goes awry, Don can fix it in a moment, but Don is a caretaker. He not only takes great care about the rules, his work, and everyone on the committee whom he really loved and enjoyed working with, he takes care of people individually, and he has certainly done that for me.

I had a pretty bad year this past year losing my husband, and Don was always there. If electricity didn't work or something else didn't happen, Don knew who could fix that for me. So as I speak about it, my personal feelings overwhelm the wonderful opportunity for him as a young man to work in the White House of the United States Government with the President.

I would like to go over his credentials here, but I am not going to. I am simply going to tell you that Don is one of the best people that ever worked in the United States House of Representatives and one of the finest persons on the Rules Committee who understands not only rules, but is a friend to every single person who works in this House and beyond. He could always be counted on as a friend, as someone with extraordinarily gifted intelligence, and as being able to work his way through the most dangerous Gordian Knot. Don Sisson is a ''man for all seasons.''

Mr. Speaker, I wish him the very best of everything, but say to you that, without a doubt, the loss for our side, for our office, and for our friends is profound. Nonetheless, he is going to go. I just want the White House to understand what a jewel they are getting.

Thank you very much, Mr. MCGOVERN, for yielding me the time.

Thank you, Don, for your service, and you will always have a place here in this House. Thank you very much.

Mr. BURGESS. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I would just like to join the gentlewoman from New York in congratulating Don Sisson for his new position at the White House Office of Legislative Affairs and certainly look forward to working with him. I actually am somewhat comforted to know that there is an Office of Legislative Affairs in the White House and look forward to his occupying that position.

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

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume to also join with the ranking member in honoring Don Sisson. As she mentions, this will be his last day on the floor. I think his last day is this week.

Mr. Speaker, Don has been working for the Rules Committee for 10 years under both Republicans and Democrats. He is a native of upstate New York, and he has been around for historic debates in Congress and has been an integral part of the Rules Committee staff for many, many, many years. As Ms. SLAUGHTER pointed out, he will be moving on to the White House, and we are going to miss him dearly.

I think it is important for all of us to take a moment just to recognize that Don represents the best, I think, of the staff that work here. He is up here for all the right reasons. He wants to make the world a better place, and he has shown this great ability to work across party lines and to build things and make things happen. I know he will use those skills in his new position at the White House.

Mr. Speaker, the Rules Committee meets an awful lot, and we are together an awful lot, and so we are all family. So when somebody leaves, it is painful because it is like a family member moving on and going someplace else. So we are going to miss Don, but he won't be that far away. We will work with him in a new capacity.

On behalf of everybody on that committee, members and staff included, I think we all owe you a debt of gratitude, and we are grateful for your service. You have served this institution with great honor and dignity, and we wish you all the best in your new job. So thank you very much for a job well done.

Mr. Speaker, at this time, I would like to announce to my colleagues that I am going to urge that we defeat the previous question, and if we do, I will offer an amendment to the rule that will allow the House to continue the ATTIRE Act. This bill would support textile research and innovation in the United States and will continue to strengthen the Made in America Movement as a conduit for creating American jobs and bolstering our economy. It is the right way to help create American jobs.

To discuss our proposal, I yield 5 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, I rise in support of the ATTIRE Act, which we will offer as an amendment to the rule if the previous question is defeated.

The most notable aspect of the majority's so-called manufacturing bills before us is their lack of ambition and vision. They are simply messaging bills.

So we have an alternative to put forward, a bill that already has broad support in this body. The bill would support textile research and innovation in the United States, strengthening the Make It In America movement as an instrument for creating American jobs, bolstering our economy, and improving our international competitiveness.

The ATTIRE Act would establish a Department of Commerce grant program to fund textile research, supporting innovation in the U.S. textile and fiber products industry. The bill is fully paid for. Although our Nation's manufacturing base has suffered major losses over the last 20 years, the American textile industry continues to employ over 500,000 workers across the country and contributes nearly $60 billion to our gross domestic product annually.

Even in the face of an economic downturn, the industry continues to thrive and adapt to the competitive global marketplace by remaining at the cutting edge of innovations in textile and fiber technologies. Despite all this, there is currently no dedicated source of Federal funding for research into new textile applications and market opportunities.

Mr. Speaker, some of our colleagues may need to be disabused of the notion that the textile industry is old or inflexible or in decline. That is an undeserved reputation. The fact is our Nation's leading textile research universities, research institutes, and textile firms that have been quick to follow up on research findings have made remarkable progress, particularly in the areas of nonwoven fabrics. They have developed innovative technologies and materials with applications in industries as varied as aerospace, biomedical, and alternative energy.

The applications for advanced textiles in the areas of defense and homeland security, notably for first responders, are especially promising. I am referring to major advances in heat-resistant clothing, bacteria-resistant microfibers, and nanofibers able to conduct electricity and capture solar energy.

Additional advances are promised by new manufacturing, processing, and fitting technologies currently under development. Such advances in processing hold the promise of ''reshoring'' many of those textile jobs lost over the past 20 years to low-wage countries.

Mr. Speaker, Federal support for textile research isn't a new idea. Between 1986 and 2010, the Department of Commerce provided consistent and ongoing annual support for textile research conducted by entities such as the National Textile Center, a research partnership of eight universities, and TC-Squared, a leading industry consortium.

Since 2010, however, the Department has not provided any comparable source of funding for advanced technical research, largely because Congress has not provided that funding. Industry stakeholders as varied as high-end athletic and outdoor apparel companies, aerospace manufacturers, defense contractors, and defense textile manufacturers all recognize the importance of Federal support for advanced textile research.

So instead of spending time on short-sighted legislation undermining the EPA's ability to do its job, we should instead be focusing on forward-thinking manufacturing and economic policy to improve our Nation's international competitiveness. With our support, U.S. manufacturers and workers will dominate the 21st century global economy as they did in the 20th century.

Mr. Speaker, if colleagues want to do something serious to help American manufacturers and workers, then we should support this bill. It is as simple as that.

I urge defeat of the previous question.

Mr. BURGESS. Mr. Speaker, at this time I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, may I inquire from the gentleman if he has additional speakers besides himself?

Mr. BURGESS. Mr. Speaker, I have no additional speakers.

Mr. MCGOVERN. Mr. Speaker, we had one other speaker who is not here, but in light of that, I will close.

Mr. Speaker, as I said before, I am going to ask my colleagues to vote against the previous question. If the previous question is defeated, we will make in order the ATTIRE Act that Mr. PRICE so carefully described to all of us here today.

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

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, let me just say in closing that it is frustrating to be back after the election and to kind of engage in the same old-same old Republican partisan messaging bills that are going nowhere that just waste time. We ought to do the people's business in the next campaign which is about to start in a little while.

The fact that we are back here not debating this conflict that is now going on in the Middle East, the fact that we are not debating an immigration bill, the fact that we are not debating a pay equity bill or a minimum wage bill and we are doing this is very discouraging.

Mr. Speaker, I would urge my colleagues on both sides of the aisle to send a strong statement today and vote ''no'' on this rule and certainly vote ''no'' on the previous question. I would also urge, if the rule passes, that we vote ''no'' on the underlying legislation. We have a lot of work to do. What we are doing here today does not constitute that work, and I regret it very much.

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

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

Mr. Speaker, today's rule provides for the consideration of three important bills to provide for open and transparent rulemaking at the Environmental Protection Agency. I certainly want to thank the authors for their thoughtful legislation. I want to urge my colleagues to support both the rule and the underlying bills.

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

AN AMENDMENT TO H. RES. 756 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

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

SEC. 6. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 937) to support innovation and research in the United States textile and fiber products industry. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology, the chair and ranking minority member of the Committee on Ways and Means, and the chair and ranking minority member of the Committee on Foreign Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. 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. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 937.

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

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

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

Mr. McGOVERN. 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 adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 225, nays 190, not voting 19, as follows:

[Roll No. 521]

YEAS—225

Aderholt
Amash
Amodei
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Bucshon
Burgess
Byrne
Calvert
Camp
Capito
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—190

Adams
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Enyart
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel

Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—19

Bachmann
Buchanan
Campbell
Davis, Danny
Duckworth
Engel
Fattah
Hall
Hastings (FL)
Hurt
Jackson Lee
Miller, Gary
Moore
Mullin
Negrete McLeod
Roskam
Sherman
Smith (WA)
Titus

□ 1322

Messrs. HINOJOSA and DOGGETT changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. HURT. Mr. Speaker, I was not present for rollcall vote No. 521, a recorded vote on H. Res. 756. Had I been present, I would have voted "yea."

Stated against:

Ms. TITUS. Mr. Speaker, on rollcall No. 521, had I been present, I would have voted "no."

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 227, noes 192, not voting 15, as follows:

[Roll No. 522]

AYES—227

Aderholt
Amash
Amodei
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Bucshon
Burgess
Byrne
Calvert
Camp
Capito
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—192

Adams
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Enyart
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—15

Bachmann
Buchanan
Campbell
Davis, Danny
Duckworth
Engel
Fattah
Hall
Hastings (FL)
Jackson Lee
Miller, Gary
Moore
Mullin
Negrete McLeod
Smith (WA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1330

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. JACKSON LEE. Mr. Speaker, I was unavoidably detained by a meeting on constituency matters on rollcall vote No. 521 and 522. If I had been present, I would have voted ''no'' on rollcall vote No. 521 and ''no'' on rollcall vote No. 522.

EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2013

Mr. SCHWEIKERT. Mr. Speaker, pursuant to House Resolution 756, I call up the bill (H.R. 1422) 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 in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 756, the amendment in the nature of a substitute recommended by the Committee on Science, Space, and Technology printed in the bill, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1422

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 2013''.

SEC. 2. SCIENCE ADVISORY BOARD.

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

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